



Augusta County Planning Commission
Planning Commission
Tuesday, January 9, 2024 – 7:00 PM
Augusta County Government Center
Board Room

MEMO

January 9, 2024 Meeting Notice

[January 9, 2024 Meeting Notice](#)

0A-January_PC_Notice.pdf

0B- January_2024Agenda.pdf

1. **CALL TO ORDER**

2. **APPROVAL OF THE MINUTES**

A. [Approval of the Regular and Called Meeting on December 12, 2023](#)

Approval

3A-December 12, 2023 Planning Commission Meeting Minutes.pdf

3. **PUBLIC HEARING**

A. [An Ordinance to amend Chapter 25. Zoning. Division A. Article I. General Provisions. Section 25-4. Definitions. Limited Outdoor Storage.](#)

4A- 25-4 Limited Outdoor Storage Definition.pdf

B. [An Ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture \(GA\) Districts. Section 25-74. Uses permitted by Special Use Permit. D. Uses away from developed areas.](#)

4B- 25-74 D Uses Away From developed Areas Staff Report.pdf

C. [An Ordinance to amend Chapter 25. Zoning. Division E. Business Districts. Article XXX. General Business \(GB\) Districts. Section 25-303. Uses permitted by Administrative Permit. K. Limited outdoor storage.](#)

4C- 25-303 K Limited Outdoor Storage Staff Report.pdf

D. [An Ordinance to amend Chapter 25. Zoning. Division F. Industrial Districts. Article XXXVIII. General Industrial \(GI\) Districts. Section 25-384. Uses permitted by Special Use Permit. E. Batching plants for asphalt, cement, or concrete.](#)

4D- 25-384 E Batching Plants for asphalt, cement, or concrete Staff Report.pdf

E. [An Ordinance to amend Chapter 25. Division I. Permits and Amendments. Article LX. Rezoning and other amendments. Section 25-603. Submission of petition for rezoning.](#)

4E- 25-603 Amending Proffer.pdf

4. **MATTERS TO BE PRESENTED BY THE PUBLIC**

5. **NEW BUSINESS**

A. [Meeting Schedule and Inclement Weather Resolution for 2024](#)

6A- Inclement Weather 2024.pdf

B. [Review of the Planning Commission By-Laws](#)

6B- BYLAWS Amended 8-8-23.pdf

6. **OLD BUSINESS**
 7. **MATTERS TO BE PRESENTED BY THE COMMISSION**
 8. **STAFF REPORTS**
 9. **ADJOURNMENT**
-



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: MEMO

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

N/A

EXECUTIVE SUMMARY:

ATTACHMENTS:

[0A-January_PC_Notice.pdf](#)

[0B- January_2024Agenda.pdf](#)



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Planning Commission
FROM: Elizabeth Goodloe, Planner I
Julia Hensley, Planner II
CC: Timothy Fitzgerald, County Administrator
Doug Wolfe, Director of Community Development
DATE: December 29, 2023
SUBJECT: January Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, January 9, 2024 at 7:00 p.m.**, at the Augusta County Government Center, in the Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

The Planning Commission will meet beginning at **4:00 p.m.** for a staff briefing. The Planning Commission will have dinner in the Community Development Conference Room at 6:15 p.m.

In addition to the items on the enclosed agenda, the Planning Commission and staff will discuss current bylaws, and further developing the solar policies in the Augusta County Comprehensive Plan.

Attached are the agenda and meeting materials for this meeting. If you have any questions about any of the materials, please feel free to contact us. If you won't be able to attend the meeting, please let us know as soon as possible.

EG/JH

A G E N D A

Regular Meeting of the Augusta County Planning Commission

Tuesday, January 9, 2024 7:00 P.M.

1. CALL TO ORDER

2. DETERMINATION OF A QUORUM

3. APPROVAL OF THE MINUTES

A. Approval of the Regular and Called Meeting on December 12, 2023

4. PUBLIC HEARING

A. An Ordinance to amend Chapter 25. Zoning. Division A. Article I. General Provisions. Section 25-4. Definitions. Limited Outdoor Storage.

Amendment revises the current definition for Limited Outdoor Storage to match the updated language in Section 25-303 K. Limited Outdoor Storage.

B. An Ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture (GA) Districts. Section 25-74. Uses permitted by Special Use Permit. D. Uses away from developed areas.

Amendment increases the minimum setback for mining/quarry operations from 200' to 500' from all property lines and increases the minimum setback the Board of Zoning Appeals may reduce or eliminate from 200' to 500'. Amendment also removes the clause under item 7 "and the adjoining property owners agree that such a reduction is mutually beneficial."

C. An Ordinance to amend Chapter 25. Zoning. Division E. Business Districts. Article XXX. General Business (GB) Districts. Section 25-303. Uses permitted by Administrative Permit. K. Limited outdoor storage.

Amendment adds the 10,000 square feet limit from the definition of limited outdoor storage, Section 25-4. Amendment consolidates item numbers two (2) and three (3) of Section K that designates the location for limited outdoor storage. Amendment adds the standard for vehicles, boats, recreational vehicles, and similar vehicles not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of this code.

D. An Ordinance to amend Chapter 25. Zoning. Division F. Industrial Districts. Article XXXVIII. General Industrial (GI) Districts. Section 25-384. Uses permitted by Special Use Permit. E. Batching plants for asphalt, cement, or concrete.

Amendment adds the provision for the Board of Zoning Appeals to reduce or eliminate the one hundred-foot (100') setback between adjoining property owners where similar industrial uses are ongoing.

E. An Ordinance to amend Chapter 25. Division I. Permits and Amendments. Article LX. Rezoning and other amendments. Section 25-603. Submission of petition for rezoning.

Amendment deletes the requirement under item B that the petitioner shall be notified of the last day prior to consideration by the planning commission when the owner may proffer conditions. Amendment revises item C to allow for proffers to be submitted during a public hearing for the Board of Supervisors.

5. MATTERS TO BE PRESENTED BY THE PUBLIC

6. NEW BUSINESS
 - A. Meeting Schedule and Inclement Weather Resolution for 2024
 - B. Review of the Planning Commission By-Laws

7. OLD BUSINESS

8. MATTERS TO BE PRESENTED BY THE COMMISSION

9. STAFF REPORTS
 - A. Information for Commission – Code of Virginia, Section 15.2-2310
(Board of Zoning Appeals Items)

10. ADJOURNMENT



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: APPROVAL OF THE MINUTES

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

N/A

EXECUTIVE SUMMARY:

ATTACHMENTS:

[3A-December 12, 2023 Planning Commission Meeting Minutes.pdf](#)

PRESENT: C. Bragg, Chairman
 R. Harris, Vice Chairman
 L. Howdyshell
 R. Thomas
 K. Leonard

J. Hensley, Planner II
 E. Goodloe, Planner I
 D. Wolfe, Director of Community Development

ABSENT: B. Schindler

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, December 12, 2023 at 3:00 p.m. in the County Administration Conference Room, Augusta County Government Center, Verona, Virginia.

The Planning Commission reviewed the following requests and substantial accord determination and traveled to the following sites which will be considered at the Public Hearing:

Rezoning Requests:

Eric and Jodie Whitson
 703 Scenic Highway
 Churchville, VA 24421

Brenda and John Sutton
 45 Cedar Ridge Road
 Waynesboro, VA 22980

Substantial Accord Determination:

The Farm at Chapel Hill
 194 Chapel Hill Road
 Weyers Cave, VA 24486

Withdrawal Request from Middle River

Agricultural and Forestal District:
 Charles and Dona Patterson
 1188 Patterson Mill Road
 Grottoes, VA 24441

Staff also gave the Planning Commission the review of the twelve (12) Solar Policies in the Comprehensive Plan, and stated that they would be going over the policies during January Staff Briefing for the Planning Commission.

Chairman

Secretary

PRESENT: C. Bragg, Chairman
 R. Harris, Vice Chairman
 L. Howdyshell
 R. Thomas
 K. Leonard

J. Hensley, Planner II
 E. Goodloe, Planner I
 D. Wolfe, Director of Community Development

ABSENT: B. Schindler

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, December 12, 2023 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mrs. Carolyn Bragg stated that there was a quorum.

* * * * *

MINUTES

Mr. Randy Harris moved to approve the minutes of the called and regular meeting held on November 14, 2023.

Mr. Larry Howdyshell seconded the motion, which carried unanimously, 5-0.

* * * * *

PUBLIC HEARINGS

Mrs. Bragg stated that they had four (4) public hearings that evening.

Ms. Julia Hensley introduced the first item as a request to rezone from Single-Family Residential to General Agriculture approximately 12.59 acres (TMP 024 19F) owned by Eric and Jodie Whitson and located at 703 Scenic Highway in Churchville in the Pastures Magisterial District. The property is located in a Rural Conservation Area of the Comprehensive Plan planned for General Agriculture. The purpose of the rezoning is to

rezone back to General Agriculture in order to subdivide using the “existing dwelling division lot” provision under Section 25-77.4 Lot frontage in general. Exceptions. Item C. of the Augusta County Code, and to build a dwelling on the residual lot. The applicant has proffered out intensive agriculture operations, including large chicken or turkey houses, intensive swine farming, and concentrated animal feeding operations (CAFOs). Small hobby farm operations may be permitted.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that the parcel is currently zoned Single Family Residential; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within a Rural Conservation Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was present.

Mr. Eric Whitson, the applicant came to the podium. Ms. Hensley asked the applicant if there was any additional information he would like to speak on; Mr. Whitson indicated he had no additional information to present.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

With no one to speak, Mrs. Bragg closed the public hearing.

Mr. Harris made the motion to approve the request with proffers.

Mr. Robert Thomas seconded the motion, which carried unanimously, 5-0.

Ms. Hensley introduced the second item as a request to rezone from Rural Residential to General Agriculture approximately 0.20 acres (TMP 068 38D and 068 38U) located at 45 Cedar Ridge Road in Waynesboro in the Wayne Magisterial District. The property is located in a Rural Conservation Area of the Comprehensive Plan planned for General Agriculture. The purpose of the rezoning is to rezone back to General Agriculture in order to match the zoning to the property lines of a recent boundary line adjustment.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that approximately 0.20 acres of the parcel is currently zoned Rural Residential; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within a Rural Conservation Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was there to speak.

Mr. Wes Bain said the request was straightforward.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

With no one to speak, Mrs. Bragg closed the public hearing.

Mr. Thomas made the motion to approve the request.

Mr. Kyle Leonard seconded the motion, which carried unanimously, 5-0.

Mrs. Bragg introduced the third item as a request for a determination of compliance with the Augusta County Comprehensive Plan, pursuant to §15.2-2232 of the Code of Virginia, to permit a private sewer line to be connected from TMP 020 24, owned by The Farm at Chapel Hill, LLC, located at 194 Chapel Hill Lane in Weyers Cave in the Middle River District, to the Weyers Cave Treatment Plant owned by Augusta Water.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that it is currently zoned General Agriculture; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question was planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within an Agricultural Conservation Area of the Comprehensive Plan.

Mrs. Bragg asked the Commissioners if they had any questions for staff. Seeing none, Mrs. Bragg opened the public hearing and stated that this request was to determine the proposed private sewer line's compliance with the comprehensive plan, and is unrelated to any potential or proposed operations on the property itself.

Ms. Hensley asked if the applicant was there to speak.

Mr. Eric Pisk, the managing member of the Farm at Chapel Hill, approached the podium. He stated he believed everyone had the information for the private sewer tie-in, Augusta Water's approval letter, and staff's report recommending that the request is in substantial accord with the Comprehensive Plan.

Mr. Harris asked if the applicant had received written approval to go through adjacent property in order to extend the sewer line to the treatment facility. Mr. Pisk stated that he has obtained verbal approval from the neighboring property owner.

Mrs. Bragg opened the public hearing and stated that two people had signed up to speak.

Ms. Linda Greene, 64 Chapel Hill Lane, Weyers Cave, VA 24486, stated she was an adjoining property owner, and indicated she had several questions. Ms. Greene asked whether any permits would be required of the landowner if it were approved, and if so, whether others could be informed of which permits would be required.

Mrs. Bragg stated that the conversation tonight solely revolved around the sewer line, and was not related to any other projects on the property. Augusta Water will have an agreement with the property owner in regards to the condition of the water and required maintenance.

Ms. Greene asked if more lines could be added to the private sewer line in the future.

Mr. Doug Wolfe stated that during the staff briefing earlier in the day, staff and Commissioners discussed with Augusta Water how they would still need to come to a final, signed agreement with the property owner if this were to be approved, but that this proposed sewer line would solely be for the property and future brewery in question and would not allow for other tie ins.

Ms. Greene asked if that also included his taproom.

Mr. Wolfe confirmed that it would also include the taproom.

Ms. Greene asked if the property owner expanded his business in the future, whether he would be permitted to add additional water capacity for treatment than what had been proposed.

Ms. Hensley stated that she believed that whatever the final agreement between Augusta Water and the property owner would be, he could not exceed that agreed upon capacity. She stated that the amount has not been finalized because this determination has not been brought before the Planning Commission. They will be bound by their agreement.

Mr. Wolfe went on to explain that this hearing was a 2232 determination, which decides whether or not a request is in conformance with the Comprehensive Plan. This determination is based on what Augusta Water has tentatively agreed on regarding receiving the waste. The approval by Augusta Water included stipulations such as a tentative number, quantity of volume, and BOD levels in the waste, but how many sugar levels are in the waste; however, is not quantified on a certain volume.

Ms. Greene asked if laws could be amended to ensure this is not repeated.

Mrs. Bragg said that the Planning Commission and the County do not have authority over water. She stated that the issue being heard is if it is feasible to connect the line to the treatment facility. The question is, does the waste go to the treatment plant or to an onsite septic system?

Mr. Kevin Gartzke of 441 Chapel Hill Lane, Weyers Cave, VA 24486, stated that he had a question. The parcel was in an Agricultural Conservation Area which is why the property owner needed a special request for this. He asked, what good is the Comprehensive Plan if people go around it all the time? He stated this was more of a point to consider rather than a question.

Mrs. Bragg asked if there was anyone else to speak on the request. Seeing no one, she closed the public hearing.

Mr. Wolfe clarified what Mr. Gartzke had asked. He said that his question was in essence what the Commission is answering. The property is located in an Agricultural Conservation Area. There have been previous processes utilized to determine the feasibility of changing the Planning Policy area to either an Urban Service or Community Development Area. These processes determined that this property should remain in an Agricultural Conservation Area. The property owner then applied for a farm brewery permit. Because it appears that a farm brewery is going to be built on the property, the question being asked tonight addresses whether it is appropriate to have a large septic system, or to have the waste go to the wastewater treatment plant, according to the Comprehensive Plan and parts thereof.

Mr. Harris stated the business is going to come and it is about we are going to take care of the sewage. They had met with Augusta Water and there are strict requirements that will need to be met. He made the motion to determine the request was in substantial accordance with the Comprehensive Plan based on the close proximity to the wastewater treatment facility, and because it is a continued agricultural use that a private sewer line would help in protecting the existing natural resources from waste from the septic tank.

Mr. Howdyshell seconded the motion, agreeing with what Mr. Harris had added that no other users will be able to connect to the line. Augusta Water has different standards that the property owner will have to meet before they approve everything; he also mentioned that everything will be metered. It will be healthier for the ground to treat the wastewater at the plant it would to dump it in a septic field.

Mrs. Bragg stated that she wanted to echo what everyone else had said, and that the discussion is not related to whatever project is going on at the property. It is about connecting a private sewer line. Others will not be able to connect to it. Is it better to take the wastewater to the plant where it will be treated, as opposed to a septic field right by the river.

Mrs. Bragg asked the Commissioners if anyone had any more comments, seeing none the Commissioners voted, which carried unanimously, 5-0.

Ms. Hensley introduced the last item as a request to withdraw 6.331 acres owned by Charles and Donna Patterson from the Middle River Agricultural and Forestal District. The district currently consists of approximately 5,500 acres situated in the Middle River District of Augusta County, Virginia, lying east of Interstate 81; both east and west sides of Route 778 (Knightly Mill Road), Route 774 (Broad Run Road), Route 774 (Cline River Road), and Route 865 (Rockfish Road); both north and south sides of Route 608 (Battlefield Road), Route 775 (Buttermilk Road), and Route 775 (Craig Shop Road); on the north side of Route 777 (Knightly Lane); both north and south sides of Route 728 (Patterson Mill Road); on the southwest side of Route 774 (Piedmont Road) on either side of Route 616 (Dam Town Road).

Ms. Hensley stated that the Agricultural and Forestal committee recommended the removal of a portion of 38-123 (6.331 acres from the district), the conditions listed in Section 3-3 shall continue unchanged, and that the expiration date of 11/24/2028 shall remain unchanged.

Ms. Hensley asked if the applicant was there to speak.

Mr. Charles Patterson asked if there were any questions for him that he could answer. He explained that he had bought the piece of property not knowing that it was in an Agricultural and Forestal District. He owns the farm that adjoins this parcel. He has a house, a barn, and a couple of sheds that he has no desire to keep. He added some land to the house and would like to sell it. The rest of the land would stay in the Agricultural and Forestal District. He did not put the land in the district himself.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

Seeing no one, she closed the public hearing.

Mr. Howdysshell made the motion to approve the request.

Mr. Harris seconded the motion which carried unanimously, 5-0.

* * * * *

NEW BUSINESS

Mrs. Bragg stated it was time for them to select the new chair, vice chair, and secretary. She asked if there was a motion for a slate of officers.

Mr. Thomas made the motion for Mr. William Schindler to be Vice Chair, Mr. Harris to be Chair, and Ms. Elizabeth Goodloe to be the Secretary.

Mr. Howdysshell seconded the motion, which carried unanimously, 5-0.

* * * * *

OLD BUSINESS

Mr. Harris took the time to thank Mrs. Bragg for being chair and everything she did for them.

Mr. Howdysshell wanted to thank Mrs. Bragg as well.

Mr. Leonard stated that Mrs. Bragg did an exceptional job, and that she represented the County well.

Mrs. Bragg said it was great to work with everyone.

* * * * *

STAFF REPORTS

Ms. Hensley introduced the first staff report as an update for the Comprehensive Plan and Economic Development Strategic Plan. She stated that in regards to public engagement, they have finished the first round of Community Input Meetings. They went well with excellent attendance and a lot of diverse input from residents. The next round of public engagement will begin toward the end of January and will concentrate on focus groups on the topics addressed at the community meetings. Staff will also be coordinating several pop-up events in more remote areas, like Deerfield and Mount Solon; areas where people may not have been able to access the community meetings or virtual meetings easily. Following the public engagement, the draft plan stage will begin likely during the latter part of spring and summer.

Mrs. Bragg explained that if people were not able to attend the meetings there is a survey available online. There will also be another series of community meetings. She encouraged engagement by the public.

Ms. Goodloe reviewed the agenda items with the Commissioners for the January 2024 Board of Zoning Appeals meeting.

* * * * *

Adjournment

There being no further business to discuss, Mr. Thomas made a motion to adjourn.

Mr. Leonard seconded the motion, which carried unanimously, 5-0.

Chairman

Secretary



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval

EXECUTIVE SUMMARY:

Amendment revises the current definition for Limited Outdoor Storage to match the updated language in Section 25-303 K. Limited Outdoor Storage.

ATTACHMENTS:

[4A- 25-4 Limited Outdoor Storage Definition.pdf](#)

**COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division A.
Article I. General Provisions.
Section 25-4. Definitions.
January 9, 2024**

An ordinance to amend Chapter 25. Zoning. Division A. Article I. General Provisions. Section 25-4. Definitions.

**REDLINED:
§ 25-4 Definitions**

Limited Outdoor Storage. The keeping of any goods, materials, equipment, or merchandise, other than in a completely enclosed building during any time other than normal business hours. Limited outdoor storage shall ~~not exceed be in a designated storage area of less than~~ 10,000 square feet and no more than twelve feet (12') in height. Limited outdoor storage shall be fully shielded or screened from view. Limited outdoor storage shall be located in the rear yard and may be located to the side of a building, provided it is not located within a required buffer yard. (Ord. 6/26/19)

**AN ORDINANCE TO AMEND
SECTION 25-4
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-4;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-4 of the Augusta County Code is amended to read as follows:

Limited Outdoor Storage. The keeping of any goods, materials, equipment, or merchandise, other than in a completely enclosed building during any time other than normal business hours. Limited outdoor storage shall not exceed 10,000 square feet and no more than twelve feet (12') in height. Limited outdoor storage shall be fully shielded or screened from view. Limited outdoor storage shall be located in the rear yard and may be located to the side of a building, provided it is not located within a required buffer yard. (Ord. 6/26/19)

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed and approved this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment revises the current definition for limited outdoor storage to match the updated language in Section 25-303 K. Limited Outdoor Storage.



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval

EXECUTIVE SUMMARY:

Amendment increases the minimum setback for mining/quarry operations from 200' to 500' from all property lines and increases the minimum setback the Board of Zoning Appeals may reduce or eliminate from 200' to 500'. Amendment also removes the clause under item 7 "and the adjoining property owners agree that such a reduction is mutually beneficial."

ATTACHMENTS:

[4B- 25-74 D Uses Away From developed Areas Staff Report.pdf](#)

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division B. Agriculture Districts.
Article VII. General Agriculture (GA) Districts.
Section 25-74. Uses by special use permit.
January 9, 2024

An ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture Districts. Section 25-74. Uses by special use permit.

REDLINED:

§ 25-74. Uses permitted by special use permit.

D. Uses away from developed areas.

Uses customarily found in areas away from developed areas, including but not necessarily limited to: batching plants, including asphalt and portland cement, storage of bulk fuel, explosives, ammunition and fireworks, outdoor shooting ranges and preserves, and extraction of minerals, rock, dirt, gravel, sand, oil or natural gas and similar materials but not to include extraction of such materials by means of enhanced recovery, hydraulic fracturing, and/or horizontal drilling, may be permitted by Special Use Permit, provided:

1. The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use; and
2. A technical transportation study shall be submitted that assesses the potential physical and operational impacts to the transportation assets (roads, bridges, right-of-way, etc.) which are anticipated to provide service to the subject parcel or parcels; and
3. On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways; and
4. The business shall have direct access to a state-maintained road; and
5. The business and anticipated enlargements thereof will be appropriate for agriculture areas and is not more properly placed in an available industrial zone; and

6. All buildings, structures, and operations will be set back at least ~~two~~ five -hundred feet (500') from all property lines and at least one thousand feet (1000') from any residentially zoned property unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties; and
7. The board of zoning appeals may reduce or eliminate the ~~two~~ five hundred foot (500') set back between adjoining properties where similar industrial uses are ongoing, ~~and the adjoining property owners agree that such a reduction is mutually beneficial.~~
8. All uses involving the extraction of oil or natural gas shall conform to applicable state and federal regulations concerning noise and vibration. The Zoning Administrator may require the submission of a copy of data submitted to state or federal agencies pertaining to these performance standards with the required site plan.
9. All mining operators shall submit to the Zoning Administrator a copy of the operations plan required by state agencies with the required site plan.

**AN ORDINANCE TO AMEND
SECTION 25-74
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-74;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that item 9 of Section 25-74. D. of the Augusta County Code is amended to read as follows:

D. Uses away from developed areas.

Uses customarily found in areas away from developed areas, including but not necessarily limited to: batching plants, including asphalt and portland cement, storage of bulk fuel, explosives, ammunition and fireworks, outdoor shooting ranges and preserves, and extraction of minerals, rock, dirt, gravel, sand, oil or natural gas and similar materials but not to include extraction of such materials by means of enhanced recovery, hydraulic fracturing, and/or horizontal drilling, may be permitted by Special Use Permit, provided:

1. The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use; and

2. A technical transportation study shall be submitted that assesses the potential physical and operational impacts to the transportation assets (roads, bridges, right-of-way, etc.) which are anticipated to provide service to the subject parcel or parcels; and
3. On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways; and
4. The business shall have direct access to a state-maintained road; and
5. The business and anticipated enlargements thereof will be appropriate for agriculture areas and is not more properly placed in an available industrial zone; and
6. All buildings, structures, and operations will be set back at least five hundred feet (500') from all property lines and at least one thousand feet (1000') from any residentially zoned property unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties; and
7. The board of zoning appeals may reduce or eliminate the five hundred foot (500') set back between adjoining properties where similar industrial uses are ongoing, and
8. All uses involving the extraction of oil or natural gas shall conform to applicable state and federal regulations concerning noise and vibration. The Zoning Administrator may require the submission of a copy of data submitted to state or federal agencies pertaining to these performance standards with the required site plan.
9. All mining operators shall submit to the Zoning Administrator a copy of the operations plan required by state agencies with the required site plan.

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed and approved this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment increases the minimum setback for mining/quarry operations from 200' to 500' from all property lines and increases the minimum setback the Board of Zoning Appeals may reduce or eliminate from 200' to 500'. Amendment also removes the clause under item 7. "and the adjoining property owners agree that such a reduction is mutually beneficial.



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval

EXECUTIVE SUMMARY:

Amendment adds the 10,000 square feet limit from the definition of limited outdoor storage, Section 25-4. Amendment consolidates item numbers two (2) and three (3) of Section K that designates the location for limited outdoor storage. Amendment adds the standard for vehicles, boats, recreational vehicles, and similar vehicles not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of this code.

ATTACHMENTS:

[4C- 25-303 K Limited Outdoor Storage Staff Report.pdf](#)

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division B. Agriculture Districts.
Article VII. General Agriculture (GA) Districts.
Section 25-303. Uses by special use permit.
January 9, 2024

An ordinance to amend Chapter 25 Zoning. Division B. Agriculture Districts. Article VII. General Agriculture (GA) Districts. Section-303. Uses by special use permit.

REDLINED:

§ 25-303. Uses permitted by Administrative Permit.

K. Limited outdoor storage.

Limited outdoor storage may be permitted by Administrative Permit provided:

1. Limited outdoor storage shall not exceed 10,000 square feet and not be more than twelve feet (12') in height and shall be fully shielded or screened from view. Gates shall remain closed except when goods are moved to and from the enclosed area; and
2. Limited outdoor storage shall be located in the rear yard; or to the side of a building, provided it is not located within a required buffer yard, and
3. Vehicles, boats, recreational vehicles, and similar vehicles, not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of this Code, awaiting repair for more than thirty (30) days must be located within the vehicle impoundment area.

NOTE: Any outdoor storage that does not meet the requirements listed above or the requirements for Outdoor display of merchandise listed in subsection J above can apply to the board of zoning appeals for a Special Use Permit pursuant to the requirements listed in §25- 304B.

**AN ORDINANCE TO AMEND
SECTION 25-303
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-303;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that item 9 of Section 25-303 of the Augusta County Code is amended to read as follows:

K. Limited outdoor storage.

Limited outdoor storage may be permitted by Administrative Permit provided:

1. Limited outdoor storage shall not exceed 10,000 square feet and not be more than twelve feet (12') in height and shall be fully shielded or screened from view. Gates shall remain closed except when goods are moved to and from the enclosed area; and
2. Limited outdoor storage shall be located in the rear yard; or to the side of a building, provided it is not located within a required buffer yard, and
3. Vehicles, boats, recreational vehicles, and similar vehicles, not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of this Code, awaiting repair for more than thirty (30) days must be located within the vehicle impoundment area.

NOTE: Any outdoor storage that does not meet the requirements listed above or the requirements for Outdoor display of merchandise listed in subsection J above can apply to the board of zoning appeals for a Special Use Permit pursuant to the requirements listed in §25- 304B.

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed and approved this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment adds the 10,000 square feet limit from the definition of limited outdoor storage, Section 25-4. Amendment consolidates item numbers two (2) and three (3) of Section K that designates the location for limited outdoor storage. Amendment adds the standard for vehicles, boats, recreational vehicles, and similar vehicles not otherwise meeting the definition of inoperable vehicles as defined in Section 25-4 of this code.



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval

EXECUTIVE SUMMARY:

Amendment adds the provision for the Board of Zoning Appeals to reduce or eliminate the one hundred-foot (100') setback between adjoining property owners where similar industrial uses are ongoing.

ATTACHMENTS:

[4D- 25-384 E Batching Plants for asphalt, cement, or concrete Staff Report.pdf](#)

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division F. Industrial Districts.
Article VII. General Industrial (GI) Districts.
Section 25-384. Uses permitted by Administrative Permit.
January 9, 2024

An ordinance to amend Chapter 25 Zoning. Division F. Industrial Districts. Article VII. General Industrial (GI) Districts. Section 25-384. Uses permitted by Administrative Permit.

REDLINED:

§ 25-384 Uses permitted by special use Permit.

E. Batching plants for asphalt, cement, or concrete.

Batching plants for asphalt, cement, or concrete may be permitted by Special Use Permit provided:

1. The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use; and
2. Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing the said roads; and
3. On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways; and
4. All buildings, structures, and operations will be set back at least one hundred feet (100') from all property lines unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties.

[5. The board of zoning appeals may reduce or eliminate the one hundred foot \(100'\) set back between adjoining properties where similar industrial uses are ongoing.](#)

**AN ORDINANCE TO AMEND
SECTION 25-384
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-384;
NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that item E of Section 25-394 of the Augusta County Code is amended to read as follows:

E. Batching plants for asphalt, cement, or concrete.

Batching plants for asphalt, cement, or concrete may be permitted by Special Use Permit provided:

1. The neighboring area is not characterized by residential, commercial, or industrial development which would be adversely impacted by the proposed use; and
2. Traffic generated by the proposed project will be compatible with the roads serving the site and other traffic utilizing the said roads; and
3. On-site traffic flow will adequately and safely accommodate all traffic to and from the public highways; and
4. All buildings, structures, and operations will be set back at least one hundred feet (100') from all property lines unless the board of zoning appeals determines that greater setbacks are necessary to adequately protect neighboring properties.
5. the board of zoning appeals may reduce or eliminate the one hundred foot (100') set back between adjoining properties where similar industrial uses are ongoing.

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed and approved this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment adds the provision for the Board of Zoning Appeals to reduce or eliminate the one hundred foot (100') setback between adjoining property owners where similar industrial uses are ongoing. Amendment also removes the clause: "and the adjoining property owners agree that such a reduction is mutually beneficial."



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: PUBLIC HEARING

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval

EXECUTIVE SUMMARY:

Amendment deletes the requirement under item B that the petitioner shall be notified of the last day prior to consideration by the planning commission when the owner may proffer conditions. Amendment revises item C to allow for proffers to be submitted during a public hearing for the Board of Supervisors.

ATTACHMENTS:

[4E- 25-603 Amending Proffer.pdf](#)

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25. Zoning. Division I. Permits and Amendments.
Article LX. Rezoning and other amendments.
Section 25-603. Submission of petition for rezoning.
January 9, 2024

**An ordinance to amend Chapter 25 Zoning. Division I. Permits and Amendments.
Section 25-603. Submission of petition for rezoning.**

REDLINED:

§ 25-603. Submission of petition for rezoning.

A. After pre-submission review as set forth in § 25-602 above has been completed, the petitioner may submit his petition for rezoning. If the petitioner is not the owner, the petition shall be accompanied by written consent from the owner. The petitioner shall be notified in advance of the time and place the petition will be considered by the planning commission and the board of supervisors. Revision # 37, August 2017

B. ~~The petitioner shall also be notified of the last day prior to consideration by the planning commission when the owner may proffer conditions.~~ All conditions voluntarily proffered by the owner pursuant to § 25-604 below shall be submitted prior to consideration by the planning commission in time to allow advertising of such proffers in summary form along with the advertising of the proposed rezoning ordinance before the meeting of the planning commission.

C. Amendments to proffered conditions may be submitted prior to a public hearing before the board of supervisors without referral to the planning commission or during the public hearing provided such amendments (i) do not address matters different from the matters addressed by the proffers considered by the planning commission, (ii) do not permit a more intensive use of the property than would have been permitted by the proffers considered by the planning commission, and (iii) do not otherwise reduce or relax any proffers considered by the planning commission which impose restrictions or limitations on the use of the property designed to protect the interests of neighboring properties and the public at large.

State law reference--Virginia Code § 15.2-2286

**AN ORDINANCE TO AMEND
SECTION 25-603
OF THE AUGUSTA COUNTY CODE**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to update the requirement for the Section 25-603;

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that items B and C of Section 25-603 of the Augusta County Code is amended to read as follows:

A. After pre-submission review as set forth in § 25-602 above has been completed, the petitioner may submit his petition for rezoning. If the petitioner is not the owner, the petition shall be accompanied by written consent from the owner. The petitioner shall be notified in advance of the time and place the petition will be considered by the planning commission and the board of supervisors. Revision # 37, August 2017

B. All conditions voluntarily proffered by the owner pursuant to § 25-604 below shall be submitted prior to consideration by the planning commission in time to allow advertising of such proffers in summary form along with the advertising of the proposed rezoning ordinance before the meeting of the planning commission.

C. Amendments to proffered conditions may be submitted prior to a public hearing before the board of supervisors without referral to the planning commission or during the public hearing provided such amendments (i) do not address matters different from the matters addressed by the proffers considered by the planning commission, (ii) do not permit a more intensive use of the property than would have been permitted by the proffers considered by the planning commission, and (iii) do not otherwise reduce or relax any proffers considered by the planning commission which impose restrictions or limitations on the use of the property designed to protect the interests of neighboring properties and the public at large.

State law reference--Virginia Code § 15.2-2286

COUNTY ATTORNEYS' STAFF COMMENTS: The County Attorneys have reviewed and approved this language.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment deletes the requirement under item B. that the petitioner shall be notified of the last day prior to consideration by the planning commission when the owner may proffer conditions. Amendment revises item C. to allow for proffers to be submitted during a public hearing for the board of supervisors. This amendment updates the language currently in the ordinance to be in alignment with the state code's language for the submission of proffers for a rezoning. Virginia Code § 15.2-2286



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Consider Approval of Resolution

EXECUTIVE SUMMARY:

ATTACHMENTS:

[6A- Inclement Weather 2024.pdf](#)

**AUGUSTA COUNTY PLANNING COMMISSION REGULAR MEETING SCHEDULE AND
INCLEMENT WEATHER RESOLUTION 2024**

WHEREAS, § 15.2-2214 of the Code of Virginia (1950), as amended, authorizes the Augusta County Planning Commission to fix a schedule of regular meetings and fix the day or days to which any meeting shall be continued due to inclement weather.

WHEREAS, the Planning Commission now desires to establish its schedule for regular meetings during calendar year 2024.

BE IT RESOLVED BY THE AUGUSTA COUNTY PLANNING COMMISSION:

1. The Planning Commission shall hold regular meetings during calendar year 2024, in the Board Meeting Room at the Augusta County Government Center, on the dates and at the times set forth below:

January 9, 2024	7:00 p.m.
February 13, 2024	7:00 p.m.
March 12, 2024	7:00 p.m.
April 9, 2024	7:00 p.m.
May 14, 2024	7:00 p.m.
June 11, 2024	7:00 p.m.
July 9, 2024	7:00 p.m.
August 13, 2024	7:00 p.m.
September 10, 2024	7:00 p.m.
October 8, 2024	7:00 p.m.
November 12, 2024	7:00 p.m.
December 10, 2024	7:00 p.m.

2. Prior to the regular meeting listed above, the Planning Commission may meet for a staff briefing, which are open to the public and shall be advertised in accordance with 2.2-3707 of the Code of Virginia.
3. The Planning Commission may also hold work sessions throughout the year on an as needed basis. The scheduling of such work sessions shall be in accordance with 15.2-2214 of the Code of Virginia. Work sessions are open to the public and shall be advertised in accordance with 2.2-3707 of the Code of Virginia.
4. In the event the Chairman of the Planning Commission, or the Vice Chairman of the Planning Commission, if the Chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members of the Planning Commission to attend a meeting, such meeting shall be continued to the following Tuesday. Such finding and declaration shall be communicated to the members of the Planning Commission and the media as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

BE IT FURTHER RESOLVED, that this resolution be adopted by the Commission, recorded in its minutes, and inserted in a newspaper having general circulation in the County at least seven days prior to the first meeting held pursuant to the adopted schedule.



**COUNTY OF AUGUSTA
STAFF REPORT**

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Planning and Community Development

STAFF MEMBER:

DATE OF REQUEST:

REQUESTED ACTION FOR THE BOARD OF SUPERVISORS:

Review By-laws

EXECUTIVE SUMMARY:

ATTACHMENTS:

[6B- BYLAWS Amended 8-8-23.pdf](#)

BY-LAWS
AUGUSTA COUNTY PLANNING COMMISSION

ARTICLE 1- AUTHORITY AND TITLE

- 1-1 This commission is established in conformance with an ordinance adopted by the Augusta County Board of Supervisors on the 24th of July 1941 and in accordance with the provisions TITLE 15.2-2210 of the Code of Virginia.
- 1-2 The title of this body shall be the Augusta County Planning Commission (hereafter referred to as the "Commission.")
- 1-3 The Commission's purpose is to promote the orderly development of Augusta County, through the Comprehensive Plan, and to advise the Board of Supervisors on that subject.

ARTICLE 2- MEMBERSHIP

- 2-1 The Commission shall consist of the members as appointed by the Augusta County Board of Supervisors.
- 2-2 The appointed members serve four-year terms. Members may be reappointed.
- 2-3 Any vacancy in membership shall be filled by appointment by the board of supervisors and shall be for the unexpired term.
- 2-4 Any appointed member may be removed by the board of supervisors for malfeasance in office. A member may also be removed by the board of supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission or is absent from any four meetings of the Commission within any 12-month period.

ARTICLE 3- OFFICERS

- 3-1 The Commission shall elect from the appointed members a Chair, a Vice-Chair and other officers as it deems necessary. (Amended 8/8/23)
- 3-2 The Commission may, with the approval of the County Administrator, appoint a member of the County administrative staff to serve as Secretary to the Commission.

- 3-3 The officers shall be elected annually at the final regular Commission meeting of each calendar year. The newly elected officers shall take office on January 1 of the succeeding year.
- 3-4 The candidate receiving a majority vote of the entire membership of the entire commission shall be declared elected.
- 3-5 Officers may succeed themselves.
- 3-6 Vacancies in office shall be filled for the unexpired term by regular election procedures at a regular meeting.

ARTICLE 3- DUTIES OF OFFICERS

- 3-1 The Chair shall:
 - 1. Preside at meetings.
 - 2. Appoint committees.
 - 3. Rule on procedural questions.
 - 4. Have the authority to speak, make motions, and vote on all matters.
 - 5. Report all official communications to the Commission.
- 3-2 The Vice-Chair shall:
 - 1. Carry out the duties of the Chair in the absence or inability to act of the Chair.
- 3-3 The Secretary shall:
 - 2. Keep minutes of all meetings.
 - 3. Keep a written record and file of all official records, reports, and business transacted by the Commission.
 - 4. Notify all members of all meetings.
 - 5. Attend to the correspondence of the Commission.
 - 6. Give proper notice of all meetings and hearings.
 - 7. Certify all maps, plans, records, and reports for the Commission.
 - 8. Notify appropriate staff member of applications filed in their area of responsibility.
 - 9. Provide information to the Board related to all Commission actions and recommendations, including their annual report as required by the Code of Virginia.

ARTICLE 4- COMMITTEES

- 4-1 The Chair may establish and appoint members to such committees as the Commission may deem necessary.

ARTICLE 5- MEETINGS

- 5-1 Regular meetings of the Commission shall be held monthly on the second Tuesday of each month at 7:00 p.m. or as otherwise designated by the Commission.
- 5-2 Special meetings may be held at the request of the Chair or at the written request of two members of the Commission. The Secretary shall mail to all members, at least five days in advance of the special meeting, a written notice fixing the time and place of the meeting and the purpose thereof. The Secretary shall also provide public notice of the meeting in accordance with the Code of Virginia, as amended.
- 5-3 All meetings shall be open to the public except for closed meetings as allowed by the Code of Virginia, as amended.
- 5-4 A majority of the membership of the Commission shall constitute a quorum and no action of the Commission shall be valid unless authorized by a majority of those voting.

ARTICLE 6- CONDUCT OF BUSINESS

- 6-1 The order of business of a regular meeting shall be:
 - 1. Call to Order
 - 2. Determination of a quorum
 - 3. Discussion/Approval of minutes or Consideration of minutes
 - 4. Public Hearings
 - 5. Old Business
 - 6. New Business
 - 7. Report of the Secretary
 - 8. Other business or reports
 - 9. Adjournment
- 6-2 Parliamentary procedure shall be governed by "*Robert's Rules of Order*"-simplified procedures for small groups.

ARTICLE 7- PUBLIC HEARINGS

- 7-1 The Commission shall hold public hearings as required by law and for other matters as deemed necessary.

- 7-2 Written notice and/or advertisement of public hearings shall be in accordance with State Law.
- 7-3 The case to be heard shall be introduced and summarized by the Chair, Secretary, or other member as directed by the Chair.
- 7-4 Interested parties shall have the privilege of the floor. The applicant shall be given an opportunity to address the Commission first followed by other supporters of the request, followed by those opposed to the request and the applicant shall have an opportunity for a brief rebuttal or summary.
- 7-5 Interested parties shall be recognized by the Chair, shall state their name and physical address, and shall direct their remarks to the Commission.
- 7-6 The Commission shall have the privilege of establishing reasonable and uniform limits of time for all interested parties.
- 7-7 The Secretary shall keep a record of those speaking at all hearings.

ARTICLE 8- GENERAL

- 8-1 All records and files of the Commission shall be maintained in the office of the Secretary or other County administrative official as directed by the Commission with the concurrence of the County Administrator.
- 8-2 Applications for all matters not requiring a public hearing to be acted upon by the Commission shall be filed in the office of the Secretary a minimum of fifteen (15) working days in advance of the date of the meeting at which they are to be considered. The Commission may by majority vote of those present consider cases that do not meet this deadline.
- 8-3 Application for all matters requiring a public hearing shall be filed in the office of the Secretary in accordance with the established schedule required for public notice.
- 8-4 The person, firm, or organization making application, or his representative, should be present and be prepared to discuss the case at the time the case is considered by the Commission.

ARTICLE 9- ANNUAL REPORT

- 9-1 The Commission, assisted by the county staff, shall prepare and submit to the governing body an annual report concerning the operations of the Commission and the status of planning within Augusta County.

ARTICLE 10- CONFLICT OF INTEREST

- 10-1 The Commission shall comply with the state and local government Conflict of Interest Act.

ARTICLE 11- AMENDMENTS

- 11-1 These By-Laws may be amended by the Commission. Such amendment shall be approved by two-thirds of the membership.

Approved: January 9, 2018