



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: Leslie Tate, Planner II
DATE: June 4, 2019
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, June 11, 2019 at 7:00 p.m.**, at the Augusta County Government Center, in the Main Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

There will not be a worksession before this meeting, so please report promptly to the Board Meeting Room at 7:00 p.m.

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

LT/st *Leslie Tate*

A G E N D A

Regular Meeting of the Augusta County Planning Commission

Tuesday, June 11, 2019 7:00 P.M.

1. CALL TO ORDER
2. DETERMINATION OF A QUORUM
3. APPROVAL OF THE MINUTES
 - A. Approval of the Regular Meeting on May 14, 2019
4. PUBLIC HEARINGS

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

Amendment adds limited outdoor storage definition from the Planned Commerce zoning district to the definition section of the zoning ordinance to clarify that such definition applies for all zoning districts when referenced.

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

Amendment to the definition of mobile home which removes reference to the Industrialized Building Unit and Manufactured Home Safety Laws and also removes the second sentence of the definition which acts as a regulatory statement and does not constitute a definition.

C. An ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts. Article VII. General Agriculture (GA) Districts. Section 25-73. Uses permitted by administrative permit. L. Attached accessory dwelling units.

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

D. An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XII. Rural Residential (RR) Districts. Section 25-123. Uses permitted by Administrative Permit. C. Attached accessory dwelling units.

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

- E. An ordinance to amend Chapter 25. Zoning. Division G. Mixed Use Districts. Article XLV. Village Mixed Use Districts. Section 25-454.2. Uses permitted by Administrative Permit. C. Attached accessory dwelling units.**

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

- F. An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XIII. Single Family Residential (SF) Districts. Section 25-133. Uses permitted by Administrative Permit. C. Attached accessory dwelling units.**

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition. Amendment also removes reference to detached accessory dwelling units which are not permitted in Single Family Residential districts.

- G. 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. R. Short-term rentals, bed and breakfasts, and vacation rentals.**

Amendment permits a facility operator to personally reside on site with proof of lease between property owner and resident manager/facility operator.

- H. An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XII. Rural Residential (RR) Districts. Section 25-124. Uses permitted by Special Use Permit. G. Operation of a Bed and breakfast or short-term rental within a principal dwelling or detached accessory dwelling unit.**

Amendment permits a facility operator to personally reside on site with proof of lease between property owner and resident manager/facility operator.

- I. 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. L. Day care centers, nursery schools, and private schools.**

Amendment removes private schools to clarify that private schools cannot be a permitted a use in General Business through an administrative permit but require a Public Use Overlay.

**J. An ordinance to amend Chapter 25. Zoning. Division A. In General.
Article V. Accessory Buildings and Uses. Section 25-56. Uses accessory
to business or commercial establishments.**

Amendment adds walk-in freezers and generators as accessory to business and commercial establishments, provided they are shielded or screened from view.

**K. An ordinance to amend Chapter 25. Zoning. Division A. In General.
Article V. Accessory Buildings and Uses. Section 25-57. Uses accessory
to industrial establishments.**

Amendment adds walk-in freezers and generators as accessory to industrial establishments.

5. MATTERS TO BE PRESENTED BY THE PUBLIC

6. NEW BUSINESS

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
Ordinance Amendment
Chapter 25 Zoning.
Division A. In General
Article I. General Provisions
May 28, 2019

Agenda Item # 4A

Date 6/11/19

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

Amendment adds limited outdoor storage definition from the Planned Commerce zoning district to the definition section of the zoning ordinance to clarify that such definition applies for all zoning districts when referenced.

PROPOSED ORDINANCE TEXT:

§ 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 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.

COMMUNITY DEVELOPMENT STAFF COMMENTS: In the current Augusta County Zoning Ordinance, limited outdoor storage, is defined in the Planned Commerce zoning district. The above amendment adds the above definition to the "Definitions" section of the zoning ordinance to clarify that such definition applies to all zoning districts. Staff recommends approval.

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STANDARD OPERATING PROCEDURE

The purpose of this document is to provide a clear and concise description of the standard operating procedure for the use of the equipment. This document is intended for use by all personnel who are responsible for the operation of the equipment. The procedure is described in detail, including the steps to be followed and the safety precautions to be taken. It is the responsibility of all personnel to read and understand this document and to follow the procedure as described. The procedure is subject to change without notice. The most current version of this document is the one in effect.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION A. IN GENERAL
ARTICLE I. GENERAL PROVISIONS.
SECTION 25-4. DEFINITIONS.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to create a definition for limited outdoor storage which applies to the entirety of the Zoning Ordinance; and

WHEREAS, the Augusta County Board of Supervisors has established such definition as the same definition for limited outdoor storage currently found in the Planned Commerce District.

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

§ 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 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.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.
Division A. In General
Article I. General Provisions
May 28, 2019

Agenda Item # 4B

Date 6/11/19

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

Amendment to the definition of mobile home which removes reference to the Industrialized Building Unit and Manufactured Home Safety Laws and also removes the second sentence of the definition which acts as a regulatory statement and does not constitute a definition.

PROPOSED ORDINANCE TEXT:

§ 25-4. Definitions.

Mobile home. A detached unit that was manufactured ~~under the Industrialized Building Unit and Manufactured Home Safety Laws~~ prior to 1976, the passage of the National Manufactured Home Construction and Safety Standards Act in 1976, designed for transportation, after fabrication, on streets or highways on its own wheels or on flatbed or other trailer, and arriving at the site where it may be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like. ~~A travel trailer, camper, camping trailer, truck camper, van conversion camper, motor homes, or similar portable vehicles are not considered as a mobile home, but must meet the same rules and regulations as a mobile home if they are occupied on the same property more than twenty-one (21) days within any two-month period or more than forty-five (45) days within any twelve-month period.~~

COMMUNITY DEVELOPMENT STAFF COMMENTS: The above amended definition does not make any regulatory changes pertaining to mobile homes but is purely a housekeeping amendment which references the National Manufactured Home Construction Safety Standards Act of 1976 to distinguish a mobile home from a manufactured home. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION A. IN GENERAL
ARTICLE I. GENERAL PROVISIONS.
SECTION 25-4. DEFINITIONS.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the definition for mobile home.

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

§ 25-4. Definitions.

Mobile home. A detached unit that was manufactured prior to the passage of the National Manufactured Home Construction and Safety Standards Act in 1976, designed for transportation, after fabrication, on streets or highways on its own wheels or on flatbed or other trailer, and arriving at the site where it may be occupied as a dwelling complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other temporary or permanent foundations, connections to utilities and the like.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.

Division B. Agriculture Districts
Article VII. General Agriculture (GA) Districts
May 28, 2019

Agenda Item # 4C

Date 6/11/19

**An ordinance to amend Chapter 25. Zoning. Division B. Agriculture Districts.
Article VII. General Agriculture (GA) Districts. Section 25-73. Uses permitted by
administrative permit. L. Attached accessory dwelling units.**

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

PROPOSED ORDINANCE TEXT:

§ 25-73. Uses permitted by administrative permit.

The uses listed in this section shall be permitted within General Agriculture Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

L. Attached accessory dwelling units.

One apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and

2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling. no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of the square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

4. Exterior entrances to the apartment are on the side or rear only; and

54. There shall be no more than one (1) accessory dwelling unit, attached or detached, per principal dwelling; and

65. The owner of record personally resides in either the principal or an accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be constructed only upon approval of a Special Use Permit by the board of zoning appeals under § 25-74P; and

76. The Building Inspection Department has indicated that either a permit is not required or one can be issued for the apartment; and

87. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

98. All parking shall be accommodated on-site.

COMMUNITY DEVELOPMENT STAFF COMMENTS: The above amendment removes specific square footage and percentage limitations for attached accessory dwelling units within an existing structure. For example, finishing of a basement to be used as an accessory dwelling unit. The amendment maintains existing size limitations for attached accessory dwelling units constituting an addition. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION B. AGRICULTURE DISTRICTS
ARTICLE VII. GENERAL AGRICULTURE (GA) DISTRICTS.
SECTION 25-73. USES PERMITTED BY ADMINISTRATIVE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition to the principal dwelling.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-73 of the Augusta County Code be amended as follows:

§ 25-73. Uses permitted by administrative permit.

The uses listed in this section shall be permitted within General Agriculture Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

L. Attached accessory dwelling units.

One apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and
2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling; and
3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of the square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and
4. Exterior entrances to the apartment are on the side or rear only; and
5. There shall be no more than one (1) accessory dwelling unit, attached or detached, per principal dwelling; and

6. The owner of record personally resides in either the principal or an accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be constructed only upon approval of a Special Use Permit by the board of zoning appeals under § 25-74P; and

7. The Building Inspection Department has indicated that either a permit is not required or one can be issued for the apartment; and

8. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

9. All parking shall be accommodated on-site.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.

Agenda Item # 4D

Date 6/11/19

Division C. Single Residential Dwelling Districts
Article XII. Rural Residential (RR) Districts
May 28, 2019

An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XII. Rural Residential (RR) Districts. Section 25-123. Uses permitted by Administrative Permit. C. Attached accessory dwelling units.

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

PROPOSED ORDINANCE TEXT:

§ 25-123. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within Rural Residential Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

C. Attached accessory dwelling units.

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and

2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

2.3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to

exceed nine hundred square feet (900 sq. ft.); and

3.4. Exterior entrances to the apartment are on the side or rear only; and

4.5. There shall be no more than one (1) accessory dwelling unit, attached or detached, per principal dwelling; and

5.6. The owner of record personally resides in either the principal or accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be allowed only upon the approval of a Special Use Permit by the board of zoning appeals under § 25-124.E; and

6.7. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

7.8. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

8.9. All parking shall be accommodated on-site.

COMMUNITY DEVELOPMENT STAFF COMMENTS: The above amendment removes specific square footage and percentage limitations for attached accessory dwelling units within an existing structure. For example, finishing of a basement to be used as an accessory dwelling unit. The amendment maintains existing size limitations for attached accessory dwelling units constituting an addition. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION C. SINGLE RESIDENTIAL DWELLING DISTRICTS
ARTICLE XII. RURAL RESIDENTIAL (RR) DISTRICTS.
SECTION 25-123. USES PERMITTED BY ADMINISTRATIVE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition to the principal dwelling.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-123 of the Augusta County Code be amended as follows:

§ 25-123. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within Rural Residential Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

C. Attached accessory dwelling units.

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and
2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling; and
3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and
4. Exterior entrances to the apartment are on the side or rear only; and

5. There shall be no more than one (1) accessory dwelling unit, attached or detached, per principal dwelling; and

6. The owner of record personally resides in either the principal or accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be allowed only upon the approval of a Special Use Permit by the board of zoning appeals under § 25-124.E; and

7. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

8. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

9. All parking shall be accommodated on-site.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.
Division G. Mixed Use Districts
Article XLV. Village Mixed Use Districts
May 28, 2019

Agenda Item # 4 E

Date 6/11/19

**An ordinance to amend Chapter 25. Zoning. Division G. Mixed Use Districts.
Article XLV. Village Mixed Use Districts. Section 25-454.2. Uses permitted by
Administrative Permit. C. Attached accessory dwelling units.**

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition.

PROPOSED ORDINANCE TEXT:

§ 25-454.2. Uses permitted by Administrative Permit

The uses listed in this section shall be permitted within Village Mixed Use Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

A. Attached accessory dwelling units

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and

~~2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and~~

~~2.3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to~~

exceed nine hundred square feet (900 sq. ft.); and

3.4. There shall be no more than one (1) accessory dwelling unit, attached or detached, per principal dwelling; and

4.5. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

5.6. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

COMMUNITY DEVELOPMENT STAFF COMMENTS: The above amendment removes specific square footage and percentage limitations for attached accessory dwelling units within an existing structure. For example, finishing of a basement to be used as an accessory dwelling unit. The amendment maintains existing size limitations for attached accessory dwelling units constituting an addition. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION G. MIXED USE DISTRICTS
ARTICLE XLV. VILLAGE MIXED USE DISTRICTS.
SECTION 25-454.2. USES PERMITTED BY ADMINISTRATIVE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition to the principal dwelling.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-454.2 of the Augusta County Code be amended as follows:

§ 25-454.2. Uses permitted by Administrative Permit

The uses listed in this section shall be permitted within Village Mixed Use Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

A. Attached accessory dwelling units

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and

2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling; and

3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

4. There shall be no more than one (1) accessory dwelling unit, attached

or detached, per principal dwelling; and

5. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

6. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.

Date 6/11/19

Division C. Single Residential Dwelling Districts
Article XIII. Single Family Residential (SF) Districts
May 28, 2019

An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XIII. Single Family Residential (SF) Districts. Section 25-133. Uses permitted by Administrative Permit. C. Attached accessory dwelling units.

Amendment maintains current size regulations when constructing an addition to a structure to be used as an accessory dwelling unit, but amends the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition. Amendment also removes reference to detached accessory dwelling units which are not permitted in Single Family Residential districts.

PROPOSED ORDINANCE TEXT:

§ 25-133. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within Single Family Residential Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

C. Attached accessory dwelling units.

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and

2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

43. Exterior entrances to the apartment are on the side or rear only; and

54. There shall be no more than one (1) **attached** accessory dwelling unit; ~~attached or detached~~; per principal dwelling; and

65. The owner of record personally resides in either the principal or accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be constructed only upon the approval of a Special Use Permit by the board of zoning appeals under § 25-134.H; and

76. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

87. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and 8. All parking shall be accommodated on-site.

COMMUNITY DEVELOPMENT STAFF COMMENTS: The above amendment removes specific square footage and percentage limitations for attached accessory dwelling units within an existing structure. For example, finishing of a basement to be used as an accessory dwelling unit. The amendment maintains existing size limitations for attached accessory dwelling units constituting an addition. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION C. SINGLE RESIDENTIAL DWELLING DISTRICTS
ARTICLE XIII. SINGLE FAMILY RESIDENTIAL (SF) DISTRICTS.
SECTION 25-133. USES PERMITTED BY ADMINISTRATIVE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the percentage and size regulations for an attached accessory dwelling unit that does not constitute an addition to the principal dwelling; and

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend a typographical error in the ordinance to reflect that detached accessory dwelling units are not permitted in Single Family Residential zoning districts.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-133 of the Augusta County Code be amended as follows:

§ 25-133. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within Single Family Residential Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

C. Attached accessory dwelling units.

One (1) apartment constituting an attached accessory dwelling unit within what would otherwise be a single-family dwelling may be permitted by Administrative Permit provided:

1. It is attached by sharing one (1) common wall. In no case shall an enclosed or unenclosed breezeway be considered a common wall for the purposes of attaching an accessory dwelling unit to a dwelling; and
2. For attached accessory dwelling units not constituting an addition, the owner must provide a floor plan sketch to demonstrate that the apartment contains less square footage than the principal dwelling and in no case shall the apartment be larger than the footprint of the existing dwelling ; and
3. For attached accessory dwelling units, constituting an addition and changing the footprint of the original dwelling, the attached accessory dwelling unit shall be no more than six hundred square feet (600 sq. ft.) or forty percent (40%) of the amount of

square footage in the footprint of the principal dwelling, whichever is greater, but not to exceed nine hundred square feet (900 sq. ft.); and

4. Exterior entrances to the apartment are on the side or rear only; and

5. There shall be no more than one (1) attached accessory dwelling unit per principal dwelling; and

6. The owner of record personally resides in either the principal or accessory dwelling unit on the property. If this standard cannot be met, the accessory dwelling unit may be constructed only upon the approval of a Special Use Permit by the board of zoning appeals under § 25-134.H; and

7. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the apartment once the Administrative Permit has been approved; and

8. The dwellings are either connected to public sewer or the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and 8. All parking shall be accommodated on-site.

COUNTY OF AUGUSTA
STAFF REPORT

Date 6/11/19

Ordinance Amendment
Chapter 25 Zoning.

Division B. Agriculture Districts

Article VII. General Agriculture (GA) Districts
May 28, 2019

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. R. Short-term rentals, bed and breakfasts, and vacation rentals.

Amendment permits a facility operator to personally reside on site with proof of lease between property owner and resident manager/facility operator.

PROPOSED ORDINANCE TEXT:

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

R. Short-term rentals, bed and breakfasts, and vacation rentals.

Short-term rentals, bed and breakfasts, and vacation rentals, may be approved by Special Use Permit provided:

1. There shall be no more than one (1) principal dwelling, or part thereof, operating as a Bed and breakfast or Short-term rental per parcel; and
2. There shall be no more than one (1) detached accessory dwelling unit operating as a Bed and breakfast or Short-term rental per parcel; and
3. The lot is at least five (5) acres in area, unless the board of zoning appeals determines that operation of the use on a smaller acreage will be compatible with neighboring properties; and
4. The owner of record²s or facility operator personally resides in primary residence is the principal dwelling or accessory dwelling unit; and
5. The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signature, when the lessee changes; and
65. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the use once the Special Use Permit has been approved; and
76. If the principal and/or detached accessory dwelling unit is not connected to public sewer, the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and
87. All parking shall be accommodated on-site.

COMMUNITY DEVELOPMENT STAFF COMMENTS: The amendment creates additional flexibility for facility operator/resident manager situations while still achieving the original intent of the provision, which was to have someone living in the rental. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION B. AGRICULTURE DISTRICTS
ARTICLE VII. GENERAL AGRICULTURE (GA) DISTRICTS.
SECTION 25-74. USES PERMITTED BY SPECIAL USE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the provisions for a special use permit for short-term rentals, bed and breakfasts, and vacation rentals to permit a facility operator who personally resides on site rather than solely the owner of record; and

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to add a requirement for submittal of a lease agreement between the facility operator and owner of record.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-74 of the Augusta County Code be amended as follows:

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

R. Short-term rentals, bed and breakfasts, and vacation rentals.

Short-term rentals, bed and breakfasts, and vacation rentals, may be approved by Special Use Permit provided:

1. There shall be no more than one (1) principal dwelling, or part thereof, operating as a Bed and breakfast or Short-term rental per parcel; and
2. There shall be no more than one (1) detached accessory dwelling unit operating as a Bed and breakfast or Short-term rental per parcel; and
3. The lot is at least five (5) acres in area, unless the board of zoning appeals determines that operation of the use on a smaller acreage will be compatible with neighboring properties; and
4. The owner of record or facility operator personally resides in the principal dwelling or accessory dwelling unit; and
5. The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signature, when the lessee changes; and
6. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the use once the Special Use Permit has been approved; and
7. If the principal and/or detached accessory dwelling unit is not connected to public sewer, the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

8. All parking shall be accommodated on-site.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.

Division C. Single Residential Dwelling Districts
Article XII. Rural Residential (RR) Districts
May 28, 2019

Agenda Item # 4H

Date 6/11/19

An ordinance to amend Chapter 25. Zoning. Division C. Single Residential Dwelling Districts. Article XII. Rural Residential (RR) Districts. Section 25-124. Uses permitted by Special Use Permit. G. Operation of a Bed and breakfast or short-term rental within a principal dwelling or detached accessory dwelling unit.

Amendment permits a facility operator to personally reside on site with proof of lease between property owner and resident manager/facility operator.

PROPOSED ORDINANCE TEXT:

§ 25-124. Uses permitted by Special Use Permit.

G. Operation of a Bed and breakfast or Short-term rental within a principal dwelling or detached accessory dwelling unit.

Operation of a Bed and breakfast or Short-term rental within a principal dwelling or detached accessory dwelling unit may be permitted by Special Use Permit provided:

1. There shall be no more than one (1) principal dwelling, or part thereof, operating as a Bed and breakfast or Short-term rental per parcel; and
2. There shall be no more than one (1) detached accessory dwelling unit operating as a Bed and breakfast or Short-term rental per parcel; and
3. The lot is at least five (5) acres in area; and
4. The owner of record or facility operator personally resides in the principal dwelling or accessory dwelling unit; and
- 4.5. The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signatures, when the lessee changes.
- 5.6. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the use once the Special Use Permit has been approved; and
- 6.7. If the principal and/or detached accessory dwelling unit is not connected to public sewer, the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and

7.8. All parking shall be accommodated on-site.

COMMUNITY DEVELOPMENT STAFF COMMENTS: The amendment creates additional flexibility for facility operator/resident manager situations while still achieving the original intent of the provision, which was to have someone living in the rental. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION C. SINGLE RESIDENTIAL DWELLING DISTRICTS
ARTICLE XII. RURAL RESIDENTIAL (RR) DISTRICTS.
SECTION 25-124. USES PERMITTED BY SPECIAL USE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to amend the provisions for a special use permit for operation of a bed and breakfast or short-term rental within a principal dwelling or detached accessory dwelling unit to permit a facility operator who personally resides on site rather than solely the owner of record; and

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to add a requirement for submittal of a lease agreement between the facility operator and owner of record.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-124 of the Augusta County Code be amended as follows:

§ 25-124. Uses permitted by Special Use Permit.

G. Operation of a Bed and breakfast or Short-term rental within a principal dwelling or detached accessory dwelling unit.

Operation of a Bed and breakfast or Short-term rental within a principal dwelling or detached accessory dwelling unit may be permitted by Special Use Permit provided:

1. There shall be no more than one (1) principal dwelling, or part thereof, operating as a Bed and breakfast or Short-term rental per parcel; and
2. There shall be no more than one (1) detached accessory dwelling unit operating as a Bed and breakfast or Short-term rental per parcel; and
3. The lot is at least five (5) acres in area; and
4. The owner of record or facility operator personally resides in the principal dwelling or accessory dwelling unit; and
5. The owner of record shall provide to the Zoning Administrator proof of the current lease agreement between the owner and facility operator as a pre-condition of the permit. The owner shall submit subsequent lease agreements, within 10 days of signatures, when the lessee changes.
6. The Building Inspection Department has indicated that either a Building Permit is not required, or a Building Permit can be issued for the use once the Special Use Permit has been approved; and

7. If the principal and/or detached accessory dwelling unit is not connected to public sewer, the Virginia Department of Health has confirmed that the sewage disposal system is adequate for the proposed use; and
8. All parking shall be accommodated on-site.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.
Division E. Business Districts
Article XXX. General Business (GB) Districts
May 28, 2019

Agenda Item # 4 I

Date 6/11/19

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. L. Day care centers, nursery schools, and private schools.

Amendment removes private schools to clarify that private schools cannot be a permitted a use in General Business through an administrative permit but require a Public Use Overlay.

PROPOSED ORDINANCE TEXT:

§ 25-303. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within General Business Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

L. Day care centers **and** nursery schools, ~~and private schools.~~

Day care centers and, nursery schools, ~~and private schools~~ may be permitted by Administrative Permit provided:

1. Approval of a commercial entrance permit for the use has been obtained from the Virginia Department of Transportation; and
2. Approval of the building for the use has been obtained from the Building Inspection Department; and
3. The applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Private schools have always been permitted through the Public Use Overlay process. The above amendment fixes an inconsistency in the ordinance.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION E. BUSINESS DISTRICTS
ARTICLE XXX. GENERAL BUSINESS (GB) DISTRICTS.
SECTION 25-303. USES PERMITTED BY ADMINISTRATIVE PERMIT.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to remove private schools from uses permitted by administrative permit, allowing private schools, like public schools, to be permitted by Public Use Overlay in General Business Districts.

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

§ 25-303. Uses permitted by Administrative Permit.

The uses listed in this section shall be permitted within General Business Districts only upon the issuance of an Administrative Permit by the Zoning Administrator pursuant to the provisions of article LVI of division I of this chapter. Administrative permits are to be issued only for uses where the applicant can demonstrate that the proposal meets the standards required by this chapter and the uses will not have an undue adverse impact on the surrounding neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibration.

L. Day care centers and nursery schools.

Day care centers and nursery schools may be permitted by Administrative Permit provided:

1. Approval of a commercial entrance permit for the use has been obtained from the Virginia Department of Transportation; and
2. Approval of the building for the use has been obtained from the Building Inspection Department; and
3. The applicant demonstrates compliance with state licensing requirements and all applicable federal, state, and local regulations.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.
Division A. In General
Article V. Accessory Buildings and Uses
May 28, 2019

Agenda Item # 4 J

Date 6/11/19

An ordinance to amend Chapter 25. Zoning. Division A. In General. Article V. Accessory Buildings and Uses. Section 25-56. Uses accessory to business or commercial establishments.

Amendment adds walk-in freezers and generators as accessory to business and commercial establishments, provided they are shielded or screened from view.

PROPOSED ORDINANCE TEXT:

§ 25-56. Uses accessory to business or commercial establishments.

The following uses are permitted in any zoning district when accessory to a business or commercial establishment:

- A. Parking lots subject to the requirements of ARTICLE III of this chapter.
- B. Stormwater management facilities subject to the requirements of chapter 18 of this code.
- C. Motor vehicle fuel dispensing pumps, pump islands, or service kiosks installed for and utilized exclusively by vehicles owned or operated by the establishments to which they are accessory.
- D. Uses for employees and intended specifically for the use and benefit of the employees and families or patrons of the principal use, such as snack bars, cafeterias, off-street parking spaces, health and fitness centers, child care facilities, recreation facilities and similar uses.
- E. Inoperable motor vehicle impoundment yards when accessory to a principal use such as a public garage or towing service, provided an Administrative Permit is obtained pursuant to § 25-58 of this chapter.
- F. Incidental retail sales of products salvaged from a transportation facility as an accessory to the transportation facility.
- G. Solid waste and recycling storage containers may be located in any side or rear yard. No containers shall be located in any required parking space, driveway, parking aisle, stacking space, or required buffer yard.
- H. Warehouses and other indoor storage facilities. Shipping containers, semi-trailers and similar containers may be used for storage provided they are fully shielded or screened from view. However, manufactured and mobile homes and school and other buses shall not be used for such purposes.
- I. Fences, walls, and hedges.

J. Security buildings and structures, including shelters for security guards and watchdogs. Residences for night watchmen, however, are not permitted.

K. An on-site construction storage trailer provided it is placed on site no more than thirty (30) days before a building permit is issued and is removed within sixty (60) days of completion of the construction or active construction has been stopped.

L. Television and radio antennae and support structures, satellite dishes and radio broadcasting and receiving antennae and support structures, including guy anchors, subject to applicable height requirements of the district, unless exempted by federal law or the provisions of § 25-15 of this chapter.

M. Helipads.

N. Walk-in freezers, provided they are fully shielded or screened from view.

O. Generators, provided they are fully shielded or screened from view.

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment recognizes walk-in freezers and generators as accessory to business establishments provided they are screened from view. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION A. IN GENERAL
ARTICLE V. ACCESSORY BUILDINGS AND USES.
SECTION 25-56. USES ACCESSORY TO BUSINESS OR COMMERCIAL
ESTABLISHMENTS.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to add walk-in freezers and generators as accessory to business or commercial establishments provided they are shielded or screened from view.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-56 of the Augusta County Code be amended as follows:

§ 25-56. Uses accessory to business or commercial establishments.

The following uses are permitted in any zoning district when accessory to a business or commercial establishment:

- A. Parking lots subject to the requirements of ARTICLE III of this chapter.
- B. Stormwater management facilities subject to the requirements of chapter 18 of this code.
- C. Motor vehicle fuel dispensing pumps, pump islands, or service kiosks installed for and utilized exclusively by vehicles owned or operated by the establishments to which they are accessory.
- D. Uses for employees and intended specifically for the use and benefit of the employees and families or patrons of the principal use, such as snack bars, cafeterias, off-street parking spaces, health and fitness centers, child care facilities, recreation facilities and similar uses.
- E. Inoperable motor vehicle impoundment yards when accessory to a principal use such as a public garage or towing service, provided an Administrative Permit is obtained pursuant to § 25-58 of this chapter.
- F. Incidental retail sales of products salvaged from a transportation facility as an accessory to the transportation facility.
- G. Solid waste and recycling storage containers may be located in any side or rear yard. No containers shall be located in any required parking space, driveway, parking aisle, stacking space, or required buffer yard.
- H. Warehouses and other indoor storage facilities. Shipping containers, semi-trailers and similar containers may be used for storage provided they are fully shielded or screened from view. However, manufactured and mobile homes and school and other buses shall not be used for such purposes.

I. Fences, walls, and hedges.

J. Security buildings and structures, including shelters for security guards and watchdogs. Residences for night watchmen, however, are not permitted.

K. An on-site construction storage trailer provided it is placed on site no more than thirty (30) days before a building permit is issued and is removed within sixty (60) days of completion of the construction or active construction has been stopped.

L. Television and radio antennae and support structures, satellite dishes and radio broadcasting and receiving antennae and support structures, including guy anchors, subject to applicable height requirements of the district, unless exempted by federal law or the provisions of § 25-15 of this chapter.

M. Helipads.

N. Walk-in freezers, provided they are fully shielded or screened from view.

O. Generators, provided they are fully shielded or screened from view.

COUNTY OF AUGUSTA
STAFF REPORT
Ordinance Amendment
Chapter 25 Zoning.
Division A. In General
Article V. Accessory Buildings and Uses
May 28, 2019

Agenda Item # 4 K

Date 6/11/19

An ordinance to amend Chapter 25. Zoning. Division A. In General. Article V. Accessory Buildings and Uses. Section 25-57. Uses accessory to industrial establishments.

Amendment adds walk-in freezers and generators as accessory to industrial establishments.

PROPOSED ORDINANCE TEXT:

§ 25-57. Uses accessory to industrial establishments.

The following uses are permitted in any zoning district when accessory to an industrial establishment:

- A. Parking lots subject to the requirements of ARTICLE III of this chapter.
- B. Stormwater management facilities subject to the requirements of chapter 18 of this code.
- C. Motor vehicle fuel dispensing pumps, pump islands, or service kiosks installed for and utilized exclusively by vehicles owned or operated by the establishments to which they are accessory.
- D. Uses for employees and intended specifically for the use and benefit of the employees and families or patrons of the principal use, such as snack bars, cafeterias, off-street parking spaces, health and fitness centers, child care facilities, recreation facilities and similar uses.
- E. Retail sales accessory to industrial uses and subordinate to the main use provided:
 - 1. The retail sales area is limited to a showroom that does not exceed twenty-five percent (25%) of the floor area of the main use and the outdoor display area shall not exceed fifteen percent (15%) of the floor area of the main use without a Special Use Permit; and
 - 2. Retail sales shall not precede establishment of the main use. Retail sales shall be permitted only after or simultaneously with the establishment of the main use and shall not continue more than six (6) months after discontinuance of the main use.
- F. In areas zoned for industrial use only, outdoor storage of equipment and materials, new and used, associated with fabrication, assembly, processing, construction, transportation or similar operations.

G. Notwithstanding the provisions of subparagraph E above, incidental retail sales of products salvaged from a transportation facility as an accessory to the transportation facility.

H. Solid waste and recycling storage containers may be located in any side or rear yard. No containers shall be located in any required parking space, driveway, parking aisle, stacking space, or required buffer yard.

I. Warehouses and other indoor storage facilities. Shipping containers, semi-trailers and similar containers may be used for storage provided they are fully shielded or screened from view. However, manufactured and mobile homes and school and other buses shall not be used for such purposes.

J. Fences, walls, and hedges.

K. Security buildings and structures, including residences for security guards, guardhouses and shelters for watchdogs, provided the minimum dwelling size for the security residence is three hundred (300) square feet. (8/27/14)

L. An on-site construction storage trailer provided it is placed on site no more than thirty (30) days before a building permit is issued and is removed within sixty (60) days of completion of the construction or active construction has been stopped.

M. Television and radio antennae and support structures, satellite dishes and radio broadcasting and receiving antennae and support structures, including guy anchors, subject to applicable height requirements of the district, unless exempted by federal law or the provisions of § 25-15 of this chapter.

N. Helipads.

O. Walk-in freezers

P. Generators

COMMUNITY DEVELOPMENT STAFF COMMENTS: Amendment recognizes walk-in freezers and generators as accessory to industrial establishments. Staff recommends approval.

**AN ORDINANCE TO
TO AMEND CHAPTER 25 ZONING
DIVISION A. IN GENERAL
ARTICLE V. ACCESSORY BUILDINGS AND USES.
SECTION 25-57. USES ACCESSORY TO INDUSTRIAL ESTABLISHMENTS.**

WHEREAS, the Augusta County Board of Supervisors has deemed it desirable to add walk-in freezers and generators as accessory to industrial establishments.

NOW THEREFORE be it resolved by the Board of Supervisors for Augusta County that Section 25-57 of the Augusta County Code be amended as follows:

§ 25-57. Uses accessory to industrial establishments.

The following uses are permitted in any zoning district when accessory to an industrial establishment:

- A. Parking lots subject to the requirements of ARTICLE III of this chapter.
- B. Stormwater management facilities subject to the requirements of chapter 18 of this code.
- C. Motor vehicle fuel dispensing pumps, pump islands, or service kiosks installed for and utilized exclusively by vehicles owned or operated by the establishments to which they are accessory.
- D. Uses for employees and intended specifically for the use and benefit of the employees and families or patrons of the principal use, such as snack bars, cafeterias, off-street parking spaces, health and fitness centers, child care facilities, recreation facilities and similar uses.
- E. Retail sales accessory to industrial uses and subordinate to the main use provided:
 1. The retail sales area is limited to a showroom that does not exceed twenty-five percent (25%) of the floor area of the main use and the outdoor display area shall not exceed fifteen percent (15%) of the floor area of the main use without a Special Use Permit; and
 2. Retail sales shall not precede establishment of the main use. Retail sales shall be permitted only after or simultaneously with the establishment of the main use and shall not continue more than six (6) months after discontinuance of the main use.
- F. In areas zoned for industrial use only, outdoor storage of equipment and materials, new and used, associated with fabrication, assembly, processing, construction, transportation or similar operations.

G. Notwithstanding the provisions of subparagraph E above, incidental retail sales of products salvaged from a transportation facility as an accessory to the transportation facility.

H. Solid waste and recycling storage containers may be located in any side or rear yard. No containers shall be located in any required parking space, driveway, parking aisle, stacking space, or required buffer yard.

I. Warehouses and other indoor storage facilities. Shipping containers, semi-trailers and similar containers may be used for storage provided they are fully shielded or screened from view. However, manufactured and mobile homes and school and other buses shall not be used for such purposes.

J. Fences, walls, and hedges.

K. Security buildings and structures, including residences for security guards, guardhouses and shelters for watchdogs, provided the minimum dwelling size for the security residence is three hundred (300) square feet. (8/27/14)

L. An on-site construction storage trailer provided it is placed on site no more than thirty (30) days before a building permit is issued and is removed within sixty (60) days of completion of the construction or active construction has been stopped.

M. Television and radio antennae and support structures, satellite dishes and radio broadcasting and receiving antennae and support structures, including guy anchors, subject to applicable height requirements of the district, unless exempted by federal law or the provisions of § 25-15 of this chapter.

N. Helipads.

O. Walk-in freezers

P. Generators