

**CITY OF WAYNESBORO PLANNING COMMISSION**  
**Regular Meeting, Tuesday, May 21<sup>st</sup>, 2019**  
**7:00 pm**

Council Chambers, Charles T. Yancey Municipal Building  
503 West Main Street

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**AGENDA**

1. Call to order. Pledge of allegiance.
2. Review and approval of minutes of regular meeting held April 16<sup>th</sup>, 2019.
3. Citizen comment period – limited to 4 minutes per speaker, for issues not listed as an agenda item.
4. Public hearing on a Conditional Use Permit application from Nancy Johnson for a manufactured home at 1734 B Street.
5. Other Business/Commissioners' Correspondence and Communication.
6. Adjournment.

**PLANNING  
COMMISSIONERS**

(Vacant)  
Chair

Shannon Boyle  
Vice-chair

Patrick McNicholas

Stephen Arey

Shannon Boyle

Michael Gibson

Noelle Owen

Bobby Henderson,  
Council Rep.

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**FUTURE SCHEDULED  
MEETINGS:**

City Council  
Business Meeting  
Tuesday, May 28, 2019  
7:00 pm

Planning Commission  
Regular Meeting/  
Public Hearing  
Tuesday, June 18, 2019  
7:00 pm

Thank you for attending. Citizen comments are invited and welcomed during the meeting's citizen comment period. For those with special needs, please contact the Planning Department at 942-6604 for any accommodations required at least 3 days prior to the meeting you wish to attend. Assistive listening devices available.

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 16th day of April, 2019, at 7:00 P.M., in Council Chambers, Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia:

PRESENT: Commission Members: Shannon Boyle, Vice Chair  
Stephen Arey  
Michael Gibson  
Bobby Henderson, Council Liaison  
Patrick McNicholas  
Noelle Owen

City Planner &  
Clerk of the Commission: Luke Juday  
Zoning Administrator: Laura Martin

ABSENT: Commission Members: Andrew Kelly, Chair

1. CALL TO ORDER. PLEDGE OF ALLEGIANCE: Meeting was called to order by Vice Chair Boyle who asked everyone to stand for the pledge of allegiance to the flag.

2. REVIEW AND APPROVAL OF MINUTES OF REGULAR MEETING HELD MARCH 19, 2019: Minutes were approved as amended by a 6-0 vote as moved by Mr. Arey and seconded by Ms. Noelle.

3. CITIZEN COMMENT PERIOD- LIMITED TO 4 MINUTES PER SPEAKER, FOR ISSUES NOT LISTED AS AN AGENDA ITEM: None.

4. PUBLIC HEARING ON A CONDITIONAL USE PERMIT APPLICATION FROM MICHAEL G HAMP, CITY OF WAYNESBORO, FOR A WATER TOWER IN THE H-I (HEAVY INDUSTRIAL) DISTRICT:

Mr. Juday presented the application and staff report, adding that staff recommends approval. The tank would be 178 feet tall and plans show the tank branded with the Nature's Crossing Technology Center logo, though this could be changed to an alternative. There currently is no timeline for when this project would be completed.

Mr. Saunders, representative of the Timmons Group, briefed the commission on project design and answered questions from commissioners.

Ms. Boyle opened the public hearing. There being no speakers, the public hearing was closed.

Following discussion, the Commission voted 6-0 to recommend to City Council approval of the request as moved by Mr. Gibson and seconded by Mr. McNicholas.

5. PUBLIC HEARING ON A ZONING TEXT AMENDMENT INITIATED BY THE WAYNESBORO CITY COUNCIL TO ALLOW ELECTRONIC CHANGEABLE COPY SIGNS IN ALL DISTRICTS ON PUBLICLY-OWNED PROPERTY, SUBJECT TO THE RESTRICTIONS FOUND IN ZONING ORDINANCE SECTION 5.6.6:

Mr. Juday presented the application and staff report and summarized the request. This application was initiated by City Council at the request of the Friends of the Library, who wish to install a sign outside the Waynesboro Public Library. Currently the zoning ordinance prohibits these signs in residential districts. The amendment would allow such signs on publicly-owned government facilities located in residential districts.

Ms. Boyle opened the public hearing. There being no speakers, the public hearing was closed.

Following further discussion, Mr. Gibson moved to recommend approval to City Council but to condition approval of electronic signs on or adjacent to a residential district on a limitation on brightness (luminance) and a requirement that they be turned off between the hours of 10:00 pm and 6:00 am. Seconded by Mr. Arey, the motion passed by a 6-0 vote.

6. PUBLIC HEARING ON A ZONING TEXT AMENDMENT AND AMENDMENT TO CITY CODE CHAPTER 98 TO ADD DEFINITIONS OF HOMESTAY AND SHORT-TERM RENTAL, TO ALLOW BOTH USES BY-RIGHT IN ALL DISTRICTS WHERE RESIDENTIAL USES ARE PERMITTED, TO DEFINE STANDARDS OF USE, AND TO ESTABLISH A REGISTRY OF SHORT-TERM RENTALS TO BE MAINTAINED BY THE COMMISSIONER OF REVENUE:

Mr. Juday presented the application and staff report and summarized the application, adding that staff recommends approval of the proposed amendments. He noted that the city currently has about 12-15 rental houses/rooms on any given weekend which has created a bit of a regulatory problem in that the current zoning ordinance does not address homestay or short-term rentals (commonly referred to as Airbnb's). This request requires amendments to Chapter 78 regarding business permits as well as to Chapter 98 zoning. Mr. Juday reviewed the amendments to the current regulations and demonstrated the pros and cons of such amendments.

Ms. Boyle opened the public hearing. There being no speakers, the public hearing was closed.

Following further discussion, Mr. Arey moved to recommend approval to City Council of the ordinances as presented but to condition that such uses will not be included in Chapter 98 zoning use table and will be allowed in all legal dwelling units. Seconded by Mr. Gibson, the motion passed by a 6-0 vote.

7. OTHER BUSINESS/COMMISSIONERS' CORRESPONDENCE AND COMMUNICATION: Mr. Juday noted that on Friday Apr 26, 8:00am – 2:30pm, there will be a Walk-Bike Summit for Staunton, Augusta, Waynesboro at the Murphy Deming college and he encouraged attendance.

Meeting adjourned at 7:55 pm.

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Luke J. Juday, Clerk



**CITY OF WAYNESBORO, VIRGINIA  
STAFF REPORT  
CONDITIONAL USE PERMIT  
CUP 19-338  
May 21, 2019**

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**SUMMARY SHEET**

|   |   |
|---|---|
| <b><i>Applicant:</i></b>                        | Nancy Johnson   |
| <b><i>Address/Legal Description:</i></b>        | 1734 B Street<br>Waynesboro, VA 22980   |
| <b><i>Total Acreage:</i></b>                    | 6,600 square feet   |
| <b><i>Tax Map Number:</i></b>                   | TM 38-3-171-4   |
| <b><i>Real Estate Owner of Record:</i></b>      | Nancy Johnson<br>1734 B Street<br>Waynesboro, VA 22980  |
| <b><i>Current Zoning:</i></b>                   | RG-5 General Residential  |
| <b><i>Comprehensive Plan Designation:</i></b>   | Medium Density Residential  |
| <b><i>Attachments:</i></b>                      | 1. Application<br>2. Applicant's Sketch Plan<br>3. Certificate of Elevation   |
| <b><i>Flood Plain:</i></b>                      | Yes   |
| <b><i>Enterprise Zone:</i></b>                  | No  |
| <b><i>Action Requested:</i></b>                 | Conditional Use to allow a manufactured home in the RG-5 General Residential District   |
| <b><i>Authorizing City Code Section(s):</i></b> | Section 2.4 (Use Table)   |
| <b><i>Summary Recommendations:</i></b>          | Staff recommends approval of the application with the following conditions.<br>1. The widest façade of the proposed manufactured home shall be positioned parallel to the street. |

### **1. Nature of Request**

An application has been received from Ms. Nancy Johnson to place a manufactured home at 1734 B Street in Waynesboro. Ms. Johnson owns the property and lived on it until last year, when her house was destroyed in a fire. She is looking to purchase a mobile home and install it on the property.

### **2. Background**

The subject property is located on B Street on the east side of the City. This block of B street is disconnected from the main section and runs from Lee Avenue to a dead end. The site is located in the RG-5 General Residential District. The surrounding neighborhoods are also zoned RG-5 and are made up of a mixture of single family and multifamily homes, including numerous manufactured homes. On this block of B street, there are 3 single-family homes and two manufactured homes. A stream runs along the side of the subject lot through the middle of the block. The applicant's property is located partially within the floodplain, however she has received a Certificate of Elevation from an engineer confirming that the structure will be above the base flood elevation.

### **3. Zoning Requirements**

The applicant intends to place a manufactured home on a vacant lot in the floodplain. At 19,500 square feet in area, the applicant's property significantly exceeds the minimum 5,000 square feet required for a single-family detached home in an RG-5 District. The manufactured home will be positioned to conform with the setback requirements of the zoning code.

The supplemental use regulations in Article 4.2.7 (Manufactured Homes) require manufactured homes to be (A) on a full foundation or completely skirted materials approved by the Building Official, (B) set up and tied down in accordance with the standards set by Virginia Uniform Statewide Building Code regulations, and (C) wheels, axles, tongue, towing apparatus and transporting lights, if any, removed prior to final installation of the unit.

The site is partially located in the floodplain, however the home site is not at significant risk of flooding. The City's Floodplain Administrator has reviewed the conditional use permit and recommended approval. The applicant has provided a certificate of elevation stamped by a licensed engineer showing that the home site is located above the base flood elevation.

### **4. Review with Respect to the Comprehensive Plan**

The City's 2008 Comprehensive Plan Land Use Plan identifies the subject site as Medium Density Residential. It allows single-family housing and multi-family housing with densities up to 8 DUA. The proposed use is consistent with the land use designation.

### **5. Analysis**

The Conditional Use Permit allows for a case-by-case review of uses which may be, but are not always, compatible with neighboring uses. In order to approve the Conditional Use Permit the Council must find that the proposed use is consistent with good zoning practice and will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more detrimental, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district.

#### ***Impacts to Adjacent Properties***

The 1700 block of B Street already has two manufactured homes and the area around the property has numerous others. While some are nonconforming and grandfathered, the manufactured homes for which conditional use permits have been issued are not in noticeably worse shape than the permanent housing stock in the area. The applicant proposes to purchase a new unit. If positioned correctly on the lot, the appearance of this unit will not be significantly worse than any other home in the immediate vicinity and is not expected to decrease the value of surrounding houses. The 1700 block of B Street is not visible from any designated entrance corridor and installation of the manufactured home will not contradict the Comprehensive Plan's goals with respect to commercial corridors.

### **6. Conclusion and Recommendations**

Staff recommends approval with the following condition:

The widest façade of the proposed manufactured home shall be positioned parallel to the street.

cc: James Shaw, Deputy City Manager  
Todd Wood, City Engineer  
Laura Martin, Zoning Administrator



# CONDITIONAL USE PERMIT APPLICATION

CITY OF WAYNESBORO, PLANNING DEPARTMENT

Reference City Code Sec. 98-7-6

Application Fee \$350

### A.) SITE INFORMATION:

Project Name: Request for manufactured home

Property Address: 1734 B STREET

Tax Map No./Legal Description: 48-1-187-6&7

Present Zoning: RG-5 Comprehensive Plan Designation: \_\_\_\_\_

Is Property Located in Flood Hazard Area According to Local FEMA Map?  YES  NO

Is Property Located within the Enterprise Zone?  YES  NO

Project Description (use a separate sheet as necessary): \_\_\_\_\_

Installation of double-wide manufactured home on lots 6 & 7. (1734 B St.)

### B.) APPLICANT INFORMATION:

Property Owner of Record: Nancy A. Johnson & Assoc. Financial Services

Address: 1734 B Street <sup>(Street Address)</sup> Waynesboro, VA <sup>(City, State, Zip)</sup>

Email Address: N/A Phone #: 540-241-7400

\*Applicant Name: Nancy A. Johnson

Address: 1734 B Street <sup>(Street Address)</sup> Waynesboro, VA <sup>(City, State, Zip)</sup>

Email Address: N/A Phone #: 540-241-7400

\* If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

|            |               |             |            |              |              |               |               |                              |
|------------|---------------|-------------|------------|--------------|--------------|---------------|---------------|------------------------------|
| Date Rec'd | <u>4/2/19</u> | Fee Paid \$ | <u>350</u> | MS Receipt # | Application# | <u>19-338</u> | Approval Date | <input type="checkbox"/> Not |
|------------|---------------|-------------|------------|--------------|--------------|---------------|---------------|------------------------------|

C.) (OPTIONAL) LICENSED PROFESSIONAL [Architect, Engineer, Surveyor, Landscape Architect]:

Firm Name: \_\_\_\_\_ (Printed) Contact Name: \_\_\_\_\_ (Printed)

Address: \_\_\_\_\_ (Street Address) \_\_\_\_\_ (City, State, Zip)

Phone #: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_ Professional License # \_\_\_\_\_

E.) SELECT PRIMARY CONTACT PERSON FOR STAFF:  Owner  Applicant  Licensed Professional

D.) SIGNATURES:

If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

AFFIDAVIT: The undersigned  property owner, or  duly authorized agent/representative thereof [check one] certifies that the foregoing information is true and correct to the best of my knowledge and belief; WITH THE UNDERSTANDING THAT ANY INCORRECT INFORMATION SUBMITTED MAY RESULT IN THE DELAY OR RESCHEDULING OF APPROVAL. I hereby authorize the City of Waynesboro to review this request, visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

Nancy A. Johnson

Print Name

540-241-7400

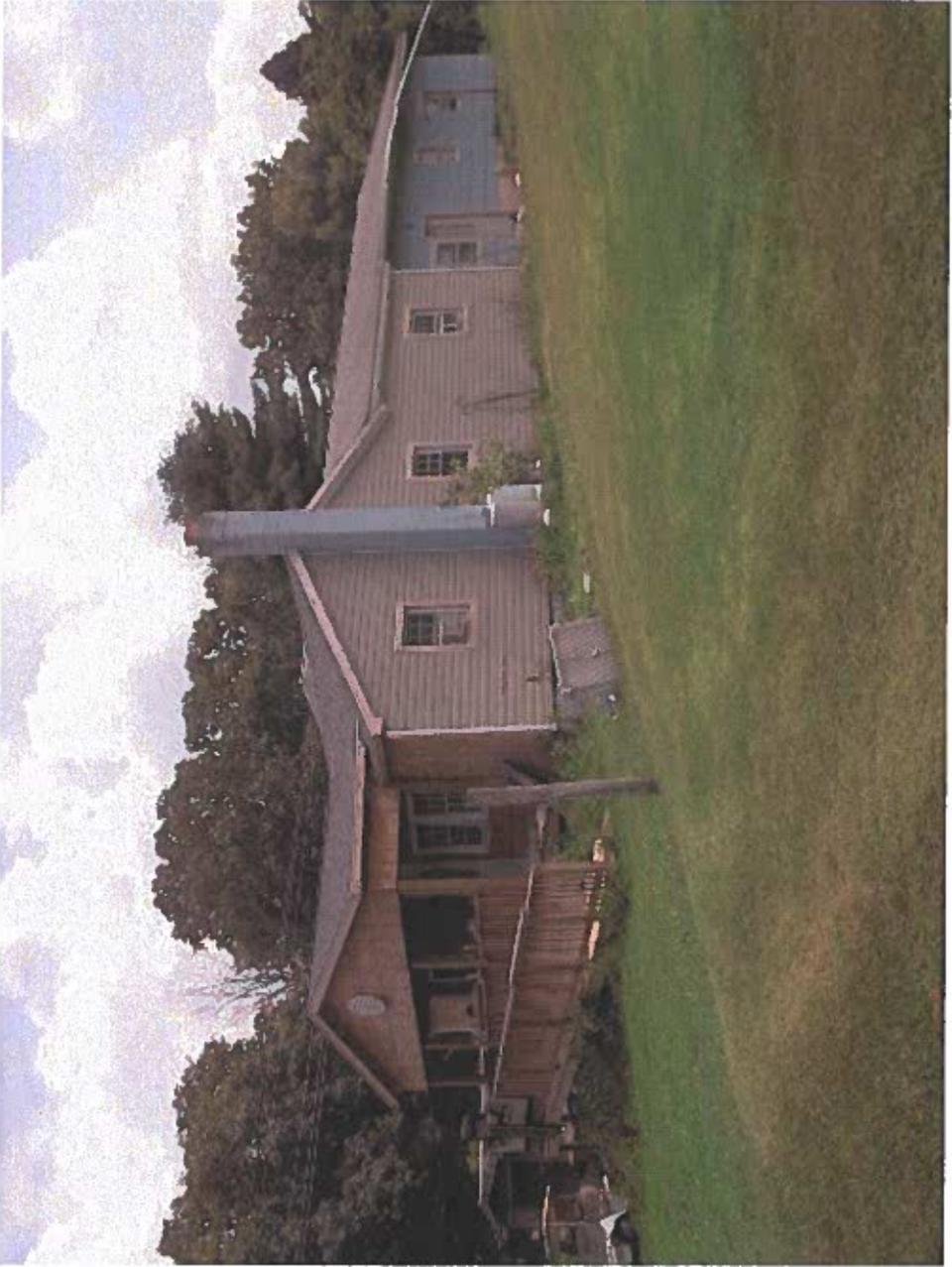
Daytime phone number of contact

  
Signature of Owner, Contract Purchaser, Agent

4/2/19

Date

- Existing house at 1734 B Street was partially burnt.
- Demo permit was issued in February of 2019 to tear down all but approximately a 25' x 25' section of the back portion of the burnt house.
- The remaining 25' x 25' section is to be converted into a workshop.
- The proposed manufactured home will utilize both lots 6 & 7 (100' x 130'), will face B Street and will meet the minimum setback requirements of the RG-5 zoning district.
- The property is in the floodplain but we suspect it is going to be elevated significantly above the base flood elevation (BFE). An elevation certificate is being prepared by Barry Lotts and will be submitted as soon as it's complete.





11001 W

B

3RD

22ND



# ELEVATION CERTIFICATE

Important: Follow the instructions on pages 1-9.

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

| SECTION A – PROPERTY INFORMATION  |                 |                                   |  | FOR INSURANCE COMPANY USE         |   |
|---|-----------------|-----------------------------------|--|-----------------------------------|---|
| A1. Building Owner's Name<br>Nancy Ann Johnson  |                 |                                   |  | Policy Number:                    |   |
| A2. Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.<br>1734 B Street  |                 |                                   |  | Company NAIC Number:              |   |
| City<br>Waynesboro  |                 | State<br>Virginia                 |  | ZIP Code<br>22980                 |   |
| A3. Property Description (Lot and Block Numbers, Tax Parcel Number, Legal Description, etc.)<br>Lot 6 and Lot 7, Block 187, Basic City Mining, Manufacturing and Land Company - Tax map 48-(1)-187-6 & 7  |                 |                                   |  |                                   |   |
| A4. Building Use (e.g., Residential, Non-Residential, Addition, Accessory, etc.) <u>Residential</u>   |                 |                                   |  |                                   |   |
| A5. Latitude/Longitude: Lat. <u>38.071183</u> Long. <u>78.859814</u> Horizontal Datum: <input type="checkbox"/> NAD 1927 <input checked="" type="checkbox"/> NAD 1983   |                 |                                   |  |                                   |   |
| A6. Attach at least 2 photographs of the building if the Certificate is being used to obtain flood insurance.   |                 |                                   |  |                                   |   |
| A7. Building Diagram Number <u>8</u>  |                 |                                   |  |                                   |   |
| A8. For a building with a crawlspace or enclosure(s):   |                 |                                   |  |                                   |   |
| a) Square footage of crawlspace or enclosure(s) <u>1568.00</u> sq ft  |                 |                                   |  |                                   |   |
| b) Number of permanent flood openings in the crawlspace or enclosure(s) within 1.0 foot above adjacent grade _____  |                 |                                   |  |                                   |   |
| c) Total net area of flood openings in A8.b _____ sq in   |                 |                                   |  |                                   |   |
| d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No  |                 |                                   |  |                                   |   |
| A9. For a building with an attached garage:   |                 |                                   |  |                                   |   |
| a) Square footage of attached garage _____ sq ft  |                 |                                   |  |                                   |   |
| b) Number of permanent flood openings in the attached garage within 1.0 foot above adjacent grade _____   |                 |                                   |  |                                   |   |
| c) Total net area of flood openings in A9.b _____ sq in   |                 |                                   |  |                                   |   |
| d) Engineered flood openings? <input type="checkbox"/> Yes <input type="checkbox"/> No  |                 |                                   |  |                                   |   |
| SECTION B – FLOOD INSURANCE RATE MAP (FIRM) INFORMATION   |                 |                                   |  |                                   |   |
| B1. NFIP Community Name & Community Number<br>Waynesboro, City of - 515532  |                 |                                   | B2. County Name<br>Augusta                           |                                   | B3. State<br>Virginia   |
| B4. Map/Panel Number<br>0553  | B5. Suffix<br>D | B6. FIRM Index Date<br>09-28-2007 | B7. FIRM Panel Effective/ Revised Date<br>09-28-2007 | B8. Flood Zone(s)<br>Flood Zone X | B9. Base Flood Elevation(s) (Zone AO, use Base Flood Depth)<br>1315.0 |
| B10. Indicate the source of the Base Flood Elevation (BFE) data or base flood depth entered in Item B9:<br><input type="checkbox"/> FIS Profile <input checked="" type="checkbox"/> FIRM <input type="checkbox"/> Community Determined <input type="checkbox"/> Other/Source: _____ |                 |                                   |  |                                   |   |
| B11. Indicate elevation datum used for BFE in Item B9: <input type="checkbox"/> NGVD 1929 <input checked="" type="checkbox"/> NAVD 1988 <input type="checkbox"/> Other/Source: _____  |                 |                                   |  |                                   |   |
| B12. Is the building located in a Coastal Barrier Resources System (CBRS) area or Otherwise Protected Area (OPA)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Designation Date: _____ <input type="checkbox"/> CBRS <input type="checkbox"/> OPA         |                 |                                   |  |                                   |   |

# ELEVATION CERTIFICATE

OMB No. 1660-0008  
Expiration Date: November 30, 2018

|  |                   |                   |                                  |
|--|-------------------|-------------------|----------------------------------|
| <b>IMPORTANT: In these spaces, copy the corresponding information from Section A.</b>                              |                   |                   | <b>FOR INSURANCE COMPANY USE</b> |
| Building Street Address (including Apt., Unit, Suite, and/or Bldg. No.) or P.O. Route and Box No.<br>1734 B Street |                   |                   | Policy Number:                   |
| City<br>Waynesboro   | State<br>Virginia | ZIP Code<br>22980 | Company NAIC Number              |

## SECTION C – BUILDING ELEVATION INFORMATION (SURVEY REQUIRED)

C1. Building elevations are based on:  Construction Drawings\*  Building Under Construction\*  Finished Construction

\*A new Elevation Certificate will be required when construction of the building is complete.

C2. Elevations – Zones A1–A30, AE, AH, A (with BFE), VE, V1–V30, V (with BFE), AR, AR/A, AR/AE, AR/A1–A30, AR/AH, AR/AO. Complete Items C2.a–h below according to the building diagram specified in Item A7. In Puerto Rico only, enter meters.

Benchmark Utilized: City Benchmark Vertical Datum: NAVD 1988

Indicate elevation datum used for the elevations in items a) through h) below.

NGVD 1929  NAVD 1988  Other/Source: \_\_\_\_\_

Datum used for building elevations must be the same as that used for the BFE.

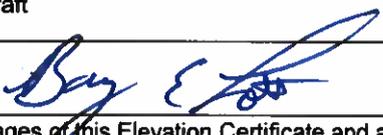
Check the measurement used.

- |   |        |  |                                 |
|---|--------|--|---------------------------------|
| a) Top of bottom floor (including basement, crawlspace, or enclosure floor)   | 1343.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| b) Top of the next higher floor   | 1346.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| c) Bottom of the lowest horizontal structural member (V Zones only)   |        | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| d) Attached garage (top of slab)  |        | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| e) Lowest elevation of machinery or equipment servicing the building<br>(Describe type of equipment and location in Comments) |        | <input type="checkbox"/> feet            | <input type="checkbox"/> meters |
| f) Lowest adjacent (finished) grade next to building (LAG)  | 1342.9 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| g) Highest adjacent (finished) grade next to building (HAG)   | 1347.8 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |
| h) Lowest adjacent grade at lowest elevation of deck or stairs, including structural support                                  | 1345.0 | <input checked="" type="checkbox"/> feet | <input type="checkbox"/> meters |

## SECTION D – SURVEYOR, ENGINEER, OR ARCHITECT CERTIFICATION

This certification is to be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information. I certify that the information on this Certificate represents my best efforts to interpret the data available. I understand that any false statement may be punishable by fine or imprisonment under 18 U.S. Code, Section 1001.

Were latitude and longitude in Section A provided by a licensed land surveyor?  Yes  No  Check here if attachments.

|  |                            |   |                   |
|--|----------------------------|---|-------------------|
| Certifier's Name<br>Barry E. Lotts   | License Number<br>001528-B |  |                   |
| Title<br>Land Surveyor   |                            |   |                   |
| Company Name<br>Lotts & Associates   |                            |   |                   |
| Address<br>P.O. Box 1167   |                            |   |                   |
| City<br>Stuarts Draft  | State<br>Virginia          |   | ZIP Code<br>24477 |
| Signature<br> | Date<br>04-03-2019         | Telephone<br>(540) 337-0012   | Ext.              |

Copy all pages of this Elevation Certificate and all attachments for (1) community official, (2) insurance agent/company, and (3) building owner.

Comments (including type of equipment and location, per C2(e), if applicable)