

The Planning Commission of the City of Waynesboro, Virginia, held a regular meeting on the 22nd day of May, 2018, at 7:00 P.M., in Council Chambers, Charles T. Yancey Municipal Building, 503 West Main Street, Waynesboro, Virginia:

PRESENT: Commission Members  
Patrick McNicholas, Vice Chair  
Stephen Arey  
Andrew Kelly  
Miguel Eusse  
Elzena Anderson, Council Liaison  
City Planner &  
Clerk of the Commission: Luke Juday  
Sunny (Weixuan) Yang  
Absent: Shannon Boyle (excused)  
Constance Paradiso, Chair (excused)

1. CALL TO ORDER. PLEDGE OF ALLEGIANCE: Meeting was called to order by Vice Chair McNicholas who asked Mr. Arey to lead the pledge of allegiance to the flag.

2. REVIEW AND APPROVAL OF MINUTES OF REGULAR MEETING HELD APRIL 17, 2018: Minutes were approved with a 5-0 vote (moved by Mr. Arey, seconded by Mr. Kelly).

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

4. A PUBLIC HEARING ON A REZONING REQUEST BY PHILLIP R & MARYELLEN S LEMONS TO REZONE A PROPERTY FROM R-MX (MIXED RESIDENTIAL) DISTRICT TO L-B (LOCAL BUSINESS) DISTRICT AT 412 CEDAR AVENUE, WAYNESBORO, VIRGINIA, CITY MAP NUMBER 44-4-27-27, 28, & 29: Ms. Yang presented the application to the Planning Commission, stating that the rezoning request was made for the purpose of allowing larger business groups to consider purchasing or using the subject property. The proposed rezoning is consistent with the Comprehensive Plan and the proposed use allowed by right with minimum adverse impact to the neighborhood and the City traffic system and utilities. However, certain uses in the L-B District would not be compatible with the neighborhood and aesthetics is crucial to the site because of its high visibility from Rosser Avenue. Staff recommends approval of the application with conditions to proffer out "all commercial use" from the use table and to install two street trees in the front of the property on Cedar Avenue.

Ms. Anderson questioned the reason for planting the trees. Ms. Yang explained that the trees are for aesthetics purpose because the site is highly visible from the major corridor and the street trees will provide more of a neighborhood feeling. Mr. Arey emphasized the importance of street trees for improving entrance corridor aesthetics.

Mr. Eusse asked the applicant if they have any plan to improve the exterior of the house. The applicant stated yes.

No public comments were received on this application. Mr. Kelly made the motion, seconded by Mr. Arey, to recommend approval to the City Council of the rezoning application with conditions as recommended by staff. Motion passed 5:0, as follows:

*WHEREAS, upon application of Phillip R. & Maryellen S. Lemons, owner, the Waynesboro Planning Commission finds that the aftermentioned rezoning will meet or exceed all the requirements of state and local law, and further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the general goals and objectives of the comprehensive plan of this City;*

*NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 5-0, that a recommendation be forwarded to City Council that the request of Phillip R. & Maryellen S. Lemons, owner, for rezoning from R-MX (Mixed Residential) District to L-B (Local Business) District a 0.258-acre site located at 412 Cedar Avenue, Waynesboro, Virginia, Tax Map # 44-4-27-27, 28, & 29, be approved, in accordance with the application (#18-285), and the staff report dated May 22, 2018, and further subject to the following conditions:*

- 1. The following use in the L-B District shall not be allowed: all commercial parking;*
- 2. Two (2) street trees shall be planted along Cedar Avenue.*

5. A PUBLIC HEARING ON A CERTIFICATE OF APPROPRIATENESS REQUEST BY MILLICENT V. WILLIAMS TO DEMOLISH A HISTORIC BUILDING AT 401 FAIRVIEW DRIVE, VIRGINIA, CITY TAX MAP NUMBER 36-9-10: Mr. Juday made the presentation to the Planning Commission. He stated that the application was made in order to use the CDBG funding to demolish the subject property. Even though the subject building is a contributing structure in the Port Republic Historic District, it is not related to any significant person or events, it has no unique architectural components nor contributes to the visual consistency for the neighborhood. Due to its significantly deteriorated situation, it is not structurally nor economically reasonable to restore the building. Also, Virginia Department of Historic Resources (DHR) has signed an agreement with the city to allow demolition of the building. As a result, staff recommends approval of the application.

Mr. Eusse asked the age of the house. The house was constructed in 1930.

Mr. Kelly stated from his perspective, there is no need to restore the house. Mr. Arey said the house is in very bad shape and the best use of the property is to attach it to the house next door due to its slope.

Tom Carlsson from Waynesboro Housing & Redevelopment Authority spoke on the application, stating that the primary task is to restore the house at 404 Fairview Drive and to demolish the one at 401 Fairview Drive because of its blighted condition and paid by the CDBG funds.

Mr. Kelly thought the application goes along with the comprehensive plan to clean things up.

Mr. Arey asked about the final authority to vote on the application. Mr. Juday stated that the Planning Commission will have the final authority to make the decision.

No public comments were received on this application. Mr. Arey moved, seconded by Ms. Anderson, to approve the Certificate of Appropriateness to demolish the building at 401 Fairview Drive. Motion passed 5:0, as follows:

***BE IT RESOLVED*** by the Waynesboro Planning Commission, by a 5-0 vote, that a Certificate of Appropriateness is approved to allow demolishing a historic building at 401 Fairview Drive, Waynesboro, Virginia, City tax map number 36-9-10.

6. A PUBLIC HEAIRNG ON THE ZONING AND SUBDIVISION ORDINANCE TEXT AMENDMENTS: Mr. Juday stated that the City has a set of zoning/subdivision ordinance text amendments for the planning Commission's review. All the recommendations are listed separately and need to be voted on separately. Mr. Juday had a review of each recommended amendments.

Vice Chair McNicholas opened the public hearing. With no public comments received, Mr. McNicholas closed the public hearing. The Planning Commissioners had discussions on each amendment and voted on them separately.

Mr. Kelly made the motion, seconded by Mr. Eusse, to recommend approval to the City Council of the zoning ordinance text amendment to allow schools in commercial zones by right. Motion passed 5:0, as follows:

***BE IT RESOLVED*** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 98, Zoning Ordinance, Section 2.4, be approved, as follows:

**§2.4. Use Table**

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	C-B	L-I	H-I	USE STANDARD
<b>PUBLIC AND CIVIC USES (SEE ERROR! REFERENCE SOURCE NOT</b>														
Educational facilities (See §10.2.8.C)	Schools, elementary or secondary	P	P	P	P	P	P	P	P	P	P			§4.3.7
	Military academies				P	P	P			P	P			

Mr. Arey made the motion, seconded by Mr. Kelly, to recommend approval to the City Council of the zoning ordinance text amendment to require all single-family houses and duplexes to face the street. Motion passed 5:0, as follows:

***BE IT RESOLVED*** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 98, Zoning Ordinance, Section 1.13.5, be approved, as follows:

**§1.13.5. Required Yards (Setbacks)**

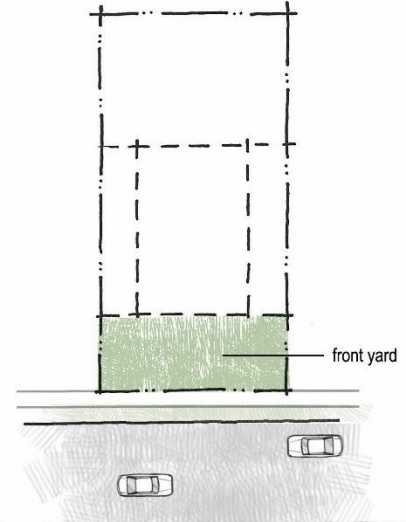
**A. General**

1. There are four types of required yards – front, side (street), side (interior) and rear yards.
2. Every part of every required yard shall be open and unobstructed above the general ground level of the graded lot upward to the sky except as provided or as otherwise permitted in §1.13.5.E.
3. No part of a required yard shall be included as a part of a yard similarly required for another structure or use.

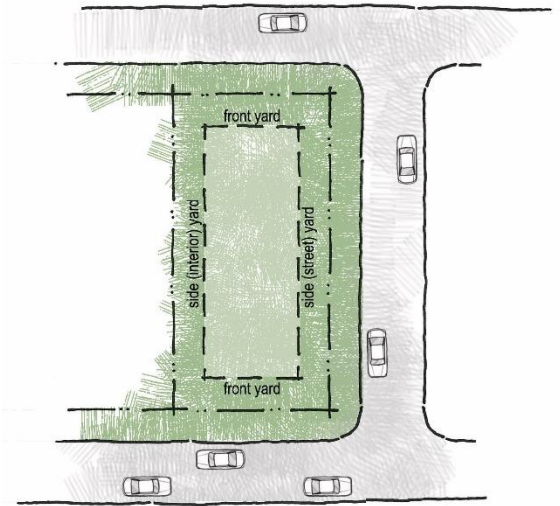
**B. Front Yards**

**1. Measurement**

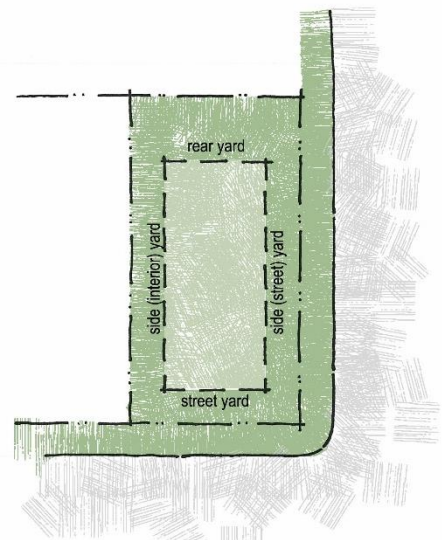
- (a) *Front yards are measured from the front property line to the closest point of the building or structure.*



- (b) *Through lots must have a required front yard on both opposing sides of the lot. For purpose of this provision, the front property line is the property line abutting the street.*



- (c) *On corner lots, the front property line is the property line that is parallel to the alley that serves the lot. When no alley exists, the Zoning Administrator is authorized to establish the front property line and the street side property line based on the neighborhood lot pattern.*



- (d) *All single-family homes and duplexes must have a primary façade and entrance parallel to the street from which the front setback is marked.*

Mr. Kelly made the motion, seconded by Ms. Anderson, to recommend approval to the City Council of the zoning ordinance text amendment to allow all vehicle sales and services in H-I District. Motion passed 5:0, as follows:

**BE IT RESOLVED** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 98, Zoning Ordinance, Section 2.4 and Section 10.2.10, be approved, as follows:

**§2.4. Use Table**

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	C-B	L-I	H-I	USE STANDARD
VEHICLE SALES AND SERVICE (SEE §10.2.9.H)	BODY SHOPS AND UPHOLSTERY SHOPS											P	P	
	FUEL STATIONS, INCLUDING FULL-SERVICE, MINI-SERVICE AND SELF-SERVICE								C	P	C	P	P	\$4.4.10
	TOWING SERVICES											P	P	
	VEHICLE SERVICE, FULL											P	P	\$4.4.10
	VEHICLE SERVICES, LIMITED								C	P	C	P	P	\$4.4.10
	VEHICLE SALES, RENTAL, OR LEASING FACILITIES								C	P	C	P	P	

§10.2.10. Industrial Use Categories

*E. Heavy Industrial*

<b>Characteristics:</b> <i>Firms involved in research and development activities without light fabrication and assembly operations; limited industrial/manufacturing activities. The uses emphasize industrial businesses and sale of heavier equipment. Factory production and industrial yards are located here. Sales to the general public are limited.</i>		
<b>Principal Uses</b>	<b>Accessory Uses</b>	<b>Uses not Included</b>
<i>Animal concentrations, including commercial feed lots, pig farms and similar uses            Animal processing, packing, treating and storage            Abattoirs and slaughter houses            Concrete batching and asphalt mixing            Drink bottling            Feed and fertilizer mills            Fuel oil distributors            Heavy equipment sales and rental            Retail sales of farm equipment and machinery and earth moving and heavy construction equipment            Milk processing plant            Processing of food and related products            Production or fabrication of metals or metal products including enameling and galvanizing            Production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials or products            Railroads and appurtenances, right-of-way and tracks            Sawmills            Sheet metal shops            Woodworking, including cabinet makers and furniture manufacturing</i>	<i>Cafeterias            Drainage structures            Offices            Parking            Product repair            Repackaging of goods            Warehouses</i>	<i>Animal waste processing (See Waste-Related Service)            Repair and service of motor vehicles, motorcycles, RVs, boats, and light and medium trucks (See Vehicle Sales and Service)            Stores selling, leasing, or renting consumer, home and business goods (See Retail Sales and Service)</i>

Mr. Arey made the motion, seconded by Mr. Kelly, to recommend approval to the City Council of the zoning ordinance text amendment to add solar farms to the zoning code. Motion passed 5:0, as follows:

**BE IT RESOLVED** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 98, Zoning Ordinance, Section 2.4, Section 10.2.8, and Section 10.3, be approved, as follows:

**§2.4. Use Table**

USE CATEGORIES	USE TYPES	RS-12	RS-7	RS-5	RG-5	R-MX	R-MF	R-O	L-B	H-B	C-B	L-I	H-I	USE STANDARD
UTILITIES, MAJOR (SEE §10.2.8.J)	ELECTRIC SUBSTATIONS	C	C	C	C	C	C	C	C	C	C	C	C	
	TELECOMMUNICATIONS TOWERS AND FACILITIES	C	C	C	C	C	C	C	C	C	C	C	C	§4.3.8
	UTILITY OFFICES, SHOPS OR YARDS					C	C					C	C	§4.3.9
	WATER/WASTEWATER TREATMENT PLANTS											C	C	
	<b>SOLAR FARMS</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>C</b>	<b>P</b>	<b>P</b>	

*§10.2.8. Public and Civic Use Categories*

*J. Utilities*

<b>Characteristics:</b> Public or private infrastructure serving a limited area with no on-site personnel (Minor Utility) or the general community and possibly having on-site personnel (Major Utility).		
<b>Principal Uses</b>	<b>Accessory Uses</b>	<b>Uses not included</b>
<p><b>Minor Utilities:</b></p> <ul style="list-style-type: none"> <li>Lift stations</li> <li>Stormwater retention and detention facilities</li> <li>Telephone exchanges</li> <li>Water and wastewater pump stations</li> </ul> <p><b>Major Utilities:</b></p> <ul style="list-style-type: none"> <li>Electrical generating plants and substations</li> <li>Electrical transmission facilities</li> <li>Stormwater pumping station</li> <li>Television and radio broadcasting transmitters</li> <li>Wastewater treatment plants</li> <li>Water treatment plants</li> <li>Water towers, tanks, or standpipes</li> <li>Telecommunications tower and facilities</li> <li><i>Solar farms</i></li> </ul>	<ul style="list-style-type: none"> <li>Control, monitoring, data or transmission equipment</li> <li>Parking</li> <li>Cell antennae</li> <li>Storage</li> <li>Security measures, such as fences</li> </ul>	<ul style="list-style-type: none"> <li>Maintenance yards and buildings (See Light Industrial Service)</li> <li>Utility offices (See Office)</li> <li>TV and radio studios (See Office)</li> <li>Reservoir (See Parks and Open Areas)</li> <li><i>Solar panels accessory to another use and producing power that is primarily consumed on site</i></li> </ul>

**§10.3. GENERAL TERMS DEFINED**

**SOLAR FARM:** A utility-scale photovoltaic installation generating electricity for off-site use. Solar panels that are auxiliary to another use and which generate power primarily for use on-site are not considered solar farms and are allowed in all zoning districts

Mr. Arey made the motion, seconded by Mr. Eusse, to recommend approval to the City Council of the subdivision ordinance text amendment allowing council to waive any requirements of the subdivision ordinance. Motion passed 5:0, as follows:

**BE IT RESOLVED** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 74, Subdivision Ordinance, Section 74-10, be approved, as follows:

*Sec. 74-10. Waiver or variance of subdivision regulations by council.*

*Any requirements of this chapter may be waived or varied by the city council, in whole or in part, upon a determination that:*

*(1) A waiver or variation of any provision of this chapter best satisfies the overall purposes set forth in section 74-2 hereof; or*

*(2) An applicant has shown that the requirement being waived or varied would cause a substantial injustice or hardship.*

*Any variance or waiver thus authorized shall be entered into the minutes of the city council along with a statement of the reason upon which the waiver or variance was granted.*

Mr. Kelly made the motion, seconded by Mr. Eusse, to recommend approval to the City Council for the subdivision ordinance text amendment to add guidelines for phased developments. Motion passed 5:0, as follows:

***BE IT RESOLVED*** by the Waynesboro Planning Commission, by a 5-0 vote, that a recommendation be forwarded to the City Council that the revised Chapter 74, Subdivision Ordinance, Section 74-9, 74-39, 74-46, & 74-71, be approved, as follows:

*Sec. 74-9. Definitions.*

*Phased subdivision. A preliminary plat is approved for the entire property, and for which two or more final plats, individually pertaining to less than the entire property, are submitted sequentially for review and approval.*

*Sec. 74-39. - Public Improvement Plan procedures.*

*f. Phased subdivisions. Public improvement plans for phased subdivisions shall designate which public improvements will be constructed as part of each phase. At the request of the applicant and for good cause shown, the subdivision agent may approve changes to the phasing of public improvements, provided that any such change shall not materially delay the completion of road or utility connections or the construction of major public improvements that serve prior-constructed phases of the subdivision.*

*Sec. 74-46. – Standards for Major Subdivision preliminary plats.*

*(18) For phased subdivisions, the preliminary plat shall show a phasing plan designating the order and scope of each phase of the project and designating which public improvements will be constructed as part of each phase.*

*Sec. 74-71. – Design standards for new streets and alleys.*

*(u) For phased subdivisions, street and utility capacity and connectivity for each phase shall provide an acceptable level of service to the initial phase(s) of the subdivision. The city engineer or his designee may require a traffic impact analysis for one or more phases.*

7. OTHER BUSINESS/COMMISSIONERS' CORRESPONDENCE AND COMMUNICATION: DISCUSSION ON THE ZONING TEXT AMENDMENT FOR TRANSIENT HOUSING USES

(AIRB&B): Mr. Juday had a brief presentation on transient lodging use that is being considered to be added to the zoning ordinance. He presented the issues with transient lodging use and how other localities

regulate such use and raised questions on how the City of Waynesboro should regulate this use. Planning Commissioners had discussions on this issue.

Mr. Juday raised another issue of a request from a large antique mall to put wayfinding signage on East Main Street near Tim Spear's Music City pointing the way to their business. The Planning Commissioners gave their input on the issue about sign cluster.

Meeting adjourned at 8:40 pm.

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Luke J. Juday, clerk