



John Jordan, Chairman
Marie Mitchell, Vice Chair
Reggie Bennett, Town Councilman
Marvin Clements, Commissioner
Jennifer Morton, Commissioner

Sharon D. Williams, AICP,
Planning Commission Secretary &
Director of Community Development

THE REGULAR MEETING OF THE PLANNING COMMISSION OF THE TOWN OF ALTAVISTA, VIRGINIA, WILL BE HELD IN THE COUNCIL CHAMBERS OF THE MUNICIPAL BUILDING ON MONDAY, MARCH 1, 2021 AT 5:00 P.M.

AGENDA

1. Call to Order
2. Roll Call
3. Determination of a Quorum
4. Approval of Agenda
5. Pledge of Allegiance- American Flag & Invocation
6. Approval of Minutes – February 1, 2021
7. Public Expression
8. Public Hearings - None
9. Old Business
 - a. Signage in the Downtown Revitalization Overlay District (information to be provided at the meeting)
10. New Business
 - a. Discussion on solar energy projects
11. Update on Steering Committee – Mr. Clements
12. Update on Spark Innovation Center – Sharon Williams & Amie Owens
13. Adjournment

All meetings are livestreamed and can be viewed on the Town's website at www.altavistava.gov

Next Meeting: April 5, 2021 at 5:00 p.m.

The Altavista Planning Commission held a regularly scheduled meeting February 1, 2021 at 5:00 PM in the Council Chambers at Town Hall located at 510 7th Street, Altavista, Virginia.

Members present - John Jordan, Chairman
Marie Mitchell, Vice Chair
Marvin Clements
Reggie Bennett, Town Council Liaison
Jennifer Morton

Staff present - Sharon D. Williams, AICP – Community Development Director
Tom Fore – Public Utilities Director
John Eller – Town Attorney
Cheryl Dudley – Customer Service Specialist

CALL TO ORDER:

Chairman John Jordan called the regularly scheduled Planning Commission meeting to order at 5:05 p.m.

DETERMINATION OF QUORUM:

Chairman Jordan stated that a quorum was present.

APPROVAL OF AGENDA:

Chairman Jordan asked if there were any amendments to be made to the agenda.

Motion by Mrs. Mitchell, seconded by Mr. Bennett to approve the agenda as presented. The motion was approved unanimously.

PLEDGE OF ALLEGIANCE & INVOCATION:

The Commission recited the Pledge of Allegiance and Chairman Jordan delivered the Invocation.

APPROVAL OF MINUTES:

A motion was made by Mr. Bennett, seconded by Mr. Clements to approve the minutes from the January 4, 2021 meeting as presented. The motion was approved unanimously.

PUBLIC EXPRESSION:

Chairman Jordan opened the floor for public comment; there being none, citizen input was closed.

OLD BUSINESS:

a. Source Water Protection Plan

Tom Fore, Public Utilities Director, asked the Planning Commissioners if they had any comments, thoughts, or suggestions about the Source Water Protection Plan (SWPP).

Reggie Bennett, Town Councilman stated that as the understood the SWPP, it looked for communities upstream to protect the water that flowed downstream to Altavista. He said that in return Altavista would do the same thing for communities downstream from it.

Mr. Fore stated that was correct.

Chairman Jordan stated the plan included a public education section under recommended actions. He suggested the town issue a press release about the plans as it was very informative and believed people would benefit if they read it.

Mr. Fore stated that the purpose of the SWPP was to protect surface and ground water, which served as a source of potable water, from the threat of contamination due to accidents or unwise practices from nearby residential, industrial, commercial, agricultural, waste management, or transportation activities.

Mr. Marvin Clements asked how long it would take for implementation if the plan were adopted.

Mr. Fore answered that a local advisory committee would meet annually to review the plan and discuss ways to implement the recommendations, which would include the public education component.

Chairman Jordan asked if there was a cost to the town if the plan were implemented.

Mr. Fore answered there was no ongoing cost. He said that as other jurisdictions implemented the plan there might be opportunities to apply for grants with those communities upstream. Mr. Fore stated that a grant might require matching from the town.

Mrs. Jennifer Morton made a motion for the Planning Commission to recommend Town Council approve the Source Water Protection Plan. Mrs. Mitchell seconded the motion. The motion was approved unanimously.

b. Signage in the Downtown Revitalization Overlay District

Ms. Williams stated staff had received requests from different businesses downtown to change their signage and under existing regulations, the requests exceeded the allowable square footage in the DRO. She said staff believed the signage regulations in the Zoning Ordinance were difficult to interpret and did not make adequately address business needs. She said that rather than tackle the entire regulation; it was more practical to address the DRO since an immediate need had been identified and address the rest of the code later.

Ms. Williams explained that the under the DRO sign regulations businesses were limited to three (3) signs per street or open face alley. She said that if a sign could be viewed from a street it did not front on, a sign was permitted; however, it counted toward the allowable signage for the street facing front. Ms. Williams continued and explained that the maximum square footage of each sign was 30 square

feet, the maximum aggregate area of all signs was 60 square feet, and no sign could be higher than fifteen feet (15') above grade.

The Planning Commission was informed by Ms. Williams that there were 210 parcels in the DRO. She stated that staff would attempt to address existing and future businesses in its recommendation and not limit the analysis to the bank request. She said that in conjunction with the Altavista Economic Development Authority (AEDA), the town's goal was to bring vitality back to downtown Altavista, stating that signs can detract from the aesthetic appeal of an area. She asked the Planning Commission for time to complete the analysis and bring back a recommendation at the March meeting along with a renewable energy ordinance.

Chairman Jordan asked Ms. Williams if she thought the ordinance change would be for a maximum square footage per sign or a maximum square footage per building or if other options would be provided.

Ms. Williams answered the Planning Commission might want to consider establishing a process for those businesses that wanted additional signage. She stated that it might be through the Special Use Permit process instead of a Variance. She also stated that it was important that through the revision numerous nonconforming signs were not created.

Mrs. Mitchell asked if existing signage would be grandfather or if they would be required to comply with the new ordinance.

Ms. Williams answered that existing signs would be grandfathered; however, if they were removed, they would be required to comply. She stated that signage paneling can be changed if they kept part of the channeling or frame.

Mrs. Mitchell asked staff to research other Main Street localities to determine how their signage compared to Altavista.

Mr. Clements asked if buildings outside of the DRO had to meet that requirement.

Ms. Williams stated they did not and would have to meet the requirements for the underlying zoning district. She explained that the DRO was an overlay district and its requirements were more restrictive.

Mr. Clements asked what the impact would be if the DRO restrictions were removed and the underlying zoning left in place.

Ms. Williams stated that the DRO was supposed to be the part of town where aesthetic was regulated, and it served as the gateway.

Mr. Bennett asked if the DRO requirements would be imposed in the proposed Main Street expansion area by Altavista on Track (AOT).

Ms. Williams stated that it would not and reminded the Commissioners that reference to the Main Street District had been eliminated from the Zoning Ordinance in 2021 to prevent AOT from requesting an amendment each time the district changed.

NEW BUSINESS

a. Discussion on Tiny Houses

Mr. Bennett shared with the Planning Commission that to the north of Altavista was the Center for Health Veterans and one of their projects was to build 100 tiny houses for Veterans in their program. He explained that tiny homes and repurposed shipping containers had been around for a while and in certain areas they had grown in popularity. Mr. Bennett said he believed there were areas of urban decay in Altavista and that could be a possible solution to address the issue. He stated he brought it to the attention of the Planning Commission as an option to create affordable housing and future growth for Altavista.

Ms. Williams explained that Zoning Ordinance did not address tiny houses, as it was not widely used when the ordinance was updated. She also stated that the ordinance considered shipping containers accessory structures and did not permit them to be occupied nor located on a lot for an extended period.

Mr. Bennett stated that there were a quite a few senior residents in Altavista that were looking to downsize their house to an apartment, condo or possibly a tiny home for reasons of not being able to care for the property, etc. He said that they move to other localities because of the lack of smaller size housing in Altavista.

Ms. Williams asked Mr. Clements to give the Planning Commission an update on the Steering Committee meeting from January 20, 2021.

Mr. Clements stated the meeting was centered around brainstorming ideas on revitalization of downtown. The discussion centered around helping existing businesses and attracting new businesses. He explained that the Steering Committee discussed some shortfalls of starting a retail or service business downtown. He shared that Mr. Pate from Cyclin' Nutz, representing AOT, spoke and gave some insight on things he had to contend with when he started his business. Mr. Clements said the Steering Committee discussed downtown properties and how to inform people that they were for sale or rent. Mr. Clements shared that Town staff was working on an inventory list with information about each property. He stated that another subject discussed was how to market the area and notifying the public on what was needed to start a business in Altavista along incentives that were available.

Ms. Williams stated that she had no additional items for the Planning Commission.

Mrs. Mitchell stated that she had one item and discussed the community shredding day that has been proposed by the town in 2020. She stated that when the Chamber held the event hosted the even the cost, which was approximately \$1,200.00, was covered by AARP. She stated that she thought that a

shred day and electronic recycle would benefit the community and suggested the Trade Lot as an ideal location.

Ms. Williams stated the town had been working with Keep America Beautiful who had offered to host a free event in Altavista pre coronavirus. She said staff would reach out and ask if they had started back hosting those events.

ADJOURNMENT

There being no further business, the meeting was adjourned at 6:10 p.m.

John Jordan
Planning Commission Chair

Sharon D. Williams, AICP
Planning Commission Secretary

**Planning Commission Staff Report
Signage in the Downtown Revitalization Overlay District (DRO)
Public Hearing TBD**

Request:

Recently staff received a request from First National Bank, to install an additional wall sign. Staff reviewed the Zoning Ordinance and saw that the signage was not allowed in the Downtown Revitalization Overlay (DRO) District, as the maximum allowable square footage for signage had already been exceeded.

Sec. 86-428. - Regulations for signs in the DRO.

Unless otherwise specified below, all signage within the district must comply with the regulations set forth in article V of this zoning ordinance.

(1) Maximum size and number of signs.

- a. Three signs maximum per business per street or opened alley facing. Where buildings only face one street, but signs can be seen from passing traffic, wall signs (only) may be used on side walls, but all sign sizes and numbers apply as if they were placed at the building front. Number and size of all signs will be limited to a maximum of three regardless of where they are placed.
- b. Thirty square feet maximum per sign, regardless of the number.
- c. Sixty square feet maximum aggregate.
- d. No sign shall exceed 15 feet in height measured from the base of the sign or the grade of the nearest street, whichever is higher.

(2) Signs for multiple businesses on a single zoning lot.

- a. Maximum size of signs per business.
 1. Thirty square feet maximum per sign, regardless of the number.
 2. Sixty square feet maximum aggregate.

Planning Commission Discussion:

At the December 2020 Planning Commission meeting, it was recommended that staff review the allowable signage in the Downtown Revitalization Overlay District (DRO). Staff suggested that additional signage might be appropriate for large lots, multi-story buildings, and lots with multiple street frontages.

At its February 1, 2021 meeting, the Planning Commission was informed by staff that it had not completed its analysis.

February 1, 2021 Planning Commission Recommendation:

As the February 1, 2021 meeting, the Planning Commission recommended that staff review the signage ordinance for other like-size Main Street localities to determine what might be appropriate downtown.

Purpose of Regulating Signage:

Sign regulations are intended to define, permit, and control the use of signs which are legible from the public right-of-way to achieve the following objectives:

- (1) Protect the health, safety, and welfare of the public.
- (2) Equitably distribute the privilege of using the public environs to communicate private information.
- (3) Safeguard the public use and nature of the streets and sidewalks.
- (4) Protect and enhance the visual environment of the town.
- (5) Discourage the diminishing of property values and historic integrity within the town.
- (6) Minimize visual distractions to motorists using the public streets.
- (7) To promote an aesthetically pleasing environment for the public, large freestanding signs are discouraged.
- (8) To promote the economic growth of the town by creating a community image that is conducive to attracting new business.
- (9) Permit reasonable legibility and effectiveness of signs and to prevent their over-concentration, improper placement and excessive height, bulk, density, and area.
- (10) Promote the safety of persons and property by requiring that signs do not create a hazard due to collapse, fire, decay, or abandonment.
- (11) Ensure that signs do not obstruct fire-fighting efforts, and do not create traffic hazards by confusing or distracting motorists or by impairing drivers' ability to see pedestrians, obstacles, or other vehicles, or to read traffic signs.
- (12) Provide for reasonable advertising of business and civic products and services, with recognition of the effects of signage on the character of the community.
- (13) Control visual clutter and encourage high professional standards in sign design and display.

Staff Recommendation:

Staff is of the opinion that the Town's sign ordinance is confusing and does not adequately address the needs of businesses. While it is recommended that the entire code be addresses; staff recommends revising the DRO ordinance first, as this was brought to their attention by two (2) businesses in the district.

Staff has reviewed signage regulations for Main Street localities as requested by the Planning Commission on February 1, 2021. The common theme among them is the allowance of 2 square feet for each linear foot of lot frontage. Staff is of the opinion that a change to the ordinance would adequately address the needs for most businesses in the district and is consistent with small downtowns.

Staff would support an amendment to the Zoning Ordinance to allow for additional signage to be approved via the Special Use Permit process, as an equitable option to all downtown businesses. This process would allow the bank to address their unique need for additional signage without altering the aesthetic of the Downtown Revitalization Overlay District.

Attachments:

1. Draft Section 86-428 of the Zoning Ordinance
2. Signage Allowances within other Main Street communities

Sec. 86-428. - Regulations for signs in the DRO.

Unless otherwise specified below, all signage within the district must comply with the regulations set forth in article V of this zoning ordinance.

(1) *Maximum size and number of signs.*

- a. ~~Three-four~~ signs maximum per business per street or opened alley facing. Where buildings only face one street, but signs can be seen from passing traffic, wall signs (only) may be used on side walls, but all sign sizes and numbers apply as if they were placed at the building front. Number and size of all signs will be limited to a maximum of ~~three~~ four regardless of where they are placed.
- b. ~~Thirty square foot maximum per sign, regardless of the number.~~ Signs shall be limited to two square feet for each linear foot of lot frontage.
- c. ~~Sixty square foot maximum aggregate.~~
- d. No freestanding sign shall exceed 15 feet in height measured from the base of the sign or the grade of the nearest street, whichever is higher.
- e. No wall sign may exceed the height of the wall where it is located.

(2) *Signs for multiple businesses on a single zoning lot.*

- a. Maximum size of signs per business.
 1. ~~Thirty square foot maximum per sign,~~ Two square feet for each linear foot of tenant building frontage regardless of the number.
 2. ~~Sixty square foot maximum aggregate.~~

(3) Request for additional signage

- a. Additional signage may be approved through a Special Use Permit in accordance with Sec 86-7.

(Ord. of 10-11-2011(3), § 2)

Main Street Communities Sign Regulations:

Town of Marion, VA

17.1-10 COMMERCIAL DOWNTOWN DISTRICT The following permitted sign sizes shall apply in the Commercial Downtown District:

COMMERCIAL DOWNTOWN DISTRICT PERMITTED SIGN SIZE		
PERMITTED SIGNS	PERMIT REQUIRED	MAXIMUM SIZE OF TOTAL SIGNAGE (SQUARE FEET)
REAL ESTATE ¹	No	FOR ESTABLISHMENTS WITH A LOT WIDTH LESS THAN 30 FEET, A MAXIMUM OF 15 SQ. FT.; FOR ALL OTHERS, A MAXIMUM OF 1 SQ. FT. FOR EACH LINEAR FOOT, NOT TO EXCEED 100 SQ. FT. OF SIGN AREA.
CONSTRUCTION ²	YES	32
PROFESSIONAL	YES	20
TEMPORARY	YES	20
DIRECTIONAL	No	3
IDENTIFICATION	YES	15
PUBLIC SERVICE	YES	15
LOCATION	YES	3

- A. **Location.** All signs, unless otherwise stated, shall be subject to the same setback and yard requirements as other structures.
- B. **Number of signs permitted.** Excluding public service signs, only one (1) sign shall be permitted, exception being, when a corner lot is occupied by a single establishment it shall be allowed up to two (2) signs, as provided in 4.9 / "Fences and Obstructions to Vision" & 17.1-14 / "Signs on Corner Lots."
- C. **Suspended and projecting signs.** Signs of this type shall be no less than eight (8) feet from the ground nor larger than twenty (20) square feet.
- D. The Zoning Administrator must review all sign permits for this district.

City of Franklin, VA

§22.3(b)(2)(b)(2)(i):

The maximum sign area for building mounted signs located in the "Downtown Service Tax District" as designated in § **27-136** of the City Code shall not exceed two square feet of building mounted sign area for each lineal foot of building frontage facing a public street or a public access easement not to exceed a total of 100 square feet in area facing each public street, except that no sign shall be required to be less than 15 square feet in area. For buildings housing more than one tenant, the sign area for each tenant shall be considered separately, but the total square footage may not exceed the standard set forth hereinabove.

Town of Ashland, VA

(f) Only the following signs are permitted in B-1 district⁶.

Type of Sign	Number Allowed	Maximum Sign Area	Maximum Sign Height
Attached sign	Two shapes per street frontage	15 square feet for each linear foot of building/business frontage, not to exceed 120 square feet	N/A
Monument-type freestanding sign (only if building is setback a minimum of 10 feet)	1 per lot	30 square feet	8 feet
Electronic changeable copy for fuel price display	See Monument sign above	See Monument sign above	See Monument sign above
Directional sign	1 per lot	4 square feet	5 feet
Fuel pump sign	1 per each face of a fuel pump	2 square feet	N/A
Projecting sign	1 per lot	1 square foot for each linear foot of building/business frontage, not to exceed 16 square feet	None
Awning sign	1 per lot	25 square feet	N/A
Directory sign	1 per lot	6 square feet	N/A
Marquee sign	*as allowed according to marquee sign definition within this article	48 square feet per side	N/A
Window sign	*as allowed according to window sign definition within this article	*	*
Gas station canopy sign	N/A	No more than 25 square feet per side	N/A
Temporary sign	*as allowed according to temporary sign definition within this article	*	*
Shared sign	*as allowed according to shared sign definition within this article	120 square feet	18 feet
Traffic control sign	2 per entrance	4 square feet	5 feet
A-frame sign	1 per lot	6 square feet	3 feet

⁶Signage within the B-1 district may not be internally illuminated.

Town of Wytheville, VA

Frontage	Base Area of Sign(s) (ft ²) *
Up to 399	90
400 - 599	180
600 - 799	270
800 - 999	360
1000 - 1199	450
1200 - 1399	540
1400 - 1599	630**

County of Orange, VA

Sec. 70-456. – Signs.

- (a) In the limited commercial district, signs are permitted as set forth in this section. In granting a special use permit, the board of supervisors may allow signs that exceed these guidelines.
- (b) The total area of permanent signs on any improved lot shall not exceed two square feet of sign for each linear foot of building frontage. The total shall be distributed among building, pylon and monument signs such that pylon signs make up no more than half the total.
- (c) The total area of permanent signs on any unimproved lot shall not exceed 32 square feet.
- (d) The height of on-site pylon signs shall not exceed 18 feet. Building signs shall not project above the top of the building more than one-third of the total height of the building.
- (e) The total area of off-site advertising signs on any lot shall not exceed 32 square feet. The height of off-site advertising signs shall not exceed eight feet.
- (f) Signs may be lighted so that they are illuminated from within or have one or more lights shining on them so that each face of the sign is illuminated. Lights used to internally and externally illuminate each face of a sign shall be directed so as to minimize glare to passing motorists or pedestrians.
- (g) Digital signs are permitted as set forth in section 70-701.

Town of Abingdon, VA

Signs and Graphic Designs – Residential and Commercial Uses

(The provisions of Article 21 of Abingdon's Zoning Ordinance also apply to such signs and graphic designs).

- a. Signs indicating current use (as opposed to signs designating historic significance) may be used only for commercial buildings, churches and bed and breakfast establishments.
- b. Signs should be kept to a minimum, with no more than two signs per building or one sign per business whichever is greater. Multi-tenant signs are limited to one per building, and all signage for that building should be located on said sign.
- c. Signs should be appropriate to the size or location of the building. Individual signs should not exceed 4 square feet. Double-faced signs are permissible, and the size limitations will be calculated by measurement of a single face only. Sign size restrictions do not apply to hotels, theaters, restaurants, and churches. Board approval as to the size of these signs is required, and may be granted according to historic precedence.

Town of Rocky Mount, VA

CBD Central Business District Regulations

- (1) District Sign Maximum. A maximum of three signs plus three directional signs is permitted per lot in the Central Business District.
- (2) Multi-establishment Building Sign Maximum. Notwithstanding the foregoing, a maximum of two signs is permitted per establishment in a multi-establishment building.
- (3) Shopping Center Signs. In shopping center developments, one freestanding identification sign shall be allowed announcing the name of the shopping center and listing the tenants. The size of this sign shall be limited to 60 square feet. Out parcels of shopping center developments are excluded from this provision and may erect their own freestanding sign so long as it conforms to subparagraph (4) of this section.
- (4) Business Signs. Each permitted business in the CBD shall be allowed a maximum of 60 square feet of signage. No freestanding sign shall be allowed on any lot having less than 50 feet of lot frontage. The required minimum separation for freestanding signs on a lot or lots under single ownership or control shall be one 100 feet. If two uses share the same lot or lots under single ownership, each use may install a freestanding sign in compliance with these regulations. Such signs shall not be closer than 15 feet. If more than two uses share the same lot or lots under single ownership, they shall be considered a shopping center for sign purposes and shall comply with the regulations governing shopping centers. No freestanding sign shall be located within 15 feet of any other freestanding sign on an adjacent or adjoining lot. No freestanding sign shall exceed 20 square feet in area, per freestanding sign. In residential areas of the CBD, the maximum allowed square footage for freestanding signs shall be two square feet.

Town of South Boston, VA

Sec. 114-169. - Sign regulations in the B-2 General Business District and the B-4 Downtown Business Expansion District.

In addition to the regulations set forth in this division applicable to signs in all districts, the following signs shall be permitted and the following regulations shall apply in the B-2 General Business District and the B-4 Downtown Business Expansion District.

(a) *Maximum permitted sign area* . The aggregate area of all permanent signs located on a lot shall not exceed two square feet for each linear foot of lot frontage along the street, nor in any case 300 square feet, provided that:

- (1) In the case of a lot having frontage on more than one street, permitted sign area shall be determined by the lot frontage having the greatest dimension;
- (2) In the case of a shopping center, the maximum area of signs attached to any portion of a building devoted to a particular tenant shall not exceed two square feet for each linear foot of building frontage devoted to such tenant, nor in any case 300 square feet. In addition thereto, each shopping center shall be permitted freestanding signs

subject to the restrictions set forth in paragraph (f) of this section. In the case of an individual lot abutting or situated within a shopping center site and having no lot frontage along a street, the maximum permitted sign area shall be determined by this paragraph.

(b) *Maximum number of signs* . Not more than five permanent signs shall be provided on a lot for any individual business or establishment.

(c) *Wall signs* . Signs may be painted on or attached flat against a wall or other vertical surface of a main building, provided that such signs shall not extend beyond the extremities of the surface of the building. Signs attached to a gable or hip roof or to the lower plane of a mansard or gambrel roof of a main building shall be permitted as wall signs, provided they are attached flat to the roof surface or parallel to the building wall above which they are located, and shall in no case extend beyond the extremities of the roof surface to which they are attached.

(d) *Projecting signs* . Signs attached to and projecting from the face of a wall of a main building shall be permitted, provided that:

- (1) Not more than one such sign projecting greater than 15 inches from the face of a building shall be permitted for each building frontage.
- (2) No such sign shall extend above the height of the wall to which it is attached.
- (3) Projecting signs shall not exceed 50 square feet in area.
- (4) Projecting signs shall be provided with a minimum under clearance of ten feet.

(e) *Awning and canopy signs* . Lettering, symbols and combinations thereof constituting a sign may be painted on or affixed to an awning or canopy attached to a main building or other structure when such sign does not extend beyond the extremities of the awning or canopy. Any awning or canopy which bears a sign and which is not securely fastened or becomes torn or damaged, as determined by the zoning administrator, shall constitute a violation of this article and shall be removed or repaired upon written order by the zoning administrator.

(f) *Freestanding signs* . One freestanding sign shall be permitted along each street frontage of 100 feet or more in length, provided that:

- (1) No freestanding sign shall exceed 100 square feet in area or 25 feet in height.
- (2) No freestanding sign shall be located within 50 feet of any lot in a residential district, or within three feet of any street right-of-way line, other property line or driveway intersecting a street.
- (3) Where more than one freestanding sign is permitted on a lot as a result of the lot having multiple street frontages, the distance between freestanding signs on the same lot shall be not less than 100 feet.
- (4) In the case of a shopping center, one freestanding sign not exceeding 200 square feet in area or 30 feet in height shall be permitted when no other freestanding signs are located on the shopping center site or any adjacent out-parcel or pad site.

(g) *Portable signs and banner signs* . Portable signs and banner signs shall be permitted subject to the regulations set forth in this division.

City of Staunton, VA

(vi) Signs Permitted in the Downtown Business Area.

(A) The following types of signs are permitted in the downtown business area (subject to the granting of a certificate of appropriateness):

- (1) Flat wall signs;
- (2) Projecting signs;
- (3) Freestanding signs;
- (4) Awning signs;
- (5) Marquee signs;
- (6) Window signs;
- (7) Flag;
- (8) Banner;
- (9) Church signs.

(B) The total sign area for a business shall be computed on a ratio of one square foot of sign for each lineal foot of building face occupied by the business, except that no sign on, or attached to, a particular building face shall exceed 30 square feet in area. "Building face" as used herein means that face of the building that fronts upon a street (or sidewalk) and/or an improved alleyway. Sign area shall be calculated as the area within a parallelogram, triangle, circle, semicircle or other regular geometric figure including all letters, figures, graphics or other elements of the sign, together with any material or framing that is an integral part of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The sign area shall not include decorative bar-iron cresting above the sign and/or decorative bar-iron brackets below the sign if the bar-iron is no larger than three-quarters of an inch by one and one-half inches in cross section. Double-faced signs (two sign faces parallel, back to back, and not more than two feet from each other) shall be counted as one sign. V-signs (two sign faces on an angle, not parallel) with an angle greater than 60 degrees, shall be prohibited. The supporting framework of the sign shall not be included in determining sign area unless such supporting framework forms an integral part of the sign display, as determined by the zoning administrator. If the sign is located on a decorative fence or wall, when such fence or wall otherwise meets these or other ordinances or regulations and is clearly incidental to the display itself, the fence or wall shall not be included in the sign area.

(1) The content or advertising message carried by permitted signs shall pertain to (a) the business located on the same premises as the sign, (b) any otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or (c) a commodity or service for sale.

(2) For signs with changeable message panels or zip tracks, the changeable message area of the sign shall not exceed 25 percent of the total sign area, except for gasoline price signs, which shall not exceed 75 percent of the total sign area.

**Planning Commission Staff Report
Solar Facilities
Public Hearing TBD**

**Staff Resource: Amanda Owens, Assistant Town Manager and
Sharon Williams Community Development Director**

Request:

The town has received a Zoning Ordinance Text Amendment request from Clean Footprint to amend the code to permit large scale solar energy facilities in the Town of Altavista.

Amendment Summary:

The Zoning Ordinance does not mention large scale utility solar projects as a permitted principal use. Therefore, they are not permitted. The town was contacted about building a facility near Main Street. Since the use is not permitted; the applicant has submitted a text amendment for the proposed use.

Zoning Districts Affected:

This text amendment would apply to the C-2 (General Commercial) and M (Industrial) zoning districts.

Staff Analysis:

The town is supportive of renewable energy and recently was designated as a national SolSmart Bronze Community. This designation recognizes Altavista for taking bold steps to encourage solar energy growth and remove obstacles to solar development. For companies looking to expand, a SolSmart Bronze designation is a signal that Altavista is “open for solar business.”

The Code of Virginia has been amended over the last several years to make it easier for solar facilities to be constructed. Unlike a county, the town is limited in the number of large lot available for this type of development.

Staff Recommendation:

While staff is supportive of solar facilities, they believe that measure must be established to protect adjacent property owners and the view shed. Staff recommends that solar energy facilities be permitted within the Town of Altavista only with a Special Use Permit.

Staff will need to work with the Town Attorney on crafting specific to Altavista. In the interim, we have use language drafted by the Town Attorney for the Town of Hurt.

Currently there is legislation pending (Senate Bill 1207 - A bill to amend and reenact §§ 15.2-2288.8 and 15.2-2316.6 through 15.2-2316.9 of the Code of Virginia, relating to solar projects and energy storage projects; siting agreements throughout the Commonwealth) that may change the siting agreement and/negotiations of such siting agreements during the special use permitting process to ensure that the Town may receive financial compensation related to such solar energy facilities.

Attachments:

1. Proposed language for discussion by the Planning Commission
2. Applicant Submittal

Chapter 86-522. Solar Energy Facilities

Section 1. Solar Energy Facilities.

The following guidelines are intended to promote and regulate the development of solar energy facilities in the Town of Altavista while protecting the public health, safety and general welfare of the community.

Section 2. Definitions. (This could also be under 86-32)

The words and terms listed below shall have the following meanings:

Energy storage facilities means the energy storage equipment and technology within an energy storage project that is capable of absorbing energy, storing such energy for a period of time, and redelivering such energy after it has been stored.

Energy storage project means the energy storage facilities within the project site.

Ground-Mounted Solar Energy facility means a solar energy system where an array is mounted on to or in the ground.

Location means any property within the jurisdictional boundaries of which construction of a commercial solar facility project or an energy storage project is proposed.

Roof mounted solar energy facility means a solar energy system that consists of solar panels that act as a building material or structural element

Solar energy facility/facilities means a commercial solar photovoltaic (electric energy) generation or storage facility, or any portion thereof ¹

Solar project means the solar facilities, subject to this chapter, that are within the project site.

Section 3. Small Solar Energy Facilities.

Small solar energy facilities shall be a Permitted Use with a Special Use Permit in the C-2 (General Commercial) District and M (Industrial) District

1. Roof-mounted small solar energy facilities may be mounted on a principal building or an accessory building but shall not exceed the maximum building height requirements for the zoning district in which they are located and shall not be more than three (3) feet higher than the finished roof to which it is mounted. These facilities shall meet the building setback requirements for the structures to which they are affixed and shall not extend beyond the exterior perimeter of the structure roof.

2. Ground-mounted small solar energy facilities shall meet the minimum setbacks for principal or accessory structures in the zoning districts which they are located. The maximum height of these facilities shall be 15 feet as measured from the grade or base of the facility to its highest point.

¹ *Solar facility/facilities does not include any solar project that is (i) described in § 56-594, 56-594.01 or 56-594.2 or Chapters 358 and 382 of the Acts of Assembly of 2013, as amended, or (ii) five megawatts or less.

3. All small solar energy facilities shall be configured to avoid glare and heat transference to adjacent properties.

4. All small solar energy facilities shall utilize components which have a UL listing or equivalent and fully comply with all applicable building and electrical codes, and shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.

Section 4. Large-scale Solar Energy Facilities.

1. Roof-mounted large-scale solar energy facilities shall be a Permitted Use in all zoning districts when affixed to the roof of an existing or properly permitted commercial, industrial, governmental or institutional building. These facilities shall meet the building setback requirements for the structures to which they are affixed and shall meet all design requirements specified for small solar energy facilities.

2. Ground-mounted large-scale solar energy facilities shall be by Special Use Permit in the M (Industrial) District.

Section 5. Utility-Scale Solar Energy Facility

1. Utility-scale solar energy facilities shall be permitted in the M (Industrial) District. A Special Use Permit shall be required.

2. Utility-scale solar energy facilities shall be located no more than 2 miles from an existing electrical transmission line.

3. Density of panel coverage over the entire site area shall be no more than seventy (70) percent.

Section 6. Permitting requirements for large-and utility-scale solar energy facilities.

In addition to the requirements for Site Development Regulations as noted in Sec. 86-383 and, where applicable requirements for Special Use Permits in this Chapter 86 Town of Altavista Zoning Ordinance, the following documents and information must be provided for review and approval of large- and utility-scale solar energy facilities:

1. A narrative identifying the applicant, owner, and operator, and describing the proposed solar energy project, including: an overview of the project and its location, approximate rated capacity of the solar energy project, the approximate number, representative types and expected footprint of solar equipment to be constructed, and a description of ancillary facilities, if applicable:

2. Project site development and landscape plans demonstrating that the solar project minimizes impacts on the visual character of an existing public right-of-way (ROW) or historic properties listed on the Virginia Landmarks Register, or the National Register of Historic Places.

3. In addition to the site plan requirements of this Code, the following additional information and details shall be included:

a. Property lines and setbacks as set out below, unless required setbacks are increased by the Town Council as a condition of approval for a Special Use Permit

All aspects and components associated with a solar energy facility shall be no less than one hundred fifty (150) feet from any property line. No setbacks are required between the property lines of parcels that are adjacent to each other and within the project area of a single project.

b. Existing and proposed buildings and structures, including preliminary location(s) of the proposed solar equipment.

c. Existing and proposed access roads, drives, turnout locations, and parking; however, this requirement shall not exceed VDOT requirements for other types of projects in the underlying zoning district.

d. Location of substations, electrical cabling from the solar systems to the substations, ancillary equipment, buildings, and structures (including those within any applicable setbacks).

e. Fencing, or other methods of ensuring public safety as required by the Town Council as a condition of approval for a Special Use Permit.

f. Reasonable buffering based on the visual impacts of the project may be required by the Town Council as a condition of approval for a Special Use Permit.

g. Additional information may be required, as determined by the Town Council, such as a scaled elevation view and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed solar energy project from potentially sensitive locations as deemed necessary the Town Council to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

4. Documentation shall include proof of control over the land or possession of the right to use the land in the manner requested. The applicant may redact sensitive financial or confidential information.

5. Document that the panels are of the kind containing at least one anti-reflective layer and are located and installed so that the concentration of any glare is directed away from adjoining properties or public rights of way.

6. The applicant shall provide proof of adequate liability insurance for a large- and utility-scale solar facility prior to issuance of a zoning or building permit.

Section 7 - Decommissioning requirements for large- and utility-scale solar energy facilities

A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. The owner or operator of a large-or utility-scale solar energy facility shall:

a. Completely decommission a facility within 12 months if the facility ceases to generate electricity for a continuous period of 12 months. An owner may petition the Town Council for an extension of this period upon showing of reasonable circumstances that have caused the delay in the start of decommissioning.

b. The plan shall include provisions for removal of all structures and foundations to a depth of 36 inches, restoration of soil and vegetation and assurances that financial resources will be available to fully decommission the site. Decommissioning shall include the removal of all solar collectors, cabling, electrical components, fencing and any other associated equipment, facilities and structures.

c. The decommissioning plan submitted, shall also include the following:

1. the anticipated life of the project;
2. the estimated decommissioning cost in current dollars, not including a salvage or recyclable material value used to offset the decommissioning cost, provided in an itemized format by a Virginia Licensed Professional Engineer (PE);
3. how said estimate was determined; and
4. the manner in which the project will be decommissioned.

d. Disposal of structures and/or foundations shall meet the provisions of the Solid Waste Ordinance and any regulations set forth by the Commonwealth or other regulatory agency.

e. The Town Council shall require a bond with surety or other approved security to ensure compliance with conditions imposed in a Special Use Permit.

The surety instrument shall meet the following requirements:

a. Cash or certified check from a federally insured financial institution, with a credit rating of Superior, or equivalent, from a recognized credit rating company, licensed to do business in the Commonwealth of Virginia, to be held in escrow by the Town Treasurer, deposited in an interest-bearing bank account.

b. An Irrevocable Letter of Credit from a federally insured financial institution, with a credit rating of Superior, or equivalent, from a recognized credit rating company, licensed to do business in the Commonwealth of Virginia and payable in part or in full upon demand and receipt of a notice of forfeiture. Letter of credit shall be irrevocable unless replaced with cash or other form of security acceptable to the Town.

c. A survey or performance bond that renews automatically from a company registered and licensed to operate in the Commonwealth of Virginia, with a credit rating of Superior, or equivalent, from a nationally recognized rating company, and on the U. S. Department of Treasury's Listing of Certified Companies (Department of the Treasury Circular 570, as revised). Performance Bond must be payable to the Town and maintained until decommissioning requirements are met. There must be a requirement and mechanism for the surety company to give prompt notice to the Town of: (1) any action alleging bankruptcy or insolvency of the surety or violation that would result in suspension or revocation of the license of the surety; (2) any attempt at cancellation by the owner; and (3) any pending cancellation by the surety.

d. An insurance policy that provides the Town with acceptable rights as a beneficiary and is issued by an insurance carrier that has the authority to issue insurance policies in Campbell County, and whose insurance operations are regulated and examined by a Federal or State Agency.

Section 8. General requirements for large-and utility-scale solar energy facilities.

1. The height of roof mounted large-and utility-scale solar energy facilities shall not exceed the maximum height of other structures as permitted in the zoning district, and the maximum height of ground mounted facilities shall be 15 feet, as measured from the grade or base of the facility to its highest point.

2. Warning signage shall be placed on solar equipment and facilities to the extent appropriate. Solar equipment shall not be used for the display of advertising, except for reasonable identification of the photovoltaic equipment manufacturer or operator of the solar energy facility. All signs, flags, streamers or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

(a) manufacturer's or installer's identification;

(b) warning signs and placards;

(c) signs that may be required a federal agency; and

(d) signs that provide a 24-hour emergency contact phone number and the benefits of renewable energy may be allowed.

3. All large-and utility-scale solar energy facilities shall utilize components which has a UL listing or equivalent and fully comply with all applicable building and electrical codes and shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.

4. All large-and utility-scale solar energy facilities shall comply with all applicable state and federal permitting and regulatory requirements.

5. All large-and utility-scale solar energy facilities must comply with the Town of Altavista Noise Ordinance, but the requirement shall be no more stringent than for other development in the underlying zoning district.

**Currently there is legislation pending (Senate Bill 1207 - A BILL to amend and reenact §§ 15.2-2288.8 and 15.2-2316.6 through 15.2-2316.9 of the Code of Virginia, relating to solar projects and energy storage projects; siting agreements throughout the Commonwealth) that may change the siting agreement and/negotiations of such siting agreements during the special use permitting process to ensure that the Town may receive financial compensation related to such solar energy facilities.*

Text Amendment



405 Atlantis Rd. Suite E115
Cape Canaveral, FL 32920
321-482-7414
dan.smith@clean-footprint.com

Dear Sharon Williams,

We are submitting this text amendment to be able to build and operate distributed generation ground mount solar arrays. It is important to note that Dominion Energy will allow a limited amount of solar acreage to be connected to the town's grid. We have estimated that number to be 230 acres of ground mount solar arrays. The final number will be smaller because of available usable land in the town and some of that acreage will most likely be sited outside of the town's jurisdiction.

Our project sites are in industrial/commercial zoned areas within the town of Altavista. Our intent is to be good corporate citizen/neighbors by adding more than adequate screens and buffers where appropriate. The energy generated from the arrays will be distributed back into the town grid for local use by the residents and businesses through their normal utility providers.

Local labor will be used for array construction and the taxes and fees will remain in the local jurisdiction.

We have avoided submitting a Special Use Permit application as we are unclear on what type of detail is needed for a site plan but would do so if we could use a simple format like the ones included as supporting information for the text amendment. We want to avoid spending additional resources until we have a better understanding of what the town will require.

We have enclosed the requested text amendment change to add Solar Energy Projects to the Altavista zoning code. We have also included preliminary site plans for our four projects in Altavista. Lastly, we have included a check for \$400. We look forward to speaking with you after your review.

Sincerely,

Dan Smith

Sales and Leasing

Cell-(321) 482-7414

Fax- (321) 783-8817

Clean Footprint | Cape Canaveral, FL



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JAN 15 2021

REQUEST FOR TEXT AMENDMENT

Altavista Code

Chapter 86 Article II Sec. 86-32. – Use types.

Solar Energy Projects. A renewable energy project that either (a) generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures and facilities within the boundaries of the site, or (b) utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy. A solar energy project will not include any project which has a disturbance zone of two or fewer acres, is mounted on or over an existing building or parking lot, or utilizes integrated PV only.

Chapter 86 Article III Division 6 Sec. 86-352 Permitted uses.

(3) Civic use types.

Solar Energy Project—Special use permit required

Chapter 86 Article III Division 7 Sec. 86-382 Permitted uses

(3) Civic use types.

Solar Energy Project—Special use permit required

Chapter 86 Article IV Division 1 Sec. 86-481

Sec. 86-481.1 – Solar Energy Project

(a) General standards:

(1) Setbacks in the C-2 (General Commercial) zoned districts shall be consistent with [section 86-355](#) of this chapter. Setbacks in the M (Industrial) zoned districts shall be consistent with [section 86-385](#) of this chapter.

(2) Screening and buffering consistent with [section 86-573](#) of this chapter shall be required, unless modified as a part of an approved special use permit.