



John Jordan, Chairman  
Marie Mitchell, Vice Chair  
Reggie Bennett, Vice Mayor  
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, APRIL 5, 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 March 1, 2021
7. Public Expression
8. Public Hearings
  - a. **#OA-21-01** – An Ordinance to amend Sec. 86-428 Signage in The Downtown Revitalization Overlay District (DRO) to increase the number and square footage permitted.
  - b. **#OA-21-03** – An Ordinance to amend Sec. 58-32 Planning Commission to provide that the salaries of the Planning Commission shall be fixed by Town Council by resolution with no specific amount stated in the code.
  - c. **#OA-21-04** – An Ordinance to amend Sec. 86- 22 Zoning Related Definitions to permit ADA accessible ramps to project into required yard where no other alternative is feasible.
9. Old Business
  - a. Solar Energy Facilities
  - b. Streamers/Festoons
  - c. Zoning of 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Streets

10. New Business

- a. Parking in the Downtown Revitalization Overlay District (DRO)
- b. Home Occupations in the DRO
- c. Use of Metal in the DRO

11. Update on Steering Committee (included in packet)

12. Adjournment

All meetings are livestreamed and can be viewed on the Town's website at [www.altavistava.gov](http://www.altavistava.gov)

Next Meeting: May 3, 2021 at 5:00 p.m.

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

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

Staff present                -        Sharon D. Williams, AICP – Community Development 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 5:02 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 Vice Mayor Reggie Bennett, seconded by Vice Chair Marie Mitchell 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 Mrs. Mitchell to approve the minutes from the February 1, 2021 meeting as amended, seconded by Mr. Bennett. The motion was approved unanimously.

**PUBLIC EXPRESSION:**

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

## **OLD BUSINESS:**

### **Signage in the Downtown Revitalization Overlay District**

Sharon Williams, Community Development Director, stated that staff believed the signage for the DRO was too restrictive and some leniency was needed. She said as the ordinance stood three (3) signs were allowed per business per street or open alley facing. Ms. Williams explained that if a business faced more than one street but did not actually have public frontage on a street, signs could be placed on that building face and counted toward the square footage allowed on the sides that faced the street. She said signs within the DRO signs were limited to no more than 30 sq. ft. per signs and 60 sq. ft. of cumulative signage. Ms. Williams stated sign height was restricted to no more than 15 ft. and the regulations did not consider multi-tenant buildings. She said that staff determined after a review of the ordinance that some leniency might be needed. Ms. Williams presented a draft amendment which would increase the number of allowed signs from three (3) to four (4) and change the allowable square footage to two (2) sq. ft. for each linear foot of lot frontage. She said that the draft ordinance Staff recommended that if an applicant requested more signage than what was allowed by the Zoning Ordinance, they could apply for a Special Use Permit (SUP). She stated that normally the applicant would apply for Variance, but since a sign did not meet the hardship requirement it was unlikely that it would be approved.

Mrs. Mitchell asked if existing signs would be grandfathered.

Ms. Williams answered in the affirmative.

Mrs. Mitchell asked if a building had multiple street frontages if the two (2) linear sq. ft applied to each side.

Ms. Williams stated it did. She said that a downtown business had requested to add an additional sign and during the review it was revealed that they already exceeded the allowable square footage. She continued and stated that the sign permit triggered the amendment request.

Mr. Bennett stated that the Planning Commission needed an idea of what the applicant wanted to make an informed decision.

Chairman Jordan asked if the business was in a hurry to install the new sign.

Ms. Williams stated that she believed they were, but the business had not communicated with her. Ms. Williams explained that the Planning Commission could advertise for a text amendment and if what the business wanted still exceeded the allowable square footage, then a companion paper could be filed for a Special Use Permit. She asked for the Planning Commission's permission to advertise for a public hearing in April.

Mrs. Mitchell asked how multi-tenant buildings would handle signage.

Ms. Williams stated the building owner needed to decide how to allocate signage to the tenants. She recommended that owners install marquee signs which could be changed when occupancy changed. She said that the Zoning Ordinance did not regulate interior signage.

Chairman Jordan stated that he was in favor of doing what needed to be done to help the business and if the need arose, the Planning Commission could revisit the issue.

Mr. Clements asked if the Zoning Ordinance had a provision which regulated flags [pendants].

Mrs. Morton asked if they were considered portable signs.

Ms. Williams stated that Zoning Ordinance allowed them under certain conditions.

Mr. Bennett made a motion for the Planning Commission to proceed with advertising for the text amendment on the Zoning Ordinance regarding signage as presented. Mrs. Mitchell seconded the motion. The motion was approved unanimously.

## **NEW BUSINESS**

### **Discussion on Solar Energy Projects**

Chairman Jordan stated he reviewed the maps forwarded by staff in preparation for the meeting. He said that the amount of land proposed to be developed for solar facilities was too large and asked why the town should get involved in solar facilities.

Mrs. Mitchell thanked him and stated that she agreed.

Mr. Clements asked where the proposal solar facilities would be, as it was difficult to determine on the maps.

Ms. Williams informed the Commission that she had not included the maps in the original packet, as they were not pertinent to the text amendment request. She explained that she forwarded the maps after they were requested by the Vice Chair. She said the discussion for the Planning Commission was whether solar facilities were appropriate in Altavista. She also informed the Commission that Altavista was a Bronze designated SolSmart Community.

Chairman Jordan stated that he saw a lot of negative consequences with solar facilities and that he had not seen one positive.

Ms. Williams stated that many localities permitted solar facilities because they were a good source of revenue. She said pending legislation in the General Assembly would exempt these facilities from certain local taxes. Ms. Williams stated that if the bill passed, the town would need to

negotiate with developers during the Special Use Permit process on ways to offset that lost revenue.

Mrs. Mitchell stated that there was a housing shortage and the tracts of land the applicant wanted to develop should be used for housing.

Mr. Bennett stated that he was the main driver for the SolSmart designation for Altavista. He also stated that once the congenators left, a large portion of revenue would be lost. Mr. Bennett shared that he attended a meeting in Rustburg for the solar farm in the Leesville area where it was stated that many companies, such as HP, IBM, Google, and Facebook would not locate in areas without renewable energy. He stated he thought it was an opportunity to increase revenue in Altavista.

Mrs. Morton asked Mrs. Mitchell if she were concerned about the eyesore it would create, as well as the shortage of property for housing. She asked if trees could be planted to shield the view. Mrs. Morton informed the Commission that the company developing in Leesville put up barriers so it could not be seen and had placed one million dollars in a fund with Campbell County to cover the cost of removing the solar panels.

Ms. Williams asked to give her staff report and stated it might answer some of the Commissioners' questions. She informed the Commission that the General Assembly passed legislation requiring Dominion Energy to be carbon free by 2045 and Appalachian Power by 2050, which would be replaced by renewable energy facilities. Ms. Williams stated that to prevent larger utility providers from becoming monopolies, the Commonwealth required that a third of the energy be supplied from private providers. She stated that Altavista was a SolSmart community, which meant they were solar friendly; however, the Commission needed to decide how to regulate solar. She reminded the Commission that the text amendment would apply townwide and was not limited to the parcels shown by the applicant. Ms. Williams stated that if approved, protections needed to be placed in the code to protect natural resources and the viewshed. Ms. Williams informed the Commission that the Code of Virginia allowed for Special Exceptions to regulate these types of uses and staff would recommend that requirement if a text amendment were approved. Ms. Williams stated staff recommended that as part of the amendment there be a mandatory pre-application process with the town and mandatory community meeting. She continued and stated that the applicant would be required to provide verification they were working with DEQ and a utility provider. She also stated that if approved, the Comprehensive Plan should be updated to include renewable energy, which was in keeping with the Substantial Accord requirement of state code; however, she said that the pending legislation permitted localities to waive that requirement. Ms. Williams informed the Commission that she thought that if the amendment was adopted that the Comprehensive Plan should be amended, as the town had not followed the state code requirement for Substantial Accord.

John Eller, Town Attorney, suggested that the Planning Commission move carefully as the General Assembly had pushed green energy policies to make the Commonwealth carbon neutral. He stated they were passing more statutes to make it easier to do solar projects and, in the future, could limit

the town's ability to regulate the use. Mr. Eller stated that under existing regulations residences, businesses and industrial users could install solar for their personal use. However, the town's ordinance did not address it being supplied to other users. Mr. Eller stated the General Assembly could pass legislation that limited the locality's ability to regulate it and recommended that the town address it before that happened.

Ms. Williams stated that staff needed the Planning Commission to decide if a public hearing should be held or if additional information was needed. She informed the Commissioners that they could decide to take no action.

It was the consensus of the Planning Commission that additional information was needed.

Chairman Jordan asked for the item to be tabled until April 5, 2021 meeting. He also requested that staff forward the Campbell County code to the Commission for its review.

Ms. Williams asked Chairman Jordan if the Commission needed any additional information.

Chairman Jordan stated that he wanted a list of 10 projects Clean Footprint had done to contact those localities for a reference on the project that has been developed.

Ms. Williams asked the Planning Commission to keep in mind that the amendment request was not specific to that one company and would apply to any company that wanted to build a solar energy facility.

### **Spark Innovation Center Update**

Ms. Williams gave an update on the Spark Innovation Center. She stated that the former fire station next to town hall was being renovated to a coworking space to know as the Spark Innovation Center. In describing the amenities, Ms. Williams said it would have conference rooms with state-of-the-art technology, high speed internet, offices, two (2) phone booths, 3-D printers, other maker type equipment, and focus booths like those used in call centers. She informed the Commission that the Main Street Coordinator would have an office in the space and oversee the day-to-day operations.

Chairman Jordan asked if the operating budget would be \$75,000 per year, as written in the paper.

Ms. Williams stated that it was expected to cost \$75,000 to operate from September 2021 through June 30, 2022. She said that as revenue increased it is thought the town's portion of the budget would decrease.

## **Update on Steering Committee**

Mr. Clements informed the Commission that the last meeting was on Monday, February 8, 2021 and it focused on incentives that businesses might entice someone to open a business downtown. He stated that they developed a list of four (4) potential incentives: (1) Facade Grant to improve the face of a building, (2) Rent Subsidies Grant, (3) Sign Grant, and (4) Design Grant. Mr. Clements stated that the Planning Commission might have interests in those grants because there were certain restrictions in the DRO that other areas of town did not have and depending on what need to be done, the Planning Commission might need to review the DRO guidelines. There are ordinances that apply specifically to the DRO and as these situations come before the Planning Commission, they may be asked to amend the Ordinance or possibly not approving amendments to the Ordinance.

Chairman Jordan asked where the money would come from for the grants.

Mr. Clements stated that funding could come from the town, through grants, and Altavista On Track (AOT) as the town was a Main Street Community.

## **ADJOURNMENT**

There being no further business, the meeting was adjourned at 6:37 p.m.

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John Jordan  
Planning Commission Chair

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Sharon D. Williams, AICP  
Planning Commission Secretary



**Planning Commission Staff Report  
Ordinance Amendment #OA-21-01 Signage in the DRO  
Public Hearing April 5, 2021**

**Request**

To amend Section 86-428 of the Zoning Ordinance to increase the allowable signage in the Downtown Revitalization Overlay District (DRO)

**Summary**

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.

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 March 1, 2021, meeting the Planning Commission reviewed the draft ordinance with staff and made recommendations on changes to the proposed language which included an increase in the allowable signage from three (3) to four (4) signs, increasing the allowable square footage from one (1) sq. ft for each linear foot of lot frontage to two (2) sq. ft., limits signs for multi-tenant buildings to two (2) sq ft per lot frontage regardless of the number of tenants, and adds a provision that additional signage may be request through a Special Use Permit.

**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 reviewed signage regulations for Main Street localities as requested by the Planning Commission and discussed the proposed text with the Planning Commission and incorporated their recommendation into the revised language.

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. The Planning Commission at its March 1, 2021 meeting stated that the code could be amended in the future if it was thought that the change was too liberal.

Attachments:

1. Draft language - Section 86-428 of the Zoning Ordinance

An Ordinance to repeal, amend and re-ordain Section 86-428 of the Code of the Town of Altavista, 1968, relating to regulations for signs in the DRO.

Be it ordained by the Town Council of the Town of Altavista:

1. That Section 86-428 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

**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 feet maximum per sign, regardless of the number. Total area of all signs shall be limited to two square feet for each linear foot of lot frontage.~~
- e. ~~Sixty square feet maximum aggregate.~~
- d. c. 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.
- d. 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 feet maximum per sign, Total area of all signs shall be limited to two square feet for each linear foot of lot frontage regardless of the number of businesses.~~
  2. ~~Sixty square feet maximum aggregate. Request for additional signage.~~

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

2. This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.

**Planning Commission Staff Report  
Ordinance Amendment #OA-21-03 Planning Commission Salary  
Public Hearing April 5, 2021**

**Request**

To amend Section 58-32 of Town Code to eliminate the maximum stipend for Planning Commissioners.

**Summary**

Town Code currently states that Planning Commissioners may receive no more than \$300 per year for their service to the town. During the adoption of the town's budget for Fiscal Year 2021, Council increased the salary to \$50 a month for non-Certified Commissioners and \$75 a month for Certified Commissioners. Compensation is tied to attendance and set by Town Council each year during the budget process.

**Staff Recommendation:**

Staff is of the opinion that fees and compensation should not be included in Town Code, as they are subject to change and it forces the town to incur an unnecessary cost to advertise for public hearings.

Attachments:

1. Draft language - Section 58-2 of the Town Code (Planning)

An Ordinance to repeal, amend and re-ordain Section 58-32 of the Code of the Town of Altavista, 1968, relating to composition; appointment; term; vacancies; salaries (of the Planning Commission).

Be it ordained by the Town Council of the Town of Altavista:

1. That Section 58-32 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

**Sec. 58-32. Composition; appointment; term; vacancies; salaries.**

- (a) The commission shall consist of a minimum of five members and a maximum of seven members. They shall consist of at least four members and up to six members at large and one member from the town council and shall be appointed by the town council. One member may be a member of the administrative branch of government of the town. They shall be residents of the town qualified by knowledge and experience to make decisions on questions of community growth and development; provided, however, that at least one-half of the members so appointed shall be owners of real property. The term of the member from the town council, and from the administrative branch, if there are any, shall be coextensive with the term of office to which he or she has been elected or appointed, unless the town council, at the first regular meeting each year, appoints others to serve as their representatives. Appointments of members shall be for staggered terms of four years each, unless the town council shall desire to establish different terms of office. Vacancies shall be filled by appointment for the unexpired term only. Members may be removed for malfeasance in office.
- (b) The members of the commission, as now constituted or hereafter appointed, may receive a salary to be fixed by the town council by resolution, ~~not to exceed \$300.00 per annum for each member. The salary of the members of the commission, if any, when fixed, shall so continue until changed by the council, and shall be payable out of the treasury of the town in monthly installments.~~

2. This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.

**Planning Commission Staff Report  
Ordinance Amendment #OA-21-04 Permitted Projections  
Public Hearing April 5, 2021**

**Request**

To amend 86-22 Definitions of the Zoning Ordinance to permit ramps for ingress and egress to project into a required yard where no alternative placement is available.

**Summary**

Sec. 86-22 of the Zoning Ordinance allows certain features of a building to project up to three feet (3') in a required yard, including window bays, vestibules, uncovered porches, eaves, and disabled access ramps.

Staff recently received a request to install a ramp at the home of a citizen. The property is zoned R-2 (Medium Density Residential), which has a front yard setback of not less than 35'. A review of the property revealed that it had been built prior to the adoption of zoning by the Town in 1948. The existing structure is nonconforming (grandfathered) and a three-foot encroachment into the yard would not meet the citizen's need.

After visiting the site staff determined that there were no other reasonable means of access. Under the existing code the only way to permit a ramp that met their needs; the citizen would have to apply to the Board of Zoning Appeals for a Variance from this requirement and pay a \$300 fee for a public hearing. It is the opinion of staff that this is an unnecessary burden and does not meet the intent of the Americans with Disabilities Act.

Since many homes were built prior to zoning and many do not have off-street parking, it might be difficult for a disabled citizen to meet the requirements of the existing code.

**Staff Recommendation:**

Staff is of the opinion that ramps be allowed to project into a required yard when no other reasonable alternative is available.

**Attachments:**

1. Draft language - Section 86-22 Definitions

An Ordinance to repeal, amend and re-ordain Section 86-22 of the Code of the Town of Altavista, 1968, relating to definitions, general terms (Zoning Ordinance).

Be it ordained by the Town Council of the Town of Altavista:

1. That Section 86-22 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

**Sec. 86-22. Definitions, general terms.**

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

*Abutting* means contiguous or adjoining; having property or zoning district lines in common, or separated by a right-of-way.

*Access* means of approach, to provide vehicular or pedestrian physical entrance to a property.

*Accessory building or structure* means a building or structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use. Where an accessory building or structure is attached to the principal building in a substantial manner, as a covered structure made of materials complementary to the principal structure, such accessory building shall be considered a part of the principal building. A walkway alone shall not be considered a substantial connection for the purposes of this chapter. For purposes of this chapter, any swimming pool in a residential district shall be considered an accessory structure.

*Accessory use* means a use of land, or a building or structure or portion thereof, customarily incidental and subordinate to the principal use of the land or building or structure and located on the same lot with such principal use.

*Acreage* means a parcel of land, regardless of area, described by metes and bounds and not as a lot shown on any recorded subdivision plat.

*Addition* means any construction that increases the gross floor area of a building or structure, or results in an expanded footprint of a building or structure on the ground.

*Alley* means a right-of-way that provides secondary vehicle and service access to abutting properties that have frontage on one or more streets.

*Alteration* means any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, or any enlargement or reduction of a building or structure, whether horizontally or vertically, or the moving of a building or a structure from one location to another.



*Amendment* means a modification to this chapter, including the text or associated maps that has been approved by the town council.

*Antenna* means a communication device that transmits or receives electromagnetic signals. Antennas may be directional, including panels and microwave dishes, or omnidirectional including satellite dishes, whips, dipoles, and parabolic types. An antenna does not include the tower or other supporting structure to which it is attached. For purposes of this chapter, an "antenna" does not include a satellite dish antenna, which is otherwise defined.

*Base flood* means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of being equaled or exceeded in any given year). Areas including the base flood are depicted as zone A, AE, AH, AO, AR, A99, V and VE on the Altavista flood insurance rate map (FIRM).

*Base flood elevation (BFE)* means the water surface elevation which occurs in a 100-year flood as designated by the Federal Emergency Management Agency.

*Basement* means that portion of a building that is partly or completely below grade plane. A basement shall be considered a story above grade where the finished surface of the floor above the basement is (i) more than six feet above grade, (ii) more than six feet above grade for more than 50 percent of the total building perimeter, or (iii) more than 12 feet above the finished ground at any point.

*Berm* means a landscaped earthen mound, incorporated as part of a site design, and intended to enhance the compatibility of abutting or nearby properties through the mitigation of sound, the screening of views, and/or the visual enhancement of a property's landscaped character.

*Best management practices (BMP)* means a practice, or combination of practices as determined by the appropriate state and/or local agencies to be the most effective, practical means of preventing or reducing the amount of pollution generated by non-point sources to a level compatible with the water quality goals of the Town of Altavista and/or the Commonwealth of Virginia.

*Board of zoning appeals* means the Town of Altavista Board of Zoning Appeals, also referred to in this chapter as the BZA.

*Buffer yard* means a yard improved with screening and/or landscaping materials required between abutting zoning districts of differing intensities or between adjoining land uses for the purpose of decreasing the adverse impact of differing uses and districts.

*Building* means any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, activity, process, equipment, goods or materials of any kind.



*Building, coverage* means that portion of a lot, which when viewed from directly above, would be covered by any building or structure. For the purposes of this definition, lot shall include contiguous lots of the same ownership within a single zoning district which are to be used, developed or built upon as a unit.

*Building, height* means the vertical distance measured from the average adjoining grade on all sides of a building or structure to the highest point of a flat roof, the deck line of a mansard roof or in the case of a pitched, gambrel or hip roof, the mean level between the eaves and the highest point of the roof.

*Building wall, front* means, when viewed from above, the wall, parallel to the street right-of-way, that passes through the point of the principal building nearest the street right-of-way.

*Building wall, rear* means, when viewed from above, the wall, parallel to the rear lot line that passes through the point of the principal building nearest the rear lot line.

*Building wall, side* means when viewed from above, the wall, parallel to a side lot line that passes through the point of the principal building nearest the side lot line.

*Caregiver* means, for purposes of section 86-460, an adult who provides care for a mentally or physically impaired person within the commonwealth and the caregiver shall be either related by blood, marriage, or adoption to, or shall be the legally appointed guardian of, the mentally or physically impaired person for who care is being provided.

*Certificate of zoning compliance* means, for the purposes of this chapter, official certification that premises conform to all applicable provisions of the town zoning ordinance and may be lawfully used or occupied.

*Channel* means a perceptible natural or artificial waterway which periodically or continuously contains moving water confined to a definite bed and banks.

*Cluster subdivision* means an alternative means of subdividing land that concentrates building density in specific areas of a site to allow the remaining land to be permanently reserved for the preservation of environmentally-sensitive features and open space.

*Code of Virginia* means the Code of Virginia 1950, as amended.

*Commercial delivery* means the delivery of goods, products, materials or other items associated with a home occupation by any means or frequency other than that which would normally occur in a residential neighborhood.

*Commission* means the Planning Commission of the Town of Altavista.

*Condominium* means a building or group of buildings, created pursuant to the Virginia Condominium Act, Code of Virginia, § 55-79.39 et seq., in which units are owned individually,

and the structure, common areas and facilities are owned by all the owners on a proportional, undivided basis.

*Construction, new* means structures for which construction commenced on or after the effective date of this chapter and including any subsequent improvements to such structures.

*Construction, start* means the date a building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwellings units or not part of the main structure.

*Council* means the Town Council of Altavista, Virginia.

*Deck* means a structure, of any materials, without a roof, directly adjacent to a principal building which has an average elevation of 30 inches or greater from finished grade

*Dedication* means the transfer of private property to public ownership upon written acceptance.

*Density* means the number of dwelling units permitted per unit of land, commonly expressed as dwelling units per acre.

*Development* means any man-made change to improved or unimproved real estate including but not limited to buildings or other structures, the placement of manufactured homes, streets and other paving, utilities, filling, grading, excavation, mining, dredging, drilling operations, or storage of equipment or materials.

*District* means a zoning district as described and permitted by Code of Virginia, § 15.2-2280 et seq.

*Driveway* means a private roadway providing access for vehicles to a parking space, garage, dwelling, or other structure.

*Dwelling unit* means a room or group of rooms connected together containing cooking, bathroom and sleeping facilities constituting a separate, independent housekeeping unit, physically separated from any other dwelling unit in the same structure.

*Easement* means a portion of a lot or acreage reserved for present or future use by a person or entity other than the fee simple owner of the lot or acreage. Easements may exist on the ground, or under or above the lot or acreage.

*Establishment* means any business, enterprise, or other land use permitted by this chapter.

*Family* means one or more persons related by blood, marriage, or adoption, or under approved foster care, or a group of not more than four persons (including domestic help) living together as a single housekeeping unit. For the purposes of dwelling unit occupancy in a single-family residential zoning district (R1), the term shall include not more than two unrelated persons in addition to the family. For dwelling unit occupancy in all other zoning districts, the term shall include not more than four unrelated persons in addition to the family.

*Flood* means general and temporary inundation of normally dry land areas from (1) the overflow of inland waters; (2) the unusual and rapid accumulation or runoff of surface waters from any source; (3) mudslides (i.e. mudflows), which are approximately caused or precipitated by accumulations of water on or under the ground; or (4) the collapse or subsidence of land along a body of water as a result of erosion or undermining caused by water or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm or by an unanticipated form of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding as defined in this section.

*Flood, one hundred-year* means a flood that, on the average, is likely to occur once every 100 years (i.e., that has a one percent chance of occurring each year, although the flood may occur in any year).

*Flood proofing* means any combination of structural and nonstructural additions, changes or adjustments to a structure or property which reduces or eliminates flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodplain* means:

- (1) A relatively flat or low land area adjoining a river, stream, or watercourse which is subject to partial or complete inundation; or
- (2) An area subject to the unusual and rapid accumulation of run-off or surface waters from any source.

*Floodway* means the designated area of the floodplain required to carry and discharge floodwaters of a given magnitude. For the purposes of this article, the floodway shall be capable of accommodating a flood of the 100-year magnitude.

*Floodway fringe* means that area characterized during floods by shallow, slow-moving water and represents a low hazard potential; more specifically, the floodway fringe is that area of the 100-year flood elevations contained in the flood profiles of the flood insurance study



adopted by the Town of Altavista and as shown on the flood insurance rate map (FIRM) accompanying that study.

*Floor area, finished* means the sum of the horizontal areas of a building which is intended for human habitation and use and which has a floor to ceiling height of six and one-half feet or greater. Areas excluded from the finished floor area would include unfinished basements and attics, storage and utility rooms, and garages.

*Floor area, gross* means the sum of the horizontal areas of the several stories of a building, measured from the exterior faces of exterior walls, or in the case of a common wall separating two buildings, from the centerline of such common wall. Gross floor area shall exclude interior parking and loading spaces, and airspace above atriums.

*Floor area ratio (FAR)* means the ratio of the total floor area of buildings located on a certain parcel of land to the area of that parcel. [Note: As a formula: Floor area ratio = (total covered area on all floors of all buildings on a parcel) divided by (area of the parcel). Thus, a FAR of 2.0 would indicate that the total floor area of a building is two times the gross area of the parcel on which it is constructed.]

*Garage, private* means a building for the private use of the owner or occupant of a principal residential building situated on the same lot as the principal building for the storage of motor vehicles.

*Glare* means the effect produced by lighting, with a brightness or intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

*Greenhouse, private* means a structure for the raising of plants or flowers indoors not for commercial retail purposes.

*Greenhouse, retail* means a structure for the raising of plants or flowers indoors for commercial or retail purposes.

*Hardscaping* means the paved areas such as streets, sidewalks, man-made stormwater management or drainage features, retaining walls, or other permanent structures for any permissible use where the soil is no longer exposed to the surface of the earth.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a

district preliminarily determined by the secretary to qualify as a registered historic district;

- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Land disturbing activity* means any land change which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the commonwealth, including, but not limited to, clearing, grading, excavating, transporting and filling of land.

*Landscaping* means the improvement of the appearance of an area by the planting of trees, grass, shrubs, or other plant materials.

*Loading space, off-street* means space for bulk pick-ups and deliveries, scaled to delivery vehicles expected to be used and accessible to such vehicles when required off-street parking spaces are filled.

*Lot* means a parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivision, or as otherwise permitted by law.

*Lot, corner* means a lot abutting on two or more streets at their intersection, or on two parts of the same street forming an interior angle of less than 135 degrees.

*Lot coverage* means that portion of a lot, which when viewed from directly above, would be covered by any building or structure, parking and loading areas and other surface which is impermeable or substantially impervious to storm water. Gravel parking areas shall be considered impervious. For the purposes of this definition, lot shall include contiguous lots of the same ownership within a single zoning district which are to be used, developed or built upon as a unit.

*Lot, double frontage* means an interior lot having frontage on two streets.

*Lot, flag lot* means a panhandle or flag-shaped lot with its widest point (called the "flag") set back from the road at the rear of another lot, and having a thin strip of land (called the "stem") connecting to the road to provide legal access and frontage.

*Lot, frontage* means the horizontal distance between the side lot lines measured at the front yard setback line. All sides of a lot which abut a street shall be considered frontage. On curvilinear streets the arc between the side lot lines shall be considered the lot frontage.

*Lot, interior* means a lot, other than a corner lot.

*Lot, irregular* means a lot of such a shape or configuration that technically meets the area, frontage and width to depth requirements of this chapter but meets these requirements by incorporating unusual elongations, angles, curvilinear lines unrelated to topography or other natural land features.

*Lot of record* means a lot which has been recorded in the office of the clerk of the appropriate court.

*Lot, width of* means the mean horizontal distance between the side lot lines. The mean shall consist of the straight line horizontal distances of the front and rear lot lines and the distance of a line connecting the midpoints of the side lot lines; provided however, that for a flag-lot, no part of the pole shall be considered in calculating such distances.

*Lowest floor* means the lowest enclosed area, including basement, of any structure. An unfurnished or flood-resistant enclosure usable solely for the parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter.

*Mentally or physically impaired person* means, for purposes of section 86-460, a person who is a resident of Virginia and who requires assistance with two or more activities of daily living, as defined in Code of Virginia, § 63.2-2200 and as certified in writing by a physician licensed by the Commonwealth of Virginia.

*Mixed-use building* means a combination of two or more use types within a single structure.

*Monopole* means a single pole structure, usually self supporting, used to support antennas.

*Natural watercourse* means any natural stream river, creek, waterway, gully, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed and banks.

*Nonconforming lot* means a lot, the area, dimensions or location of which was lawful at the time the lot was created, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.



*Nonconforming structure* means any structure the size, dimensions or location of which was lawful when erected or altered, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.

*Nonconforming use* means a use or activity which was lawful when originally established, but which fails to conform to the current standards and regulations due to the adoption, revision or amendment of this chapter.

*Not-for-profit* means an organization or activity which has obtained nontaxable status from the U. S. Internal Revenue Service.

*Off-street parking area* means space provided for vehicular parking outside the dedicated street right-of-way.

*Open space* means any parcel or area of land or water essentially unimproved and set aside, dedicated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Open space may be passive or active. Passive open space remains in a completely undeveloped state and lacks formal facilities. Active open space has developed facilities such as recreation centers, playgrounds, swimming pools, tennis and basketball courts, and similar facilities.

*Open space, common* means land within or related to a development, not individually owned or dedicated for public use, which is intended for the common use or enjoyment of the residents of the development and may include such complementary structures as are necessary and appropriate. Common open space may include recreation centers, playgrounds, swimming pools, tennis and basketball courts, and similar facilities.

*Outdoor display* means the display and sale of products primarily outside of a permanent building or structure, including vehicles, garden supplies, plant materials, tires, oil and other vehicle maintenance supplies, food and beverages, fireworks and holiday decorations.

*Outdoor storage* means the keeping, in other than a building, of any goods, materials, or merchandise on the same parcel for more than 24 consecutive hours.

*Overlay district* means a district established by this chapter to prescribe special regulations to be applied to a site in combination with the underlying or base district.

*Patio* means a level surfaced area, constructed of any materials, directly adjacent to a principal building which has an average elevation of not more than 30 inches from finished grade, and without walls or a roof.

*Perennial* means occurring or existing on a regular or continual basis.

*Porch* means a roofed open area, which may be glazed or screened, usually attached to or part of and with direct access to or from, a building.

*Principal building or structure* means a building or structure in which the primary use of the lot on which the building is located is conducted.

*Principal use* means the main use of land or structures as distinguished from a secondary or accessory use.

*Private* means, unless otherwise specifically indicated, private shall mean anything not owned, operated, provided and/or maintained by a local, state, or federal government.

*Projections (into yards)* means the parts of buildings, such as architectural features, that shall be exempted from the yard requirements of this chapter. Thus, bay windows, vestibules, eaves, uncovered porches, disabled access ramps, and the like may be permitted to project up to three feet into required yards. Ramps providing means of ingress or egress required by law may project into required yards when such ramps cannot be located elsewhere in compliance with applicable yard and ingress or egress requirements.

*Public* means, unless otherwise specifically indicated, public shall mean anything owned, operated, provided and/or maintained by a local, state, or federal government.

*Public water and sewer systems* means a water or sewer system owned and operated by: (1) a municipality, public service authority or county; or (2) a private individual or a corporation approved and properly licensed by the State Corporation Commission prior to the adoption date of this chapter; and meeting the requirements of the State Health Department and/or Virginia Department of Environmental Quality.

*Recreational vehicle* means a vehicle which is (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projections; (3) designed to be self-propelled or permanently towable by a light-duty truck; and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreation camping, travel or seasonal use.

*Replacement cost* means the cost of restoring a damaged building or structure to its original condition. Replacement cost shall include reasonable estimates of the cost of materials and labor and shall be compared with the assessed value as determined by the town to determine the percentage of the cost of improvements.

*Right-of-way* means a legally established area or strip of land, either public or private, on which an irrevocable right of passage has been recorded.

*Screening* means a method of visually shielding or obscuring one or more abutting or nearby structures or uses from other structures or uses by fencing, walls, berms or by densely planted vegetation. Screening is intended to substantially obscure the visual impacts between adjoining uses.

*Setback* means the minimum distance by which any building or structure must be separated from a street right-of-way or lot line.



*Shopping center* means a group of commercial establishments planned, constructed and managed as a total entity with shared access, customer and employee parking provided onsite, provision of goods delivery separated from customer access, aesthetic considerations and protection from the elements.

*Shoreline* means a boundary line between a body of water and the land. This line shall consist of the sloping margin of, or the ground bordering a stream, river, reservoir, lake, etc., and serve to define the limits of, and confine the waters to, the natural channel or impoundment during periods of normal flow or volume.

*Slope, steep* means terrain generally classified as having a 25 percent vertical rise to the horizontal run.

*Special use permit* means a use with operating and/or physical characteristics different from those uses permitted by right in a given zoning district which may, nonetheless, be compatible with those by-right uses under special conditions and with adequate public input and review. Special use permits are allowed only at the discretion and approval of council following review and recommendation by the commission and staff.

*Specified anatomical areas* means: (1) less than completely and opaquely covered: (i) human genitals, pubic region, (ii) buttock, and (iii) female breast below a point immediately above the top of the areola; and (b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

*Specified sexual activities* means: (1) human genitals in a state of sexual stimulation or arousal; (2) acts of human masturbation, sexual intercourse, or sodomy; and (3) fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

*Stoop* means a platform, without a roof, located at the entrance of a building with sufficient area to facilitate only the ingress and egress to the building.

*Story* means that portion of a building included between the surface of any floor and the floor next above it, or if there is not a floor above it, then the space between the floor and the ceiling above it.

*Story, above grade* means any story having its finished floor surface entirely above grade except that a basement shall be considered as a story above grade when the distance from grade to the finished surface of the floor above the basement is more than six feet for more than 50 percent of the total perimeter or more than 12 feet at any point.

*Story, half* means the space under a sloping roof, which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than two-thirds of the floor area is finished for use.

*Street* means any vehicular way which: (1) is an existing federal, state or municipal roadway; or (2) is shown on a plat approved pursuant to law; or (3) is approved by other official

action. The term street shall include road and highway. Unless otherwise indicated, the term street shall refer to both public and private streets.

*Street, cul-de-sac* means a street with only one outlet and an appropriate turnaround for a safe and convenient reversal of traffic movement.

*Structure* means anything that is constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, including but not limited to buildings, signs, manufactured homes and above-ground swimming pools. Walls and fences shall not be deemed structures except as otherwise specifically provided in this chapter.

*Substantial alteration* means expansion or modification of a building or site which would result in a disturbance of land exceeding an area of 2,500 square feet.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed 50 percent of the market value of the structure before such damage occurred.

*Substantial improvement* means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not however, include either any project for improvement for a structure to comply with existing state or county health, sanitary or safety code specifications which are solely necessary to assure safe living condition or any alteration of a structure listed on the National Register of Historic Places.

*Transient* means, for purposes of this chapter, transient shall refer to the limited, temporary and/or short term occupancy, associated with the hotel/motel/motor lodge or extended stay lodging use types. Transient occupants must have, and be able to demonstrate that they maintain, a principal place of permanent residence elsewhere.

*Town charter* means the Charter of the Town of Altavista, Virginia.

*Use* means an activity on a piece of land other than development.

*Variance* means a reasonable deviation from the provisions regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure in accordance with, and as further defined in Code of Virginia, § 15.2-2201.

*Yard* means a required open space on a lot, unoccupied and unobstructed from the ground upward, unless otherwise provided by this chapter.

*Yard, front* means a yard between the front building line and the street right-of-way extending across the full width of the lot. For the purpose of placement of accessory buildings when the principal building exists on the lot the term front yard shall mean a yard between the front building wall and the street right-of-way extending across the full width of the lot.

*Yard, rear* means a yard between the rear line of the building and the rear line of the lot extending the full width of the lot.

*Yard, side* means a yard between the side line of the building and the side line of the lot extending from the front lot line to the rear lot line.

*Zoning administrator* means the zoning administrator of the Town of Altavista or an authorized agent thereof, also referred to in this chapter as the administrator.

2. This Ordinance shall become effective immediately upon passage by the Town Council of the Town of Altavista.



## **Planning Commission Staff Report Discussion Item – Solar Energy Facilities**

### **Summary**

At its March 1, 2021 the Planning Commission discussed a proposed text amendment to the Zoning Ordinance to add Solar Energy Facilities with a Special Use Permit (SUP). Based on the discussion held by the Commission the Applicant withdrew the request and will host a series of Community Meetings in the coming months.

Vice Chair Mitchell requested to add this item to the Agenda to continue the discussion on solar and suggested that the town could consider placing a restriction on the percentage of land, townwide, that could be developed for that use.

Attached you will find a copy of the policy Prince George County adopted. While they are not a town, it is being shared because they have placed a cap on the percentage of land that can be developed for the use. They also have some language Altavista might want to consider incorporating into an ordinance, should one be adopted.

At the April meeting the Planning Commission stated that it wanted to hear from an expert prior to setting a public hearing on a text amendment. If it is the desire of the Planning Commission staff can request a workshop on the subject with the Virginia Solar Initiative through the Weldon Cooper Center or Public Service/UVA.

#### **Attachments:**

1. Prince George policy



# *County of Prince George, Virginia*

*"A global community where families thrive and businesses prosper"*

## **Prince George County, Virginia: Solar Energy Facility Siting Policy**

The intent of this policy is to help guide the placement and design of new solar energy facilities in Prince George County, VA. It provides solar energy facility applicants, property owners, business owners and County residents with guidance on the official policies and standards of Prince George County.

The policy was developed with public input from community meetings for planned or proposed solar projects, independent citizen inquiries, and public hearings for proposed solar energy facilities. The siting policy guidelines shall be considered by applicants when they are selecting sites for solar energy facilities in the County. Prince George County staff members, Planning Commission members and Board of Supervisors members shall consider this policy when evaluating requests for solar energy facilities and related or accessory uses.

Prince George County encourages and promotes the responsible generation of both clean and renewable alternative energy within the County. When solar energy facilities are proposed, locations and site designs shall be evaluated in terms of how they protect and enhance the scenic and natural beauty of the County and mitigate any impacts to surrounding properties and the community.

Solar Energy Facilities are permitted by-right in the M-3 Zoning District, and emphasis should be placed on locations within this district. Prince George County desires an upper limit on the total acreage of approved solar energy facilities across all other allowable districts at 2.74% of the total land acreage (excluding water bodies) in the County or 4,603.5 acres within the County, to allow for future land uses specifically enumerated in the County's Comprehensive Plan.

Prince George County intends to fully comply with all of the applicable provisions of the Virginia State Corporation Commission as it relates to solar power energy generation and applicable federal and state laws, and to preserve the County's local zoning authority in the process for the betterment of our citizens and the business community.

Battery storage components of a solar energy facility and independent battery storage facilities are not addressed in this policy. Applications that include battery storage will be subject to additional conditions and a separate policy.

### **ARTICLE I. ACREAGE FOR FACILITIES**

The County desires an upper limit on the total acreage outside of the M-3 District, dedicated for solar energy facilities at 2.74% of the total land acreage in the County or 4,603.5 acres, to allow for future land uses specifically enumerated in the County's

Comprehensive Plan. The following guidelines shall be used to determine acreage dedicated for this land use:

1. Currently, Solar Energy facilities are permitted by special exception in (R-A) Residential-Agricultural, (A-1) General Agricultural, (B-1) General Business, (M-1) Light Industrial, and (M-2) General Industrial Zoning Districts. They are permitted by-right in the (M-3) Heavy Industrial Zoning District. The above acreage limitation does not apply to any project within the (M-3) Heavy Industrial Zoning District.
2. Site acreage dedicated to solar energy for a project shall be calculated as the aggregate acreage of all parcels for a special exception application, unless the applicant details and delineates the maximum acreage to be used for approval, which includes acreage for panels, fencing, access roads, and buffer and screening requirements.

## **ARTICLE II. PROJECT REVIEW GUIDELINES**

All Special Exception requests for new or expanded solar energy facilities, including the replacement or modification of existing solar energy facilities, shall be reviewed by County Planning Division staff, the Planning Commission and the Board of Supervisors in consideration of the following criteria:

- a. The extent to which the solar energy facility proposal conforms to the general Special Exception criteria contained in the zoning ordinance, and the intent, the application requirements, and general standards for solar energy facilities found within this policy.
- b. The degree to which the following are located and designed to be compatible with the surrounding community character and design:
  - Proposed location of the solar energy facility
  - Site design and facilities, including fencing and other ground-mounted equipment
  - New or modified road, access or utility corridors
  - Mitigation of community impacts

The following text details how staff, the Planning Commission, and the Board of Supervisors are to review each proposal:

1. All potential applicants for a solar energy facility shall meet with County Planning Division staff at least thirty (30) days prior to submitting an application for a new, proposed facility. The County Planning Division staff will provide the potential applicant with information on Prince George County policies and standards for solar energy facilities, and discusses with the applicant possible alternatives to site the solar energy facility in the most appropriate location in Prince George County.
2. Prince George County desires to protect and enhance its agricultural and rural heritage, cultural, and recreational resources.

- a. Siting of a facility within the Prince George Planning Area should be avoided, except within the M-3 District.
  - b. Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval, except those permitted by-right in the M-3 District.
  - c. In order to protect the integrity of agricultural soils, mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.
  - d. Sites located near recreational, cultural, or historic resources should be avoided.
3. Prince George County desires to protect, maintain, and improve the quality of the natural environment, including elements such as air, water, natural habitats and wetlands.
- a. Site groundcover for the solar energy facility should consist of a variety of native groundcovers that benefit birds, bees, and other insects. Turf grass shall not be allowed.
  - b. Groundcover should be expeditiously established following the completion of construction activities to minimize erosion and loss of soil.
  - c. Use of synthetic herbicides to control and maintain groundcover shall not be allowed.
  - d. Wildlife corridors shall be considered in the layout and design of the site. Breaks in fencing and equipment shall be provided where appropriate.
  - e. Development on wetlands, forested areas, and other valuable habitats shall be avoided or minimized to the greatest extent possible.
4. All applicants for solar energy facility uses shall provide the following information at the time of initial application:
- a. Schematic layout of the proposed site with location of panels and buffers.
  - b. Buffering, screening, fencing and landscaping schematics with sufficient details to facilitate review for compliance with policy.
  - c. Photographic simulations illustrating the relationship of the proposed solar energy facility use in relation to the surrounding properties and uses, and additional simulations showing the relationship of any new or modified service road or utility corridors to be constructed or modified to serve the proposed solar energy facility use or other nearby infrastructure.

- d. Written verification that all required submittals to the State Corporation Commission (SCC) have been submitted for a solar energy facility use (if applicable).
  - e. Written verification that the applicant is working with the Department of Environmental Quality toward obtaining Solar Permit by Rule approval.
  - f. Documentation justifying the need for the on-site substation should be submitted with the Special Exception application, if a substation is requested in conjunction with the solar energy facility. Documentation should also describe the components of the substation, physical dimensions including height, and endorsement from the grid-operating utility company.
  - g. Written comments from the relevant electric company regarding the capacity of the transmission lines or other electrical infrastructure as part of any Special Exception application.
  - h. Redacted offtake agreement, power purchase agreement, or other documentation that identifies a clear path to an off taker of the electricity generated from the project (prior to building permit).
  - i. An evaluation of fiscal impacts to the County for the proposed land use in comparison with the current land use and the comprehensive plan future land use.
5. The applicant shall be responsible for all fees associated with the filing of their application, including the reasonable cost of any independent analysis deemed necessary by the County.
6. General Requirements:
- a. By applying and being granted the Special Exception request, the applicant and the owner of the land agree to dismantle and remove the solar energy facility and associated facilities from the site within six (6) months of the facility no longer being used for its intended purpose. Dismantling and removal of the facility shall only begin after the required notice is sent to Prince George County.
  - b. All solar energy facility structures, racks and associated facilities shall have a non-reflective finish or appearance. Silicon based, or similar, panels shall be used; cadmium-based panels are prohibited. Solar collectors shall be designed to maximize absorption and minimize glare outward toward adjoining properties and upward toward military and general aviation aircraft or other similar aircraft. Vehicles travelling on adjoining interstate and state-maintained roads shall also be protected from potential glare, including elevated tractor trailer cabs.
7. Public Notice.



- a) Community Meetings: A minimum of two (2) community meetings, a minimum of ten (10) days apart, shall be held by the applicant prior to the Planning Commission Public Hearing date, and shall follow the following guidelines.
- i. The applicant shall notify the Community Development and Code Compliance Department, adjacent property owners, and property owners within a one mile radius of the project in writing of the date, time and the location of the meetings, at least seven (7) but no more than fourteen (14) days, in advance of the first scheduled community meeting. Additionally, the applicant shall supply the County a copy of all mailing lists and media postings used to promote awareness of and attendance at the meetings.
  - ii. The date, time and location of the meetings will be advertised in a newspaper of general circulation in the County by the applicant, and at the applicant's expense, at least seven (7) but no more than fourteen (14) days, in advance of the first meeting date.
  - iii. The applicant shall provide the County with acceptable social media postings containing the specifics of the meetings and contact information, for distribution across the County's available social media platforms and website.
  - iv. The meetings shall be held within the County, at a location open to the general public within the community of the proposed site with adequate lighting, parking and seating facilities, and which can accommodate persons with disabilities from the general public and media.
  - v. The meetings shall give the general public the opportunity to review the proposed application materials and ask questions of the applicant and to provide oral and/or written comments as feedback on their proposal.
  - vi. The applicant shall provide the Community Development and Code Compliance Department with a summary of any oral or written input received from members of the general public and media at the community meetings within two (2) weeks after the second meeting. The summary of input received will be posted on the County's webpage and included with case materials.

## 8. Development Standards.

- a) The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres.

- b) The design of support buildings and related structures shall, to the greatest extent possible, use materials, colors, textures, screening and landscaping that will screen the solar energy facility use from surrounding homes or surrounding commercial and industrial structures.
- c) Maximum height of primary structures and accessory buildings shall generally be fifteen feet, as measured from the finished grade at the base of the structure to its highest point, including appurtenances.
- d) All facilities shall meet or exceed the current standards and regulations of the State Corporation Commission (SCC) or equivalent, and any other agency of the local, state or federal government with the authority to regulate such infrastructure that are in force at the time of the application or which apply retroactively.
- e) To ensure the structural integrity of the infrastructure, the owner shall certify that it is designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that are in force at the time of the permit approval.
- f) All newly installed utilities (including but not limited to: electric, fiber, cable and telephone lines serving the site) which are visible from the ground-level view of adjacent properties zoned residential, agricultural and/or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-ways, shall be screened from view or shall be placed underground, unless prohibited by the state/federal agency regulating them.
- g) The facilities shall be enclosed by security fencing not less than six feet in height, and shall be designed to preclude trespassing, and shall be marked with the appropriate warning signs by the operator of the solar energy facility. Fencing shall be located such to allow screening between the fence and any property lines, public rights-of-way, or adjacent residential dwellings not owned by the owner of the subject property.
- h) The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties zoned residential, agricultural, or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-way. A vegetated buffer zone within the setback area of at least fifty (50) feet in width shall be maintained, which shall be landscaped with plant materials unless existing vegetation or natural land forms on the site provide such screening materials or effect. If there is no existing vegetation or the existing vegetation is inadequate to serve as a landscape buffer as determined by the Planning Manager, a staggered triple row of evergreen trees and shrubs

will be planted on approximately 10-foot centers in the 25 feet immediately adjacent to the security fence. New plantings of trees and shrubs shall be approximately six (6) feet in height at the time of planting. In addition, pine seedlings and mixed native hardwoods and softwoods will be installed in the remaining 25 feet of the 50-foot buffer. In the event existing vegetation or land forms providing the screening are disturbed or removed, new plantings shall be provided which accomplish the same screening. Landscaping for screening shall be maintained and replaced by the facility's operator as necessary throughout the lifespan of the facility.

- i) Lighting shall be the minimum necessary for safety and/or security purposes and shall use shielded fixtures to minimize off-site glare toward public rights of way and adjacent properties, and shall be limited to one-foot candle at the property line. No facility shall produce glare which would constitute a nuisance to the public.
  - j) The required setbacks and height limitations shall follow the requirements of the underlying zoning district, or the setbacks listed below, whichever is greater.
    - a. Setbacks for solar energy facilities should comply with the following minimum setbacks:
      - i. 300 feet from residentially-zoned property; 200 feet from R-A
      - ii. 100 feet from all other exterior property lines
      - iii. Inverters located 200 feet from exterior property lines
      - iv. Substations located 500 feet from exterior property lines
    - b. Landscaped buffering required:
      - i. Berms shall be located outside the fence line and planted with appropriate groundcover
      - ii. Vegetative buffers shall be at least 50 feet in width and include predominantly native evergreen species for aesthetics and wildlife habitat as detailed in item 8(h) above.
      - iii. Landscaping and buffer areas that are adjacent to residential dwellings not owned by the property owner or applicant, will have negotiated landscaping, fencing, and buffer areas that may exceed the requirements noted above.
9. Site Plan Requirements. In addition to all State and County site plan requirements, the Applicant shall provide the following plans for review and approval as a part of the site plan for the solar energy facility prior to the issuance of a land disturbance or building permit:
- a. Construction Management Plan. The applicant shall prepare a Construction Management Plan for each applicable site plan for the solar energy facility, which shall address the following:

- i. Construction Traffic Management Plan including mitigation measures shall be developed by the applicant, owner or operator and shall be submitted to the Virginia Department of Transportation (VDOT) and Planning Division for review and approval. The Plan shall address traffic control measures, pre-and post-construction road evaluation, and any necessary repairs to the public roads that are required as a result of any damage from the solar energy facility construction and/or expansion. All VDOT permits must be received and be approved by VDOT prior to site construction occurring on the premises.
  - ii. A site access plan directing employee and delivery traffic to minimize conflicts with local traffic.
  - iii. A site parking and staging plan shall be submitted as a part of the Site Plan approval and be submitted for various stages of the site construction process. All subsequent construction processes shall also adhere to submitting a parking and staging plan prior to the commencement of expansion or decommissioning.
  - iv. Fencing. The applicant shall install temporary security fencing prior to the commencement of construction activities occurring on the solar energy facility.
  - v. Lighting. During construction of the solar energy facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties.
- b. Construction Mitigation Plan. The applicant shall prepare a Construction Mitigation Plan for each applicable site plan for the solar energy facility to the satisfaction of the Planning Division.

Each plan shall address, at a minimum:

- i. The effective mitigation of dust. All construction roads and construction areas shall remain dust-free by the use of a water truck or other approved method to keep sediment on the premises and not be of a general nuisance to adjoining property owners during site construction and/or site expansion for a solar energy facility.
- ii. Burning operations. Burning operations must follow all local and state burning restrictions and distances from property lines and combustibles. Must address smoke migration so as to not be of a general nuisance to adjoining property owners during burning operations.
- iii. Hours of construction. All pile driving shall be limited to eight (8) hours daily during the hours from sunrise to sunset Monday through Saturday. No Sunday or Holiday pile driving shall occur during site construction, expansion, or operation of the facility. All other normal on-site construction activity is permitted Monday through Sunday in

accordance with the provisions of the County Noise Ordinance, as amended from time to time, and as enforced by the Prince George County Police Department.

- iv. Access and road damage. Must address mitigation of all damage, dirt, and debris on roads as a result of traffic generated by the solar energy facility construction.
  - v. General construction complaints. Provide contact information of responsible project manager capable of causing corrections to be made at the site. Receipt of complaints shall be acknowledged by the project manager within 24 hours and addressed, at a minimum with an acceptable plan of action, within 72 hours of receipt.
- c. Grading Plan. The owner or operator shall construct, maintain, and operate the project in accordance with the approved County Grading and Erosion and Sediment (E&S) Control Plans. An E&S bond or letter of credit will be posted for the construction portion of the project. The grading plan shall:
- i. Clearly show existing and proposed contours;
  - ii. Note the locations and estimated amount of topsoil to be removed (if any) and the percent of the site to be graded;
  - iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;
  - iv. Require an earthwork balance to be achieved on-site with no import or export of soil, unless it can be demonstrated to the satisfaction of the Planning Division that doing so would create more clearing and grading than by allowing the import or export of soil; and
  - v. Require topsoil to first be stripped from areas proposed to be permanent access roads which will receive gravel, or in any areas where more than a few inches of cut are required, and require an on-site stockpile to be used later to increase the fertility of areas intended to be seeded.
- d. Solar Facility Screening and Vegetation Plan. A separate surety shall be posted for the ongoing maintenance of the project's vegetative buffers in the amount of 120% of the installation cost of all planted vegetation for three (3) years following the first date that power is supplied to the electrical grid.
- i. Site groundcover for the solar energy facility shall consist of a variety of native groundcovers that benefit birds, and bees, and other beneficial insects.

- ii. Groundcover shall be expeditiously established following the completion of construction activities to minimize erosion and loss of soil.
- iii. The use of synthetic herbicides to control and maintain groundcover post-construction shall not be permitted.
- e. The design, installation, maintenance, and repair of the solar energy facility shall be in accordance with the most current National Electrical Code (NFPA 70).

#### 10. Operations.

- a. **Permanent Security Fence.** The applicant shall install a permanent security fence, consisting of chain link, 2-inch square mesh, (or comparable fencing) a minimum of 6 feet in height around the Solar Facility prior to the commencement of operations of the Solar Energy Facility. Failure to maintain the fence in a good and functional condition will result in revocation of the special exception. The security fence shall be placed no closer than the required setback for the facility as stated in Section 12. Buffers.
- b. **Lighting.** Any on-site lighting shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.
- c. **Noise.** Daytime noise generated by the facility post-construction will be under and average 67 dBA per day, measured at the property line, throughout the day with no noise emissions at night; provided, however the operator may seek temporary waivers from the Planning Division for specific repair or maintenance needs.
- d. **Ingress/Egress.** Permanent access roads and parking areas will be stabilized with gravel, asphalt, or concrete to minimize dust and impacts to adjacent properties.
- e. All newly installed utilities including but not limited to, electric, fiber, cable and telephone lines serving the site which are visible from the ground-level view of adjacent properties zoned residential, agricultural and/or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-ways, shall be screened from view or shall be placed underground, unless prohibited by the state/federal agency regulating them.
- f. All solar energy facility structures, racks and associated facilities shall have a non-reflective finish or appearance. Silicon based panels shall be used; cadmium-based panels are prohibited. The solar collectors shall be designed to maximize absorption and minimize glare outward toward adjoining properties and upward toward military and general aviation aircraft or other similar aircraft. Vehicles travelling on adjoining interstate and state-maintained roads shall also be protected from potential glare, including elevated tractor trailer cabs.

- 11. **Height of Structures.** Solar Energy Facility structures shall not exceed 15 feet; however, towers constructed for electrical lines may exceed the maximum permitted

height as provided in the zoning district regulations, provided that no structure shall exceed the height of 25 feet above ground level, unless required by applicable code to interconnect into existing electric infrastructure or necessitated by applicable code to cross certain structures.

## 12. Buffers.

### a. Setbacks.

- i. A minimum 100-foot setback, which includes a 50-foot planted buffer as described in 12(b), shall be maintained from a principal Solar Energy Facility structure or any component of the Facility to the edge of the public right-of-way.
- ii. A minimum 100-foot-setback, which includes a 50-foot planted buffer as described in 12(b), shall be maintained from a principal Solar Energy Facility structure to any adjoining property line which is a perimeter boundary line for the project area.
- iii. A minimum 300-foot setback, which includes fencing, screening and buffers as described in 12(b), 8(h), and 8(j) from residentially-zoned property (200' R-A Zoning).
- iv. A minimum 100-foot setback from all other exterior property lines.
- v. A minimum 200-foot setback from all exterior property lines, except from adjoining residentially-zoned properties, shall be required for placement of all inverters associated with a Solar Energy Facility.
- vi. A minimum 500-foot setback from all exterior property lines shall be required for placement of any required substations associated with a Solar Energy Facility.

- b. Screening. A minimum 50-foot vegetative buffer (consisting of existing trees and vegetation) shall be maintained. If there is no existing vegetation or if the existing vegetation is inadequate to serve as a buffer as determined by the Planning Manager, a staggered triple row of evergreen trees and shrubs will be planted on approximately 10-foot centers in the 25 feet immediately adjacent to the security fence. New plantings of trees and shrubs shall be approximately six (6) feet in height at time of planting. In addition, pine seedlings and native mixed hardwoods and softwoods will be installed in the remaining 25 feet of the 50-foot buffer.

## 13. Coordination of local emergency services.

- a. Applicants for new solar energy facility shall coordinate with the County's Fire, EMS, and Emergency Management staff to provide materials, education and/or training to the departments serving the property with emergency services on how to safely respond to on-site emergencies at the solar energy facility.

## 14. Roll Back Taxes.

- a. Payment of all applicable rollback taxes for parcels in the land use program shall be a pre-condition of the County's issuance of a land disturbance permit.

## 15. Decommissioning.

- a. Decommissioning Plan. A decommissioning plan shall be developed by the applicant, owner or operator prior to the approval of a site plan being issued for a solar energy facility. The purpose of the decommissioning plan is to specify the procedure by which the applicant or its successor would remove the solar energy facility after the end of its useful life and to restore the property for prior or future usage consistent with the Comprehensive Plan or future zoning. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous 6-month period it shall be considered abandoned. The applicant, owner or operator shall provide notice to Prince George County in writing once the property becomes inactive as a solar energy facility use. The decommissioning of the site shall commence within six (6) months of receipt of such notice from the applicant, owner or operator by Prince George County. The "notice" shall be known as the "Decommissioning Plan" under Zoning Ordinance Section 90-16 (ii) (e) which shall include the following:
  - i. Anticipated life of the solar energy facility project;
  - ii. The estimated cost of the decommissioning in the future as expressed in current dollars by a State licensed professional engineer;
  - iii. Method estimate was determined;
  - iv. The manner in which the project will be decommissioned; and
  - v. The name and physical address of the person or entity responsible for the decommissioning plan.
- b. Surety. Unless the solar energy facility project is owned by a public utility within the Commonwealth of Virginia, the gross costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a letter of credit, cash or a guarantee by an investment grade entity, posted within 30 days of the project receiving its certificate of completion or equivalent from Prince George County to operate the use. If an adequate surety is required, the cost estimates of the decommissioning shall be updated at least every five (5) years by the applicant, owner or operator, and provided to the County. If the solar energy facility is sold to an entity that is not a public utility, the Special Exception shall not transfer to the purchaser until such time as adequate replacement surety is provided for the solar energy facility. At its option, the County may require that a surety amount be increased based upon the net cost of decommissioning the use and as approved by the County Attorney.
- c. Applicant/Property Owner Obligation. Within six (6) months after the cessation of use of the solar energy facility for electrical power generation or transmission, the applicant or its successor, at its sole cost and expense, shall decommission the solar energy facility in accordance with the decommissioning plan approved by the County. If the applicant or its successor fails to decommission the solar energy



facility within six (6) months, the property owners shall commence decommissioning activities in accordance with the decommissioning plan. Following the completion of decommissioning of the entire solar energy facility arising out of a default by the applicant or its successor, any remaining surety funds held by the County shall be distributed to the property owners in a proportion of the surety funds and the property owner's acreage ownership of the solar energy facility.

d. Applicant/Property Owner Default; Decommissioning by the County.

- i. If the applicant, its successor, or the property owners fail to decommission the solar energy facility within six (6) months, the County shall have the right, but not the obligation, to commence decommissioning activities and shall have access to the property, access to the full amount of the decommissioning surety, and the rights to the solar energy equipment and materials on the property.
- ii. If applicable, any excess decommissioning surety funds shall be returned to the current owner of the property after the County has completed the decommissioning activities.
- iii. Prior to the issuance of any permits, the applicant and the property owners shall deliver a legal instrument to the County granting the County (1) the right to access the property, and (2) an interest in the solar energy facility equipment and materials to complete the decommissioning upon the applicant's and property owner's default. Such instrument(s) shall bind the applicant and property owners and their successors, heirs, and assigns. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the applicant, including under the County's zoning powers.

e. Equipment/Building Removal. Unless otherwise approved by the Planning Manager, all physical improvements, materials, and equipment related to solar energy generation, both surface and subsurface components, regardless of depth underground, shall be removed in the removal process. Perimeter fencing will be removed and recycled or reused.

f. Infrastructure Removal. Unless otherwise approved by the Planning Division, all access roads will be removed, including any geotextile material beneath the roads and granular material. The exception to removal of the access roads and associated culverts or their related material would be upon written request from the current or future landowner to leave all or a portion of these facilities in place for use by the landowner. Access roads will be removed within areas that were previously used for agricultural purposes and topsoil will be redistributed to provide substantially similar growing media as was present within the areas prior to site disturbance, unless a written request is received from the current or future landowner proposing alternative development plans for the property.

- g.** Partial Decommissioning. Any reference to decommissioning the solar energy facility shall include the obligation to decommission all or a portion of the solar energy facility whichever is applicable with respect to a particular situation. If decommissioning is triggered for a portion, but not the entire solar energy facility, then the applicant or its successor will commence and complete decommissioning, in accordance with the decommissioning plan, for the applicable portion of the solar energy facility; the remaining portion of the solar energy facility would continue to be subject to the decommissioning plan.

*Adopted by the Prince George County Board of Supervisors on August 11, 2020 and effective immediately.*

### ARTICLE III. SAMPLE SOLAR ENERGY FACILITY SPECIAL EXCEPTION CONDITIONS

1. This Special Exception is granted for a \_\_\_\_-scale solar energy facility use to \_\_\_\_\_ and is located on Tax Maps \_\_\_\_\_. This Special Exception may be transferred provided that Condition 10(b) regarding proper surety is met.
2. Payment of all rollback taxes for parcels \_\_\_\_\_ enrolled in the Land Use program shall be a precondition of the County's issuance of a land disturbance permit pursuant to a site plan prepared for the solar energy facility.
3. Site Plan Requirements. The Solar Energy Facility shall meet all conditions for Site Plan Requirements as defined in the Solar Energy Facility Policy.
4. The solar energy facility shall be constructed in accordance with the County-approved grading plan as approved by County staff prior to the commencement of any construction activities, and in accordance with the Erosion and Sediment Control Plan.
5. Operations. The Solar Energy Facility shall meet all conditions for operations in the Solar Energy Facility Policy.
6. Buffers. The Solar Energy Facility shall meet all conditions for buffer setbacks and landscape requirements as required in the Solar Energy Facility Policy.
7. Wildlife Corridors. The applicant shall identify an access corridor for wildlife to navigate through the Solar Energy Facility. The proposed wildlife corridor shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.
8. Height of Structures. Solar Energy Facility structures shall meet all required conditions for structure height in the Solar Energy Facility Policy.
9. Inspections. The applicant will allow designated County representatives or employees access to the facility for inspection purposes at any time during the construction process and thereafter upon 24 hours advance notice. The applicant will maintain current contact information on file with the Planning Manager.
10. The applicant, owner or operator shall coordinate directly with Fire, EMS and Emergency Management to provide solar energy materials, educational information and/or training to the respective personnel responding to the solar energy facility project in regards to how to safely respond to any emergencies that may occur on the premises.
11. Compliance. The Solar Energy Facility shall be designed, constructed, and tested to meet relevant local, state, and federal standards as applicable.
12. Decommissioning. The Solar Energy Facility shall meet all conditions for Decommissioning as specified in the Solar Energy Facility Policy.

13. Power Purchase Agreement. Prior to the issuance of any building permit for the solar energy facility, the applicant shall have executed either a power purchase agreement with a third-party, or a sale agreement to transfer the project to a regulated utility. Upon the County's request, the applicant shall provide the County and legal counsel with a redacted version of the executed power purchase agreement or sale agreement.
14. This Special Exception shall become null and void if the use of a \_\_\_\_ scale solar energy facility is abandoned for a period of twenty-four (24) consecutive months.
15. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant, owner or operator to comply with any of the listed conditions or any provision of federal, state or local regulations.

**Planning Commission Staff Report**  
**Discussion Item – Streamers and Festoons**

**Summary**

At the March 1, 2021 meeting the Planning Commissioners asked if pendant flags were allowed in the DRO.

**Definition of Streamers/Festoons**

*Streamers/festoons* means any device attached to a premises, either in a series or by multiple placements, whether lettered or not, intended to attract the attention of the public by means of movement, color, or pattern of arrangement, including but not limited to flags, pennants, propellers, discs or strings of pennants or flags.

**Zoning Ordinance Regulation**

The DRO regulations are silent on this issue and refers to the underlying C-2 Zoning District for other provisions that are not mentioned with it. Staff will seek input from the Planning Commission on if changes are needed.

**Sec. 86-644. - Streamers/festoons.**

- (a) Streamers may be displayed on a property, subject to the following standards:
  - (1) Such devices shall be either attached to an existing principal structure or sign pole.
  - (2) Such devices shall not be located on any required off-street parking space, driveway, alley or fire lane, or within any street right-of-way.
  - (3) Such devices shall not obstruct or interfere with the vision of motorists nor shall they be placed or arranged so that they divert the attention of motorists to the detriment of safe travel on the streets of the town.
  - (4) No individual component of a streamer shall exceed 24 inches in length in the case of a flag or pennant or 24 inches in diameter in the case of a propeller or disc type device.
  - (5) Such devices may not be illuminated.
  - (6) Such devices may be used only on properties in the C-1 and C-2 zoning districts.
  - (7) Such devices shall be maintained at all times in a safe, clean and attractive condition and shall be taken down or replaced before they become ragged and/or unsightly. Failure to so maintain such devices after written notice to do so from the Zoning Administrator shall constitute a willful violation of this article.

**Planning Commission Staff Report**  
**Discussion Item – 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Zoning**

**Summary**

In June and July of 2020 during public hearings before the Planning Commission and Town Council, discussions were had about the zoning designation of C-2 (General Commercial) for the 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Streets. The properties are developed with single family dwellings and the Future Land Use Map of the Comprehensive Plan recommends “Medium Density Residential.

During those meetings, staff recommended that a small area plan be created for the area to include an analysis of the housing stock and zoning designation.

The Planning Commission will discuss the next steps and provide direction to staff.

**Attachments:**

1. Original Subdivision Plat
2. Zoning Map
3. Future Land Use Map

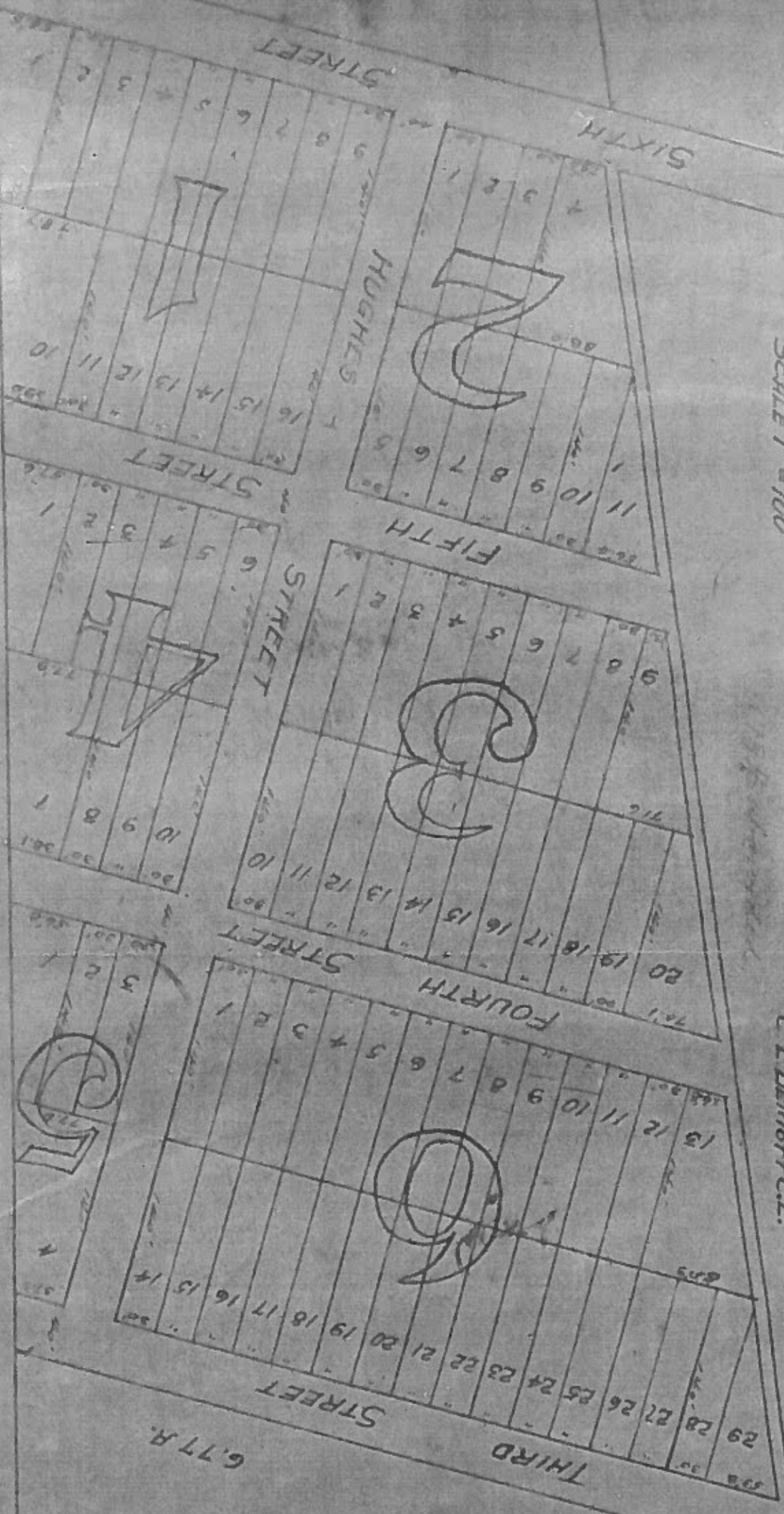
# HUGHES ADDITION TO ALTA VISTA, VA.

SUBDIVIDED JULY 1916 FOR

LANE-HARRIS CORPORATION

SCALE 1"=100'

C. L. DEMOTT C.E.



Filed and admitted  
to record June 20-1917  
J. C. Cropper

Mag. North. 3° 52' W  
Scale 1"=500'



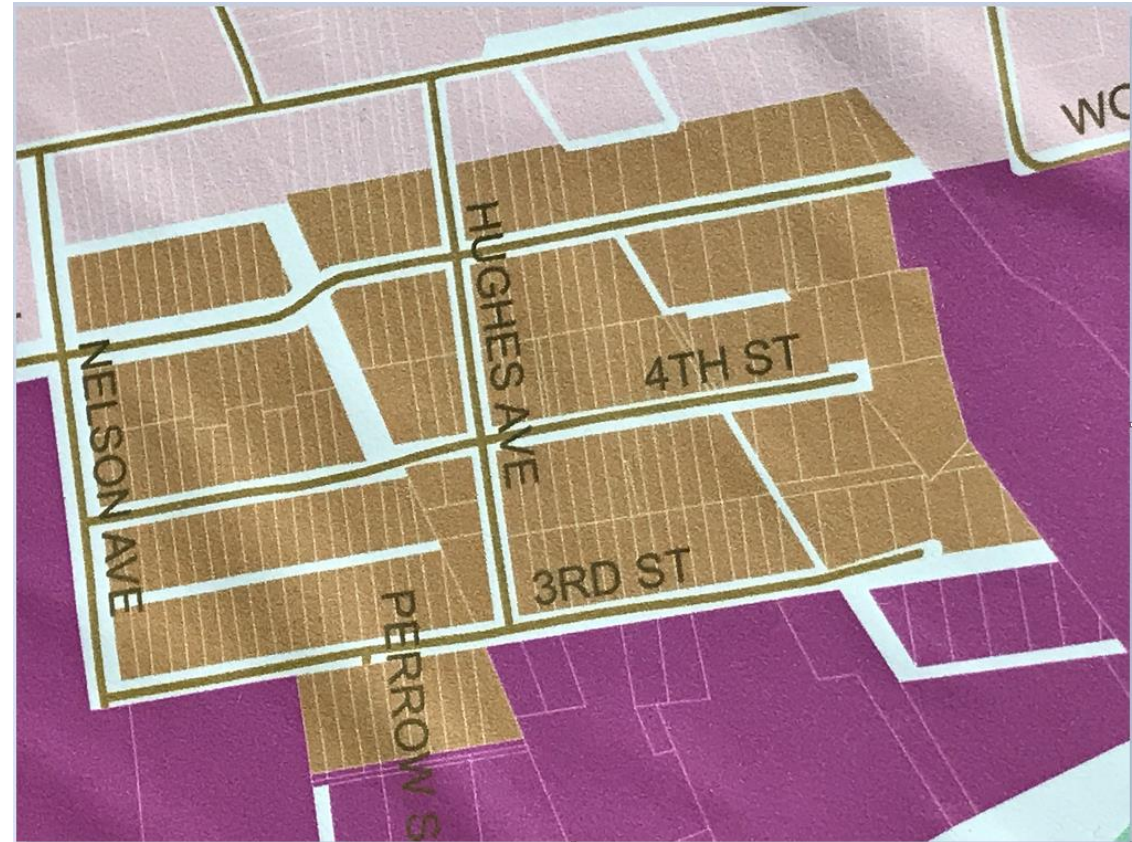
# Zoning Map





# Future Land Use Map

## Future Land Use



**Planning Commission Staff Report  
Ordinance Amendment for Consideration  
Public Hearings TBD**

**Parking in the DRO**

Staff recently discovered that when the Zoning Ordinance was rewritten and adopted that it did not contain language that exempted businesses from having to provide parking in the DRO. The previous Zoning Ordinance did not require parking in the Central Business District.

Staff is of the opinion that this was an error by the consultant. Staff will seek input from the Planning Commission on parking for the DRO and Central Business District.

**Home Occupations in the DRO**

Under Section 86-427(2) of the Zoning Ordinance, any resident living within the DRO must apply for a Special Use Permit to operate a home-based business.

Staff will seek input from the Planning Commission on if this should be changed, as the town has increased its effort to bring more people downtown to live and work.

**Materials in the DRO**

Under Section 86-424 "Architectural Treatments" of the Zoning Ordinance no corrugated and/or sheet metal shall be visible from any adjoining public right of way.

Staff will seek input from the Planning Commission on whether this should be amended to permit metal standing-seam roofs and/or metal buildings.

## **Steering Committee**

### **Summary**

**Monday, March 8, 2021 5:15 p.m.**

#### **Members Present:**

Marvin Clements, representing the Town of Altavista Planning Commission

Walter Maddy, representing Altavista Economic Development Authority (AEDA)

Mark Thomas, representing the Altavista Area Chamber of Commerce

#### **Members Absent:**

Robert Pate, representing Altavista On Track (AOT)

#### **Staff Present:**

Amie Owens, Assistant Town Manager

Waverly Coggsdale, III, Town Manager

Sharon Williams, Community Development Director – via telephone

#### **CALL TO ORDER**

The meeting was called to order at 5:15 p.m. by Assistant Town Manager Amie Owens.

#### **DISCUSSION**

##### **Draft Economic Development Incentive Policy:**

The group was tasked with creating simple, easy to understand and easy to obtain incentives that would be approved by the Town Council and shared with potential business owners and property owners.

A draft economic development incentive policy was presented to the group for discussion. As part of the discussion, the following changes were noted:

1. The clarification of the Downtown Incentive District including the description of the area.
2. Replacement of the DRO reference throughout the policy
3. Addition of the Town of Altavista Code section 70.5 relating to partial tax exemption for certain rehabilitated real estate
4. The change of name of the review committee to Grant Application Committee
5. Addition of appeal process of decisions to Town Council
6. Update of the application to include the Section 70.5 Exemption as a selection option

The policy will be presented to Town Council at their March 23, 2021 work session. A copy of the draft will also be provided to the Altavista Economic Development Authority for informational purposes.

#### **New Business**

There was preliminary discussion for three items that are related to Economic Development but not covered under incentives. The first was a discussion about workforce needs. Currently, larger industries are visited regularly and at the time of those visits, any workforce needs are discussed. At the AEDA meeting there was a question as to how are the workforce needs of other smaller businesses addressed. Businesses in the Main Street district are visited by Main Street Coordinator George

Sandridge who has been trying to ascertain how to meet their needs. There are programs available virtually through the Chamber of Commerce and SBDC and as COVID restrictions are lifted there may be a potential to hold a basic customer service program.

The next item was how to incorporate events downtown into the economic development strategy and how to best use resources such as the Booker Building as part of these efforts. The group discussed various uses for the building including an area to host a job fair so that local businesses of all sizes could participate. Another suggestion was to utilize the space for a civic community center and see if Campbell County would assist with funding for programming. Sharon D. Williams, Community Development Director noted that there had been an invitation to submit ideas related to uses for the Booker Building with no responses received.

Discussion was held related to the need to communicate to developers, businesses and citizens about the economic development incentives policy, vacant properties or rental opportunities and activities of the steering committee. The plan would include press releases, social media posts and information available on various websites. This will be an ongoing process.

#### **Take Aways:**

1. The Town will discuss revisiting of reinvestment credit/grant with Campbell County.
2. The draft incentive policy will be presented to Town Council at their March 23 work session and continued discussion at the April 13 regular meeting.
3. All members will report back to their respective boards and commissions related to the Steering Committee and share feedback at the next meeting.

#### **Other Business**

Walter Maddy, representing AEDA, noted that he had been in Florida and shared an app that provided information about various historic sites and was a walking tour of the downtown. Ms. Williams noted that AOT and the Recreation Committee had been supportive of a similar app and information would be presented to Town Council and the AOT Board this week related to the program.

#### **Adjourn**

There being no further business to discuss, the meeting was adjourned at 6:24 p.m.