



**PRINCE EDWARD COUNTY
PLANNING COMMISSION
*November 16, 2021 – 7:00 pm***

A G E N D A

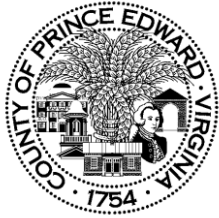
Due to the COVID-19 Emergency, the Prince Edward County Planning Commission is operating pursuant to and in compliance with its “EMERGENCY CONTINUITY OF OPERATIONS ORDINANCE.” Effective August 1, 2021, the Board has re-opened meetings to in-person participation by the public; however, there could still be limited available seating. Citizens are strongly encouraged to participate in meetings through in-person participation, written comments, and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (*If busy, please call again.*) Additionally, citizens may view the Board meeting live in its entirety at the County’s YouTube Channel, the link to which is provided on the County’s website.

Public Participation and Public Hearing comments for Planning Commission meetings will be subject to the “Citizen Guide for Providing Input During Public Participation and Public Hearings For Prince Edward County Government Meetings” effective August 1, 2021.

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- 7.00 p.m.**
- 1.** The Chairman will call the November 16, 2021 meeting to order
  - 2.** Approve Minutes 3
  - 3.** Public Hearing – 2232 Review – Utility Scale Solar Energy Facility – CEP Solar LLC 11
  - 4.** Public Hearing – Special Use Permit – Utility Scale Solar Energy Facility – CEP Solar LLC 19
  - 5.** Public Hearing – Highway Corridor Overlay District Ordinance Amendment 29
  - 6.** Report on Board Actions
  - 7.** Old Business
  - 8.** New Business
- Next Meeting: Tuesday, December 21, 2021 at 7:00 p.m.

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**County of Prince Edward  
Planning Commission  
Agenda Summary**

**Meeting Date:** November 16, 2021  
**Item No.:** 2  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Approval of Minutes

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**Summary:**  
For approval.

**Attachments:**  
October 19, 2021 Draft Planning Commission meeting minutes.

|                 |               |                   |              |
|-----------------|---------------|-------------------|--------------|
| Motion _____    | Paige _____   | Hunt _____        | Jones _____  |
| Second _____    | Sandlin _____ | Gilliam _____     | Watson _____ |
| Prengaman _____ | Jenkins _____ | Leatherwood _____ | Peery _____  |



**Prince Edward County Planning Commission  
Meeting Minutes  
October 19, 2021  
7:00 pm**

Members Present:     John “Jack” W. Peery, Jr., Vice Chairman     Preston L. Hunt  
                              Robert “Bobby” Jones                                 Whitfield M. Paige  
                              Teresa Sandlin                                                 Cannon Watson  
                              Henry Womack

Absent:                 Mark Jenkins                                                 Clifford Jack Leatherwood  
                              John Prengaman, Chair

Staff Present:         Robert Love, Planning/Zoning Director     Douglas P. Stanley, County Administrator

Due to the COVID-19 Emergency, the Prince Edward County Board of Supervisors is operating pursuant to and in compliance with its “EMERGENCY CONTINUITY OF OPERATIONS ORDINANCE.” Effective August 1, 2021, the Board has re-opened meetings to in-person participation by the public; however, there could still be limited available seating. Citizens are strongly encouraged to participate in meetings through in-person participation, written comments, and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (*If busy, please call again.*) Additionally, citizens may view the Board meeting live in its entirety at the County’s YouTube Channel, the link to which is provided on the County’s website.

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Vice-Chair Peery called the October 19, 2021 meeting to order at 7:00 p.m.

**In Re: Approval of Minutes**

Commissioner Jones made a motion, seconded by Commissioner Paige, to approve the meeting minutes from September 21, 2021 as presented; the motion carried:

|         |                           |      |                           |
|---------|---------------------------|------|---------------------------|
| Aye:    | Preston Hunt              | Nay: | (None)                    |
|         | Robert M. Jones           |      |                           |
|         | Whitfield M. Paige        |      |                           |
|         | John “Jack” W. Peery, Jr. |      |                           |
|         | Teresa Sandlin            |      |                           |
|         | Cannon Watson             |      |                           |
|         | Henry Womack              |      |                           |
| Absent: | Mark Jenkins              |      | Clifford Jack Leatherwood |
|         | John Prengaman            |      |                           |

**In Re: Special Use Permit – Commercial Outdoor Sports & Recreation Facility**

Vice-Chairman Peery announced this was the date and time scheduled for a Public Hearing on a request by Sandy River Outdoor Adventures for a Special Use permit to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub on 36.40 acres, denoted as Tax Map Parcel numbers 054-5-A, 054-5-1, 054-5-2, 054-5-3, 054-5-4, 054-5-5, 054-5-6, 054-5-7, 054-5-8, and 054-5-9, located on Fairlea Road, Rice, Virginia. Notice of this hearing was advertised according to law in the Wednesday, October 6, 2021 and Wednesday, October 13, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Robert Love, Planning & Zoning Director, stated the County received an application by Sandy River Outdoor Adventures for a Special Use permit to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub on 36.40 acres, denoted as Tax Map Parcel numbers 054-5-A, 054-5-1, 054-5-2, 054-5-3, 054-5-4, 054-5-5, 054-5-6, 054-5-7, 054-5-8, and 054-5-9, located on Fairlea Road, Rice, VA. This parcel is in an A1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a commercial outdoor sports and recreation facility.

The purpose of the Special Use is to construct commercial outdoor sports & recreational facility. There will be campsites along with various recreational buildings at the facility; additionally, plans include a Restaurant, Craft Distillery, and Brewpub, and traffic will be generated by both patrons and guests.

County staff is of the opinion the use is generally compatible with the zoning district but will have some impacts on surrounding properties as far as traffic and noise.

Mr. Love stated conditions were presented and have been revised to include the addition of Condition #9, which states “Development activities shall comply with Sec. 82-31 of the Prince Edward County Code.”

Mr. Love said staff has received three letters of support, and one letter with questions. He said this process governs the development action on the property, and does not imply or grant any water access to the applicant. Mr. Love said that is a separate process under Section 82-31 which deals with water access, docks, etc.

Vice-Chairman Peery opened the public hearing.

Mark Smith, President and Owner of Sandy River Outdoor Adventures, reviewed the potential development of the resort. He said there will be 25 tree-houses, safari tents, a pool, and would like to include a boat dock eventually. He said activities would include biking, boating, tours on the reservoir, and hiking as High Bridge Trail is nearby. Mr. Smith said a Nature Center and Conference Center with an Educational Trail would be a welcome addition to his current tree-top zipline bridge and climbing walls at the Adventure Park. Mr. Smith said the planned restaurant would be leased.

Mr. Smith said he wants to see Rice and the County do well, and this would move Rice in a positive direction. He stated the treetop zipline, bridge and climbing walls at the Adventure Park have brought in thousands of people to the County. He explained that while some attractions would be available to the public, in the evenings, they would be available only to their guests.

Vice-Chairman Peery asked the for the proposed timeline, should this application be approved. Mr. Smith said he plans to have five tree-houses built by January 1, 2022, and the safari tents open by summer 2022. He said he has funding to complete all in about three years, and a pool would be in the second or third phase. He said he would like to have all plans complete in 36-48 months.

Commissioner Hunt asked if there is a commitment for the funding. Mr. Smith said he has the funding for the first phase and is working on securing funding for the following phases.

Mrs. Candice Smith stated the additional attractions will provide more jobs to the community in various positions. Mr. Smith added these will be good jobs with good pay.

Kyle Ruffin, a recent graduate with a degree in Recreation, Parks and Tourism, stated he began working for the Smiths in May, and he has seen no one take outdoor recreation and tourism as seriously as Mr. Smith. He said the Park provides business to other local companies in addition to the Park, such as restaurants, Green Front, and other retail stores. He added that the Smiths are using the natural resources of the area to bring in tourists.

Maggie Brown, Operations Manager, stated the Adventure Park has brought in people from all cultures, providing a draw to a diversity of people. She said they send customers to Farmville and the community, providing revenue for other businesses in the area.

Mr. Smith stated he is pleased that his business attracts a diversity of people, including people of many different faiths, ethnicities, and countries.

Tim Tharpe, President and owner of J. R. Tharpe Trucking, stated he cannot think of a more positive business to have in the County and in Rice, and strongly supports this application. He applauds the Smiths for what they've already done with the resort.

Ruby Mildred Hicks Bowen questioned the hours the Park would be closed to the public. Mr. Smith said that in the evenings, the restaurant and distillery would be for guests only. He said he is not interested in running a bar and cares about the guests and the community; it is their intention to be responsible stewards of the resort. He said it is a family-oriented resort. He added that he tries to keep the area clean and clear of debris.

There being no one further wishing to speak, Vice-Chairman Peery closed the public hearing.

Mr. Love reviewed the conditions. Some discussion followed.

Commissioner Jones made a motion, seconded by Commissioner Watson, to recommend approval to the Board of Supervisors of the Special Use Permit request by Sandy River Outdoor Adventures to operate a Commercial Outdoor Sports and Recreation facility with Lodging and Restaurant/Brewpub with the following conditions:

#### **SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 09/28/2021 are hereby made part of these development conditions.
2. Final site plan approval for the Commercial Outdoor Sports and Recreation Facility shall be submitted to the Prince Edward County Planning Commission for final review and approval pursuant to Article IV Development Standards of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor

condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

**ENVIRONMENTAL**

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems shall be approved by the Virginia Department of Health.
8. Any development activities of structural of land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.
9. Development activities shall comply with Sec. 82-31 of the Prince Edward County Code.

**TRANSPORTATION**

10. All entrance permits must be authorized by the Virginia Department of Transportation
11. All internal roads used for public access shall be of compacted earth, or have a minimum of a four (4) inch stone base, or shall be paved.
12. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

**GENERAL**

13. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
14. Outdoor storage of trash containers shall be situated at the rear of buildings and shall be appropriately screened.
15. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
16. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
17. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

The motion carried:

|         |                           |      |                           |
|---------|---------------------------|------|---------------------------|
| Aye:    | Preston Hunt              | Nay: | (None)                    |
|         | Robert M. Jones           |      |                           |
|         | Whitfield M. Paige        |      |                           |
|         | John "Jack" W. Peery, Jr. |      |                           |
|         | Teresa Sandlin            |      |                           |
|         | Cannon Watson             |      |                           |
|         | Henry Womack              |      |                           |
| Absent: | Mark Jenkins              |      | Clifford Jack Leatherwood |
|         | John Prengaman            |      |                           |

**In Re: Review of Supervisors Actions**

Mr. Love stated the Board of Supervisors approved the Special Use Permit request from Joseph Ryan Wood for the Commercial Dumpster Service, with the conditions as presented. He then stated the Board also approved the Capital Improvement Plan, and the Solar Energy Revenue Sharing Ordinance which specifies that a locality may assess a revenue share of up to \$1,400 per megawatt of the nameplate capacity on projects for which an initial interconnection request form was filed with an RTO on or after January 1, 2019. Mr. Love stated it is mandated by state code that it is passed.

**In Re: Old Business**

Mr. Love reported the Highway Corridor Overlay District was created to protect scenic beauty and viewsheds, enhance levels of transportation service along the major County access roads, and increase property values. The district only covers a very small portion of major thoroughfares within the County, while we are seeing development and permitting just outside of the boundary of the current district.

Mr. Love stated staff has prepared a Draft with additional corridor areas along with new language and description of development standards for considering that will enhance and expand the coverage of the district. The next step will be a public hearing to be held on the proposed Ordinance Amendment before making a formal recommendation to the Board of Supervisors.

Mr. Love discussed a few of the recommendations, including the orientation of buildings, materials used, and extension of the area. He said this will add more guidance to an applicant. Some discussion followed. Commission members discussed adding Route 778, Dominion Drive, in addition to Commerce Road.

Commissioner Womack made a motion, seconded by Commissioner Hunt, to approve advertisement of a public hearing on the Highway Corridor Overlay District, to include Dominion Drive, to be held at the November Planning Commission meeting; the motion carried:

|         |                           |      |                           |
|---------|---------------------------|------|---------------------------|
| Aye:    | Preston Hunt              | Nay: | (None)                    |
|         | Robert M. Jones           |      |                           |
|         | Whitfield M. Paige        |      |                           |
|         | John "Jack" W. Peery, Jr. |      |                           |
|         | Teresa Sandlin            |      |                           |
|         | Cannon Watson             |      |                           |
|         | Henry Womack              |      |                           |
| Absent: | Mark Jenkins              |      | Clifford Jack Leatherwood |
|         | John Prengaman            |      |                           |



Commissioner Hunt said road work is being done by VDOT on Route 628 and questioned why they cannot continue onto Route 724. Commissioner Jones stated the Board reviews the plan each year for road paving or repair; he said work can only go as far as the funding will allow. Discussion followed.

### **New Business**

Mr. Love said the County has received an application for a Special Use Permit from CEP Solar, LLC to operate a 25 megawatt alternating current (MWac) utility scale solar generation facility on Tax Map Parcel 92-A-31 & 79-5-3, with a total acreage of 304.6 acres located along the eastern side of State Route 647, "Rice Creek Road." This parcel is in an A1, Agricultural Conservation zoning district and this use is allowed in the district only after approval of a special use permit.

The facility will utilize approximately 70% of the property for the locating of solar panels. The project site is crossed by existing Southside Electric distribution lines, and it will not require the construction of an additional substation.

Mr. Love stated the purpose of the review under Virginia Code Section 15.2-2232 is as follows:

*As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a "public utility facility" prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.*

The purpose of the Special Use permit is to allow for the location of a utility scale solar energy generation facility. The applicant stated that the proposed facility will not be seen nor heard and will not impact adjacent properties. The facility will not generate noise, light, dust, odor, fumes, or vibrations. Water quality will be addressed according to Virginia Stormwater Management Permit requirements and the site will not generate any significant amount of traffic with the main traffic occurring temporarily during the construction phase.

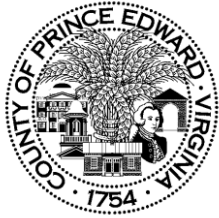
Commissioner Jones made a motion, seconded by Commissioner Womack, to authorize advertisement of a public hearing for "2232 Review" and Special Use Permit for a request by CEP Solar, LLC for a proposed utility scale solar facility to be held at the November 19, 2021 regular meeting of the Planning Commission; the motion carried:

|         |                           |      |                           |
|---------|---------------------------|------|---------------------------|
| Aye:    | Preston Hunt              | Nay: | (None)                    |
|         | Robert M. Jones           |      |                           |
|         | Whitfield M. Paige        |      |                           |
|         | John "Jack" W. Peery, Jr. |      |                           |
|         | Teresa Sandlin            |      |                           |
|         | Cannon Watson             |      |                           |
|         | Henry Womack              |      |                           |
| Absent: | Mark Jenkins              |      | Clifford Jack Leatherwood |
|         | John Prengaman            |      |                           |

Vice-Chairman Peery declared the meeting adjourned at 7:56 p.m.

**Next Meeting: Tuesday, November 16, 2021 at 7:00 p.m.**

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**County of Prince Edward  
Planning Commission  
Agenda Summary**

**Meeting Date:** November 16, 2021  
**Item No.:** 3  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** 2232 Review – CEP Solar LLC, Utility Scale Solar Energy Facility

**Summary:**

The County has received an application for a Special Use Permit from CEP Solar LLC to construct and operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, containing a total of 304.6 +/- acres, Attachment (1).

**Purpose of the review under Virginia Code Section 15.2-2232:**

As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a “public utility facility” prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.

The public hearing notice was published in the November 3 and November 10, 2021 editions of the Farmville Herald, Attachment (2). Attachment (3) is a copy of the site plan of the parcel and surrounding property.

**Existing Conditions and Zoning:**

The application property consists of mostly timber land with the prior use being that of agricultural. It is bordered by existing agricultural land consisting of pasture and timber land, as well as a few single-family residential homes. The property is zoned A-1, Agricultural Conservation and is adjacent to Rice Creek Road. The property is shown as Agricultural and Forestal on the Future Land Use map as described in the Prince Edward County Comprehensive Plan.

**Comprehensive Plan Citations:**

Below are relevant excerpts of Prince Edward County Comprehensive Plan.

Chapter VI, Special Policy Areas, on Pg. 75 notes “When future development requests require Commission review and Board of Supervisors approval, the economic and quality of life benefits of open space and agricultural and forest land uses should be considered as well as the adequacy of of public facilities and services to the area.”

Motion \_\_\_\_\_  
Second \_\_\_\_\_  
Prengaman \_\_\_\_\_

Paige \_\_\_\_\_  
Sandlin \_\_\_\_\_  
Jenkins \_\_\_\_\_

Hunt \_\_\_\_\_  
Womack \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Jones \_\_\_\_\_  
Watson \_\_\_\_\_  
Peery \_\_\_\_\_



**County of Prince Edward  
Planning Commission  
Agenda Summary**

Goals, Objectives, and Strategies, Land Use on Pg. 94-95 “Goal: Ensure optimal use of land resources within Prince Edward County, and promote and support an environmentally sound future land use pattern that provides for a variety of community needs, minimizes conflicts between existing, and proposed land uses, and can be supported by adequate public facilities.”

Land Use Objective #1: Strategies on Pg. 95 “Utilize well planned site designs and effective buffer areas to mitigate the impacts of adjacent land uses of differing intensities.”

Historic and Cultural Resources Strategies on Pg. 105. “Evaluate the impact of new development on local historic structures and areas. Support development proposals and site designs that respect and promote the character of adjacent or nearby historic properties.”

**Attachments:**

- 1. Special Use Permit Application
- 2. Notice of Public Hearing
- 3. Site Plan

**Recommendations:**

- 1. Conduct the Public Hearing and render a determination if the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the Special Use Permit for the facility.

**Recommended Motions:**

I move that the CEP Solar LLC proposed 25MWac utility scale solar energy facility as described the Special Use Permit application, is substantially in accord with the Prince Edward County Comprehensive Plan and promotes the Goals, Objectives, and Strategies noted in the Plan.

**OR**

I move that the CEP Solar LLC proposed 25MWac utility scale solar energy facility as described the Special Use Permit application, is not substantially in accord with the Prince Edward County Comprehensive Plan due to the fact that it fosters/promotes land development in agricultural areas and will have a direct impact to the adjacent roadway which has a state designation as a scenic byway.

**OR**

I move that the Planning Commission defer a decision on CEP Solar LLC proposed 25MWac utility scale solar energy facility until a later date.

|                 |               |                   |              |
|-----------------|---------------|-------------------|--------------|
| Motion _____    | Paige _____   | Hunt _____        | Jones _____  |
| Second _____    | Sandlin _____ | Womack _____      | Watson _____ |
| Prengaman _____ | Jenkins _____ | Leatherwood _____ | Peery _____  |

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

*County of Prince Edward*

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: CEP Solar, LLC  
Applicant's Address: 1310 Roseneath Rd. Suite #200 Richmond, VA 23230  
Applicant's Telephone Number: (804) 789-4040

Present Land Use: Managed Timber

Legal Description of Property with Deed Book and Page No. or Instrument No. \_\_\_\_\_  
D.B.275, p.121, 92-A-31, VAUGHAN 80 AC DB 275/121 SEE LO  
D.B.354, p.623, 79-5-3, BEUNA VISTA SUBDIVISION LOTS 3 & 4 AND 92(3)2 AND 80(1)3B

Tax Map # 92-A-31 & 79-5-3      Acreage : 304.6

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) See Project Narrative

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) See Project Narrative

Height of Principal Building (s): Feet N/A      Stories N/A

**APPLICANT'S STATEMENT: (if not owner(s) of property):**

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

[Signature]      Date 9/30/21  
Signature of Applicant (if not property owner)

**PROPERTY OWNER(S) STATEMENT:**

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

[Signature] Trustee      Date 9/30/21  
Signature of Property Owner(s)

\_\_\_\_\_  
Signature of Property Owner(s)      Date

\_\_\_\_\_  
Signature of Property Owner(s)      Date

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee \$300.00      Fee Received by RMLove      Date 10/15/2021

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-6937



Prince Edward County  
County Administration Office  
111 N South Street, Third Floor  
Farmville, Virginia 23901

CEP Solar, LLC  
1310 Roseneath Road, Suite 200  
Richmond, VA 23220  
Tel: 804-789-4040  
Email: Joseph.Southall@cepsolar.com

**To:** Prince Edward County Administration Office  
**From:** Prince Edward Solar Farm

CEP Solar (“The Applicant”) is pleased to present the following Special Use Permit (SUP) application to construct a 25-megawatt alternating current (MWac) solar energy facility on two parcels in the 3<sup>rd</sup> District of Prince Edward County.

Prince Edward Solar will utilize approximately 70% of the property while generating long-term economic and environmental benefits for Prince Edward County. Located along the Eastern side of Rice Creek on Rice Creek Road, the project parcels are also bordered by the Bush River to the East. The project site is crossed by existing Southside Electric distribution lines, and it will not require the construction of an additional substation.

In the Project Narrative and accompanying documents to follow, the Applicant will use a combination of public data, desktop studies, engineering assessments, site visuals, and a preliminary site plan to demonstrate how it will meet the requirements set forth in the Prince Edward County ordinance.

The Applicant looks forward to partnering with Prince Edward County to review, approve, and construct the Prince Edward Solar Farm in a manner that generates significant environmental and economic benefits, protects the County’s citizens, and preserves land for future generations. If you have questions or require additional information, please do not hesitate to contact us.

Joseph Southall  
Joseph.Southall@CEPSolar.com  
804-789-4040

Please publish the following public hearing notice in THE FARMVILLE HERALD on Wednesday November 3, 2021 and Wednesday, November 10, 2021.

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### NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on **Tuesday, November 16, 2021 at 7:00 p.m.** in the Board of Supervisors Room located on the 3<sup>rd</sup> Floor of the Prince Edward County Courthouse, 111 N. South Street, Farmville, Virginia, to receive citizen input prior to considering the following:

~~~~~

1. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of a Special Use Permit application filed by CEP Solar, LLC to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan for the proposal to construct and operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, containing a total of 304.6 +/- acres, which is zoned A-1, Agricultural Conservation.
2. A request by CEP Solar, LLC for a Special Use permit to operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, on Rice Creek Road, Rice, VA.
3. An Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay to include additional architectural standards and expand the district area to include State Route 628, 778, & 779.

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Citizen input for Public Hearings of the Board of Supervisors will be received by Karin Everhart, Deputy Clerk to the Planning Commission, using one of the following methods:

1. **In-Person Participation:** While county meetings have re-opened to the public, there is still limited seating. To enter the Prince Edward County Courthouse, individuals are required to wear a mask at all times and socially distance. The Planning Commission appreciates the public's patience as County staff continue to adapt to the public safety recommendations and guidelines of the Virginia Department of Health and the CDC.
2. **Written Comments:** Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting.
  - a. **Mailed:** Planning Commission  
P.O. Box 382, Farmville, VA 23901.
  - b. **E-Mailed:** [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us)
3. **Remote Participation:** Citizens may participate remotely during the meeting. To call in to the meeting, please dial: **1-844-890-7777**. When prompted for an Access Number: **390313**. Citizens are encouraged to pre-register with the County Administrator's Office at 434-392-8837 by 2:00 p.m. the day of the meeting. Callers must be on the line and ready to speak when called upon by the Chair. Please state your name and district of residence. Based upon the # of speakers, the Chair will determine the time allotted to each speaker.
4. **County YouTube Channel:** Citizen may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel: (link is also on County website under Meetings & Public Notices.) <https://www.youtube.com/channel/UCyfpsa5HEjIWejBSc5XwplA/featured>

A copy of the SUP application and Ordinance Amendment is available for public review in the office of the Prince Edward County Administrator, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA, or on the county website at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us). It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

###



Prince Edward County  
County Administration Office  
111 N South Street, Third Floor  
Farmville, Virginia 23901

CEP Solar, LLC  
1310 Roseneath Road, Suite 200  
Richmond, VA 23220  
Tel: 804-789-4040  
Email: Joseph.Southall@cepsolar.com

**To:** Prince Edward County Administration Office  
**From:** Prince Edward Solar Farm

CEP Solar (“The Applicant”) is pleased to present the following Special Use Permit (SUP) application to construct a 25-megawatt alternating current (MWac) solar energy facility on two parcels in the 3<sup>rd</sup> District of Prince Edward County.

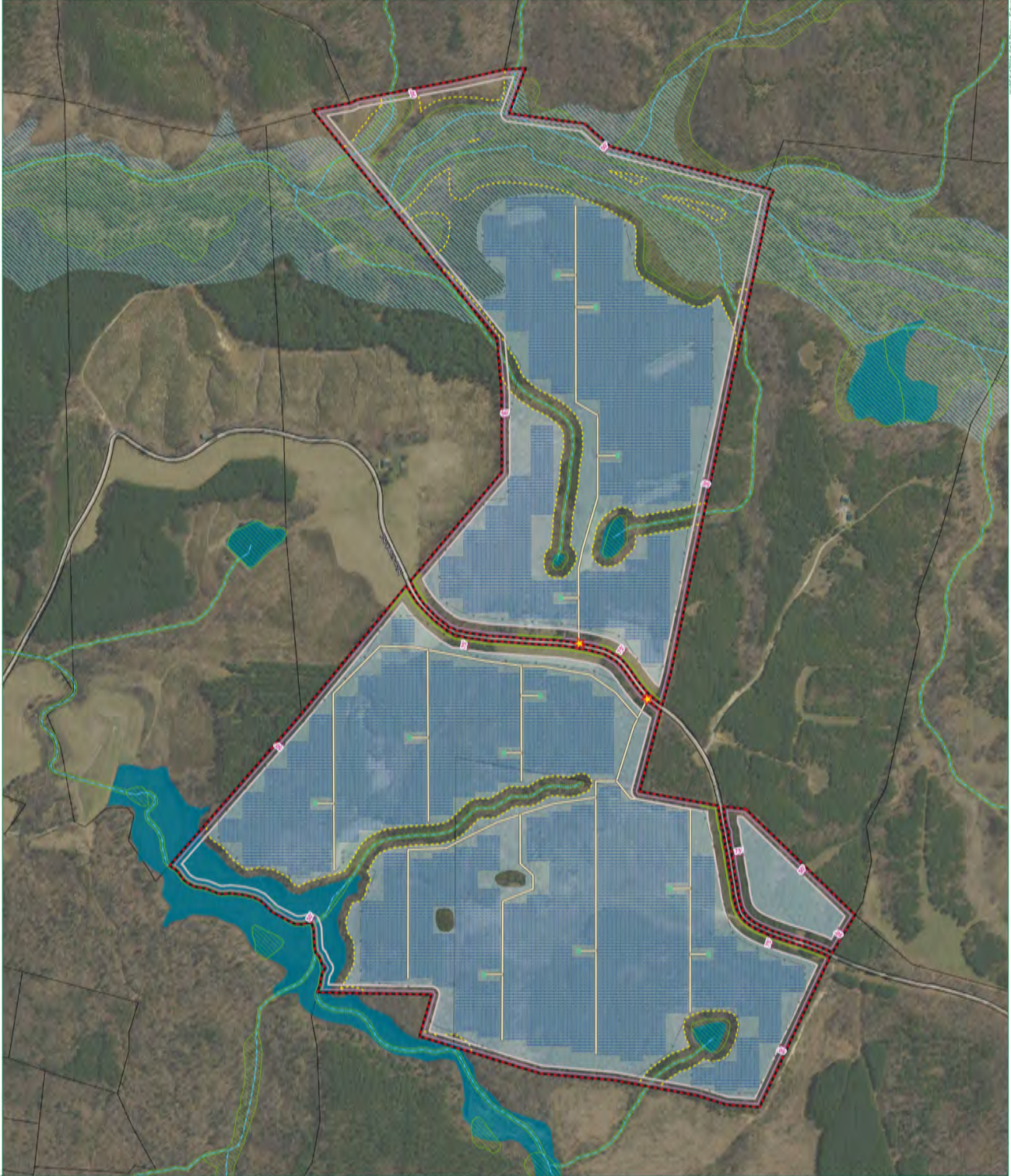
Prince Edward Solar will utilize approximately 70% of the property while generating long-term economic and environmental benefits for Prince Edward County. Located along the Eastern side of Rice Creek on Rice Creek Road, the project parcels are also bordered by the Bush River to the East. The project site is crossed by existing Southside Electric distribution lines, and it will not require the construction of an additional substation.

In the Project Narrative and accompanying documents to follow, the Applicant will use a combination of public data, desktop studies, engineering assessments, site visuals, and a preliminary site plan to demonstrate how it will meet the requirements set forth in the Prince Edward County ordinance.

The Applicant looks forward to partnering with Prince Edward County to review, approve, and construct the Prince Edward Solar Farm in a manner that generates significant environmental and economic benefits, protects the County’s citizens, and preserves land for future generations. If you have questions or require additional information, please do not hesitate to contact us.

Joseph Southall  
Joseph.Southall@CEPSolar.com  
804-789-4040



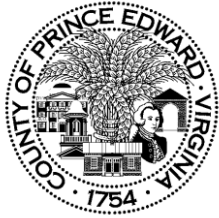


**Legend**

- Project Study Limits - 304.6 Acres
- Property Setbacks - 57 / 75'
- Development Envelope - 211.0 Acres
- Project Entrances and Point of Interconnection
- Electric Substations - Not Present
- Setback Markers
- Panels - 147.2 Acres Under Panel
- Inverters
- Fence - 210.5 Acres
- Internal Roads
- Retained Vegetative Buffer
- Proposed Vegetative Buffer
- National Hydrography Dataset - Streams
- Wetland and Stream Buffer - 50'
- National Wetlands Inventory
- National Hydrography Dataset - Waterbodies
- FEMA Flood Zone

**NOTES:**  
 Project Limits have been previously accepted.  
 Intersecting utility lines are shown for information. Layout subject to change.  
 Historical data from National Wetlands Inventory.  
 Flood zone data from FEMA.  
 Property boundaries from ES&A.  
 Survey data from J. Frasier.  
 Aerial imagery from 2018.  
 Setbacks are based on Prince Edward County Ordinance. Setbacks are 75' from all public rights-of-way and 50' from all private rights-of-way. Setbacks are 50' from all public rights-of-way and 25' from all private rights-of-way. Setbacks are 50' from all public rights-of-way and 25' from all private rights-of-way.  
 Vegetation on the perimeter of adjacent parcels will be retained as buffer unless it exists.

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**County of Prince Edward  
Planning Commission  
Agenda Summary**

**Meeting Date:** November 16, 2021  
**Item No.:** 4  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Public Hearing - Special Use Permit - CEP Solar LLC , Utility Scale Solar Energy Facility

**Summary:**

The County has received an application for a Special Use Permit from CEP Solar, LLC to operate a 25 megawatt alternating current 25-megawatt (MWac) utility scale solar energy facility on Tax Map Parcel 92-A-31 & 79-5-3, with a total acreage of 304.6 acres located along the eastern side of State Route 647, “Rice Creek Road,” Attachment (1) with Site Plan, Attachment (2). This parcel is in an A1, Agricultural Conservation zoning district and this use is allowed in the district only after approval of a special use permit.

The facility will utilize approximately 70% of the property for the locating of solar panels. The project site is crossed by existing Southside Electric distribution lines, and it will not require the construction of an additional substation.

The public hearing notice was published in the November 3 and November 10, 2021 editions of the Farmville Herald, Attachment (2). The list of adjoining property owners and the sample letter sent to each can be found in Attachments (3) and (4). Attachment (5) is a copy of a plat of survey that depicts the parcels of land.

The purpose of the Special Use is to allow for the location of a utility scale solar energy generation facility. The applicant stated that the proposed facility will not be seen nor heard and will not impact adjacent properties. The facility will not generate noise, light, dust, odor, fumes, or vibrations. Water quality will be addressed according to Virginia Stormwater Management Permit requirements and the site will not generate any significant amount of traffic with the main traffic occurring temporarily during the construction phase.

**Attachments:**

- 1. Special Use Permit Application
- 2. Notice of Public Hearing
- 3. List of adjoining property owners
- 4. Sample Letter sent to adjoining property owners
- 5. Survey Plat of Property
- 6. Potential Conditions

|                 |               |                   |              |
|-----------------|---------------|-------------------|--------------|
| Motion _____    | Paige _____   | Hunt _____        | Jones _____  |
| Second _____    | Sandlin _____ | Womack _____      | Watson _____ |
| Prengaman _____ | Jenkins _____ | Leatherwood _____ | Peery _____  |



**County of Prince Edward  
Planning Commission  
Agenda Summary**

**Recommendations:**

1. Conduct the Public Hearing and render a decision concerning the request for the Special Use.

**Recommended Motions:**

I move that the Planning Commission recommend approval of the Special Use Permit request by CEP Solar LLC for a proposed 25MWac utility scale solar energy facility with the following conditions:  
*(list of conditions)*

**OR**

I move that the Planning Commission recommend denial of the Special Use Permit request by CEP Solar LLC for a proposed 25MWac utility solar energy facility due to the following:  
*(list reasons)*

**OR**

I move that the Planning Commission table the Special Use Permit request by CEP Solar LLC for a proposed 25MWac utility scale solar energy facility for further discussion at a work session.

Motion \_\_\_\_\_  
Second \_\_\_\_\_  
Prengaman \_\_\_\_\_

Paige \_\_\_\_\_  
Sandlin \_\_\_\_\_  
Jenkins \_\_\_\_\_

Hunt \_\_\_\_\_  
Womack \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Jones \_\_\_\_\_  
Watson \_\_\_\_\_  
Peery \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

*County of Prince Edward*

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: CEP Solar, LLC  
Applicant's Address: 1310 Roseneath Rd. Suite #200 Richmond, VA 23230  
Applicant's Telephone Number: (804) 789-4040

Present Land Use: Managed Timber

Legal Description of Property with Deed Book and Page No. or Instrument No. \_\_\_\_\_  
D.B.275, p.121, 92-A-31, VAUGHAN 80 AC DB 275/121 SEE LO  
D.B.354, p.623, 79-5-3, BEUNA VISTA SUBDIVISION LOTS 3 & 4 AND 92(3)2 AND 80(1)3B

Tax Map # 92-A-31 & 79-5-3      Acreage : 304.6

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) See Project Narrative

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) See Project Narrative

Height of Principal Building (s): Feet N/A      Stories N/A

**APPLICANT'S STATEMENT: (if not owner(s) of property):**

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

[Signature]      Date 9/30/21  
Signature of Applicant (if not property owner)      Date

**PROPERTY OWNER(S) STATEMENT:**

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

[Signature] Trustee      Date 9/30/21  
Signature of Property Owner(s)      Date

Signature of Property Owner(s)      Date

Signature of Property Owner(s)      Date

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee \$300.00      Fee Received by RMLove      Date 10/15/2021

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 362-8837  
21

Please publish the following public hearing notice in THE FARMVILLE HERALD on Wednesday November 3, 2021 and Wednesday, November 10, 2021.

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### NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on **Tuesday, November 16, 2021 at 7:00 p.m.** in the Board of Supervisors Room located on the 3<sup>rd</sup> Floor of the Prince Edward County Courthouse, 111 N. South Street, Farmville, Virginia, to receive citizen input prior to considering the following:

~~~~~

1. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of a Special Use Permit application filed by CEP Solar, LLC to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan for the proposal to construct and operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, containing a total of 304.6 +/- acres, which is zoned A-1, Agricultural Conservation.
2. A request by CEP Solar, LLC for a Special Use permit to operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, on Rice Creek Road, Rice, VA.
3. An Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay to include additional architectural standards and expand the district area to include State Route 628, 778, & 779.

~~~~~

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###

# Prince Edward County

## SUP Request

Applicant: CEP SOLAR LLC

Tax Map: 92-A-31 & 79-5-3

### Schedule B

List of adjoining Property owners and mailing addresses for the property for a SUP proposed for an Utility Scale Solar Energy Facility.

| Parcel ID             | Owner                       | Address                                         | Note |
|-----------------------|-----------------------------|-------------------------------------------------|------|
| 080-1-3A,<br>80-1-4A  | JOANNE HINES BURGER         | 479 SPRING GROVE ROAD SPOUT<br>SPRING, VA 24593 |      |
| 079-5-8               | NATHANIEL & LARRY BARKSDALE | 8010 ABILENE ROAD FARMVILLE,<br>VA 23901        |      |
| 092-A-32,<br>092-A-33 | KEESTER & CAROLINE FREEMAN  | 831 KILBROURNE ROAD COLUMBIA,<br>SC 29250       |      |
| 092-A-30              | BUSH RIVER LLC              | 2212 POORHOUSE ROAD RICE, VA<br>23966           |      |
| 092-3-1               | DANNY CREEKMORE             | 1190 RICE CREEK ROAD MEHERRIN,<br>VA 23954      |      |
| 93-A-1                | CHRISTOPHER LUNSFORD        | 7113 CHURCH ROAD NORTH DINWIDDIE,<br>VA 23803   |      |
| 93-A-29               | HASSAN ABDULLAH ET AL       | 3422 FALKLAND ROAD<br>MEHERRIN, VA 23954        |      |
| 80-A-30               | CORA HELEN ANDERSON         | 301 SHERIDAN AVENUE WINCHESTER,<br>VA 22601     |      |
|                       |                             |                                                 |      |
|                       |                             |                                                 |      |
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|                       |                             |                                                 |      |
|                       |                             |                                                 |      |
|                       |                             |                                                 |      |

**PLANNING COMMISSION**

John Pregelman  
Chairman  
Robert M. Jones  
Board Representative  
Henry Womack  
Preston L. Hunt  
Mark Jenkins  
Clifford Jack Leatherwood  
Whitfield Paige  
John "Jack" W. Peery, Jr.  
Teresa Sandlin  
Cannon Watson



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**Director of Planning and  
Community Development**

Robert Love

Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901

Office: (434) 392-8837

Fax: (434) 392-6683

rlove@co.prince-edward.va.us  
www.co.prince-edward.va.us

November 3, 2021

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Request – CEP Solar LLC

The Prince Edward County Planning Commission will hold a public hearing on November 16, 2021 at 7 p.m. to receive citizen input on a request by CEP Solar LLC for a Special Use permit to construct and operate a 25-megawatt alternating current (MWac) solar energy facility on Tax Map Parcel 79-5-3 and 92-A-31, with a total acreage of 304.6 +/- acres located along the eastern side of State Route 647, Rice Creek Road, Rice, VA. This parcel is located in the A1 (Agricultural Conservation) zoning district. This use requires approval of a Special Use Permit in this zoning District.

You are receiving this notice because you own land in the vicinity of the property requested to be approved for the special use permit. Following the hearing the Prince Edward County Board of Supervisors may vote to approve or deny the request.

Due to the Coronavirus and to ensure the safety of the public and County Boards/Commissions the Board of Supervisors adopted an Emergency Ordinance modifying procedures for public meetings and public hearing practices. Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter.

If you have any questions, please do not hesitate to contact me at 434-392-8837.

Respectfully,

Robert Love  
Director of Planning and Community Development



**Boundary Survey**

for

**PRJ Land Trust**

TM#92-A-31 Lots 1A and 1B  
D.B.275, p.121

and

**PRJ Land Trust II**

TM#79-5-3 Lots 2A and 2B  
D.B.354, p.623

**Hampden District, Prince Edward County**

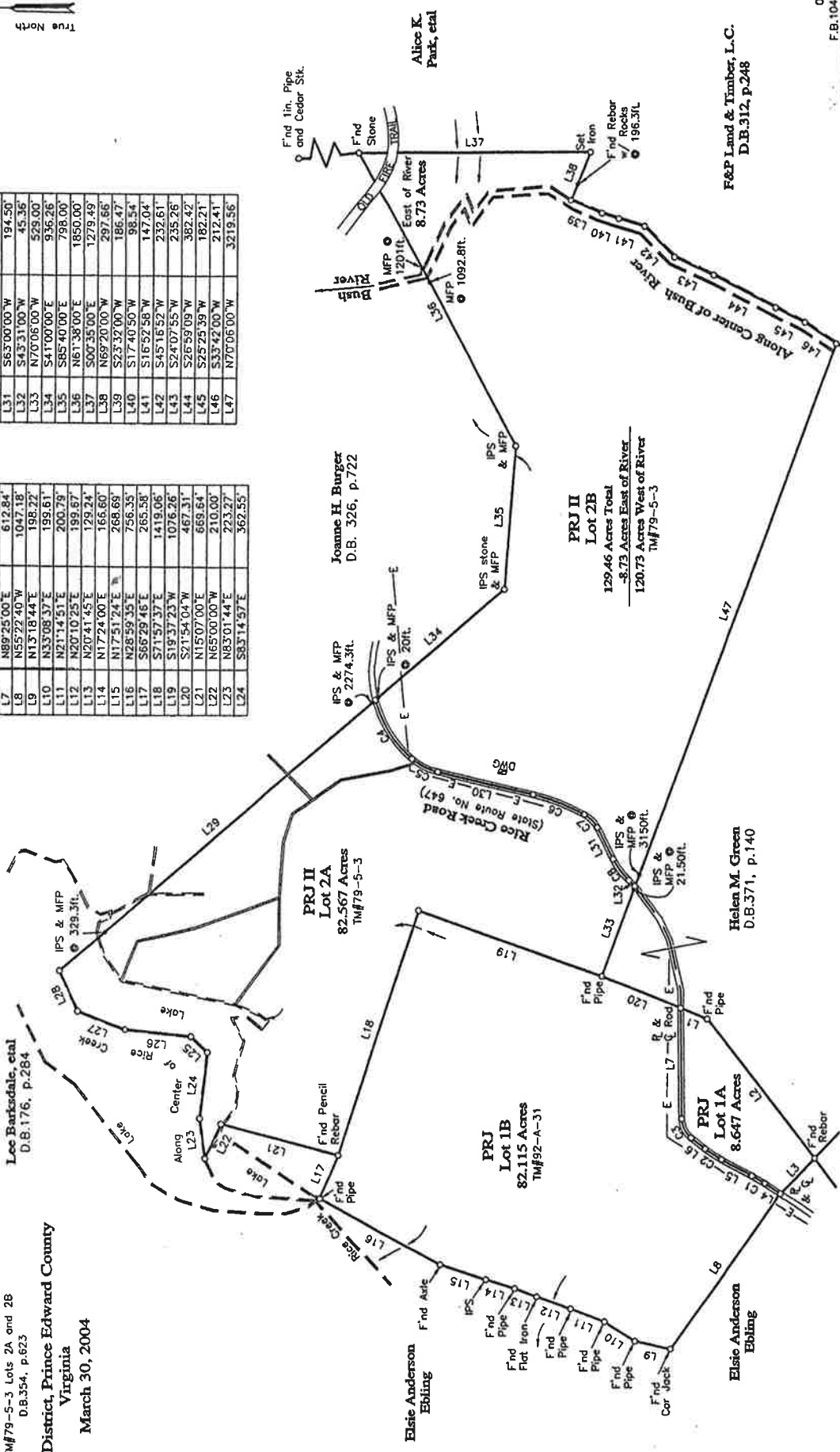
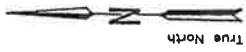
Virginia

March 30, 2004

**Line Data:**

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | S21°54'04"W | 156.92'  |
| L2   | S52°10'24"W | 971.92'  |
| L3   | N45°19'56"W | 273.54'  |
| L4   | N33°45'00"E | 102.80'  |
| L5   | N27°09'00"E | 190.16'  |
| L6   | N36°07'00"E | 98.11'   |
| L7   | N89°25'00"E | 612.84'  |
| L8   | N55°22'40"W | 1047.18' |
| L9   | N13°18'44"E | 198.22'  |
| L10  | N33°08'37"E | 199.61'  |
| L11  | N21°14'51"E | 200.79'  |
| L12  | N20°10'25"E | 199.67'  |
| L13  | N20°14'45"E | 129.24'  |
| L14  | N17°24'00"E | 166.60'  |
| L15  | N17°51'24"E | 268.69'  |
| L16  | N28°59'35"E | 756.35'  |
| L17  | S66°29'46"E | 265.58'  |
| L18  | S71°57'37"E | 1419.06' |
| L19  | S19°37'23"W | 1076.26' |
| L20  | S21°54'04"W | 467.31'  |
| L21  | N15°07'00"E | 669.64'  |
| L22  | N65°00'00"W | 210.00'  |
| L23  | N83°01'44"E | 223.27'  |
| L24  | S83°14'57"E | 362.55'  |

| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L25  | N43°21'48"E | 123.79'  |
| L26  | N06°20'25"E | 362.22'  |
| L27  | N21°02'15"E | 278.57'  |
| L28  | N65°41'20"E | 244.29'  |
| L29  | S41°00'00"E | 2293.74' |
| L30  | S13°18'00"W | 542.64'  |
| L31  | S63°00'00"W | 194.50'  |
| L32  | S43°31'00"W | 45.36'   |
| L33  | N70°06'00"W | 529.00'  |
| L34  | S41°00'00"E | 936.26'  |
| L35  | S85°40'00"E | 798.06'  |
| L36  | N61°38'00"E | 1850.00' |
| L37  | S00°35'00"E | 1279.49' |
| L38  | N69°20'00"W | 297.66'  |
| L39  | S23°32'00"W | 186.47'  |
| L40  | S17°40'50"W | 98.54'   |
| L41  | S16°52'58"W | 147.04'  |
| L42  | S45°16'52"W | 232.61'  |
| L43  | S24°07'55"W | 335.26'  |
| L44  | S26°59'09"W | 382.42'  |
| L45  | S25°23'39"W | 182.21'  |
| L46  | S33°42'00"W | 212.41'  |
| L47  | N70°06'00"W | 3219.56' |



**Curve Data:**

| CURVE | RADIUS   | ARC LENGTH | DELTA ANGLE | CHORD BEARING | CHORD LENGTH |
|-------|----------|------------|-------------|---------------|--------------|
| C1    | 711.07'  | 81.91'     | 06°35'00"   | N30°27'00"E   | 81.86'       |
| C2    | 552.11'  | 105.68'    | 10°59'00"   | N32°38'00"E   | 105.51'      |
| C3    | 135.36'  | 121.20'    | 51°18'00"   | N63°46'00"E   | 117.19'      |
| C4    | 653.00'  | 390.45'    | 34°15'36"   | N58°35'48"E   | 384.67'      |
| C5    | 327.09'  | 160.80'    | 28°10'00"   | N27°23'00"E   | 159.16'      |
| C6    | 1089.11' | 303.42'    | 15°57'44"   | N21°16'52"E   | 302.44'      |
| C7    | 1015.04' | 1015.04'   | 33°44'13"   | N46°07'53"E   | 102.44'      |

# CEP SOLAR LLC SUP POTENTIAL CONDITIONS

## **SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 09/30/2021 are hereby made part of these development conditions.
2. Final site plan approval for the solar energy facility shall be submitted to the Prince Edward County Planning Commission for final review and approval pursuant to Article VII Alternative Energy Facilities, Section 53-157(b) of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. Setbacks of at least 75 feet from all public rights-of-way and main buildings on adjoining parcels, and a distance of at least 50 feet from adjacent property lines with 15 feet of existing natural buffer and/or newly installed landscape buffer shall be provided.
5. Project area shall be seeded with Native Grasses and Wildflower Mix.
6. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

## **ENVIRONMENTAL**

7. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
8. Any development activities of structural or of a land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.

## **TRANSPORTATION**

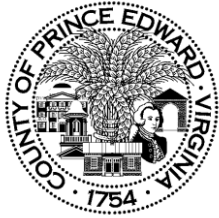
9. All entrance permits must be authorized by the Virginia Department of Transportation. Development activities shall comply with all requirements of VDOT.
10. All internal roads used for public access shall be of compacted earth, or have a minimum of a four (4) inch stone base, or shall be paved.

11. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

**GENERAL**

12. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
13. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
14. At the end of the useful life of the project, the property shall be restored to the same condition as existed prior to the project and as outlined in the Decommissioning Plan.
15. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
16. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

**[This page intentionally left blank]**



**County of Prince Edward  
Planning Commission  
Agenda Summary**

**Meeting Date:** November 16, 2021  
**Item No.:** 5  
**Department:** Planning and Community Development  
**Staff Contact:** Douglas Stanley / Robert Love  
**Issue:** Public Hearing - Highway Corridor Overlay District Ordinance Amendment

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**Summary:**

The Highway Corridor Overlay District was created to protect scenic beauty and viewsheds, enhance levels of transportation service along the major County access roads, and increase property values. The district only covers a very small portion of major thoroughfares within the County, while we are seeing development and permitting just outside of the boundary of the current district.

At the October meeting, staff prepared a Draft with additional corridor areas along with new language and description of development standards for consideration that will enhance and expand the coverage of the district. The addition of Dominion Drive was recommended by the Commission and is now incorporated into the final proposed Ordinance Amendment, Attachment (1).

The public hearing notice was published in the November 3, 2021 and November 10, 2021 editions of the Farmville Herald, Attachment (2).

**Attachments:**

- 1. Highway Corridor Overlay Ordinance Amendment
- 2. Public Notice Advertisement

**Recommendations:**

- 1. Conduct the Public Hearing and render a decision on the Ordinance Amendment.

**Recommended Motions:**

I move that the Planning Commission recommend approval of the Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay.

**OR**

I move that the Planning Commission table the proposed Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay for further discussion at a work session.

|                 |               |                   |              |
|-----------------|---------------|-------------------|--------------|
| Motion _____    | Paige _____   | Hunt _____        | Jones _____  |
| Second _____    | Sandlin _____ | Womack _____      | Watson _____ |
| Prengaman _____ | Jenkins _____ | Leatherwood _____ | Peery _____  |

**AN ORDINANCE TO AMEND AND RE-ORDAIN SECTION 2-1300 OF  
THE PRINCE EDWARD COUNTY CODE (ZONING ORDINANCE) TO  
AMEND THE REGULATIONS FOR THE  
HIGHWAY CORRIDOR OVERLAY**

BE IT ORDAINED BY THE PRINCE EDWARD COUNTY BOARD OF SUPERVISORS that Section 2-1300 of the Prince Edward County Code be amended and re-ordained as follows:

Section 2-1300           **PRINCE EDWARD COUNTY HIGHWAY CORRIDOR OVERLAY**

Sec. 2-1300.1 Statement of Intent

The Highway Corridor Overlay District is created to protect scenic beauty and viewsheds, enhance levels of transportation service along the major County access roads, and increase property values as specified in the overlay language ~~below~~: **by regulating and determining the use of land, buildings, structures and other premises for specific uses, and the areas and dimensions of land, water and airspace to be occupied by buildings, structures and uses, and of courts, yards and other open spaces to be left unoccupied by areas and structures; to facilitate the creation of a convenient, attractive and harmonious community; and to protect the health, safety and general welfare of the public by the prevention or reduction of traffic congestion and visual clutter which may result in danger on public and private streets. A limit is hereby placed on certain automobile-oriented, fast-service, quick-turnover uses and related signage, which generate traffic in such amount and in such manner as to present the possibility of increased danger to the motoring public. This district is created in recognition of the need to provide suitable and sufficient road systems in the County and the need to protect existing and future highways from unsafe use and enhance the aesthetics of the County's highway corridors.** Specific attention will be given to access management, multimodal transportation, landscaping, and site design.

Sec. 2-1300.3 Applicability

- A. The Corridor Overlay District is established to a depth of 1,000 feet from the right of way (as of the date of enactment or as subsequently modified) on both sides of the following corridors:
1. US Highway 15 “Farmville Road” corridor from the Southern boundary of the US 460 bypass right of way, south approximately 1.1 miles to State Route 646 ~~“Farmville Lake Road.”~~ **3.8 miles to State Route 665 “Abilene Road.”**
  2. State Route 786 “Granite Falls Boulevard” corridor from its intersection with US 15 to its intersection with State Route 628 “Zion Hill Road.”
  3. **State Route 628 “Commerce Road” corridor from its intersection with US 15 “Farmville Road” to its intersection with State Route 642 “Germantown Road.”**

4. **State Route 778 “Dominion Drive” corridor from its intersection with US 15 “Farmville Road” to End of State Maintenance.**
5. **State Route 779 “Dominion Drive” from its intersection with State Route 778 “Dominion Drive” to its intersection with State Route 628 “Commerce Road.”**

B. RESERVED.

C. Relation to underlying zoning districts

1. The uses defined in the Corridor Overlay District are as permitted in the underlying zoning district, whether by right (permitted) or special use.
2. Where any conflict exists between requirements of the underlying zoning district and those of the Corridor Overlay District, the more restrictive provision shall apply except as in section 3 immediately following.
3. With respect to setbacks and required building spacing, topography can make conflicting requirements impossible to meet. Accordingly, the Zoning Administrator is authorized to grant variations up to 10% in setbacks or spacing if the administrator finds in writing that the conditions for a variance in Section 5-128.1(B) are met.

**D. Conditional uses. In addition to the listed uses requiring a conditional use permit in the underlying district, the following uses shall be permitted with a conditional use permit when proposed to be established in a HC:**  
**(1) Buildings in excess of 50,000 square feet.**

E. Exemptions – The following are exempt from the requirements of this overlay designation:

1. Buildings associated with permitted agricultural use types or permitted residential use types.
2. Interior alterations to a building or structure having no effect on exterior appearance.
3. General maintenance where no change in design or material is proposed.

#### Sec. 2-1300.5 Design Standards

A. Access and Circulation

1. Access and circulation on-site for auto or truck traffic shall be designed to be convenient without impeding traffic on the primary road.
2. Access by any of the following means should be used to the greatest possible extent in the preparation of a site design for a commercial or civic use:
  - a) Provision of shared entrances, inter-parcel connections, or on-site service drives connecting adjacent properties.
  - b) Access from a secondary road or street as opposed to the corridor highway.
  - c) Access points located the greatest possible distance from any existing intersection.
  - d) Access from internal streets of a commercial or civic-use complex.

3. Developers of commercial or civic-use projects shall submit as part of the site plan an analysis of access and internal circulation traffic for the proposed project and for immediately adjacent areas, indicating access as in 2(a)-2(d) above where possible.
4. Where required as part of the site plan review the developer shall dedicate the required property for inter-parcel connections and service roads.

#### B. Parking Lot Areas

1. Parking lots shall be located to the sides and rear of the buildings they serve to the greatest possible extent, and shall not dominate the image of the site from the corridor highway. Multiple parking lot pods can be used to provide required parking spaces. Parking lot layouts shall respond to existing topographic characteristics of the site.
2. Parking lots shall be designed to minimize impervious surfaces and mitigate stormwater runoff. All parking lots shall be paved with concrete, asphalt, or durable pervious paving material, except that areas provided beyond the minimum required by this ordinance in Section 4-300 should use materials designed to reduce total impervious surface and runoff quantity, and improve runoff quality.
3. Parking lots shall be interconnected with adjacent parcels wherever possible.
4. Recessed islands shall be provided at the end of any parking bay abutting an aisle or access way. Islands shall have a concrete or rolled-asphalt curb, with cuts to allow stormwater infiltration. Each island shall be at least 9 feet wide, extend the length of the adjacent parking space or bay, and shall be landscaped with grass, shrubs, or trees.
5. Stacking spaces provided for any use having a drive-through or pick-up area are consistent with the requirements listed in Section 4-300.19.
6. Minimum off-street parking space requirements may be reduced at the discretion of the Zoning Administrator or Planning Commission. Spaces for compact cars may comprise up to thirty (30) percent of required spaces.

#### C. Pedestrian Circulation

1. A continuous sidewalk not less than 5 feet wide shall be provided from any public sidewalk or the end of any parking-area crosswalk to all customer entrances of the building. Sidewalks shall be concrete or masonry pavers. The sidewalk design must provide for handicap accessibility.
2. Crosswalks and pedestrian access routes from parking-areas shall be clearly marked by the use of striping, contrasting paving materials, elevation change, or speed humps.
3. Sidewalk connections shall be provided between internal walkway networks and adjacent streets, multi-use paths, and adjacent property networks.

#### D. New or Redeveloped Building Design

1. The design and construction of new or redeveloped buildings for commercial or civic use shall be based on and coordinated with the scale, mass, height, materials, color, texture, construction methods, and orientation of nearby buildings.



2. Trademark buildings or design features shall be subject to these design standards and may require modification.
3. Prior to any demolition of an existing building for a project site plan within a highway corridor district, the applicant is encouraged to consult with the zoning administrator with respect to the overall design.

E. Landscaping

1. New commercial or civic-use development in a highway corridor district shall incorporate as much existing vegetation as possible, with particular reference to Section 4-200.9 of this ordinance.
2. Planting of major trees for stormwater management and heat-island reduction shall equal 10 percent of the aggregate parking area, in islands not less than 8 feet wide.
3. Plants shall not be used to screen utilities. All utilities including loading docks and service entrances shall be located within the building envelope or be screened by architectural elements such as walls or extended parapets.
4. A landscape plan shall be submitted as part of the site plan for any new development. The landscape plan shall be drawn to scale with distances indicated and shall include vehicle areas and, if applicable, any irrigation system proposed.
5. The owner is responsible for the maintenance, repair, or replacement of the required landscaping so that plant materials are kept in a healthy, growing condition and free from refuse and debris.

F. **Building location and treatment.**

1. **Integrated development. All buildings within a property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically. Architectural treatment shall be designed so that all building facades of the same building (whether front, side or rear) that are visible from the public right-of-way, shall consist of similar architectural treatment in terms of materials, quality, appearance and detail.**
2. **Orientation. Building facades and entrances should be oriented in a manner toward the primary means of vehicular access.**
3. **Building bulk and mass. All buildings and parking areas should be designed with treatments to break up the mass and bulk. The treatment of buildings shall include vertical architectural treatment at least every 50 feet to break down the scale of the building into smaller components. Any facade with a blank wall must be screened in a manner approved by the Zoning Administrator to comply with applicable provisions of the Prince Edward County Code. Architectural details shall continue on all facades visible from the public right-of-way.**

4. **Materials. Building materials should be typical of those prevalent in Prince Edward County, including stucco, brick, architectural block, wood siding, and standing seam metal roofs. Inappropriate materials include reflective glass and metal wall panels. No facade visible from adjoining property or the corridor highway shall be constructed of unadorned cinder block, corrugated metal or sheet metal.**
5. **Color. The permanent color of building materials (to be left unpainted) should resemble the predominant tones, primarily earthen tones, along the corridor. Garish and striking colors should be avoided.**
6. **Adjoining historic properties. New construction on properties that adjoin designated historic properties should seek to incorporate the scale, massing and treatment of the historic property into the new construction. Efforts should be made to relate to the building height, when in proximity to the principal historic structure. New construction should not overshadow the adjoining historic property.**

#### G. Utilities

1. All utility lines, including electric, telephone, CATV, and gas, shall be installed underground in the highway corridor district. This includes lines serving individual sites as well as lines serving an overall project.
2. **All utility pad fixtures and meters shall be shown on the site plan. The necessity for utility connections, meter boxes, etc., should be recognized and integrated with the architectural elements of the site plan. All underground utilities shall be installed within easements parallel to street rights-of-way or lot lines when possible.**
3. Above-ground utilities must lie within the building envelope, as in III.E.3 above.

#### H. Signs

1. In addition to the general sign requirements of this ordinance, any commercial development having more than one business in a single building or in connected buildings must erect a single monument-style shared sign for all businesses, though each business may also have one building-mounted sign.
2. Each parcel of property occupied by a building shall be permitted one freestanding sign, which shall not exceed thirty (30) square feet on each face.
  - a) Automobile service stations shall be permitted an additional twenty (20) square feet on each face to advertise the price of fuel.
  - b) In instances where more than one (1) business is located in the same building or connected buildings, the businesses must share one (1) common ground mounted sign. Each business may still have an individual building-mounted sign.
3. Freestanding signs shall be mounted on bases a maximum of three (3) feet high. If the specific location of a sign requires a base of more than three feet to provide adequate visibility the Zoning Administrator or Planning Commission

may approve a taller base. No freestanding sign shall exceed **twelve (12)** ~~fifteen (15)~~ feet from grade.

4. Freestanding signs for shopping centers shall be allowed ten (10) square feet of area per business establishment. An additional twenty-five (25) square feet shall be allowed to identify the shopping center as a whole. For the purposes of the Corridor Overlay District, a shopping center shall be defined as
  - a) Groups of two or more stores, personal service shops or restaurants connected by party walls, partitions, canopies or similar features;
  - b) Some or all of the stores, personal service shops or restaurants located in separate buildings designed as a single commercial group sharing common parking areas, vehicular travel-ways, and walkways designed to encourage customer interchange between the buildings and presenting the appearance of a continuous commercial area.
5. **In addition, each business within the shopping center shall be permitted one monument identification sign with the name and/or logo of the business. Such signs shall be a maximum of sixteen (16) square feet in size and a maximum height of four (4) feet.**
6. If the nearest point of a freestanding sign is located within five (5) feet of the street right-of-way, its location must be approved by VDOT or designee, who will evaluate the location for sight line and other traffic safety considerations.
7. Signs shall be appropriately scaled to the building or portion of the building served and should be coordinated with the architecture **and building materials.**
8. Types of signs: The following sign types shall be permitted in the Corridor Overlay District:
  - a) Externally illuminated signs provided the light source is directed downward;
  - b) Internally illuminated channel letters; and
  - c) Internally illuminated cabinet sign if the background of the cabinet sign is opaque and appears black at night.
  - d) Additional sign types fitting within the recommended materials may be considered. Animated or neon signs may be considered subject to a Special Use Permit.
9. No wall sign shall project beyond the surface of the building or above the roofline.
10. Inflatable figures or signs are not permitted in the Corridor Overlay District.
11. Banner signs may be permitted for temporary use only, but shall be displayed for a maximum of 30 days within any 90 day period.

#### I. Lighting

1. Exterior lighting shall be limited to that necessary for safety, security, and to complement architectural character.
2. No light shall spill onto an adjacent property or interfere with the character of the surrounding area.
3. All light sources must be down-shielded, and no light pylon shall be more than **twenty-four (24) feet high in height.**
4. **All lighting fixtures installed on any site shall be of the same type and height.**

Language proposed to be deleted is ~~lined through~~.

Language proposed to be added is underlined.

**THIS ORDINANCE SHALL BE EFFECTIVE UPON ADOPTION**

Please publish the following public hearing notice in THE FARMVILLE HERALD on Wednesday November 3, 2021 and Wednesday, November 10, 2021.

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### NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on **Tuesday, November 16, 2021 at 7:00 p.m.** in the Board of Supervisors Room located on the 3<sup>rd</sup> Floor of the Prince Edward County Courthouse, 111 N. South Street, Farmville, Virginia, to receive citizen input prior to considering the following:

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1. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of a Special Use Permit application filed by CEP Solar, LLC to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan for the proposal to construct and operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, containing a total of 304.6 +/- acres, which is zoned A-1, Agricultural Conservation.
2. A request by CEP Solar, LLC for a Special Use permit to operate a 25MWac solar energy facility on Tax Map Parcels 79-5-3 & 92-A-31, on Rice Creek Road, Rice, VA.
3. An Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay to include additional architectural standards and expand the district area to include State Route 628, 778, & 779.

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Citizen input for Public Hearings of the Board of Supervisors will be received by Karin Everhart, Deputy Clerk to the Planning Commission, using one of the following methods:

1. **In-Person Participation:** While county meetings have re-opened to the public, there is still limited seating. To enter the Prince Edward County Courthouse, individuals are required to wear a mask at all times and socially distance. The Planning Commission appreciates the public's patience as County staff continue to adapt to the public safety recommendations and guidelines of the Virginia Department of Health and the CDC.
2. **Written Comments:** Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting.
  - a. **Mailed:** Planning Commission  
P.O. Box 382, Farmville, VA 23901.
  - b. **E-Mailed:** [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us)
3. **Remote Participation:** Citizens may participate remotely during the meeting. To call in to the meeting, please dial: **1-844-890-7777**. When prompted for an Access Number: **390313**. Citizens are encouraged to pre-register with the County Administrator's Office at 434-392-8837 by 2:00 p.m. the day of the meeting. Callers must be on the line and ready to speak when called upon by the Chair. Please state your name and district of residence. Based upon the # of speakers, the Chair will determine the time allotted to each speaker.
4. **County YouTube Channel:** Citizen may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel: (link is also on County website under Meetings & Public Notices.) <https://www.youtube.com/channel/UCyfpsa5HEjlWejBSc5XwplA/featured>

A copy of the SUP application and Ordinance Amendment is available for public review in the office of the Prince Edward County Administrator, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA, or on the county website at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us). It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

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