

**PRINCE EDWARD COUNTY
PLANNING COMMISSION
January 18, 2022**

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.

- 7:00 p.m.**
- 1.** The Chairman will call the January 18, 2022 meeting to order
 - 2.** Commission Organization 3
 - 3.** Approve Minutes 7
 - 4.** Public Hearing. Special Use Permit - Carolyn & Sam Martin - Commercial Campground, Tax Map 054-1-3 27
 - 5.** Public Hearing. Special Use Permit - Beverly & Qadir Abdus-Sabar – Meat Processing Facility, Tax Map 74-A-26B 49
 - 6.** Review of Supervisors Actions
 - 7.** Old Business
 - 8.** New Business – Subdivision Ordinance Amendments 65

Next Meeting: February 15, 2022 at 7:00 p.m.

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County of Prince Edward
Planning Commission
Agenda Summary

Meeting Date: January 18, 2022
Item No.: 2
Department: Planning and Community Development
Staff Contact: Robert Love
Issue: Planning Commission Organization

Summary:

The first meeting in January of each year is the organizational meeting of the Planning Commission. The Commission will wish to act on the following items:

- Elect a Chair – One Year Term
- Elect a Vice Chair – One Year Term
- Set day, Time, and Place of Regular Commission Meetings – *(Historically they are the third Tuesday of each month at 7:00p.m. in the Board of Supervisors Room, Prince Edward County Courthouse.)*
- Adopt Commission By-Laws – Attached are the Commission By-Laws.

Attachments:

1. By-Laws of the Planning Commission

Recommendations:

The Planning Commission will wish to take the action outlined above.

Motion _____
Second _____
Pregaman _____

Paige _____
Sandlin _____
Fuller _____

Hunt _____
Womack _____
Leatherwood _____

Jones _____
Watson _____
Peery _____

**Bylaws Of
Prince Edward County Planning Commission**

- 1) Meetings shall be held on a monthly basis, normally on the third Tuesday of the month at 7:00 P.M. in the Board of Supervisor's room. The schedule may be altered at any regularly scheduled meeting. Meetings may be cancelled due to lack of business, but the Commission shall meet at least every two months.
- 2) Additional meetings may be held at any time upon the call of the chairman, or by a majority of the members of the commission, or upon request of the Board of Supervisors following at least twenty-four hours' notice to each member of the commission.
- 3) The commission at its regular meeting in January of each year shall elect a chairman and vice-chairman. The recording secretary shall be the Director of Planning and Community Development or a designated alternate, who shall make an audiotape of the proceedings of each meeting and prepare minutes for the permanent records of the commission.
- 4) The duties and powers of the officers of the planning commission shall be as follows:
 - A. Chairman
 - Preside at all meetings of the commission.
 - Call special meetings of the commission in accordance with the bylaws.
 - Sign documents of the commission.
 - See that all actions of the commission are properly taken.
 - B. Vice-Chairman

During the absence, disability, or disqualification of the chairman, the vice-chairman shall exercise or perform all duties and be subject to all the responsibilities of the chairman.
 - C. Recording Secretary
 - Prepare an audiotape of the proceedings of each meeting of the commission.
 - Prepare minutes from the audiotape of each meeting in detail sufficient to include the tenor of public comments and the commission's reasoning underlying each decision or recommendation.
 - Circulate a copy of the minutes to each member of the commission before the next meeting.
 - Prepare the agenda for all commission meetings.
 - Be custodian of commission records.
 - Inform the commission of correspondence relating to business of the commission and attend to such correspondence.
 - Handle funds allocated to the commission in accordance with its directives, state law, and county ordinances.
 - Sign official documents of the commission.
- 5) All maps, plats, site plans, and other materials submitted to the commission shall be filed in the office of the Director of Planning and Community Development and maintained for public access until the project to which they relate has been completed or vacated. Minutes of the commission's meetings shall be permanently filed in the office of the planner and maintained for public access.
- 6) Matters referred to the commission by the Board of Supervisors shall be placed on the calendar for consideration and possible action at the first meeting of the commission after the referral and appropriate public notification.

- 7) A majority of the members of the commission shall constitute a quorum for the transaction of business, but no quorum shall be required for informational meetings at which no action is to be taken.
- 8) Reconsideration of any decision of the commission may be taken when the interested party for such reconsideration makes a showing satisfactory to the chairman that, without fault or deliberate omission on his own part, essential facts were not presented to the chairman.
- 9) Roberts Rules of Order for Committees shall govern the commission's proceedings in all cases not specifically ordered by these bylaws.
- 10) Order of consideration of agenda items in a public hearing:
 - Director of Planning and Community Development or other staff member presents report including summary of all comments (written, electronic and verbal) received from interested parties and makes a recommendation.
 - Commission members may question the staff member on the presentation.
 - Proponent(s) of the agenda item make presentations as appropriate.
 - Opponent(s) of the agenda item make presentations as appropriate.
 - Applicant make rebuttal of objections not previously covered.
 - Commission members may question applicant, proponents, or opponents or may offer comments on the agenda item.
 - Commission may opt to gather additional information about the matter and take action at a future meeting, or vote on recommendation, whether approving or denying request, to Board of Supervisors.
- 11) Any member of the commission who has any personal or financial interest in any matter before the commission shall declare the nature of that interest and shall if the interest constitutes a legal conflict of interest by Virginia law recuse him/herself from the deliberations on that matter, including lobbying other members, participating in the discussions, or voting on the matter. In cases where the interests do not raise to the level of legal conflict of interest by Virginia law, a member may voluntarily recuse him/herself in the interest of avoiding the appearance of conflict. All commission members shall be sensitive to the importance of impartiality and shall endeavor to always avoid any actual or appearance of conflict of interest.
- 12) Each member of the commission who has knowledge that he/she will be unable to attend a scheduled meeting of the commission shall notify the County Administrator's office at the earliest opportunity. The Director of Planning and Community Development shall notify the chairman if projected absences will produce a lack of quorum. Members who are absent from three consecutive meetings, or who are absent from more than half of the commission's meetings during a calendar year, will be referred to the Prince Edward County Board of Supervisors for possible replacement.
- 13) The vice-chairman shall succeed the chairman if he vacates his office before his term is completed. A new vice-chairman shall be elected at the next regular meeting.
- 14) These bylaws may be recommended for amendment at any meeting having a quorum present by a majority vote, provided that notice of such proposed amendment has been given to each member in writing at least two weeks prior to its consideration. If recommended for approval, proposed amendments must then be adopted by the Board of Supervisors before becoming effective.
- 15) Planning Commission members are strongly encouraged to attend a Virginia Certified Planning Commissioner's Training Program within two years of their appointment to the Planning Commission. This certification course will provide a basic foundation of planning law, history, and technical expertise needed by planning commissioners to maximize their competency and ability to render legally defensible decisions and recommendations. Costs associated with the program will normally be paid by Prince Edward County.

Rev. April 14, 2015 Board of Supervisors meeting.

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

Meeting Date: January 18, 2022
Item No.: 3
Department: Planning and Community Development
Staff Contact: Robert Love
Issue: Approval of Minutes

Summary:
For approval.

Attachments:
September 21, 2021 Draft Planning Commission meeting minutes.

Motion _____	Paige _____	Hunt _____	Jones _____
Second _____	Sandlin _____	Gilliam _____	Watson _____
Prengaman _____	Fuller _____	Leatherwood _____	Peery _____



**Prince Edward County Planning Commission
Meeting Minutes
November 16, 2021
7:00 pm**

Members Present: John Prengaman, Chair
Preston L. Hunt
Clifford Jack Leatherwood
Teresa Sandlin
Henry Womack
John “Jack” W. Peery, Jr., Vice Chairman
Mark Jenkins
Whitfield M. Paige
Cannon Watson

Absent: Robert “Bobby” Jones

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

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Chairman Prengaman called the November 16, 2021 meeting to order at 7:00 p.m. He welcomed the Longwood University Environmental Sciences and GIS class to the meeting.

In Re: Approval of Minutes

Commissioner Sandlin made a motion, seconded by Commissioner Paige, to approve the meeting minutes from October 19, 2021 as presented; the motion carried:

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

Absent: Robert M. Jones

In Re: 2322 Review – CEP Solar LLC, Utility Scale Solar Energy Facility

Chairman Prengaman announced this was the date and time scheduled for 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 70-5-3 & 92-A-31, containing a total of 304.6 +/- acres, which is zoned A-1, Agricultural Conservation. Notice of this hearing was advertised according to law in the Wednesday, November 3, 2021 and Wednesday, November 10, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Robert Love, Planning & Zoning Director, stated 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.

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.

A third-party report was presented to the Commissioners; Ms. Ann Darby, AICP, Planning Department Manager, has assisted the County in reviewing this application by CEP Solar.

Mr. Love stated 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.

Mr. Love reviewed several 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 public facilities and services to the area.”

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.”

Mr. Love stated no one contacted him in regards to this public hearing.

Chairman Prengaman opened the public hearing.

Karen Cohen, Attorney for CEP Solar, LLC, stated there are two public hearings on this topic, the 2232 Review for Substantial Accordance with the Comprehensive Plan and then the Special Use Permit itself. She stated the County’s Comprehensive Plan speaks to enhancing the County’s rural character by preventing scattered residential development, preserving agricultural lands, and recognizing that one way to do that is to have suitable types of uses during the planning process. She said allowing farmers and landowners to utilize some of their land for solar development is one way to do that as it preserves the land for the life of the project, and can be restored to agricultural

use. She said the Comprehensive Plan states that from time to time, [the County can] amend the Zoning Ordinance to keep up with changes in land use, economic activity and technological changes and environmental preservation. Ms. Cohen said to be consistent with that goal of the Comprehensive Plan, the Board adopted solar zoning ordinance, Alternative Energy Facilities, which provides a set of thorough regulations and the process for applicants for solar facilities. She said the intent of the alternative energy zoning ordinance is to encourage alternative energy facilities while limiting any negative impacts which are done through conditions. She stated at this most basic level, having a well-sited facility with a responsible community partner is what makes these projects a success.

Tyson Utt, CEP Solar Co-Founder and Manager, stated he has been involved in this industry for approximately 20 years, and has developed projects nationwide. He said it is encouraging to see this growth in Virginia. He reviewed a presentation, providing information on the company's due diligence in selecting a site and reviewed project details. He reviewed the solar permitting process; he stated that by statute in Virginia, a county must provide approval prior to a company applying to the state, Virginia DEQ in the process. He reviewed a series of steps that must be followed.

Mr. Utt stated the property is located approximately six miles south of Farmville, with Rice Creek Road cutting between the two parcels and located between Rice Creek and Bush River. He said the property owner is currently harvesting the timber on the two parcels. He said accounting for the environmental constraints and the solar ordinance which are combined in data layers to show what is suitable results in the site plan. This shows how the project will be placed on the site. Panels will be circled by a security fence. Mr. Utt stated 211 acres of the 304-acre parcel are currently identified for the development area. Mr. Utt said there are 27 acres that will be set aside and preserved for stream and wetlands; he said the Department of Historic Resources have two artifact areas on-site that will require further analysis; he said DHR and others will do site surveys of the areas in question.

Mr. Utt stated a Community Outreach meeting was scheduled providing information to the community members to provide information and questions and answers; this was done in early September [2021]. He then reviewed their solar development schedule; following the site selection, work with the landowner and work with the electric company for the permitting process. Following that, the commercialization process begins and it begins providing electricity. The construction on the project of this size could be done within a years' time. The operation of the site takes typically 40 years; these sites are quiet, buffered with vegetative screening, and the decommissioning is ensured to happen through the bond secured and in place with the County to make sure funds are set aside so there is not a burden on the taxpayers or residents to have the project decommissioned.

Mr. Utt stated the economic benefits to the County include an influx of 74 jobs for construction, and indirect and inferred jobs from that construction activity; there is \$3 million from labor income, an additional \$9.5 million of the economic output, from sale of goods and patronizing restaurants and hotels. He said during the operational phase, there will be property tax benefits. He said this type of project does not burden public services and infrastructure; he said they are working with Southside [Electric] to interconnect to the electric grid, and upgrades to their substation will be paid for.

Mark Smith, owner of Sandy River Outdoor Adventures, expressed his support for this project; he stated renewable energy is the future of our world.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Chairman Prengaman stated this public hearing is to determine if this project fits with the County's Comprehensive Plan.

Commissioner Peery made a motion, seconded by Commissioner Paige, to recommend approval to the Board of Supervisors 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; the motion carried:

Aye: Preston Hunt
Mark Jenkins
Clifford Jack Leatherwood
Whitfield M. Paige
John "Jack" W. Peery, Jr.
John Prengaman
Teresa Sandlin
Cannon Watson
Henry Womack
Absent: Robert M. Jones

Nay: (None)

In Re: Special Use Permit - Utility Scale Solar Energy Facility, CEP Solar LLC

Chairman Prengaman announced this was the date and time scheduled for a Public Hearing on a request by CEP Solar, LLC for a Special Use Permit to operate a 25MWac solar energy facility on Tax Map Parcels 70-5-3 & 92-A-31, on Rice Creek Road, Rice, VA. Notice of this hearing was advertised according to law in the Wednesday, November 3, 2021 and Wednesday, November 10, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Robert Love, Planning & Zoning Director, stated 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, 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.

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.

Mr. Love stated this has been sent to a third-party reviewer, Ann Darby, AICP, Summit Design Engineering. Conditions and recommendations came from this report.

Chairman Prengaman opened the public hearing.

Joe Hines stated he is the manager of PRJ Land Trust, which is the entity that owns this property. He said it was his family's farm. He thanked the Commission for considering this application. Mr. Hines stated there are not many options for small farms; he wants to be a good neighbor and this project would be good for the environment. He said this project was selected after several years of research, and this would be good for the environment as have little to no impact on the neighbors. Mr. Hines stated this would help Virginia's new Clean Economy Act, and in working with economic development, he knows that a lot of prospects want "green" energy. Mr. Hines stated he respectfully requests support of this application.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Mr. Love reviewed the conditions. He said there are discrepancies in the parcel's footprint which are reflected in the tax records. He said this application does not have a written confirmation from VDOT of the entrances, being that they are not in construction at this point. He said the application does not include a proposed amount of liability insurance; he said he would recommend a written intent to obtain liability insurance and recordation of a property survey clarifying the total site acreage which is delineated as 304.6 acres.

Mr. Hines stated his father did a survey in 2004, but he does not have a sealed copy; he is in the process of redoing the plat which will be executed by Greg Watson.

Mr. Love stated no comments were received from the public or neighbors.

Commissioner Watson made a motion, seconded by Commissioner Sandlin, to recommend approval to the Board of Supervisors the request by CEP Solar, LLC, for a proposed 25MWac utility scale solar energy facility with the following conditions:

CEP Solar, LLC
PRINCE EDWARD COUNTY, VIRGINIA
Special Use Permit Conditions

SECTION I. GENERAL PROVISIONS

1. This Special Use Permit applies to the following properties for which a special use permit application was submitted:
Tax Map Parcel Identification Number: 79-5-3 & 92-A-31.
The Special Use Permit application was submitted on 09/30/2021 by CEP Solar, LLC on behalf of the owners of the said properties, and compliance with these conditions is the express duty of, and these conditions shall bind, the Applicant and any assignee of the Applicant who operates the Solar Energy Facility.
2. The site shall be developed, constructed, operated, and decommissioned in compliance with all of the following:
 - a. All applicable federal, state, and local laws, statutes, ordinances, and regulations.
 - b. All written agreements entered into between the Applicant and the County, if any.
 - c. The Site Plan approved by Prince Edward County.
 - d. The Decommissioning Plan approved by Prince Edward County.
 - e. The Emergency Response Plan approved by Prince Edward County.
 - f. The Construction Traffic Management Plan approved by Prince Edward County.
 - g. The Erosion and Sediment Control Plan approved by Prince Edward County.
 - h. The Stormwater Management Plan approved by Prince Edward County and/or DEQ.
3. The following terms shall have the following meanings if or when used in these Conditions:
 - a. **"Abandoned"** means the discontinuation of power generation by the Solar Facility for a period of at least 180 consecutive days, except in the event of a force majeure event requiring reconstruction.
 - b. **"Applicant"** means CEP Solar, LLC.
 - c. **"Approved Site Plan"** means the detailed drawing showing all equipment, excavation, landscaping, and other changes or improvements to be made to the real property or properties for the development of the Project following approval of the Special Use Permit Application by the Prince Edward County Planning Commission, and the Prince Edward County Board of Supervisors and administrative review and approval by Prince Edward County staff.
 - d. **"Board"** means the Board of Supervisors of Prince Edward County, Virginia.
 - e. **"Commercial Operation"** means the period beginning on the date that the sale of electricity generated from the Solar Facilities to a third party through the Grid commences pursuant to a Power Purchase Agreement and terminating contemporaneously with the commencement of Decommissioning.
 - f. **"County Administrator"** means the county administrator of Prince Edward County, Virginia.
 - g. **"Decommission" or "Decommissioning" or "Decommissioning Activities"** means the work on the Solar Facility to remove improvements on the real property and to otherwise comply with the Decommissioning Plan.

- h. **"Decommissioning Commencement Date"** means the earliest date on which Decommissioning is required to begin under the terms set forth in these Special Use Permit Conditions.
 - i. **"Decommissioning Plan"** means the plan for Decommissioning Activities submitted by CEP Solar, LLC and approved by the County.
 - j. **"Grid"** means the interconnected network for delivering electricity from producers to consumers (consisting of generating stations, electrical substations, high voltage transmission lines, and distribution lines that connect individual customers) to which the Project is connected and provides power.
 - k. **"Investor Owned Utility Company"** means an electric utility as defined in Section 56-576 of the Code of Virginia.
 - l. **"Operator"** means any party which undertakes the management, maintenance, and operation of the Solar Facility, including, but perhaps not limited to, as assignee of the Applicant.
 - m. **"Power Purchase Agreement"** means the written agreement pursuant to which electricity generated from the Solar Facilities is sold to a third party.
 - n. **"Project"** means the Solar Facility on the Site, including the following: (i) the development, design, procurement, construction, installation, commissioning, testing, interconnection, and start-up of the Solar Facility on the Site; (ii) the operation, repair, replacement, and maintenance of the Solar Facility on the Site; and (iii) the decommissioning and removal of the Solar Facility from the Site.
 - o. **"Related Entity"** or **"Related Entities"** means any two or more entities described in I.R.C. § 267(b).
 - p. **"Site"** or **"Solar Facility Site"** means all properties to be leased or purchased by the Applicant or any Related Entity for development in connection with the Project, identified as follows: Prince Edward County Tax Map Identification Number 79-5-3 & 92-A-31.
 - q. **"Site Plan"** means the detailed drawing showing all equipment, landscaping, roads, retention facilities, fencing, buffers, and other changes or improvements to be made to the real property or properties for the development of the Project.
 - r. **"Solar Facility"** or **"Solar Facilities"** means the Site together with all equipment, apparatus, or other items of personal property used for the Construction, Operation, or Decommissioning of the Project.
 - s. **"Surety Review Date"** means the date by which the Applicant will update the cost estimate in the Decommissioning Plan every seven (7) years and reimburse the County for the actual and reasonable, out-of-pocket costs of each such independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.
4. The Site shall be developed in general conformance with the information and exhibits submitted with the Special Use Permit application (the "SUP" Application), except as modified by associated conditions, the Approved Site Plan, and as required by the land development ordinances of Prince Edward County.
 5. This Special Use Permit (SUP) is issued to the owners of the properties for which the special use permit application was submitted (the Properties) and shall run with the land unless and until this SUP is revoked, expires, or is voided.
 6. An approved site plan (the "Approved Site Plan") shall be required for this use.
 7. The Applicant shall record the plat of survey delineating the property boundary and total acreage in the Clerk of Circuit Court office prior to issuance of final construction permits.
 8. The Applicant shall submit an Emergency Response Plan (the "ER Plan") with the submission of the Site Plan. The ER Plan shall include fire suppression methods that can be deployed during both the construction and operation of the project. The ER Plan shall also include a program of education and training to be provided for County emergency response staff covering onsite emergency response.
 9. Unless approved in writing by the County, no signage shall be permitted on Site, except that signage containing notices, warnings, or other information, if required by law or by applicable codes and standards, or deemed by the County to be in the interest of the safety and welfare of the community, shall be required.
 10. CEP Solar, LLC will reimburse to the County for all reasonable, out-of-pocket costs and fees incurred for professional services engaged for purposes of assisting the County during the application process and during Construction, including, but not limited to, legal fees and consulting fees; however legal fees shall

not be assessed to CEP Solar, LLC after construction is completed. The purpose of the reimbursement payments is to defray the costs and expenses incurred by the County in connection with (i) the zoning and permitting processes related to the approval of the Solar Facility, (ii) the permitting process with federal and state agencies, as applicable, and (iii) the construction of the Solar Facility. Should the special use permit application submitted by CEP Solar, LLC for the Project not be approved by the County, no reimbursement under this paragraph will be owed by CEP Solar, LLC to the County.

11. Pursuant to Va. Code § 15.2-2288.8, the Applicant will pay to the County the following amount or amounts on the schedule and for the public improvement purpose or purposes related to the Project set forth below:

Payment Amount and Date	Public Improvement Purpose(s) Reasonably Related to the Project
\$1400 per megawatt on _____; and on each anniversary date thereafter the amount of the prior year payment increased by 2%, with the final annual payment due in the year of the Decommissioning Commencement Date.	

SECTION II. BUFFERS, HEIGHTS, AND SETBACKS

12. Buffers throughout the Site shall include the following:

- a. All setbacks shall be no less than those shown on the site plan approved by Prince Edward County.
- b. The Site Plan will identify a Maximum Extent of Project Area, outside of which solar panels or other equipment will not be located. The solar panels or other equipment of the Solar Facility will not be located within the standard setbacks established by Section 7-110 (D) of the County Ordinance.
- c. The Site Plan will include a vegetative buffering plan (the “Vegetative Buffer Plan”) that will limit the visibility of the Solar Facility from the public rights-of-way adjacent to the Site. For purposes of this Condition, “Solar Facility” does not include the perimeter security fencing, gravel access road, or interconnection equipment. Also, the “Solar Facility” is not an objectionable feature, within the meaning of County Ordinance Section 7-110 (F). All vegetative buffering areas, as shown on the Vegetative Buffer Plan, shall enable insolation of the Solar Facility and may be both natural and planted, shall be a part of the approved Project and should be protected from harvest so long as the Site is operated as a solar facility.
- d. Vegetative buffering areas shall be installed (pursuant to the screening suggestions attached as Exhibit A) and, as necessary, managed to ensure health and preservation of the vegetation. Any vegetative buffering that is dead during the operating period shall be removed and replaced in conformance with the approved site plan, within a six (6) month time period during a typical growing period. The type and height of replacement vegetation shall be similar to that of which was originally planted during construction. In the event that the vegetative buffering is severely damaged due to an unusual weather occurrence or natural catastrophe, the Project shall have one year or one growing season, whichever is sooner, to replace or replant.
- e. A 15’ screening buffer shall be observed with any bordering standing timber harvested after construction of the solar facility.
- f. Electrical lines leaving the solar facility shall be underground until the point of reaching the first pole outside of the facility as to not impact the screening plan.
- g. Any historical resources noted in the Virginia Department of Historic Resources Map would have to be identified, marked and preserved at a setback of at least 100’, as reflected on the Site Plan.

- h. The maximum height of ground mounted systems, equipment and structures, as measured from the grade or base of the improvements to its highest point, shall not exceed eighteen (18) feet in height. Excluded from this height requirement are overhead electric distribution and transmission lines and poles, project substation, and utility switchyard.

SECTION III. CONSTRUCTION, TRAFFIC, and ROAD REPAIRS

13. Subject to compliance with applicable site safety requirements and upon reasonable prior notice, the County Administrator, building official, zoning administrator, or environmental codes and compliance officer, or any party or parties designated by any one or more of those county officials, including other federal, state, or local government officials, shall be allowed to enter the Property at any time during construction. Once the facility has commenced Commercial Operation, subject to compliance with applicable site safety requirements, County officials may enter the Site upon at least one week's advance notice to the Solar Facility Liaison.
14. All construction entrances for Site shall be in general conformance with the information and exhibits submitted with this Special Use Permit application and must be authorized and approved by the Virginia Department of Transportation (VDOT).
15. All construction activity shall be conducted during daylight hours Monday-Saturday. Activities allowed to be done on Sundays include: onsite planning, walking and riding the site by passenger vehicle (not heavy construction trucks or equipment), office work and other items that do not produce large quantities of traffic on the surrounding roads or loud construction noises within the site. The Applicant shall comply with the Noise Ordinance during operation but shall not be required to do so during construction.
16. All heavy construction traffic to include dump trucks, tractor and trailer, suppliers, trucks carrying equipment shall enter the site at the designated private driveway along Route 647 (Rice Creek Road).
17. The Applicant shall submit a Construction Traffic Management Plan ("CTMP") as part of the Site Plan. The CTMP shall address traffic control measures, an evaluation of the condition of the public roads along the Delivery Routes prior to construction, and a description and an estimate of any anticipated repairs to public roads that may arise due to damages attributable to construction of the Solar Facilities to be reviewed by a third-party to be selected by the County and to be paid at the sole cost of the Applicant.
18. Dust containment measures shall be utilized at all times, as necessary, to contain dust from constituting a nuisance to nearby residents.
19. No burning of stumps and/or debris will be allowed onsite at the subject solar facility.
20. The Solar Facilities shall be enclosed within chain link security fencing not less than six (6) feet in height.
21. The Project will not utilize permanent lighting. If installed at a later date, lighting will be downward facing, motion activated security lighting located at the Project entrance gate or at the control panels near the equipment pad.
22. Prior to commencement of construction, the Applicant shall provide the County, a bond equal to 100% of the cost of the anticipated repairs to be made to the public road along the Delivery Routes, to include the entire public right of way along the Delivery Routes. The bond may be in the form of a letter of credit, a surety bond, or a cash bond given to the County, to be held by the County without interest, but the form of any surety bond must be approved by the County Administrator. The County will release, return, and terminate the roadway surety upon completion of construction and Commercial Operation of the Project.
23. Delivery routes to the site shall include Route 647 (Rice Creek Road) from its intersection with Route 630 (Meherrin Road) into the CEP Solar, LLC Site.
24. The Solar Facilities shall be constructed and operational within two (2) years of approval. The Zoning Administrator may approve an extension of up to one (1) year upon written request from the Applicant detailing the need for an extension.
25. Solar Panels will be constructed, maintained, and operated in accordance with national industry standards and regulations including the National Electrical Code, International Fire Code of the International Code Council and the National Fire Protection Association Fire Code, as provided in Va. Code 15.2-2286. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control so that as technology advances, updated technology may be used by the Applicant. Notwithstanding any of the foregoing, the use of any of the following materials at any time, whether in construction, maintenance, or operation of the facility, is expressly prohibited: cadmium telluride, cadmium, tellurium, GEN X, field-applied Teflon® coating, or any other materials prohibited by federal or state agencies.

26. Storage on the Site of power generated by the Facility is prohibited.
27. No panels, inverters, pyranometers, substations, or any other component of the Solar Facility, except fencing, shall be located in a floodplain.
28. Upon completion of the construction of the Solar Facilities, the Applicant shall submit a post-construction evaluation of the condition of the roads along the Delivery Routes to the County Administrator for approval. The post-construction evaluation shall include a plan for repairing any damage caused to the public roads along the Delivery Route directly attributable to the Applicant. The Applicant shall be responsible for causing such repairs to be completed and shall be responsible for coordination repairs with VDOT. All roadway repairs along the Delivery Routes shall be made at the sole expense of the Applicant.

SECTION IV. ENVIRONMENTAL

29. The Applicant shall submit a Stormwater Management Plan and an Erosion and Sediment Control Plan as part of the Site Plan. The Applicant shall reimburse the County for all reasonable, out-of-pocket costs incurred by the County related to retaining such third-party inspectors, plan reviewers, and advisors as reasonably necessary for project review and inspections. All such payments shall be remitted to the County within thirty (30) days of invoicing. The County shall retain the right to inspect the Site to verify the findings of the third-party inspectors upon reasonable, prior notice and subject compliance with Site safety requirements. The phasing of land disturbance shall be detailed in the Erosion and Sediment Control plan and accompanying project narrative.
30. The Applicant agrees to maintain stabilization of the Site at all times in compliance with Virginia Department of Environmental Quality (DEQ) standards, rules, requirements, and regulations. The Applicant shall notify the County within twenty-four (24) hours of receiving any DEQ notice of less than full compliance and shall, within forty-eight (48) hours of receipt, provide the County with a copy of the notice. Thereafter, the Applicant shall provide to the County within forty-eight (48) hours of transmission or receipt copies of all correspondence with DEQ regarding the noncompliance issue until such time as the matter is fully resolved to the satisfaction of DEQ. In order to ensure orderly development of the Solar Facility and to protect the stabilization and environmental integrity and quality of the Site, no more than fifty percent (50%) of the total site development area shown on the Approved Site Plan may be disturbed at any point in time. For purposes of this condition number 27, an area that for which any one or more of the following is true is not considered to be disturbed: the area has established ground cover, the County has determined that the area is not disturbed, an area where temporary stabilization measures have been implemented, gravel driveways, or laydown areas.
31. Soil testing shall be conducted on the Site as follows:
 - a. Testing shall be conducted in no less than three (3) locations on the Site, at least one location being within proximity to panels of each different type or manufacturer. Samples will be collected from a depth of six inches below ground surface.
 - b. Testing shall be conducted prior to the issuance of a land disturbance permit and every five years thereafter. Testing also shall be conducted immediately prior to Decommissioning and immediately following the termination of Decommissioning.
 - c. Samples shall be analyzed for Priority Pollutant 13 Metals (arsenic, antimony, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and zinc) in accordance with EPA methods SW 6020, SW 6020A, SW1312, and 200.8.
 - d. Testing shall be performed by a service provider retained by the Operator but approved by the County.
 - e. A test report for each testing event, including an executive summary, shall be provided to the Prince Edward County zoning administrator within ten (10) days of the completion of such report.
 - f. No costs shall be incurred by Prince Edward County for soil testing or reports of soil testing provided to Prince Edward County.

SECTION V. DECOMMISSIONING

32. Decommissioning shall be conducted in accordance with the Decommissioning Plan approved by Prince Edward County.

33. The Applicant or the Operator shall provide a Notice of Decommission to the County Administrator of Prince Edward County within thirty days of a determination to cease Operation of the Solar Facility.
34. Prior to the commencement of Construction, the Applicant shall submit to the County and receive County approval of a Decommissioning Plan. The Applicant shall comply with all terms and conditions of the Decommissioning Plan as approved by the County. The Decommissioning Plan at a minimum shall include provisions regarding the following:
 - a. Specifications for the removal of all solar equipment, buildings, cabling, electrical components, foundations, pilings, and fencing.
 - b. A requirement that all Site real property must be restored to the condition of the property as of the date Construction commences (reasonable wear and tear excepted).
 - c. A requirement that the property must be stabilized so as to adequately control, prevent, and minimize any and all erosion or sediment runoff, consistent with the approved Erosion and Sediment Control Plan.
35. Decommissioning shall begin immediately after the Facility has, for a period of six (6) consecutive months, ceased operating as a solar energy facility distributing energy to the electrical grid and shall be diligently pursued, as determined by the County in its sole discretion, and completed within eighteen (18) months from the Decommissioning Commencement Date. Prior to its expiration, the County may extend this Decommissioning period by six (6) months if the County finds that the Operator commenced Decommissioning the Solar Facility diligently and continuously worked to Decommission the Facility throughout the Decommissioning period, and is reasonably expected to complete the Decommissioning within the additional six month period.
36. Periods during which the Facility is not operational for maintenance, repair, or due to catastrophic events beyond CEP Solar, LLC control, during which CEP Solar, LLC works diligently to return the Facility to full Operating status, shall not trigger the Decommissioning requirements herein. CEP Solar, LLC must provide written notice and evidence of the above to the County Administrator during the period in which the Solar Facility is not fully operational. Such notice shall identify the last day on which the Facility was fully operational. Regardless of the efforts of CEP Solar, LLC to return the Solar Facility to full operational status, if the Solar Facility does not operate as a solar energy facility distributing energy to the electrical grid after the catastrophic event, for a period of eighteen (18) months, the Project shall be deemed Abandoned and CEP Solar, LLC shall commence Decommissioning no later than the 548th day after the catastrophic event occurred.
37. Any change of party responsible for Decommissioning of the facility, or change in any part of the contact information, shall be reported to the County Administrator within sixty (60) days of the change(s).
38. If Decommissioning Activities are not completed within the allotted time, or if the Project is Abandoned, the County may complete or have completed at its expense the Decommissioning Activities required under the terms of the Decommissioning Plan and may recover all costs of completing those Decommissioning Activities from the surety provided as set forth herein.
39. To secure the costs of Decommissioning, CEP Solar, LLC shall at all times, beginning at Commercial Operation and until the termination of Decommissioning, provide financial surety in a form and in an amount approved by the County. If the Solar Facility is transferred to a public utility or an Investor or Member Owned Utility Company (e.g.,: Dominion Energy, Old Dominion Electric Cooperative or its successor entity), the surety required of the Applicant may be cancelled at the time of the transfer and no further surety will be required.
40. The amount of the surety required shall be 100% of the estimated Decommissioning costs estimated at each Surety Review Date, less the scrap or repurposing value of the Solar Facility. The estimated costs and surety to meet the above requirements shall be reviewed by the County Administrator on each Surety Review Date, at which time the County Administrator shall determine if the estimates adequately reflect the Decommissioning costs and any scrap or repurposing value and that the surety will guarantee performance. Should the County Administrator determine that estimated costs and surety are insufficient, the County Administrator and CEP Solar, LLC shall mutually agree to determine the correct surety amount; and CEP Solar, LLC shall then provide the agreed, adequate surety within one hundred eighty (180) days following the Surety Review Date or, if later, within thirty (30) days after the County Administrator and CEP Solar, LLC agree on the adequate surety amount.

41. Surety must be provided in the form of a cash bond deposited with the County; by an irrevocable letter of credit provided for the County's benefit; or by a surety bond listing the County as the obligee, an hypothecated account, an escrow account, or a guaranty issued by a credit-worthy entity, or as otherwise provided in Section 15.2-2241.2 of the Code of Virginia.
- a. A cash bond shall be in the form of a cashier's check or certified check deposited with the County which has cleared all issuing institutions. Any interest accruing on such funds shall be added to the total amount and retained by the County for Decommissioning. The deposit shall be accompanied by a letter agreement, acceptable to, and issued by, the County Administrator, confirming that the cash deposit is to be held by the County to guarantee the performance of the Decommissioning work required herein, and should the facility be Abandoned or should the Decommissioning work not be diligently undertaken or performed according to the requirements herein, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof by CEP Solar, LLC, the County may expend the deposited funds to undertake the Decommissioning work required herein, without more, after providing written notice to the person identified as owner of the property in the land records of Prince Edward County as of the date of the notice. Within six (6) months of the completion of the Decommissioning work required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the cash bond and accrued interest, less any amounts expended by the County as allowed herein, shall be released and paid to CEP Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.
 - b. An irrevocable letter of credit shall mean an instrument provided by a lending institution guaranteeing payment to the County within seventy-two (72) hours of the County's written notice to the institution that the Solar Facility has been Abandoned or the Decommissioning Activities has not been diligently undertaken or performed according to the requirements herein and demand to the institution for the funds, without more. The letter of credit shall have no expiration date or required renewal and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn before the Decommissioning Activities required herein is completed or the amount guaranteed has been fully drawn by the County. The letter of credit shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the letter of credit. Should the County receive notice that the letter of credit will be cancelled or otherwise become unavailable or decrease, or should this Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by CEP Solar, LLC, the County may, immediately draw down the entirety of the letter of credit and convert the surety to a cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the irrevocable letter of credit. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan after providing written notice to CEP Solar, LLC or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the letter of credit shall be released by the County and any amounts drawn on the letter of credit, less any amounts expended by the County as allowed herein, shall be released and paid to CEP Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.

- c. A surety bond shall mean a bond issued by a company with an AM Best rating of A++, that is treasury listed, and that is licensed to do business in the Commonwealth of Virginia. The surety bond shall list the County as an obligee and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn or cancelled before the Decommissioning Activities required herein and required by the terms of the Decommissioning Plan are completed or the amount guaranteed has been fully paid to the County. The surety bond shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the bond. Should the County receive notice that the surety bond will be cancelled or otherwise become unavailable or decrease below the limits required herein, or should the Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by CEP Solar, LLC, the County may, immediately file a claim, for the entirety of the amount of the bond, the guarantor shall pay the amounts guaranteed and the County shall convert the surety to a cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the surety bond. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan, after providing written notice to CEP Solar, LLC, or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the surety bond shall be released by the County, and the bond funds paid to the County less any amounts expended by the County as allowed herein, shall be released and paid to CEP Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.
42. Should this Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof by CEP Solar, LLC, the County may immediately draw down all of the surety funds and convert them into a cash bond for purposes of Decommissioning as set forth hereunder and as set forth in the Decommissioning Plan. In such case, no contractual agreement shall be required for the cash bond. This shall be reflected in the surety provided.
43. Should the funds guaranteed for the Decommissioning Activities for any reason not be sufficient for the County to complete the Decommissioning Activities as allowed for herein and as set forth in the Decommissioning Plan, CEP Solar, LLC shall be and shall remain liable to the County for the difference between the guaranteed funds and the amounts required to Decommission the Solar Facility and shall pay the difference to the County upon demand. The County shall not be liable to any party in any way for the funds drawn pursuant to the conditions set out herein and expended in relation to Decommissioning.
44. Should the Facility be Abandoned, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof by CEP Solar, LLC, or should the Decommissioning Activities not be diligently undertaken or performed, and should the County draw down the funds for the purpose of performing the Decommissioning Activities and mobilize its contractors to perform the Decommissioning Activities or otherwise incur liability to its contractors for the performance of the Decommissioning Activities, CEP Solar, LLC shall have no right to perform the Decommissioning Activities unless specifically authorized by the County in a writing that confirms that the County has incurred no liability to any contractors to perform the Activities or that any such liability is transferrable as deemed acceptable to the County. The Applicant or the Operator shall immediately, upon written demand by the County or any person or entity authorized to act on behalf of the County, without more, grant or release to the County, or any person or entity authorized to act on behalf of the County, under terms deemed acceptable by the County, all necessary real property rights, personal property rights, either or both, as determined solely by the County, other than fee simple ownership or a leasehold interest of the real property, so that the County or any person or entity authorized to act on behalf of the County may undertake any required Decommissioning Activities that have not otherwise been performed as required. This shall include, but may not be limited to, releasing any interest in the personal property, facilities, fixtures, and structures which are to be removed and recycled, disposed of, or otherwise demolished.

The motion carried:

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

In Re: Highway Corridor Overlay District Ordinance Amendment

Chairman Pregelman announced this was the date and time scheduled for a Public Hearing on 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, and 779. Notice of this hearing was advertised according to law in the Wednesday, November 3, 2021 and Wednesday, November 10, 2021 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated 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 there is minimal language in the Code and it does not include areas where the County is seeing a lot of growth in the southern side of the County. He said there is a need for a more detailed ordinance which will include areas on Commerce Drive and Dominion Drive; this will extend the Corridor to Abilene Road.

Mr. Love said no public comments for or against this issue have been received. This public hearing would be to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay.

Chairman Pregelman opened the public hearing.

There being no one wishing to speak, Chairman Pregelman closed the public hearing.

Commissioner Jenkins made a motion, seconded by Commissioner Paige, to recommend approval to the Board of Supervisors the Ordinance Amendment to amend and re-ordain Section 2-1300 of the Prince Edward County Code, Highway Corridor Overlay; the motion carried:

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

**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 travelways, 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

In Re: Review of Supervisors Actions

Mr. Love stated the Board of Supervisors approved the Special Use Permit request from Mark Smith, Sandy River Outdoor Adventures Commercial Outdoor Sports & Recreation Facility with Lodging and Restaurant/Brewpub, with the conditions as set forth by the Planning Commission.

In Re: Old Business

(None)

New Business

(None)

Chairman Prengaman declared the meeting adjourned at 7:47 p.m.

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: January 18, 2022
Item No.: 4
Department: Planning and Community Development
Staff Contact: Robert Love
Issue: Special Use Permit - Commercial Campground

Summary:

The County has received an application by Carolyn & Sam Martin for a Special Use permit to operate a commercial campground on Tax Map Parcel number 054-1-3, located on Gates Bass Road, Rice, VA. Attachment (1). This parcel is in an A1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a commercial campground.

The public hearing notice was published in the January 5, 2022 and January 12, 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 the tax map page that depicts the tax map parcel the campground will be placed and surrounding property. The parcel is outlined in blue. Attachment (6) is the staff prepared Potential Conditions.

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

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. Plat of Tax Parcel
6. Potential Conditions

Recommendations:

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

Motion _____
Second _____
Prengaman _____

Paige _____
Sandlin _____
Fuller _____

Hunt _____
Womack _____
Leatherwood _____

Jones _____
Watson _____
Peery _____



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

Recommended Motions:

I move that the Planning Commission recommend approval of the Special Use Permit request by Carolyn and Sam Martin for a commercial campground with the following conditions:
(list of conditions)

OR

I move that the Planning Commission recommend denial of the Special Use Permit request by Carolyn and Sam Martin for a commercial campground due to the following:
(list reasons)

OR

I move that the Planning Commission table the Special Use Permit request by Carolyn and Sam Martin for a commercial campground until the next meeting in order to:
(list reasons)

Motion _____
Second _____
Prengaman _____

Paige _____
Sandlin _____
Fuller _____

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: CAROLYN MARTIN - SAHM MARTIN
Applicant's Address: 9445 GARDEN BOND Rd, PUE, VA 23966
Applicant's Telephone Number: 434 390-7140 - 434 390-7141
Present Land Use: VACANT

Legal Description of Property with Deed Book and Page No. or Instrument No. _____
SFE enclosed documents

Tax Map # 054 1 3 Acreage: 3.4

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

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

Height of Principal Building (s): Feet 8' Stories 1

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.

Carolyn Martin Date 12/27/21
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.

Carolyn Martin Date 12/27/21
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 Rumlove Date 12/27/2021

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) 692-8837

En team to establish ② unpermitted
primitive campsites, will
prepare a Text or Description
excluded.

should have minimal is pay
effects on Adjoining landowners
seems compatible with
neighbors. Have sphere to
immediate neighbors

Want to establish business
eventually. Sen or a Sen
william on family property
william will be operator



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
4218 CAMPBELL AVENUE
LYNCHBURG VIRGINIA 24501-4801

Stephen C. Brich P. E.
COMMISSIONER

DATE ISSUED: 12-23-21

APPLICANT

Sam Martin
NAME

9445 Green Bay Rd.
ADDRESS

Rice VA 23966
CITY STATE ZIP CODE

(434) 390-5665
PHONE NUMBER

LOCATION 605 073-Prince Edward
ROUTE COUNTY

A Low Volume Commercial Entrance exists leading to the above noted property. The Low Volume Commercial Entrance has been previously permitted and/or is constructed to standard.

WITNESS the following signatures and seals:

Owner Signed _____ (Seal)

VDOT Representative [Signature] (Seal)

Agent for County _____ Date _____

Note: This may be presented to the County only once and expires sixty (60) days after the date issued.

REV: 2/16/2018

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Sam Martin

Location: Rt. 605 / Gates-Bass Rd.

Proposed Use: Primitive Campsite

For VDOT use only:

A Traffic Impact Statement is required per 24 VAC 30-155-60.

A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?
Yes No If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: C. D. Edwards

Printed Name: Charles D. Edwards Date: 12-23-21

rlove@co.prince-edward.va.us

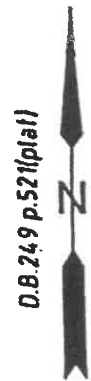
From: Freed, Paul <paul.freed@vdh.virginia.gov>
Sent: Wednesday, January 5, 2022 11:35 AM
To: rlove@co.prince-edward.va.us
Subject: Sam Martin - 3.4 acres at end of Gates-Bass Road

Mr. Martin wishes to put one primitive campsite on this property.

VDH Campground Regulations are not applicable unless there are 3 or more sites. He would be considered an unpermitted primitive campground per our regulations.

Watson and Duggan PLC

Land Surveying x GIS x Planning
 1001 E. Third St., Farmville, Va. 23901
 434-391-3500



Legend

IPS = Iron Pipe Set
 IRF = Iron Rod Found

Notes

1. Tax Map Parcel Number 54-1-3.
2. This survey is subject to any easement of record and other pertinent facts which a title search might disclose.
3. This plat is based on a current field survey.

IRF @ 593.4'
 TM 54-1-2B
William Bass
 D.B. 183 p. 184
 D.B. 183 p. 186(plat)

Conc. Mon.

TM 54-A-1B
Prince Edward County
 Sandy River Reservoir
 D.B. 192 p. 637
 D.B. 192 p. 638(plat)

IRF @ 399.8'
 IRF @ 350.8'

Conc. Mon.

Conc. Mon.

3.40 Acres

54-1-2C
Joe David Bass
Sally C. Bass
 D.B. 249 p. 519
 D.B. 249 p. 521(plat)

Found Flat
 Iron @ 30.6'

1.2 miles to
 S R No. 696

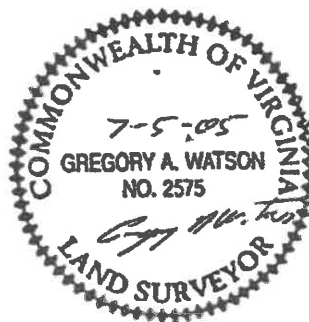
State Route No. 605
 Gates-Bass Rd
 30' Prescriptive Easement

L=225.95'
 R=639.00'
 D=20°15'34"
 BRG=S76°19'26"W
 C LEN=224.77'

Boundary Plat

Property Owned By **The Doris H. Gates Estate**
 (Deed Book 220 page 272(Parcel D)
 Lockett District, Prince Edward County, Va.

7-5-05 05123
 Michael D. Hamilton per
 subdivision administrator

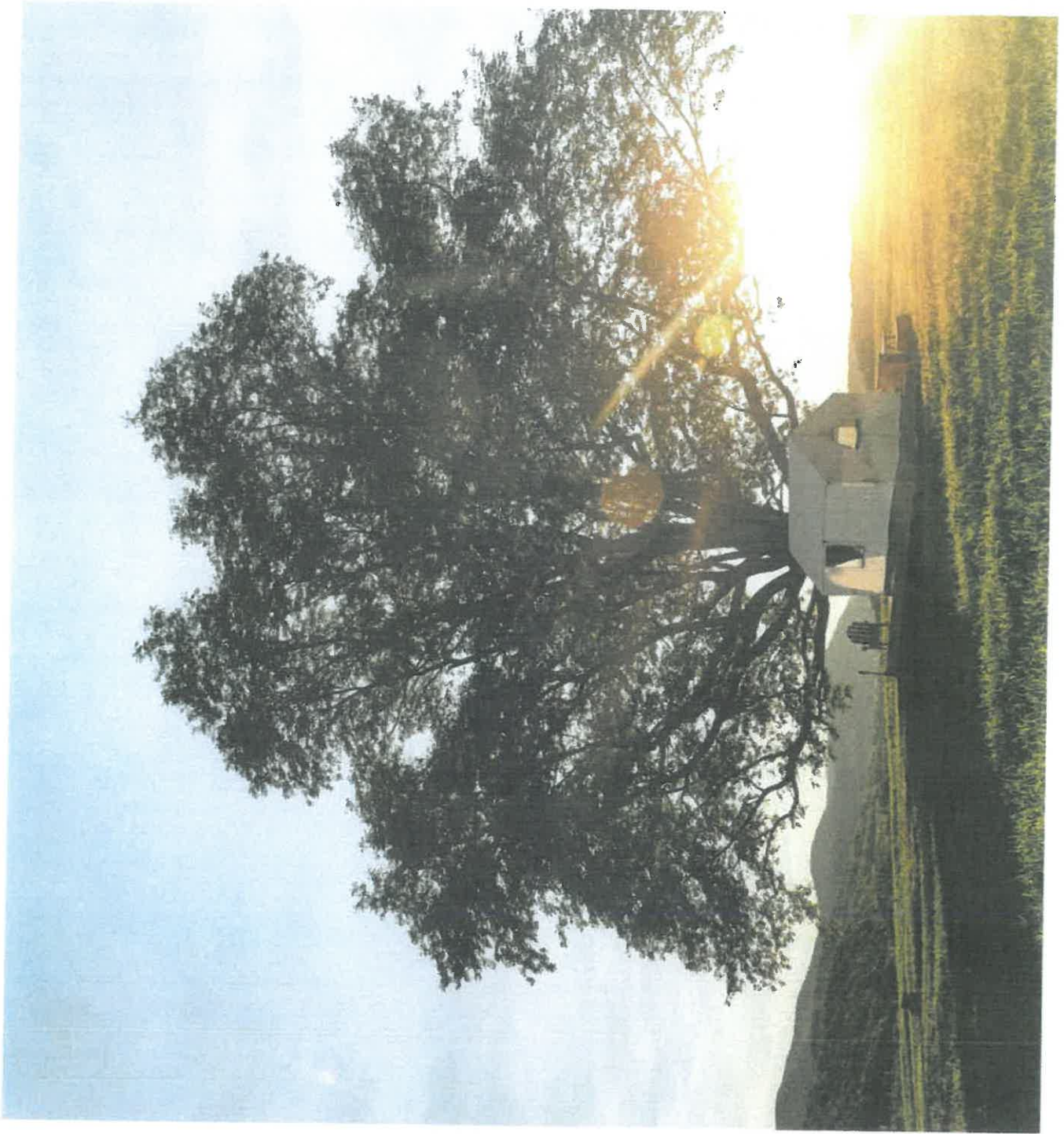


**This could be
you.**

The Tentrr Signature program is a turnkey camping solution. Learn the ins and outs of your future CampKit in just a few slides!

We'll deliver your CampKit straight to your site where it's assembled on site for long lasting durability.

Thinking you could build this yourself? Let us know so we can hire you as the contractor to make even more money!



Canvas Wall Tent and Platform

Canvas Wall Tent

10'x12' white safari-style canvas tent

Marine-grade, Sun-forged, Grade A 15.5oz Polyblend Army Duck Fire Resistant canvas

Windproof / Water resistant

Peak Height: 7' 11"

Ropes and metal rope tighteners

Steel Stakes and all storage bags

3 screened windows

Reinforced corners and seams

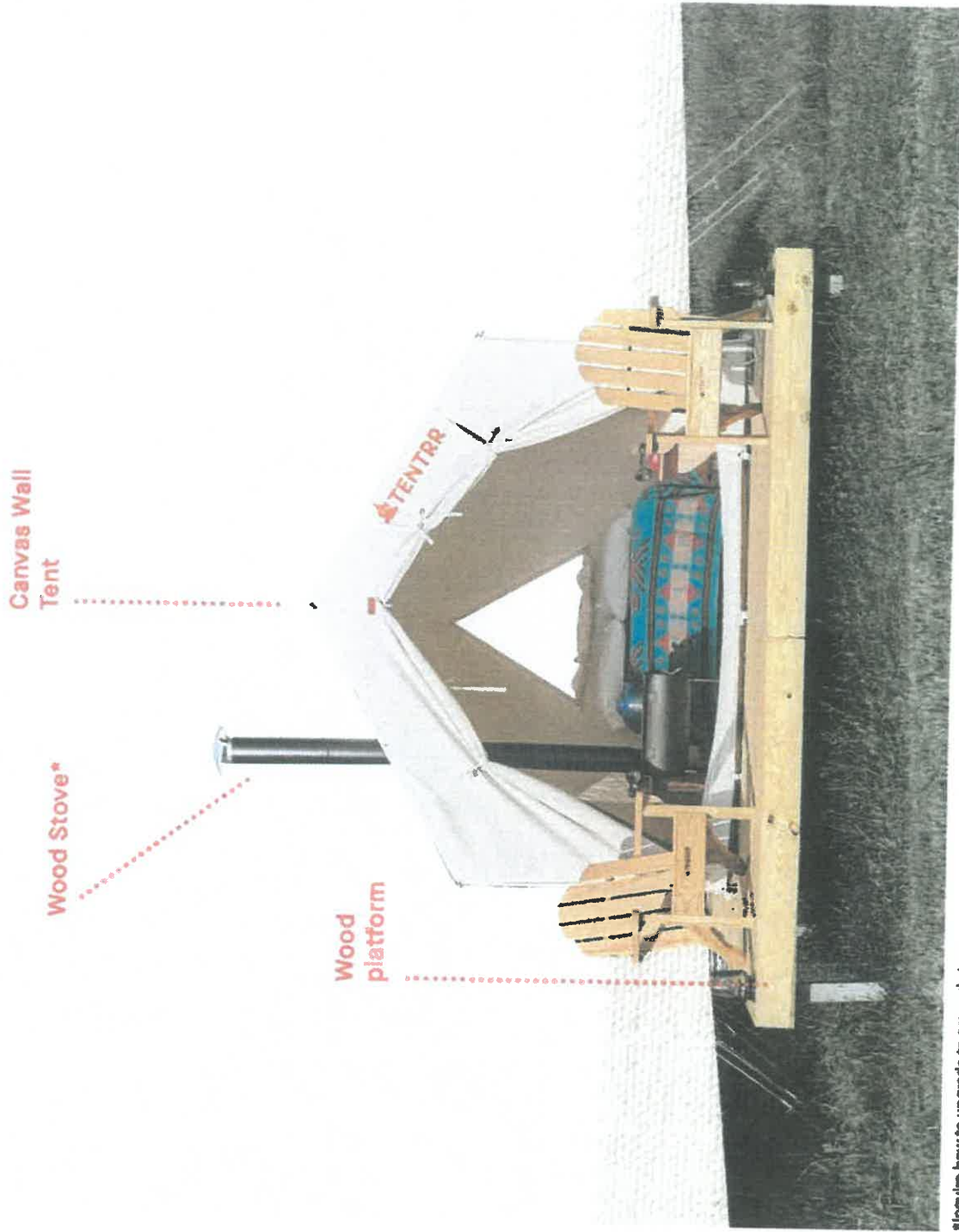
Weight: 44 lbs

Custom-made for Tentrr

Wood platform

12'x16' wood platform

Pressure treated wood



*Inquire how to upgrade to a wood stove

Pop-up Tent, Tentrr Loo and Privacy Tent

Pop-up tent

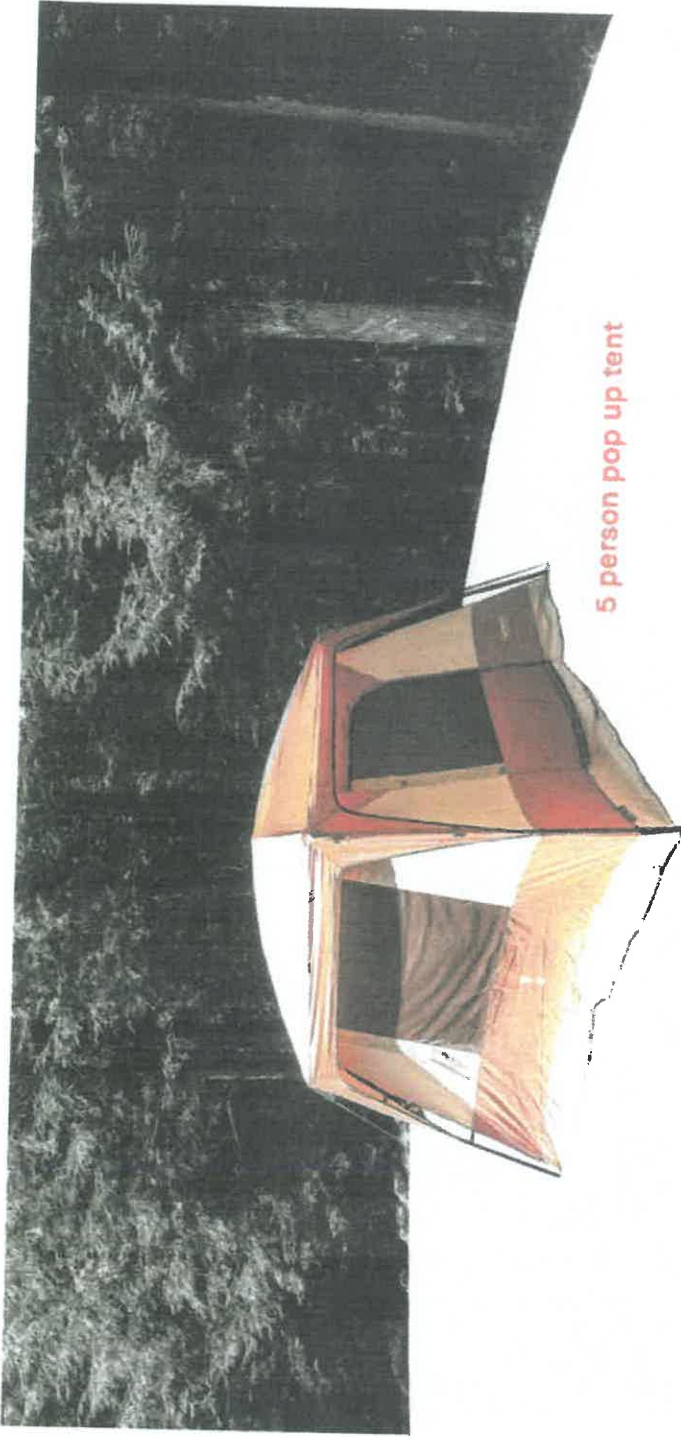
Holds up to 5 adults

Easy to set up

Floor size: 8' x 8'

Interior peak: 7'

Offers additional space for campers



5 person pop up tent

37

Tentrr Loo & CleanWaste Bags

Custom Tentrr design

Finished wood toilet seat and cover

18" x 21" x 15"

50 CleanWaste Loo Bags

Easy to use and NO clean up

CleanWaste bags approved across the United States

Inquire for State issued approval letter



Tentrr Loo



CleanWaste Bag



Privacy Tent

Privacy Tent

Easy pop up technology

Floor size: 18" x 18"

Interior peak: 72"

Durable Goods

Propane Heater

6,000 to 18,000 BTU

For use with propane gas

Heats up to 450 sq. ft.

Runs for 69 hours on low; 23 hours on high

Accidental tip-over safety

3 heat settings



Propane Heater

Solar shower

5.8 gallon / 22 liter capacity

7 foot neoprene sprayer hose with spray nozzle

Sits securely on the ground

Pressurized by a foot pump

7-10 minutes of continuous, steady water pressure

Heats up in direct sunlight



Solar Shower

Water container

Holds ice for up to 3 days

Push-button spigot is recessed and angled for easy, leak-free dispensing

Reinforced handles

Pressure-fit lid, won't trap dirt or mold



5 Gallon water Container



45 Gallon Trash Can



Fire Extinguisher



Tentrr Support > Camper Help > Camping at a Signature Site

Search

Articles in this section



What is a Signature Campsite?

Follow

A Tentrr Signature Campsite is a beautiful, private piece of paradise equipped with everything you need to have an incredible outdoor experience.

While you search to find your perfect campsite, you can have the peace of mind that each Tentrr Signature campsite comes equipped with the following:

- Wooden deck
- Large canvas tent
- Queen-size cot and mattress
- 5-person pop-up dome tent
- 5-gallon water container
- Outdoor sun shower
- Fire pit
- Metal grill
- Picnic table
- 2 Adirondack chairs
- Wood burning stove or tent heater
- Dry food storage



The Whole Kit and Kaboodle

1	Tentrr Tent
1	Tentrr Platform
2	Tentrr Adirondack Chairs
1	Tentrr Table
2	Tentrr Bench
1	Tentrr Loo (CleanWaste)
1	Tentrr Dry Box
1	Tentrr Heater Buddy
2	Tentrr Side Tables
1	Tentrr Bed
1	Mattress (5 inch)
1	Mattress Protector
1	Privacy Loo Tent
1	Pop-Up Tent
1	Water Container
1	Sun Shower
1	Garbage Can
1	Fire Extinguisher
50	Loo Bags
1	Fire Pit
1	Grill



CampKit Addons

Wood Stove

17" x 11" x 10"

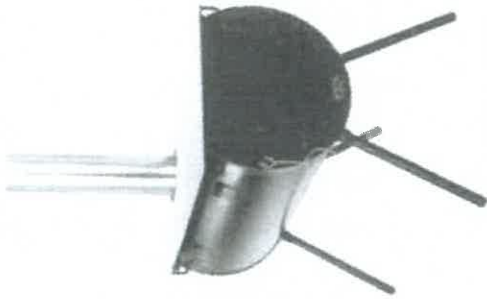
Stands 20" tall with legs

Weight: 28lbs

Burn times vary from 2-4 hours

Constructed of heavy 10 and 12 gauge steel

\$325



Wood Stove



Poly Rain Fly

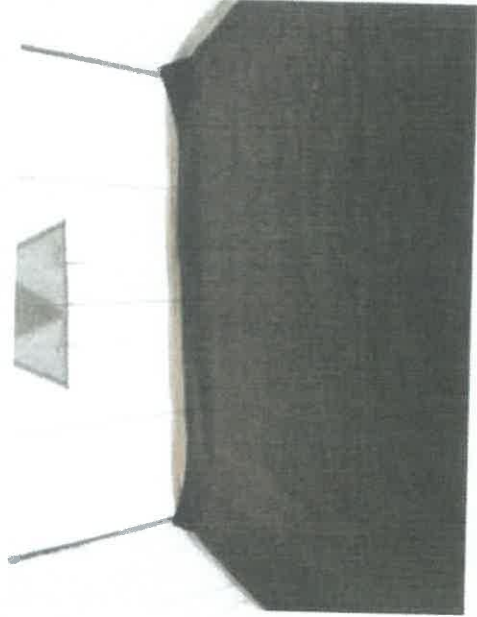
Poly Rain Fly

10' x 12'

12mil polyethylene coated nylon

Weight: 25lbs

\$250



Tent Floor

Tent Floor

10' x 12'

Keeps tent dirt and critter free

\$50



Please publish the following public hearing notice in **THE FARMVILLE HERALD** on Wednesday January 5, 2022 and Wednesday, January 12, 2022.



NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, January 18, 2022, commencing at 7:00 p.m. in the Board of Supervisors Meeting Room located on the 3rd Floor of the Prince Edward County Courthouse, 111 N. South Street, Farmville, Virginia, to receive citizen input prior to considering the following:

1. A request by Carolyn & Sam Martin for a Special Use Permit to operate a commercial campground on Tax Map Parcel 054-1-3, on Gates Bass Road, Rice, VA.
2. A request by Beverly & Qadir Abdus-Sabur for a Special Use Permit to construct and operate a meat processing facility on Tax Map Parcel 74-A-26B, on Darlington Heights Road, Cullen, VA.

~~~~~

Citizen input for Public Hearings of the Planning Commission 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 at all times to wear a mask and to socially distance. The Planning Commission appreciates the public's patience as the County continues 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/UCyfpsa5HEjIWejBSc5XwpIA/featured> .

A copy of the Special Use Permits are available for public review on the County's web site at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us) or in the Prince Edward County Administrator's Office, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA. 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

## SUP Request

Applicant: CAROLYN & SAM MARTIN

Tax Map: 054-1-3

### Schedule B

List of adjoining Property owners and mailing addresses for the property for a SUP proposed for a Campground.

| Parcel ID                    | Owner                    | Address                             | Note |
|------------------------------|--------------------------|-------------------------------------|------|
| 054-1-A; 054-1-2B; 054-1-2C; | JOE DAVID & SALLY C BASS | 1049 GATES BASS ROAD RICE, VA 23966 |      |
| 054-A-31                     | GEORGE & RUTH PATTEN     | 1056 GATES BASS ROAD RICE, VA 23966 |      |
|                              |                          |                                     |      |
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**PLANNING COMMISSION**

John Pengaman  
Chairman  
Robert M. Jones  
Board Representative

Henry Womack  
Preston L. Hunt  
Brad Fuller  
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

January 3, 2022

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Request – Carolyn & Sam Martin SUP

The Prince Edward County Planning Commission will hold a public hearing on January 18, 2022 at 7:00 p.m. to receive citizen input on a request by Carolyn & Sam Martin for a Special Use permit to operate a commercial campground on Tax Map Parcel 054-1-3, located on Gates Bass 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 Planning Commission 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

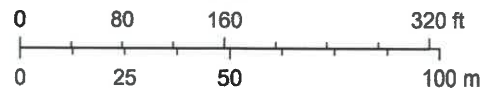
Director of Planning and Community Development

# Carolyn & Sam Martin SUP



January 13, 2022

1:2,257



- Road Centerline
- Parcel Labels
- Address Points
- Address Point Labels
- County Boundary
- Farmville Boundary

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

# CAROLYN & SAM MARTIN 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 12/27/2021 are hereby made part of these development conditions.
2. Final site plan approval for the Commercial Campground 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 or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.
9. Development activities shall comply with Section 82-31 of the Prince Edward County Code.

## TRANSPORTATION

10. All entrance permits must be authorized by the Virginia Department of Transportation (VDOT). Development activities shall comply with all requirements of VDOT.

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.

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

**Meeting Date:** January 18, 2022  
**Item No.:** 5  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Special Use Permit – Meat Processing Facility

**Summary:**

The County has received an application by Beverly & Qadir Abdus-Sabur for a Special Use Permit to construct and operate a meat processing facility on Tax Map Parcel 74-A-26B, on Darlington Heights Road, Cullen, VA Attachment (1). This parcel is in an A1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a meat processing facility.

The public hearing notice was published in the January 5, 2022 and January 12, 2022 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 the tax map page that depicts the tax map parcel the campground will be placed and surrounding property. The parcel is outlined in blue. Attachment (6) is the staff prepared Potential Conditions.

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.

**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. Plat of Tax Parcel
- 6. Potential Conditions

**Recommendations:**

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

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

Paige \_\_\_\_\_  
Sandlin \_\_\_\_\_  
Fuller \_\_\_\_\_

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

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



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

**Recommended Motions:**

I move that the Planning Commission recommend approval of the Special Use Permit request by Beverly & Qadir Abdus-Sabur to construct and operate a meat processing facility with the following conditions:  
*(list of conditions)*

I move that the Planning Commission recommend denial of the Special Use Permit request by Beverly & Qadir Abdus-Sabur to construct and operate a meat processing facility due to the following:  
*(list reasons)*

I move that the Planning Commission table the Special Use Permit request by Beverly & Qadir Abdus-Sabur to construct and operate a meat processing facility until the next meeting in order to:  
*(list reasons)*

Motion \_\_\_\_\_  
Second \_\_\_\_\_  
Pregaman \_\_\_\_\_

Paige \_\_\_\_\_  
Sandlin \_\_\_\_\_  
Fuller \_\_\_\_\_

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: Qadir Abdus-Sabur & Beverly Abdus-Sabur  
Applicant's Address: 3588 Indian Spring Road, Green Bay, VA 23942  
Applicant's Telephone Number: ( ) (434) 607-7988

Present Land Use: Agriculture

Legal Description of Property with Deed Book and Page No. or Instrument No. \_\_\_\_\_  
Instrument Number 202001679;

Tax Map # 74-A-26B      Acreage : 67.28

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) The effects on adjoining properties are minimal. Because we are incinerating our waste, there is no odor from our plant. On a given day, there is little noise other than typical farm sounds.

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) Other adjacent properties are typical agricultural areas therefore our plant will have little to no impact.

Height of Principal Building (s): Feet 20      Stories 2

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 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]      11/29/21  
Signature of Property Owner(s)      Date

[Signature]      11/29/21  
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 [Signature]      Date 11/29/2021

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) 392-8837

# 5 Pillar Meats Processing Plant Project Overview

5 Pillar Meats, LLC is an outgrowth of Abdus-Sabur Farms established in 1982 in Green Bay, Leigh District. This local, family owned business looks to expand its service to producers and residents of the area by providing full-service USDA meat processing in our vastly underserved market. We want to expand our operation by locating this plant on our property in Darlington Heights, Hampden District. The Virginia Department of Transportation has approved our location for a commercial entrance to our facility on Darlington Heights Road.

At full production, our goal is to provide this much-needed service by providing USDA inspected meat processing for the local farming community. This enables local restaurants and various public institutions to source their meat locally. Retail cuts of meat will also be available for family and individual purchase. Additionally, we expect that at full production, we will employ 10- 12 full-time positions in our plant.

Our three thousand (3,000) square foot facility has been designed with environmental sensitivities in mind. Typical waste from a meat processing plant consists of solids (internal organs and fats) and liquids (blood). At our facility, the solids will be completely incinerated daily with no smells or pollutants to the environment. Liquids from our processing will be captured in an underground storage tank and pumped out periodically and transported to the Lynchburg WasteWater Treatment Plant for proper disposal. Taylor's Septic Service (Tank Pumping & Hauling) and Lynchburg WasteWater Treatment Plant have both accepted our plan as proposed. Handwashing, showers and typical water usage will be captured in a traditional septic tank/drain field system.

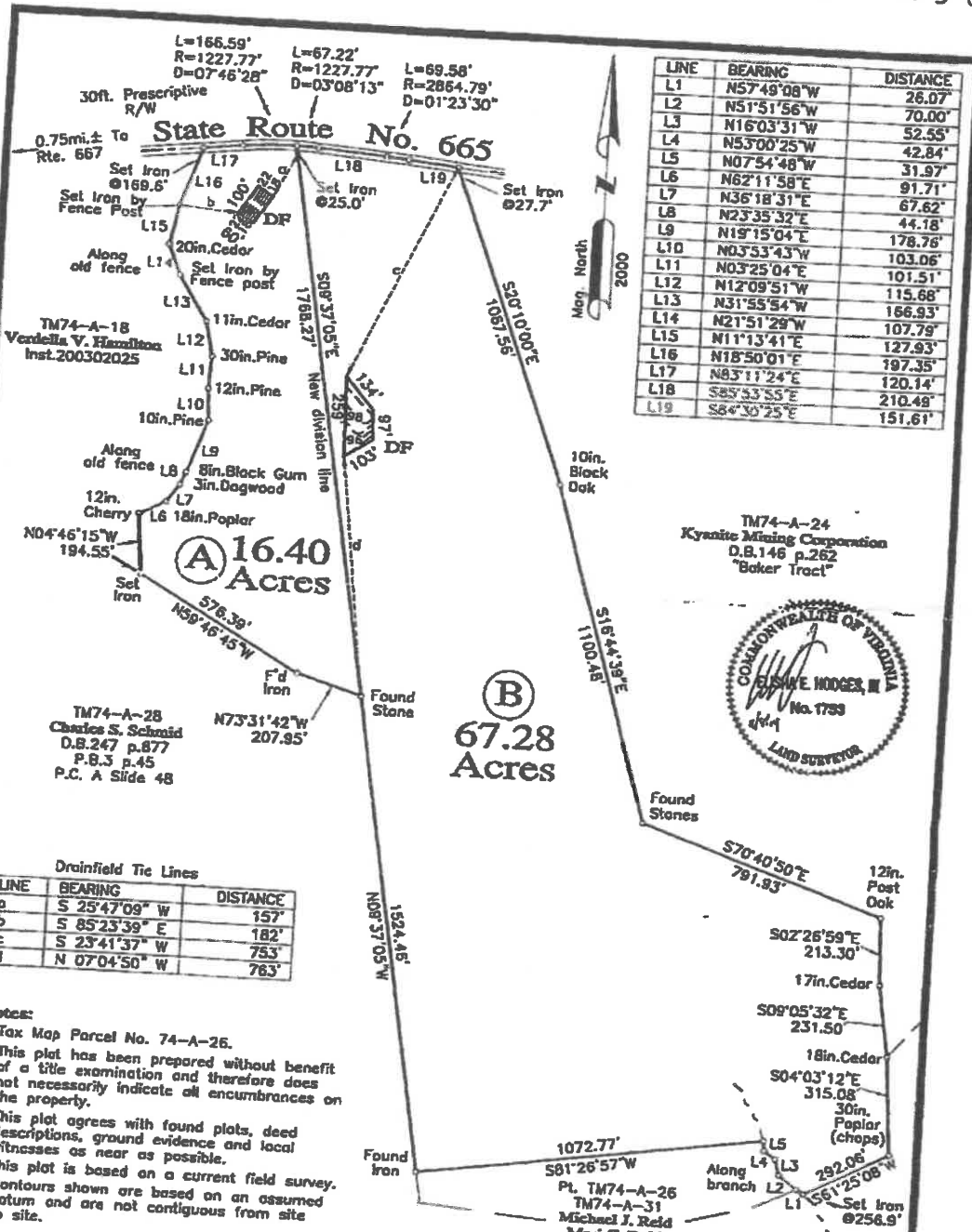
Initially, we were encouraged to find land that was zoned Industrial to build our facility. However, the price of the land suggested is cost prohibitive and prevents us from proceeding. We are therefore submitting this request to build this facility on our own property.

Submitted by Qadir and Bevrly Abdus-Sabur 11/29/2021

Sekou - operator

Instrument# 200500805 Page 2

67.28A



| LINE | BEARING     | DISTANCE |
|------|-------------|----------|
| L1   | N57°49'00"W | 26.07'   |
| L2   | N51°51'56"W | 70.00'   |
| L3   | N16°03'31"W | 52.55'   |
| L4   | N53°00'25"W | 42.84'   |
| L5   | N07°54'48"W | 31.97'   |
| L6   | N62°11'58"E | 91.71'   |
| L7   | N36°18'31"E | 67.62'   |
| L8   | N23°35'32"E | 44.18'   |
| L9   | N19°15'04"E | 178.76'  |
| L10  | N03°53'43"W | 103.06'  |
| L11  | N03°25'04"E | 101.51'  |
| L12  | N12°09'51"W | 115.68'  |
| L13  | N31°55'54"W | 166.93'  |
| L14  | N21°51'29"W | 107.79'  |
| L15  | N11°13'41"E | 127.93'  |
| L16  | N18°50'01"E | 197.35'  |
| L17  | N83°11'24"E | 120.14'  |
| L18  | S83°53'55"E | 210.49'  |
| L19  | S84°30'25"E | 151.61'  |

Drainfield Tie Lines

| LINE | BEARING       | DISTANCE |
|------|---------------|----------|
| a    | S 25°47'09" W | 157'     |
| b    | S 85°23'39" E | 182'     |
| c    | S 23°41'37" W | 753'     |
| d    | N 07°04'50" W | 763'     |

- Notes:
1. Tax Map Parcel No. 74-A-26.
  2. This plot has been prepared without benefit of a title examination and therefore does not necessarily indicate all encumbrances on the property.
  3. This plot agrees with found plots, deed descriptions, ground evidence and local witnesses as near as possible.
  4. This plot is based on a current field survey.
  5. Contours shown are based on an assumed datum and are not contiguous from site.

DF = Proposed drainfield site as staked by Bob Johnson, Rt. 3, Cumberland, Va. 23040 Ph:434-983-1198.

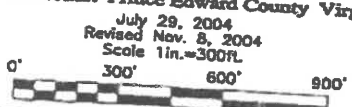
TM74-A-24  
Kyanite Mining Corporation  
D.B.146 p.262  
"Baker Tract"



**(B)**  
67.28  
Acres

**(A)**  
16.40  
Acres

Division of Property  
for  
**Emerson & Clements Woodyards, Inc.**  
Owners by Inst. # 200401149  
Buffalo District Prince Edward County Virginia



**Maxey-Hines & Associates, P.C.**  
Land Surveyors • Engineers • Planners • Consultants  
P.O. Box 90 • Farmington, Virginia 22901 • Tel:434-707-9977

*Michael J. Reid*  
Subdivision Administrator  
Date: 2/25/05

0450157  
FB1093-12

# 5 Pillar Meats Processing Plant

## Project Overview

5 Pillar Meats, LLC is an outgrowth of Abdus-Sabur Farms established in 1982 in Green Bay, Leigh District. This local, family owned business looks to expand its service to producers and residents of the area by providing full-service USDA meat processing in our vastly underserved market. We want to expand our operation by locating this plant on our property in Darlington Heights, Hampden District. The Virginia Department of Transportation has approved our location for a commercial entrance to our facility on Darlington Heights Road.

At full production, our goal is to provide this much-needed service by providing USDA inspected meat processing for the local farming community. This enables local restaurants and various public institutions to source their meat locally. Retail cuts of meat will also be available for family and individual purchase. Additionally, we expect that at full production, we will employ 10-12 full-time positions in our plant. Our proposed hours of operation are Mon-Fri 8:00 am to 5:00 pm and Sat 8:00am until noon.

Our three thousand (3,000) square foot facility has been designed with environmental sensitivities in mind. Typical waste from a meat processing plant consists of solids (internal organs and fats) and liquids (blood). At our facility, the solids will be completely incinerated daily with no smells or pollutants to the environment. Liquids from our processing will be captured in an underground storage tank and pumped out periodically and transported to the Lynchburg WasteWater Treatment Plant for proper disposal. Taylor's Septic Service (Tank Pumping & Hauling) and Lynchburg WasteWater Treatment Plant have both accepted our plan as proposed. Handwashing, showers and typical water usage will be captured in a traditional septic tank/drain field system.

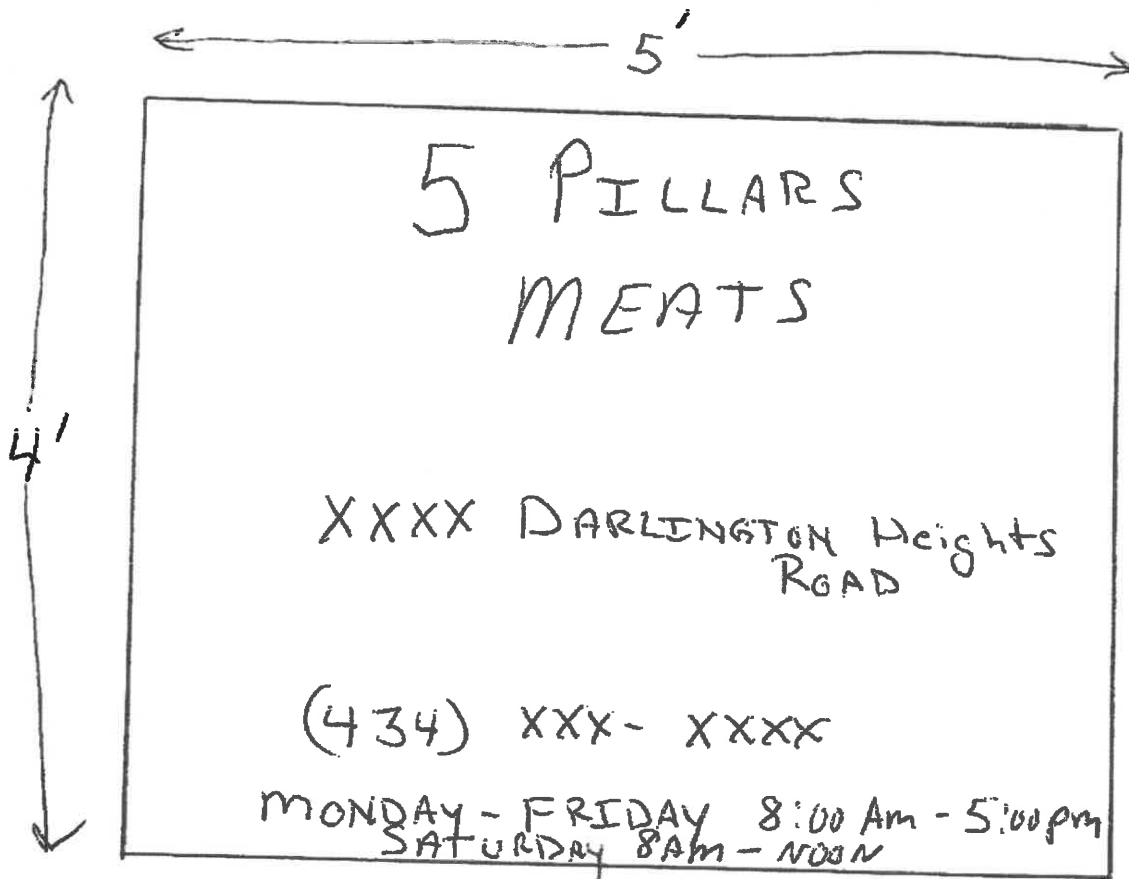
Initially, we were encouraged to find land that was zoned Industrial to build our facility. However, the price of the land suggested is cost prohibitive and prevents us from proceeding. We are therefore submitting this request to build this facility on our own property.

Submitted by Qadir and Bevrly Abdus-Sabur 11/29/2021  
Revised 11/30/21

**SUP application requirements to be considered complete for filing:**

- 1- Site plan showing building on property and setbacks denoted (Any site signage should also be shown on property).
- 2- Email or letter from VDOT stating that entrance can be obtained for the intended use.
- 3- Update narrative to include hours of operation.

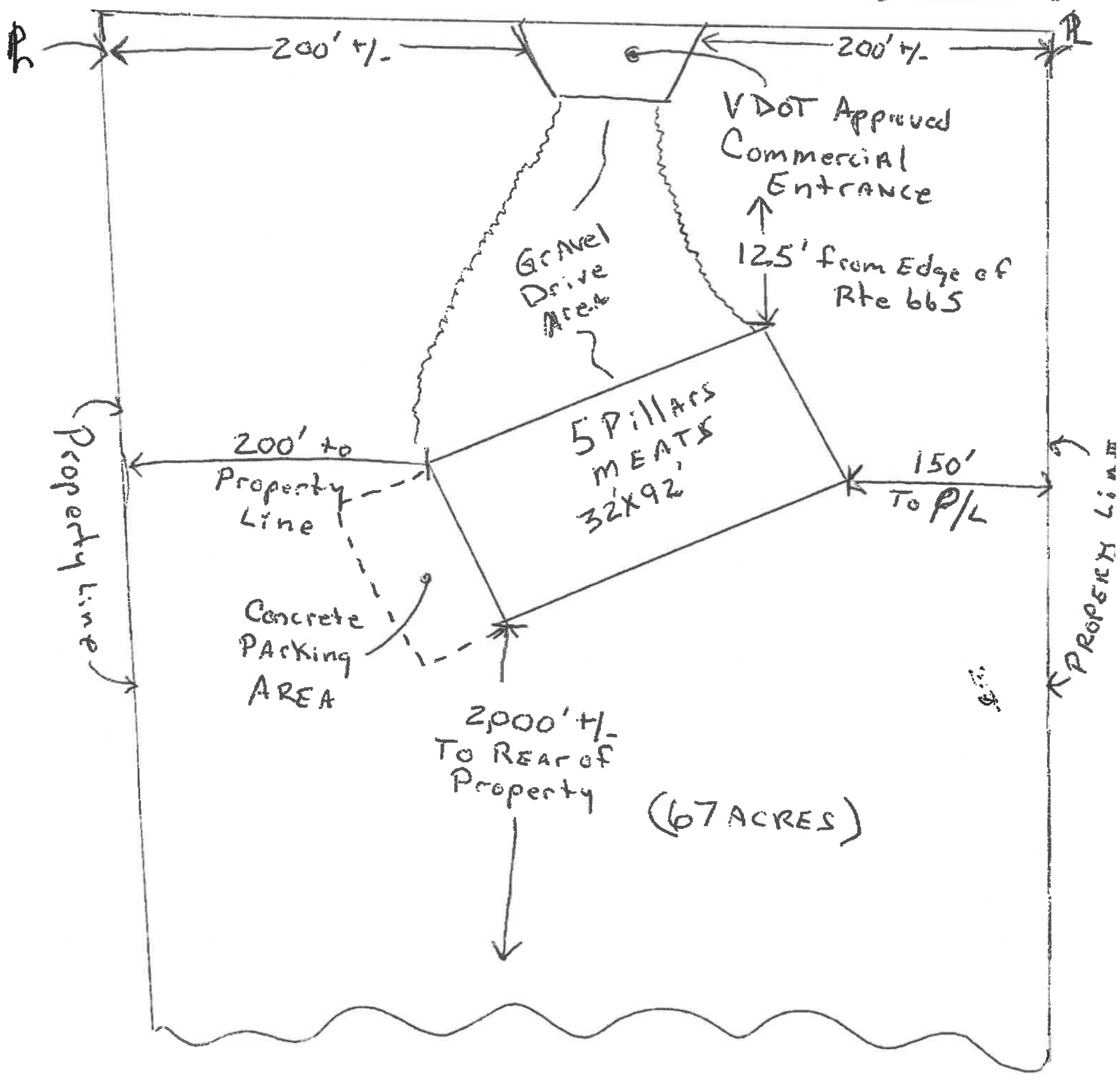
5 Pillars MEATS Sign in front yard



← To Charlotte County

To Farmville →

ST Rte 665



ABDUS-SABUR



**APPLICATION FOR A TRAFFIC IMPACT DETERMINATION**

Please fill out the following information before presenting to VDOT:

Case Number / File Name: \_\_\_\_\_

Applicant: Sekou Abdus-Sabur

Location: Rt. 665, Prince Edward Co. 37.201743 -78.578291

Proposed Use: Slaughterhouse

**For VDOT use only:**

A Traffic Impact Statement is required per 24 VAC 30-155-60.

A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

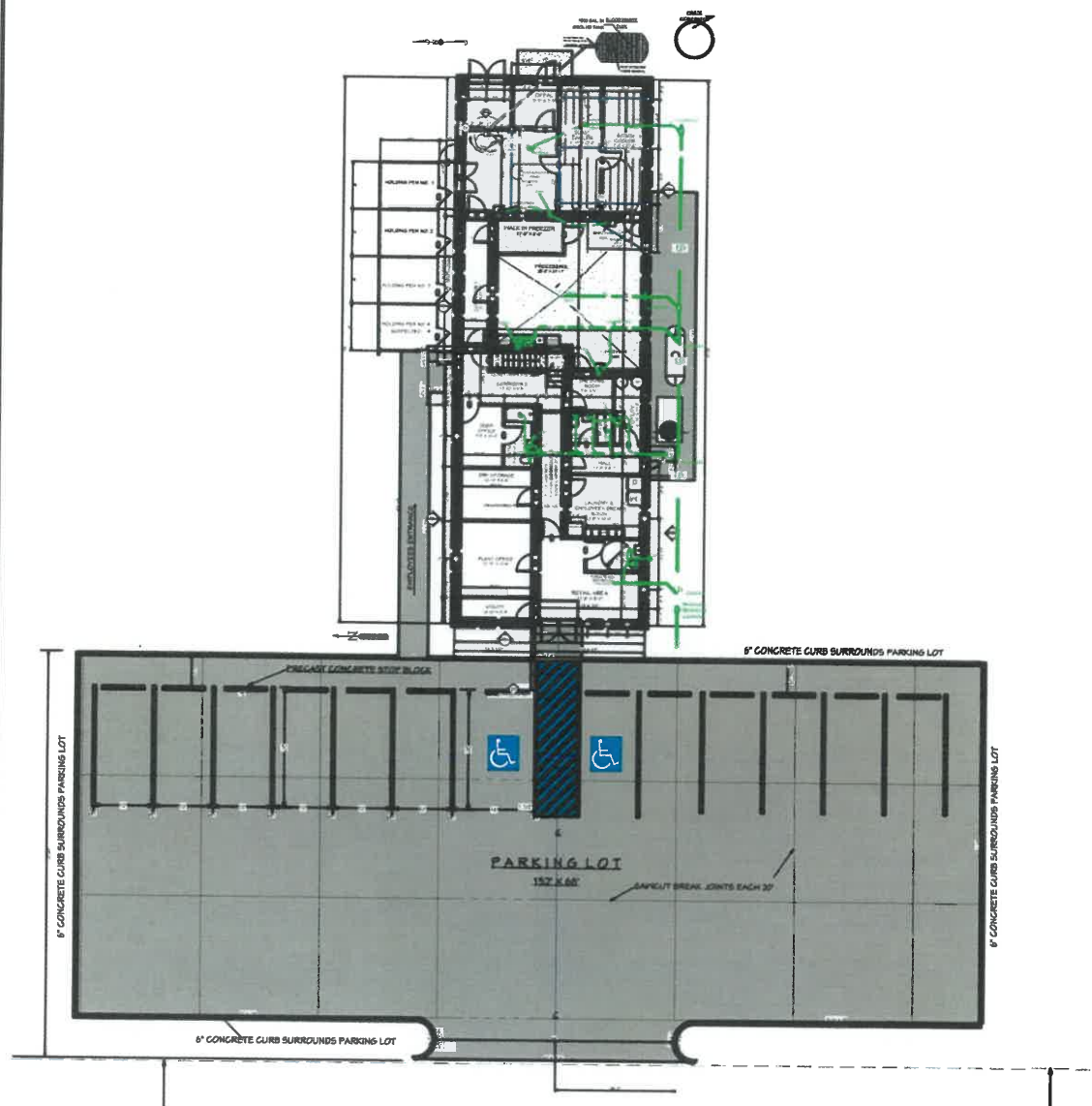
\_\_\_\_\_  
\_\_\_\_\_

Does the existing entrance meet VDOT requirements for the proposed use?  
Yes  No  If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Location provides adequate sight distance for the installation of a required commercial entrance. Applicant will need to acquire a VDOT Land Use Permit prior to construction.

Signature of VDOT Resident Engineer: C. Day Edwards

Printed Name: Charles D. Edwards Date: 11/30/21



**SITE PLAN**  
**SCALE = 1"=10'**

**1"=10'**  
SCALE:  
DATE: 11/17/2021  
DRAWINGS PROVIDED BY:  
**W H OVERSTREET**  
1015 W OSBORN RD  
FARMVILLE, VIRGINIA 23901 (434) 607-0507  
boverstreet.42@gmail.com

**FIVE PILLARS MEAT'S, L.L.C.**  
FARMVILLE, VA 23901

**58**

| REVISION TABLE |      |             |             |
|----------------|------|-------------|-------------|
| NUMBER         | DATE | REVISION BY | DESCRIPTION |
|                |      |             |             |
|                |      |             |             |
|                |      |             |             |
|                |      |             |             |

**A-1**



Please publish the following public hearing notice in THE FARMVILLE HERALD on Wednesday January 5, 2022 and Wednesday, January 12, 2022.



### NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, January 18, 2022, commencing at 7:00 p.m. in the Board of Supervisors Meeting 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. A request by Carolyn & Sam Martin for a Special Use Permit to operate a commercial campground on Tax Map Parcel 054-1-3, on Gates Bass Road, Rice, VA.
2. A request by Beverly & Qadir Abdus-Sabur for a Special Use Permit to construct and operate a meat processing facility on Tax Map Parcel 74-A-26B, on Darlington Heights Road, Cullen, VA.

~~~~~

Citizen input for Public Hearings of the Planning Commission 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 at all times to wear a mask and to socially distance. The Planning Commission appreciates the public's patience as the County continues 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
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 Special Use Permits are available for public review on the County's web site at www.co.prince-edward.va.us or in the Prince Edward County Administrator's Office, 111 N. South Street, 3rd Floor, Farmville, VA. 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

SUP Request

Applicant: QADIR ABDUS-SABAR & BEVERLY ABDUS-SABUR

Tax Map: 074-A-26B

Schedule B

List of adjoining Property owners and mailing addresses for the property for a SUP proposed for Meat Processing Plant.

Parcel ID	Owner	Address	Note
074-A-25	YOUNG IDA MAE ET AL	3633 DARLINGTON HEIGHTS ROAD CULLEN, VA 23934	
074-A-18A	CARTER ARTHUR VINCENT SR & DOROTHY	11203 YORKTOWN LANE FREDERICKSBURG, VA 22407	
074-A-26A	CLARK TRACEY L & TONYA P	3588 DARLINGTON HEIGHTS ROADCULLEN, VA 23934	
074-A-28	SCHMID CHARLES S ET AL	887 LOWESVILLE ROAD AMHERST, VA 24521	
074-A-18	HAMILTON WILLIAM HENRY	3069 DARLINGTON HEIGHTS ROAD CULLEN, VA 23934	
074-A-24	BLUE ROCK RESOURCES LLC	P O BOX 256 DILLWYN, VA 23936	
074-A-31	GILL MONICA NICOLE ELDER & BRENT	16893 EVENING STAR ROAD ROUND HILL, VA 20141	
075-5-1	LAMB ROLAND C	5741 WOODVINE AVENUE PHILADELPHIA, PA 19131	
074-1-A	WALKER ROSALEE HUGHES ET AL	3739 DARLINGTON HEIGHTS ROAD CULLEN, VA 23934	

PLANNING COMMISSION

John Prengaman
Chairman
Robert M. Jones
Board Representative

Henry Womack
Preston L. Hunt
Brad Fuller
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, 3rd Floor
Farmville, VA 23901

Office: (434) 392-8837

Fax: (434) 392-6683

rlove@co.prince-edward.va.us

www.co.prince-edward.va.us

January 3, 2022

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Request – Beverly & Qadir Abdul-Sabur SUP

The Prince Edward County Planning Commission will hold a public hearing on January 18, 2022 at 7:00 p.m. to receive citizen input on a request by Beverly & Qadir Abdul-Sabur for a Special Use permit to construct and operate a meat processing facility on Tax Map Parcel 74-A-26B, located on Darling Heights Road, Cullen, 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 Planning Commission 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.

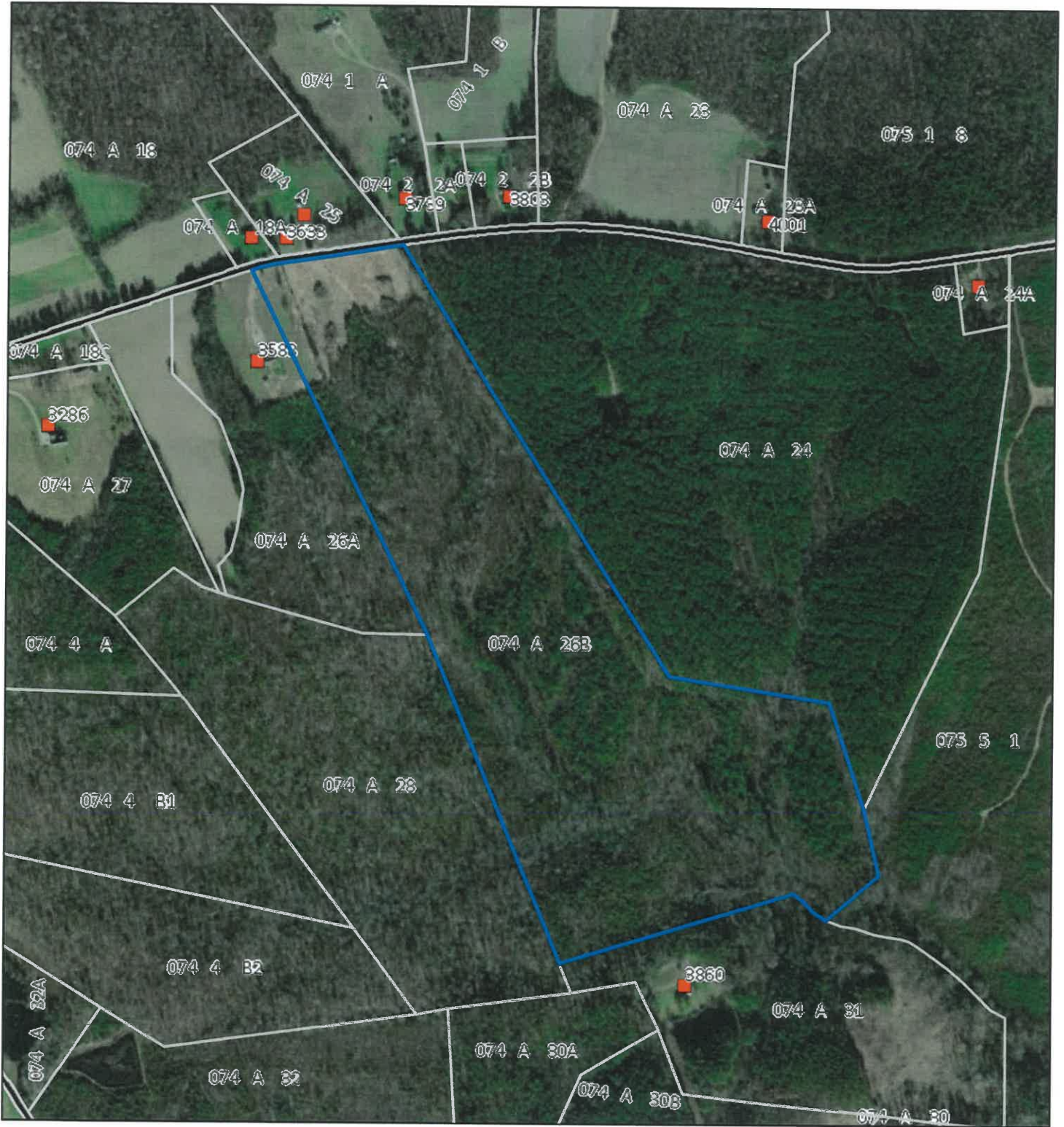
If you have any questions, please do not hesitate to contact me at 434-392-8837.

Respectfully,

Robert Love








Director of Planning and Community Development

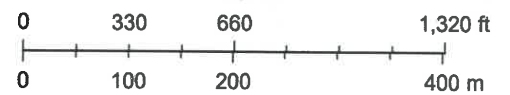
Beverly & Qadir Abdus-Sabur SUP



January 13, 2022

1:9,028

-  Road Centerline
-  Address Points
-  Address Point Labels
-  Parcel Labels
-  Farmville Boundary
-  County Boundary
-  Farmville Boundary



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

BEVERLY AND QADIR ABDUS-SABUR 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 11/29/2021 are hereby made part of these development conditions.
2. 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.

ENVIRONMENTAL

3. 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.
4. Noise, light, vibration, or odor associated with the processing operation shall not be perceptible beyond the site boundary/property lines.
5. All facilities for the provision of potable water and sanitation and wastewater disposal systems shall be approved by the Virginia Department of Health.
6. Any development activities of structural or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.
7. The septic system shall have an alarm system installed in order to detect any problem or malfunction that may occur.

TRANSPORTATION

8. All entrance permits must be authorized by the Virginia Department of Transportation.
9. 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.
10. 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

11. All operations of the facility shall be in compliance with the United States Department of Agriculture and Virginia Department of Health rules and regulations.
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. Outdoor storage of dumpster/trash containers shall be situated at the rear of buildings and shall be appropriately screened per Prince Edward Zoning Ordinance, Section 4-200.15.
14. All equipment used in the processing of the meat product shall be located wholly within a building or structure or be screened from the public rights-of-way and adjacent residential buildings.
15. Meat product shall be slaughtered and stored within a building or structure so that it is not visible from the property lines.
16. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
17. 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.
18. 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.



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

Meeting Date: January 18, 2022
Item No.: 8
Department: Planning and Community Development
Staff Contact: Douglas Stanley / Robert Love
Issue: Subdivision Ordinance Amendments - Draft Review

Summary:

Most recently a county landowner sought to subdivide a one-hundred (100) acre parcel from approximately one hundred ninety-two (192) acres with the intent to plant timber on the entire tract. Due to the language in the Subdivision Ordinance that states that “All plats, before being submitted, shall first be approved by the resident highway engineer and the local health official.” Due to this, I had to require Health Department approval of a perk site. The buyer had no intention of using the land for residential use, however the code section clearly compels this as it is currently written.

In reading legal codes, the word “may” is an expression of possibility, a permissive choice to act or not, and ordinarily implies some degree of discretion. This contrasts with the word “shall,” which is generally used to indicate a mandatory provision. (Source: Cornell Law School, Legal Information Institute)

The Prince Edward County Subdivision Ordinance does not provide any agricultural exemption for perking a site that is solely intended for Agricultural use. While the Comprehensive Plan encourages agriculture and forestry as an industry in the County, the Ordinance does not directly support the goals and objectives in order to preserve farmland for active farming activities. An exemption to perking a new stand-alone lot not only reduces the cost of the land but also reduces the effort and time it takes in order to obtain soil work and obtain Health Department approval prior to recordation. The suggested new language accomplishes the goals while preserving the intent of the Subdivision Ordinance.

Therefore, staff has prepared a Draft with new language and description of development standards for consideration that will clearly allow for agricultural and forestal uses. In addition to this, staff is recommending adding language to more clearly define a Family Subdivision and other language to better clarify the standards in the Ordinance. The next step will be a public hearing to be held on the proposed Ordinance Amendments before making a formal recommendation to the Board of Supervisors.

Attachments:

1. Subdivision Draft Ordinance

Recommendations:

1. Review Final Draft for any necessary changes to Plan before holding a Public Hearing at the Regular February meeting.

Motion _____	Paige _____	Hunt _____	Jones _____
Second _____	Sandlin _____	Womack _____	Watson _____
Prengaman _____	Fuller _____	Leatherwood _____	Peery _____



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

Recommended Motions:

I move that the Planning Commission direct staff to advertise a Public Hearing for an Ordinance Amendment to amend and re-ordain of the Prince Edward County Code, Appendix A - Subdivisions to be held at the February 15, 2022 Regular Meeting of the Planning Commission.

OR

I move that the Planning Commission table the proposed Ordinance Amendment to amend and re-ordain the Prince Edward County Code, Appendix A - Subdivisions for further discussion at a work session.

Motion _____
Second _____
Prengaman _____

Paige _____
Sandlin _____
Fuller _____

Hunt _____
Womack _____
Leatherwood _____

Jones _____
Watson _____
Peery _____

AN ORDINANCE TO AMEND APPENDIX A OF THE PRINCE EDWARD COUNTY CODE (SUBDIVISIONS) TO AMEND THE DEFINITION OF FEES AND SUBDIVIDE

BE IT ORDAINED BY THE PRINCE EDWARD COUNTY BOARD OF SUPERVISORS that the Price Edward County Code - Appendix A (Subdivisions) be amended as follows:

3-7. *Fees.* There shall be a charge for the examination and approval or disapproval of every plat reviewed by the administrator. At the time of filing the preliminary plat, the subdivider shall deposit with the subdivision agent of Prince Edward County a check payable to the treasurer of Prince Edward County, **in the amount as adopted by of the Board of Supervisors.** ~~in the amount of \$175.00 per plat plus \$10.00 for each lot in subdivisions containing five lots or more.~~

7-32. *Subdivide.* To divide any tract, parcel or lot of land into two or more parts, except:

7-32-1. The administrator may, however, permit the separation of one parcel from a tract of land without complying with all requirements of this ordinance if it is:

- (1) Not in conflict with the general meaning and purpose of the ordinance;
- (2) No new streets are required to serve the parcel;
- (3) At least 1½ acres in area; and
- (4) Not less than 200-foot frontage.

7-32-2. The division of land solely for agricultural or forestal purposes and not for building or occupancy. The minimum lot size for such a division shall be 50 acres. Such division shall not be for the purpose of circumventing this chapter. Any plat with lots approved under this section shall contain restrictions as to the uses allowed on the lots suitable to the Administrator. Such restrictions shall also be placed by the subdivider in any deed of transfer for a lot approved under this section. Such restrictions shall run with the land until a valid Health Department approval is received for an individual sewage disposal system or a sanitary sewer is extended to serve the property.

7-32-3. A single division of a lot or parcel for the sale or gift to a member of the immediate family of the property owner, including the family member's spouse. Only one such division shall be allowed per family member and shall not be for the purpose of circumventing this chapter. A member of the immediate family is defined as any person who is a natural or legally defined offspring, spouse, sibling, grandchild, parent or grandparent of the property owner; provided, however, that only one conveyance of land shall be permitted to each set of parents of each one of the individual property owners, and provided further that a maximum of two conveyances of land shall be permitted to a maximum of two different sets of parents where there is more than one individual property owner. No person who has previously received a conveyance of land as a grantee under § 15.2-2244 of the Code of Virginia or any local ordinance enacted pursuant thereto shall be eligible to be a grantee of a lot or parcel created pursuant hereto.

7-32-4. The division of land for dedication for widening or straightening the rights-of-ways for roads within or eligible for inclusion within the state highway system or the division of land for dedication for public utilities.

~~The term "to subdivide" shall not include a bona fide division or partition of land for members of a family owning any such lands or a bona fide partition of land between or among cotenants, in the partition of such land ordered by a court of competent jurisdiction.~~

Any person proposing to divide land who contends that such division is exempted from the provisions of this chapter under Subsection (1), (2), (3) or (4) above shall submit to the Administrator a plat and/or other evidence satisfactory to the Administrator to enable him to determine if the proposed division is exempt. If, in the opinion of the Administrator, the division is exempted, he shall so certify on the plat or deed of conveyance by which the property is to be divided. No person shall record a plat or conveyance for a division of land without complying with the provisions of this chapter or without obtaining the Administrator's certificate of exemption.

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