



**PRINCE EDWARD COUNTY
PLANNING COMMISSION**

February 15, 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 February 15, 2022 meeting to order	
	2.	Approve Minutes	3
	3.	Public Hearing – Subdivision Ordinance Amendment	17
	4.	Review of Supervisors Actions	
	5.	Old Business	21
	6.	New Business	

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

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County of Prince Edward
Planning Commission
Agenda Summary

Meeting Date: February 15, 2022
Item No.: 2
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
January 18, 2022
7:00 pm**

Members Present:	John Prengaman, Chair	John "Jack" W. Peery, Jr., Vice Chairman
	Brad Fuller	Preston L. Hunt
	Robert "Bobby" Jones	Clifford Jack Leatherwood
	Cannon Watson	Henry Womack
Absent:	Whitfield M. Paige	Teresa Sandlin
Staff Present:	Robert Love, Planning/Zoning Director	Douglas P. Stanley, County Administrator

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

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.

Chairman Prengaman called the January 18, 2022 meeting to order at 7:00 p.m.

Election of Chairman

Chairman Prengaman called for nominations for the position of Chairman for 2022. Commissioner Jones nominated Commissioner Prengaman, seconded by Commissioner Watson. Chairman Prengaman called for any additional nominations. There being none, he closed nominations. The motion carried:

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

Election of Vice-Chairman

Chairman Pregelmann called for nominations for the position of Vice-Chairman. Commissioner Watson nominated Commissioner Peery, seconded by Commissioner Hunt. Chairman Pregelmann called for further nominations; there being none, he called for the vote for Commissioner Peery as Vice-Chairman. The motion carried:

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

Set Day, Time and Place of Regular Meetings

Chairman Pregelmann called for suggestions regarding the regular meeting schedule.

Commissioner Jones made a motion, seconded by Commissioner Peery, to hold the regular Planning Commission meetings on the third Tuesday of the month at 7:00 p.m. in the Board of Supervisors room of the Courthouse; the motion carried:

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

Adoption of Bylaws

Chairman Pregelmann called for suggestions regarding the Bylaws.

Commissioner Jones made a motion, seconded by Commissioner Peery, to adopt the Bylaws as presented; the motion carried:

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

**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.

In Re: Approval of Minutes

Commissioner Peery made a motion, seconded by Commissioner Leatherwood, to approve the meeting minutes from November 16, 2021 as presented; the motion carried:

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

In Re: Public Hearing -Special Use Permit, Carolyn & Sam Martin, Commercial Campground

Chairman Prengaman announced this was the date and time scheduled for review of a Special Use Permit application to operate a commercial campground on Tax Map Parcel number 054-1-3, located on Gates Bass Road, Rice, VA. Notice of this hearing was advertised according to law in the Wednesday, January 5, 2022 and Wednesday, January 12, 2022 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated 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. This parcel is in an A-1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a commercial campground.

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.

Mr. Love stated this is a proposed single-tent set-up; according to the Health Department regulations, anything under three camp sites does not constitute a campground in their rules for well and septic, but due to the [Sandy River] Reservoir rules and regulations, this property cannot have a septic field because the property lines fall within the 500' setback. This site is limited to two [camp sites] by the Health Department, which is what is in this application. The potential conditions were sent to the applicant.

Mr. Love stated he received one letter, from George and Ruth Jones Patten, in regards to this public hearing:

This is in reference to the request made 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 Rd. Rice, Va 23966. This parcel is located in the A1 Zoning District.

Our community is a close knit family with homes we will hopefully be living in for years to come ... we all look out for one another and respect each other's privacy ..

The idea of putting a campground right across the road from us is not what we want to see happen .. We feel our property value would be affected, meaning the value would drop .. our privacy would also be affected.

There are several state parks that have full facilities that the property across the road cannot offer .. A septic system cannot be on that property because it has failed the perk test.

We have more traffic then we need going down to the lake. Many cars speed up & down all hours of the night. .although that problem has gotten better, thanks to our law enforcement. .. a lot goes on at the bottom of the hill that our Sheriff is aware of..

Mr Martin seems to think we are in agreement of his plans, we are VERY against it and plan to be at the hearing on 1-18-2022

We also feel the Martins own sufficient properties elsewhere that would be better suited for a campground.

Commissioner Jones questioned the number of campsites. Mr. Love stated Mr. Paul Freed, Health Department, said the site is maxed out at two campsites, but only one site is being applied for. Mr. Love said a third campsite, or more, would require a septic field which is not permissible.

Mr. Martin stated they intend to partner with a company that would provide the [Inaudible]. He said it is a single platform, and according to the Health Department, it is labeled an "unpermitted primitive campsite." He said they own 3.5 acres with one camp site. It is composed of a small platform big enough to hold a tent, with a maximum of five people in the tent. There will be no commercial campers will be permitted. The "loo" is what is used in campgrounds all over the country. Mr. Martin said he does not believe this will increase traffic as there will be one vehicle with the campers and will be parked on the premises.

Chairman Prengaman opened the public hearing.

Kyle Vaught, Lockett District, stated he is in opposition to this proposed campground and there have been problems with people using the cul de sac at the bottom of the road where the Reservoir is as a site to buy and use drugs, have sex, and "party." He said this project would result in noticeable extra traffic. He said the model for the campsite shows solid waste would be bagged, and asked who will oversee the removal of that waste. Mr. Vaught asked if there will be an attendant at the site, and how the rules will be enforced. He expressed his concern that it will be a party destination with more than six people, with drinking and loud music, and questioned how that will be prevented. Mr. Vaught stated this will make the reservoir an uglier place and not more inviting.

Martha Vaught, Lockett District, stated she has lived in her home about eight years, and there is a lot of traffic on the road because there are 16 homes on the road consisting of 1.1 miles. She said the road is curvy and narrow. She said the end of the road was meant to be a school bus turn-around and now is a public boat landing and drug-dealing zone with a lot of traffic. She said the proposed camp site is surrounded by trees; she said this is an open hunting zone for deer and turkey, and there are no marked boundaries. Mrs. Vaught stated her concerns include an operator being on the camp site at all times; she said people invite others to join them, and is concerned about the training of the camp operators in crisis management, medical emergencies. She expressed concern regarding campers fighting, using guns, and other safety and traffic concerns. She asked the Commission to deny this request.

Alton Fowlkes expressed his concerns regarding a limit on the number of vehicles and people on site, and noise.

Ruth Patton expressed her concerns regarding her property value as their home is right across the road from the proposed camp site. She said it would be an invasion of her property; this is a curvy road and traffic speeds down the road. She said she would like to see that shut down as there is litter and people abuse the site.

George Patton stated they bought the home five years ago and knew of the issues at the lake. He said there is a 40-foot easement from the water's edge up to the house. He stated he used to mow to the water's edge but has stopped and the grass is now three- to four-feet high; since he stopped mowing, there are fewer people from walking and fishing along the shoreline because of snakes and bugs. He said people were using the ditch-lines as a toilet. He said there is trash there also and he calls the Sheriff's office often. He said he witnessed someone had been walking around his property; he said he is concerned about his privacy, fire and sanitation.

Karen Gates stated she is in opposition to this Special Use Permit application; she said there was a statement made that there would be no effect to the traffic but there is already traffic and loitering. She questioned if the camp site operator would be on-site 24/7 in the event of an emergency. She then stated she is concerned about her property value decreasing and asked that the Commission deny this request.

Joe Bass stated he lives adjacent to the Martin property. He expressed his opposition as he is concerned about the boundaries and people being on his property. He said the reservoir was initially constructed due to dry years and to provide water to Farmville and Hampden-Sydney. He asked that the campsite not be allowed due to creating a domino effect and others wanting to build closer to the water. He said he had to fence to keep animals out [of the water]. He asked that the Commission not allow anyone to build closer to the reservoir.

Sally Bass asked how people will know the boundaries of the campground and not trespass on adjoining properties.

Mr. Martin stated the problems listed are not from the proposed plan; he said having someone on the land wouldn't and cannot help the existing issues. Mr. Martin said the same issues were brought up when someone wanted to put in a fire hydrant at the end of the road; he added having someone on the property may prevent some of the problems currently going on.

Chairman Prengaman asked if there will be an attendant at the campsite. Mr. Martin stated he will see that the County law is enforced and security cameras will be used. He said they will enforce the conditions as set forth and quiet hours will begin at 9:00 p.m. Mr. Martin added the County staff does a wonderful job maintaining along the Reservoir. Mr. Martin said he is a retired eye doctor and has no qualifications [for emergency situations].

Commissioner Jones asked if the property lines will be marked along with the easement to the reservoir. Mr. Martin stated the easement is already staked. Mr. Martin said there will be no generators and no guns; there is no hunting permitted on his property.

Commissioner Jones asked if there will be campfires and if there will be some type of construction to contain a campfire. Mr. Martin said there will be a fire pit.

Commissioner Fuller asked if this will be seasonal or year-round. Mr. Martin said it will likely be year-round.

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

Commissioner Jones asked the location of the tent. Mr. Martin stated it is to be situated in the middle of the property. Mr. Love stated it will have to follow the guidelines of the Reservoir, with a setback of 250' from the water's edge.

Chairman Prengaman stated the conditions will include no generators, a fire pit, property boundary lines, no gunfire, campers are to be notified of the lake easement, noise level and quiet hours. Mr. Martin said he would visit the site often if people would be camping; he stated he is back and forth anyway. Mr. Love stated if passed, this permit would be enforced by the County and is complaint-based, can be revoked, and is non-transferrable unless there is written notice. Discussion followed. Mr. Love stated the applicant would have to follow established setbacks and this would

dictate where the site could be located. Mr. Love stated there will be no Soil Erosion Sediment Control necessary; this is not applicable [to this application].

Commissioner Jones stated the site would have to be in a specific place. Mr. Love said that would be part of the site plan approval process as set forth in the Conditions. Discussion followed.

Commissioner Leatherwood questioned the length of rental of the campsite; Mr. Martin said it would not be long-term and no more than a week. Some discussion followed.

Commissioner Watson made a motion, seconded by Commissioner Womack, to table the issue until more information could be secured and a site plan presented; the motion carried:

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

In Re: Special Use Permit – Beverly & Qadir Abdus-Sabur, Meat Processing Facility

Chairman Prengaman announced this was the date and time scheduled for a Public Hearing on a request 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. Notice of this hearing was advertised according to law in the Wednesday, January 5, 2022 and Wednesday, January 12, 2022 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated 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. This parcel is in an A1, Agricultural Conservation zoning district and requires a Special Use Permit to locate and operate a meat processing facility.

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

Mr. Love stated no comments were received regarding this project; the detailed site plan includes signage and a project narrative showing the location of all facilities.

Qadir Abdus-Sabur stated he raises sheep for meat and hopes to expand to include cattle and goats. He said they would like to build and operate a USDA-inspected meat processing facility and to provide a service to local producers so the products they raise on their farms could be sourced locally and processed locally, which would benefit for our citizens. He stated the USDA-inspection portion of this allows meat to be produced from local farms and the farmers can then sell their own product from their farms if they choose. Another pathway is a custom setup where a farmer would sell the entire animal, in halves or quarters or eighths, and these could then be taken to a custom butcher to cut the meat to their liking for their own personal consumption. Mr. Abdus-Sabur stated the target audience is for the families in the area that cannot afford to get a whole animal. In addition to the custom butchering, he wishes to provide custom butchering and USDA inspection, to include a retail meat case.

Chairman Prengaman opened the public hearing.

Joe Carson stated he lives in Darlington Heights and that this is a huge benefit. He said this would offer a great opportunity for farmers; and he does not expect this would be any kind of change in respect to the landscape. He said Mr. Abdus-Sabur runs his farm with precision and this would be a benefit to the community and to the county.

Alton Fowlkes stated he has known Mr. Abdus-Sabur for 25 years; he added slaughter houses are booked six months in advance and is a real need to have this service in the county. He said to get the USDA certification would be a great asset to the county.

Chainman Prengaman asked if this is Mr. Abdus-Sabur's first venture of this type. Mr. Abdus-Sabur said it is.

Commissioner Womack asked if the surplus will be incinerated. Mr. Abdus-Sabur said the companies that come to pick up the offal or waste charge per visit; to keep down expenses, they have secured an incinerator to keep on-site which would allow them to incinerate their own waste. There is no smell and no smoke that comes off of the incinerator.

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

Commissioner Jones said this is an excellent idea and will be a great asset.

Commissioner Watson asked what kind of reach this facility would have. Mr. Abdus-Sabur stated typically, when you have the USDA inspection, people come as far as they can get a slaughter date. He said for example, if your calves are born today, you are calling 18-month or two year kill date. That farmer contacts the butcher and asks to be scheduled in for a specific date; those dates begin to stack because of the number of farmers needing the service. It is not uncommon for people to drive six to eight hours, single direction, to get their meat. He said this drives the price of the meat up. This facility would be able to provide the service to people in Central Virginia; he said he anticipates a 100-mile radius, maybe more.

Commissioner Fuller asked if there will be retail availability; Mr. Abdus-Sabur said there will be.

Commissioner Leatherwood questioned the reasoning for another person unable to get permits in Cumberland County; Mr. Stanley said that individual and several others have contacted him but have not presented final plans.

Mr. Love stated Prince Edward County has an advantage for businesses because we do our own Stormwater Program so [prospective businesses] are not waiting on DEQ. He said we outsource our plan review to an engineering firm, Hurt and Proffitt; he said he has had a plan reviewed in only 11 days which could normally take 90 days. He said we have a great building inspector on staff and can act upon these quickly.

Commissioner Prengaman stated there is a list of 18 potential conditions; he said he has no additional recommendations on the conditions. He said he feels there is a definite need for the county and the area for this type of operation.

Commissioner Jones made a motion, seconded by Commissioner Peery, to recommend approval to the Board of Supervisors the request by Beverly and Qadir Abdus-Sabur to construct and operate a meat processing facility with the following conditions:

SITE PLAN

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 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 of land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.
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 pubic 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.

The motion carried:

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

In Re: Review of Supervisors Actions

Mr. Love stated the Board of Supervisors approved the CEP Solar, LLC project and the Highway Corridor Overlay District amendment.

In Re: Old Business

(None)

New Business

Mr. Love stated that 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 Code section, Mr. Love 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.

Mr. Love stated this would assist with agricultural and forestal businesses and would clarify language about family subdivisions; in addition, it would assist the state with road widening projects.

Commissioner Jones made a motion, seconded by Commissioner Watson, to authorize advertisement of a Public Hearing for an Ordinance Amendment to amend and re-ordain the Prince Edward County Code, Appendix A – Subdivisions, to be held at the February 15, 2022 regular meeting of the Planning Commission; the motion carried:

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

Chairman Prengaman declared the meeting adjourned at 8:20 p.m.

Next Meeting: Tuesday, February 25, 2022 at 7:00 p.m.

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County of Prince Edward
Planning Commission
Agenda Summary

Meeting Date: February 15, 2022
Item No.: 3
Department: Planning and Community Development
Staff Contact: Robert Love
Issue: Public Hearing - Subdivision Ordinance Amendments

Summary:

The Prince Edward County Subdivision Ordinance does not provide any agricultural exemption for perking a site for septic and drain field 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 as it pertains to large tract subdivisions. An exemption to perking a new lot meant for agricultural use not only reduces the cost to the owner but also the time it takes in order to obtain soil work and obtain Health Department approval prior to recordation. The suggested new language accomplishes this goal while preserving the intent of the Subdivision Ordinance.

At the January meeting, staff prepared a Draft with new language and description of development standards for consideration that will clearly allow for agricultural and forestal uses, more clearly define a Family Subdivision and other language to better clarify the standards in the Ordinance. Attachment (1).

The public hearing notice was published in the January 2, 2022 and January 9, 2022 editions of the Farmville Herald, Attachment (2).

Attachments:

- 1. Subdivision Ordinance Amendment
- 2. Public Notice Advertisement

Recommendations:

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

Recommended Motions:

I move that the Planning Commission recommend approval of the Ordinance Amendment to amend and re-ordain of the Prince Edward County Code, Appendix A - Subdivisions.

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 _____	Paige _____	Hunt _____	Jones _____
Second _____	Sandlin _____	Womack _____	Watson _____
Pregaman _____	Fuller _____	Leatherwood _____	Peery _____

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

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
forestral 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.



Please publish the following public hearing notice in **THE FARMVILLE HERALD** on **Wednesday February 2, 2022** and **Wednesday, February 9, 2022**.



NOTICE OF PUBLIC HEARINGS

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, February 15, 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. An Ordinance Amendment to amend Appendix A – Subdivisions of the Prince Edward County Code, to provide for an agricultural/forestral exception, further define a family subdivision, and allow the Board of Supervisors to set the fee schedule by resolution.

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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/UCyfpsa5HEjIWejBSc5XwplA/featured> .

A copy of the proposed Ordinance Amendment is 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.

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

**Meeting Date:** February 15, 2022  
**Item No.:** 5  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Special Use Permit - Commercial Campground - Permit Withdrawal

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**Summary:**

The application by Carolyn & Sam Martin for a Special Use permit to operate a commercial campground has been withdrawn. Attachment (1) is a copy of the letter by the applicant.

**Attachments:**

- 1. Letter of withdrawal.

**Recommendations:**

- 1. No action is required.

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

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

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

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

1/24/22

Rob

CANDY AND I NO LONGER WISH  
TO PURSUE CAMPFIRE PROJECT.

PLEASE CALL OUR SUP AGENTS

Thank you

Candyn L. Martin  
G. Martin

CAMPFIRE PROJECT  
9445 CREEKWAY RD  
RICE, VA 23966