

**Town of Farmville Planning Commission
Town Council Chamber of the Town Hall
116 North Main Street, Farmville, VA 23901
Wednesday, April 17, 2024**

Planning Commission Members Present: Chairperson Cameron Patterson, Vice-Chair Jerry Davenport, Abigail O'Connor, Dr. John Miller, Rhett Weiss.

Planning Commission Members Absent: Patrick Crute

Staff Present: Director of Community Development Ashley Atkins-Austin, and Administrative Assistant II Michelle Watkins, CPT.

CALL TO ORDER

Chairperson Patterson called the Planning Commission meeting to order at 7:02 PM.

APPROVAL OF AGENDA

Chairperson Patterson noted the agenda was distributed and asked if there were any corrections. On a motion by Dr. Miller, seconded by Ms. O'Connor, and with all present members voting "aye", the agenda was adopted with no corrections.

CONSIDERATION OF MINUTES

Minutes of Regular Planning Commission Meeting -January 17, 2024

Chairperson Patterson noted that the minutes had been likewise distributed and asked if there were any corrections or revisions. On a motion by Mr. Weiss, seconded by Mr. Davenport, and with all present members voting "aye," the minutes from January 17, 2024 were approved as presented.

PUBLIC PARTICIPATION

There was no public participation.

ADOPTION OF RESOLUTION NO. RES24-001

Initiating Amendments to the Farmville Town Code, Chapter 29, Zoning and Subdivision to add fences.

On a Motion by Dr. Miller, seconded by Ms. O'Connor, and with all present members voting "aye", Resolution No. RES24-001 was adopted.

**Planning Commission Resolution RES24-001
Initiating an Amendment
to the Farmville Town Code, Chapter 29, Zoning and Subdivision to add
Fences.**

WHEREAS, from time to time, amendments to ordinances are needed to recognize current conditions and land use practices; and

WHEREAS, the Farmville Department of Community Development has found the need for standards for use of fences in residential districts; and

WHEREAS, Section 29-14.a.2.a.1.B of the Farmville Town Code and §15.2-2286(7) of the Code of Virginia allow the Planning Commission to initiate amendments to the zoning ordinance;

NOW THEREFORE BE IT RESOLVED that the Farmville Planning Commission hereby initiates the ordinance amendment process pursuant to the appropriate local ordinance and statutory authority for Zoning Text Amendments

ZTA24-001 for the amendment of Section 29-35.b of the Town Code for standards for specific uses.

Approved by the Farmville Planning Commission on this 17th day of April, 2024.

Approved: _____
Planning Commission Chair

Attest: _____
Secretary

ADOPTION OF RESOLUTION NO. RES24-002

Initiating Amendments to the Farmville Town Code, Chapter 29, Zoning and Subdivision to add Sidewalks.

On a Motion by Ms. O'Connor, seconded by Mr. Davenport, and with all present members voting "aye", Resolution No. RES24-002 was adopted.

Planning Commission Resolution RES24-002
Initiating an Amendment
to the Farmville Town Code, Chapter 29, Zoning and Subdivision to add
Sidewalks.

WHEREAS, from time to time, amendments to ordinances are needed to recognize current conditions and land use practices; and

WHEREAS, the Farmville Comprehensive Plan, adopted June 10, 2020, maintains that low and moderate density residential areas should support transportation by both car and on foot; and

WHEREAS, Section 29-14.a.2.a.1.B of the Farmville Town Code and §15.2-2286(7) of the Code of Virginia allow the Planning Commission to initiate amendments to the zoning ordinance;

NOW THEREFORE BE IT RESOLVED that the Farmville Planning Commission hereby initiates the ordinance amendment process pursuant to the appropriate local ordinance and statutory authority for Zoning Text Amendment ZTA24-002 for the amendment of Section 29-62.d.9.d of the Town Code for specific sidewalk construction regulations and Section 29-13.e.4.c of the Town Code to add sidewalk construction regulations to the site plan requirements.

Approved by the Farmville Planning Commission on this 17th day of April, 2024.

Approved: _____
Planning Commission Chair

Attest: _____
Secretary

PUBLIC HEARING-ZTA24-001-FENCES

Public hearing for Planning Commission recommendation to amend the zoning ordinance by adding Section 29-25.b.5 – Fences. This will regulate the location and height of fences in residential districts.

Chairperson Patterson set forth case ZTA24-001 to the Commissioners and asked for a motion to open the public hearing.

On a motion by Mr. Davenport, Seconded by Ms. O'Connor, and with all present members voting "aye", public hearing ZTA24-001 was opened.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. In 2020, after several months of input and deliberation, the Town of Farmville adopted new zoning and subdivision ordinances (Chapter 29 of the Farmville Town Code) and a comprehensive plan. With this new ordinance came landscaping requirements that were specifically for developments or redevelopments that required approved site plans, properties that were seeking rezoning to R-3, B-1, B-2, or B-3 districts, and for properties seeking a conditional use permit in a R-3, B-1, B-2, or B-3 zoning district. Walls and fences were listed in this code section with requirements for location and maintenance. Over the last few years, staff has received numerous calls questioning height and placement standards for fencing in the R-1 and R-2 zoning districts. In a comparison of other jurisdictions' fence regulations, the Staff determined that the lack of standards for height and location of fences was undesirable and therefore included standards that would be relevant to residential zoning districts.

To more clearly state this, the Staff proposes amendments to Article IV, Section 29-35.b. of the zoning ordinance to add more specific regulations regarding the height and placement of fences. The amendment adds Section 29-35.b.5, Fences. Attachment 1 is a redlined version of the ordinance showing these amendments. Staff recommend approval of ZTA24-001.

The Commissioners had a brief discussion with Staff to clarify items such as the setback regulations and the intent and language of the proposed ordinance amendment.

Chairperson Patterson opened the floor for public participation.

Ms. Watkins read a written statement to the Commissioners from Tom Dennison, Resident of the Town of Farmville. He asked the Commissioners to please consider:

- Neighborhood fence clutter
- Fire Department access
- Fence maintenance access
- Dressy side out
- Visibility into property by police cruiser

The Commissioners shared some of their concerns and suggestions regarding the height regulations of the fence.

On a motion by Mr. Weiss, Seconded by Ms. O'Connor and with all present members voting "aye", the motion was passed to defer ZTA24-001 until further clarifications that the fence height running from the side property lines to the façade of the house be allowed up to eight feet tall; and that structure setbacks wouldn't be required for fences in rear and side yard; and that those revisions are made in the proposed language.

Chairperson Patterson called for a motion to close the public hearing. On a motion by Dr. Miller, seconded by Mr. Davenport, and with all present members voting "aye", public hearing ZTA24-001 was closed.

PUBLIC HEARING-ZTA24-002-SIDEWALKS

Public Hearing for Planning Commission recommendation to amend regulations contained in Section 29-62.d.9.d – Sidewalks to require dedication of land construction of sidewalks in residential districts, R-1, R-2, and R-3. And to amend Section 29-13.e.4.c to require the construction of sidewalks for projects that

must submit a site plan.

Chairperson Patterson set forth case ZTA24-002 to the Commissioners and asked for a motion to open the public hearing.

On a motion by Ms. O'Connor, Seconded by Mr. Weiss, and with all present members voting "aye", public hearing ZTA24-002 was opened.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides. On June 10, 2020, after several months of input and deliberation, the Town of Farmville adopted new zoning and subdivision ordinances (Chapter 29 of the Farmville Town Code) and a comprehensive plan. With this new ordinance sidewalks were required for properties being subdivided in the B-1, B-2, and B-3 zoning districts. In keeping with the Comprehensive Plan recommendation that "major streets should be redesigned with sidewalks and other pedestrian amenities over the long term" and "provide full pedestrian connections", staff proposes amending **Article VI, Section 29-62.d.9.d** to require 5' sidewalks for R-1, R-2, and R-3 districts in addition to the B-1, B-2, and B-3 districts when subdividing. In addition, all projects that require a site plan per Sec. 29-13.e.2.a, Staff proposes amending **Article II, Section 29-13.e.4.c.** to require the construction of a 5' sidewalk along the street or roadway leading to the facility. Staff recommend approval of ZTA.

The Commissioners had a brief discussion with Staff to clarify items in the ordinance language and its intent.

Chairperson Patterson opened the floor for public participation.

Ms. Watkins read a written statement to the Commissioners from Tom Dennison, Resident of the Town of Farmville. He asked the Commissioners to please consider:

- For Uniformity; that the Town install sidewalks, i.e. water & sewer connections
- Americans with Disabilities Act
- Follow the grade of the street/curb
- Selective enforcement: if requiring walks were no other exists

The Commissioners had a brief discussion regarding the language and the context of the regulations of the proposed sidewalk ordinance.

On a motion by Mr. Weiss, seconded by Ms. O'Connor, and with all present members voting "aye", the motion was passed to recommend approval of ZTA24-002 to the Town Council with revisions to Section 29-13 (e) (4) (c) 16. to read; Construction of a 5' sidewalk along the street or roadway and a 5' sidewalk leading to the building.

Chairperson Patterson called for a motion to close public hearing ZTA24-002. On a motion by Mr. Davenport, seconded by Ms. O'Connor, and with all present members voting "aye", public hearing ZTA24-002 was closed.

PUBLIC HEARING-CUP24-001

High Bridge Solar, LLC's request for a conditional use permit to allow for a utility service, major (utility scale solar facility) per Town Code Section 29.22.a. The 131 acre site is located at the terminus of Cedar Avenue, northeast of its intersection with East Second Street on Parcel 0024000(0A)00-006. This property is zoned R-3 High Density Residential.

Chairperson Patterson set forth case CUP24-001 to the Commissioners and asked for a motion to open the public hearing.

On a motion by Ms. O'Connor, Seconded by Mr. Davenport, and with all present members voting "aye", public hearing CUP24-001 was opened.

Ms. Ashley Atkins-Austin provided relevant information from the staff report with supporting slides.

The Town of Farmville has received a conditional use permit request for a twelve (12) megawatt (MW) solar energy facility proposed to be located in residential district, R-3. This is the first request the town has received for this type of facility. The Town of Farmville's zoning ordinance does not establish specific standards for solar energy facilities. Staff has referenced the Prince Edward County code, Appendix B, Article VII – Alternative Energy Facilities to guide conditions and applicant submittals.

The 131-acre site is located at the end of Cedar Avenue northeast of its intersection with East Second Street on parcel number 0024000(OA)00-006. The site is currently privately owned with one residence and is mainly forested terrain. The parcel contains a powerline easement and an access road for this utility.

Staff recommended approval of CUP24-001 for a utility service, major (utility scale solar facility) with the following conditions. *See Attachment 1 for conditions.

Mr. Weiss indicated that there had not been a 2232 review conducted which is typically scheduled alongside the project's public hearing and requested clarification from Ms. Ashley Atkins-Austin. There was discussion about whether the review is required under Section 15.2-2232 in the Code of Virginia and whether the 2232 review had been waived by the Town. Mr. Weiss shared several key items such as indicating that the focus of the review is to identify whether the proposed project fits with the Comprehensive Plan of the locality.

Ms. Watkins reported that staff had not received any comments or requests to speak from the public.

Alexandria Walling, representative of High Bridge Solar, LLC, shared some comments from their legal representative regarding the 2232 review and the sighting agreement negotiation with the Town.

Ms. Walling shared a presentation with the Commissioners. Some of the key items provided in the presentation were:

- Introduction & background of the solar company
- Proposed Site Plan
- Site Design Criteria
- Erosion & Sediment Control and Stormwater Management
- Decommissioning
- Compliance with the Town of Farmville Comprehensive Plan
- Third Party Studies
- Fiscal and Economic Analysis Report
- Effect on Community & Neighborhood Character

Sean Millot, Representative of Kimley-Horn and Associates civil engineering firm; spoke on the behalf of High Bridge Solar reiterating items listed in the erosion and sediment control segment of the presentation. He also reiterated items regarding the decommissioning plan which was also included in the presentation.

Ms. Walling added that they have been looking at some of Prince Edward County's standards to model proposals on the decommissioning. High Bridge Solar will also be subject to further state regulations under the PBR process.

Ms. Walling concluded her presentation and encouraged feedback.

Commissioners and staff had a brief deliberation. Chairperson Patterson shared thoughts about the ordinance being updated to reflect solar projects.

Chairperson Patterson called for a motion. On a motion by Dr. Miller, seconded by Ms. O'Connor, with 4 present members voting "aye", and 1 present member abstaining due to concerns of 2232 review compliance, the motion to recommend approval of CUP24-001 to Town Council subject to town attorney review of compliance with Virginia State Code Sec. 15.2-2232 and with conditions listed in attachment 1 was passed.

OLD BUSINESS

There was no old business before the Commission.

NEW BUSINESS

Staff/Department Updates

Ms. Atkins-Austin shared that Town Council had appointed Jennifer Fraley as Planning Commissioner for Ward A. Commissioners and Staff welcomed Ms. Fraley, she was in attendance in the audience.

Ms. Atkins-Austin also shared that Michelle Watkins, Administrative Assistant II of Community Development Department has earned her Permit Technician certification from the International Code Council.

COMMISSION UPDATES

There were no updates from the Commissioners.

ADJOURNMENT

With no further business, the meeting was adjourned by voice acclamation at 8:45 PM.

Respectfully submitted by Michelle D. Watkins, CPT, Administrative Assistant II2

Cameron Patterson, Chairperson

Abigail O'Connor, Secretary