



County of Sussex, Virginia

Planning Commission Meeting

**Monday, December 6, 2021
6 p.m.**

Planning Commission Members

**Terry Massenbug, Chair
J. Lafayette Edmond, Vice Chair
Kevin Bracy
Brenda Burgess
Frank Irving
Roger King
Dennis Mason
Andrew Mayes
Rudolph Shands
Robert Young, Jr.**

DEPARTMENT OF PLANNING
Beverly Walkup, Director of Planning
Phone (434) 246-1043
Fax (434) 246-2175



COUNTY OF SUSSEX, VIRGINIA
P. O. BOX 1397 ~ 20135 PRINCETON ROAD
SUSSEX, VIRGINIA 23884-0397
www.sussexcountyva.gov

Sussex County Planning Commission Meeting
Monday, December 6, 2021 at 6:00 P.M.
General District Courtroom at Sussex Judicial Center
15098 Courthouse Road, Sussex, VA 23884

Agenda

A. CALL TO ORDER

B. ADOPTION OF AGENDA

C. APPROVAL OF MINUTES

- a. April 5th Public Meeting
- b. October 4th Public Meeting

D. PUBLIC HEARING

- a. Comprehensive Plan Amendment
- b. Zoning Ordinance Amendment
- c. Public Comments

E. CLOSE PUBLIC HEARING

F. PLANNING COMMISSION DETERMINATION/RECOMMENDATIONS

G. OLD BUSINESS

H. NEW BUSINESS

- a. Proposed Small Area Plans Discussion

I. ADJOURNMENT

"Good things are happening in Sussex County... Join Team Sussex!"

APPROVAL OF MINUTES

**Minutes of the
SUSSEX COUNTY PLANNING COMMISSION MEETING**

**Monday, April 5, 2021 at 6:00 P. M.
Social Services Department, Conference Room
20103 Princeton Road
Sussex, VA 23884**

PLANNING COMMISSIONERS PRESENT

J. Lafayette Edmond, Chairperson
Terry Massenburg, Vice Chairperson (arrived at 6:05)
Roger King
Robert Young, Jr.
Rudolph Shands
Kevin Bracey
Brenda Burgess
Andrew Mayes

PLANNING COMMISSIONERS ABSENT

Frank Irving
Dennis Mason (On hold via Zoom – no access granted)

STAFF PRESENT

Beverly Walkup, Director of Planner
Michael Poarch, Sussex County Planner

CALL TO ORDER:

COMMISSIONER EDMOND, called the Planning Commission Meeting to order.

ELECTION OF OFFICERS:

ON MOTION OF COMMISSIONER BRACEY, seconded by COMMISSIONER KING and carried:
RESOLVED that the election of officers be tabled until all members are present.

Voting aye: Commissioners Edmond, King, Young, Shands, Bracey, Burgess and Mayes.

Voting nay: None

Absent: Commissioners Massenburg, Mason and Irving

ADOPTION OF AGENDA:

ON MOTION OF COMMISSIONER KING, seconded by COMMISSIONER YOUNG and carried: RESOLVED that the agenda for the April 5, 2021 meeting of the Sussex County Planning Commission is hereby adopted, subject to the deferral of the Blue Star applications.

Voting aye: Commissioners Edmond, King, Young, Shands, Bracey, Burgess and Mayes.

Voting nay: None

Absent: Commissioners Massenburg, Mason and Irving

APPROVAL OF MINUTES:

ON MOTION OF COMMISSIONER KING, seconded by COMMISSIONER MASSENBURG and carried: RESOLVED that the minutes of the October 5, 2020 Planning Commission is hereby adopted.

Voting aye: Commissioners Edmond, King, Young, Shands, Bracey, Burgess, Massenburg and Mayes.

Voting nay: None

Absent: Commissioners Mason and Irving

OLD BUSINESS:

There was no old business.

NEW BUSINESS –

- 1) **Flatfoot Solar – Public Facility Application Review for 2021-01, Code of Virginia Section 15.2-2232**

Denise Nelson, Berkley Group Environmental Engineer provided a brief summary of the application, referencing information from the staff report.

Brendan Grajewski with Flatfoot Solar/Hexagon Energy appeared before the Commission to represent the application. Mr. Grajewski provided a handout to the Commission from D. Scott Foster, Jr., Gentry Locke Attorneys. Mr. Grajewski explained that the Sappony solar project made upgrades to the power line that accommodate this project, emphasizing that the County benefit is the additional clean power that will be generated from the facility, increased taxes going from \$2,000 per acre to \$10,000 per acre on the underlying real estate, and a voluntary payment agreement.

Mr. Grajewski added that there are 5 power lines going back to the site from the road.

The Commission discussed the project and noted the following questions/concerns:

- Concern that the project is within close proximity to a number of residences;
- Concern for interference with the telephone lines;
- Questioned panel manufacturer;
- Questioned paving the entrance to minimize dust;
- Concern that the project is adjacent to a residential land use;
- Questioned whether the driveway could be moved farther away from the nearest residence, which is currently approximately 25'.
- Concern that the total impact it may have on the residential area are not known due to a lack of communication with existing residents.

Commissioner Edmond opened the public hearing for comments from the public.

Susan Seward appeared before the Commission stating that she was concerned that this project is much smaller than the one at Cabin Point. The Cabin Point project would bring \$9 million in revenue. This project does not allow advance negotiation due to its size and is exempt from machinery and tools tax. She further noted her objection to the fact that small projects cause land fragmentation.

Leah Brantley appeared before the Commission stating that she believed that there should be a careful balance between the economy and the citizens' quality of life.

There being no other persons to speak from the public, Commissioner Edmond closed the public hearing.

COMMISSIONER MAYES made a motion to defer the matter until the Conditional Use Permit was advertised and considered for public hearing. There was no second to the motion.

COMMISSIONER BRACEY made a substitute motion, seconded by COMMISSIONER MASSENBURG to deny the application consistent with staff's recommendation in the staff report and the following (collectively):

- 1) The project area is in the Stony Creek/I-95/U.S.301/VA Route 40 planning area.
- 2) The project is located on land primarily used for timber production.
- 3) The project is adjacent to a residential land use and near (within a 3-mile buffer of the project limits) a Virginia Department conservation easement, 39 architectural resources and 52 archaeological resources.
- 4) The project location is in close proximity to a number of residences.
- 5) The proposed entryway into the project site is only approximately 25' from an existing residence, and there is concern for accumulating dust and noise to residences in close proximity.
- 6) The total impacts it may have on the residential area are not known due a lack of communication with existing residents.

The motion was carried with Commissioners voting as follows:

Voting aye: Commissioners King, Young, Shands, Bracey, Burgess, Massenburg and Mayes.

Voting nay: Commissioner Mayes

Abstained: Commissioner Edmond

Absent: Commissioners Mason and Irving

ADJOURNMENT – The meeting adjourned at 7:27 P. M.

There being no further business, Commissioner Edmond adjourned the meeting.

Submitted by: Beverly Walkup

Approved by PC: XXXXXXX

**Minutes of the
SUSSEX COUNTY PLANNING COMMISSION MEETING**

**Monday, October 4, 2021 at 6:00 P. M.
General District Courtroom- Sussex Judicial Center
15098 Courthouse Road, Sussex, VA 23884**

PLANNING COMMISSIONERS PRESENT

Terry Massenburg, Chair
J. Lafayette Edmond, Vice Chair
Roger King
Robert Young, Jr.
Kevin Bracy
Frank Irving
Dennis P. Mason
Rudolph Shands
Andrew Mayes

PLANNING COMMISSIONERS ABSENT

Brenda Burgess

STAFF PRESENT

Beverly Walkup, Director of Planning
Michael Poarch, Sussex County Planner

CALL TO ORDER:

COMMISSIONER MASSENBURG, called the Planning Commission Meeting to order at 6:30 p.m.

ADOPTION OF AGENDA

ON MOTION OF COMMISSIONER MASSENBURG and carried: RESOLVED that the agenda be approved for the October 4, 2021 meeting.

Voting aye: Commissioners Massenburg, Edmond, King, Young, Bracy, Irving, Mason, Shands, and Mayes (9-0)

APPROVAL OF MINUTES:

ON MOTION OF COMMISSIONER MASSENBURG and carried: RESOLVED that the minutes be approved for the May 3, 2021 Joint Public Hearing.

Voting aye: Commissioners Massenburg, Edmond, King, Young, Bracy, Irving, Mason, Shands, and Mayes (9-0)

APPROVAL OF MINUTES:

ON MOTION OF COMMISSIONER MASSENBURG and carried: RESOLVED that the minutes be approved for the September 13, 2021 Joint Work Session.

Commissioner Massenburg, Mason, Irving, and Shands abstained from the vote due to their absence from the September 13, 2021 meeting.

Voting aye: Commissioners Edmond, King, Young, and Bracy (4-0-4)

MOTION TO ENTER PUBLIC HEARING:

ON MOTION OF COMMISSIONER MASSENBURG and carried: RESOLVED that the meeting move into the public hearing.

ENTER PUBLIC HEARING for Conditional Use Permit #2021-02, Pit Crew LLC, applicant

1) STAFF PRESENTATION

Beverly Walkup, Director of Planning, presented a staff presentation which briefly summarized the application and information within the staff report. Mr. Whittle, CEO of Pit Crew LLC, gave a brief overview and explained how the company got started and how it operates.

In summary, the applicant seeks a conditional use permit to move and expand his business on approximately 10 acres of land due to the close proximity to the landfill and access to available public utilities such as water, power, and sewer.

Questions/Concerns from the Commission:

- Will public water be used on the site?

- What is the anticipated amount of employees to added in the next year?
- The type of proposed buffer
- Any plans for the rest of the site or future expansion
- Hours of Operation
- What happens if any oil or grease is found in the car wash waste?
- Differentiate the type of building vs the use of building

MOTION TO CLOSE PUBLIC HEARING:

ON MOTION OF COMISSIONER MASSENBURG and carried: RESOLVED that there being no additional public to speak, the public hearing was closed.

Commission's Action on Conditional Use Permit #2021-02, Pit Crew LLC, applicant

ON MOTION OF COMMISSIONER EDMOND, seconded by COMMISSIONER IRVING and carried: RESOLVED that the Planning Commission recommends approval of the Conditional Use Permit Application #2021-02, Pit Crew LLC to the Board of Supervisors subject to the following conditions:

- 1) Provide screening for all operations from Rt. 460; 6 to 8 feet high fencing with landscaping.
- 2) Maintain existing tree line around the site.

Voting aye: Commissioners Massenburg, Edmond, King, Young, Bracy, Irving, Mason, Shands, and Mayes (9-0)

MOTION TO MOVE INTO DISCUSSION OF SOLAR FACILITIES ORDINANCE/ COMPREHENSIVE PLAN AMENDMENTS

ON MOTION OF COMISSIONER MASSENBURG and carried: RESOLVED that the meeting move into discussion.

Questions/Concerns from the Commission

- Increasing the amount of acreage in the Comprehensive Plan from 1,500 acres to 5,000 acres
- Increasing the minimum acreage in the solar facilities ordinance from 2 acres to 100 acres

MOTION TO TABLE ANY ACTION ON PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN AND SOLAR FACILITIES ORDINANCE

ON MOTION OF COMMISSIONER BRACY, seconded by COMMISSIONER IRVING and carried: RESOLVED that the proposed amendments for the Comprehensive Plan and Solar Facilities Ordinance be tabled until additional information can be provided to support the increase in acreage in the proposed amendments.

Voting aye: Commissioners Massenburg, Edmond, King, Young, Bracy, Irving, Mason, Shands, and Mayes (9-0)

ADJOURNMENT – The meeting adjourned at 7:40 P. M.

ON THE MOTION OF COMMISSIONER MASSENBURG, seconded by COMMISSIONER BRACY and carried: RESOLVED that the Sussex County Planning Commission is hereby adjourned.

Voting aye: Commissioners Massenburg, Edmond, King, Young, Bracy, Irving, Mason, Shands, and Mayes (9-0)

Submitted by: Michael Poarch

Approved by PC:



Public Hearing

Item A: Comprehensive Plan Amendments

Item B: Zoning Ordinance Amendments

Staff Report
Proposed Modifications to the 2004-2005 Comprehensive Plan of Sussex County in Consideration of Solar and Battery Storage Facilities

Report Date: November 16, 2021
Planning Commission Meeting Date: December 6, 2021

SUMMARY:

The Planning Commission and Board of Supervisors previously considered Comprehensive Plan and Zoning Ordinance amendments regarding solar energy and battery storage facilities as contained in the attached report prepared by Darren Coffey, AICP, The Berkley Group at a joint meeting on September 17, 2021.

The Planning Commission at its regular meeting on October 4, 2021, again considered the amendments and requested staff to bring back more information on the location of prime agricultural soils and the rationale for the 100-acre minimum.

In further consideration, Planning staff has provided the proposed amendments in final form and has advertised a public hearing on the amendments for December 6, 2021 to receive input from the public.

Since the meeting, staff worked with The Berkley Group and Crater Planning District Commission to develop a map showing prime agricultural lands in the County. The map is contained in the proposed comprehensive plan modification document and may be referenced therein.

Staff also worked with Mr. Coffey to provide the rationale for the 100-acre minimum as follows:
1 MW of solar takes about 15-20 acres of land in Sussex County due to the environmental constraints on much of the land. Therefore, a 5 MW facility would probably have to be on 80-100 acres or more. Smaller facilities are exempt from the revenue options provided by the state, take as much time to process as a larger facility application, and fragment the established and preferred land use patterns of the county as stated in the comp plan. The Board has stated that it does not want to consider smaller facilities for these reasons, therefore a larger minimum project size addresses all of those issues.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission has to conduct separate public hearings for the Comprehensive Plan amendment and the Zoning amendment. The Commission has three options regarding each:

1. Recommend approval of the Comprehensive Plan/Zoning amendments to the Board of Supervisors, as proposed or modified per the Commission's discussion.

2. Recommend denial of the amendments.
3. Defer action for further discussion and consideration.

ATTACHMENTS:

- Report by Darren Coffey, dated August 30, 2021
- Resolution/Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities
- Ordinance to Amend and Reenact Article I, Sections 16.1, Definitions and Article XXIII, Solar and Battery Facilities



TO: Planning Commission and Board of Supervisors, Sussex County, Virginia

FROM: Darren Coffey, AICP

DATE: August 30, 2021

RE: Comprehensive Plan and Zoning Ordinance Amendments Regarding Solar Energy and Battery Storage Facilities

Sussex County staff requested a consultant review the Comprehensive Plan and Zoning Ordinance with consideration to additional amendments as may be appropriate regarding solar energy and battery storage facilities. The County is in the process of reviewing solar energy facility applications and, as a result, staff has gained a better understanding of the land use issues related to these uses.

Sussex County has approved four solar facilities (one with battery storage) and one battery storage facility adjacent to a substation. The County has been contacted by several addition developers regarding potential applications for additional facilities.

Solar facilities are large scale industrial/commercial facilities that can take up agricultural, industrial, or commercial land for at least twenty years or more. Battery energy storage facilities are also an industrial land use but require more safety requirements than solar facilities. Any proposed location of these facilities needs to be carefully weighed against other potential uses of the same property.

Virginia has seen a dramatic increase in its installed solar capacity reaching 2,500 MW installed by 2021. The Virginia Energy Plan (October 2, 2018) calls for 30% of energy to be generated by renewable sources by 2030 and 100% by carbon free sources by 2040. Dominion Energy has committed to solar as necessary for clean energy growth. They project they could add at least 5,200 megawatts of solar in the state over the next 25 years (to 2045) to meet customers' energy needs.

This accelerated development of renewable energy will increase the duties of local governments and state agencies tasked with land use, permitting, and environmental decision making. Local governments must determine if solar facility applications are in accord with their Comprehensive Plan (a "2232 review") and in compliance with their land use ordinances.

In Virginia, notable solar facilities laws (based on the facility size in MW_{AC}) are:

- Any size needs a 2232 review (§ 15.2-2232).
- Any size can have a CUP condition for payment (§ 15.2-2288.8).
- ≤5MW are exempt from M&T tax (§ 58.1-3660).
- >5MW and <150 MW qualify for the state M&T step down tax exemption (§ 58.1-3660).

- >5MW can have a siting agreement (§ 15.2-2316.7). An approved siting agreement fulfills the requirement for a 2232 review (§ 15.2-2232).
- >5MW can have a revenue share (§ 58.1-2636).
- >5 MW to up to 150 use DEQ's PBR (§ 10.1-1197.5 to 10.1-1197.11 and 9VAC15-60).
- >25 MW facilities are taxed for M&T at real estate rate (§ 58.1-2606).
- >150 MW or including battery storage use SCC's permitting process (§ 10.1-1197.5 to 10.1-1197.11 and 20VAC5-302).

A number of Comprehensive Plan and Zoning Ordinance amendments were recommended for discussion by the Planning Commission and Board of Supervisors to bring greater clarity and specificity for how the County reviews and potentially authorizes solar energy facilities.

Comprehensive Plan

Existing Plan

The Comprehensive Plan 2004-2005 update was adopted on October 20, 2005 and updated for solar facilities on April 2, 2019.

Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions (p.II-12), states:

23. Utility-scale Solar Facilities

As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt (1 MW). Sussex's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

The County will consider solar facilities in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- the total size shall be larger than two (2) acres but less than 1,500 contiguous acres with no more than 65% PV panel coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

In 2019, there was also a recommendation to work with the Crater Planning District Commission or another regional planning entity to identify, catalogue, and map relevant features, including:

- Major electrical facilities (i.e., transmission lines, transfer stations, generation facilities, etc.),
- Brownfield sites and County-owned capped landfills, and
- Prime Farmland including areas of prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively.

Analysis

This language describes the specific criteria or siting parameters for solar facilities, energy generation stations, or other types of uses. However, the County has indicated a desire to consider changing some of the parameters.

It does not address battery storage facilities.

Recommended Amendments

Short Term

➤ Modify the Comprehensive Plan as follows:

Under Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions (p.II-12), revise the text as noted in red:

23. Utility-scale Solar Facilities

As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight ~~which will be used to provide electricity to a utility provider or a large private user~~ with a generating capacity in excess of one megawatt ~~alternating current~~ (1 MW~~AC~~). Sussex's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

Commented [DN1]: to match definition in zoning

The County will consider utility-scale solar facilities as a primary use in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- the total size shall be more than 100 but less than 5,000 ~~4,500~~ contiguous acres;
- large contiguous projects are preferred over small decentralized or large discontiguous projects to prevent land fragmentation;
- laid out appropriately on the project parcels;

- laid out with no more than 65% equipment and building coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- located outside prime agricultural land;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- located to minimize negative impacts proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

Battery energy storage facilities are also an industrial land use but require more safety requirements than solar facilities. The County will consider battery facilities as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Long Term

- Identify, catalogue, and map the items recommended in 2019.
- Identify, catalogue, and map these additional features:
 - planning areas or community hubs;
 - forested areas;
 - prime agricultural land;
 - a three (3) mile buffer around any village or town boundary;
 - a two (2) mile buffer around any existing or permitted solar facilities; and
 - known residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

Zoning Ordinance

Existing Ordinance

The Zoning Ordinance was revised November 15, 2007 and adopted on January 1, 2008. The ordinance was updated for solar facilities on April 2, 2019 and August 4, 2020.

ARTICLE I. GENERAL INFORMATION, Sec. 16-1 Definitions, was updated to include 16 new definitions relevant to solar facilities.

ARTICLE XII. SITE PLAN REQUIREMENTS, Sec. 16-202 When required, was updated to include "utility-scale solar facilities."

The new ARTICLE XXIII. SOLAR FACILITIES was added and updated to specifically address solar facilities.

The County has chosen not to adopt a solar revenue share ordinance (§ 15.2-2316.7).

Analysis

This language describes the specific criteria or siting parameters for solar facilities. However, the County has indicated a desire to consider changing some of the parameters.

It does not address battery storage facilities.

Recommended Amendments

- Under ARTICLE I. GENERAL INFORMATION, Sec. 16-1 Definitions, add the following definitions:

“2232 review”

The review required by the *Code of Virginia* (§15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

“Acreage coverage”

The total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of the security fencing on the project site.

“Battery Energy Storage Facilities (battery facilities)”

One or more battery cells for storing electrical energy stored in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

“Disturbance zone”

The area within the site directly impacted by construction and operation of the facility.

“Electric Power Plant”

A facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

“PV pod”

Contiguous rows of solar panels, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

“Reclamation”

The employment, during and after an operation, of procedures reasonably designed to minimize as much as practicable the disruption from an operation and provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands. Reclamation shall comply with all State and Federal regulations related to air quality, water quality and water law, and stormwater.

“Siting Agreement”

An agreement entered into between the Applicant and the County as defined in Va. Code § 15.2-2316 et seq.

“Solar energy generating facilities (solar facilities)”

Photovoltaic devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks, and screening on the site.

“Solar facility, community”

A facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's community solar pilot program. A community solar facility does not exceed two megawatts (2 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

“Solar facility, floating”

A floating facility that generates electricity from sunlight. This facility type is a subset of either small-scale, medium-scale, or utility-scale solar facility.

“Solar facility, multi-family shared”

A ground-mounted facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's multi-family shared solar pilot program. A multi-family shared solar facility does not exceed three megawatts (3 MW) alternating current at any single location or that does not exceed five megawatts (5 MW) alternating current at contiguous locations owned by the same entity or affiliated entities, serves at least three subscribers, is connected to the electric distribution grid, and is located on a parcel of land on the premises of the multi-family utility customer or adjacent thereto.

“Solar facility, Power Purchase Agreement (PPA)”

A facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's power purchase agreement solar pilot program. A facility has a capacity of no less than 50 kilowatts and no more than three megawatts (3 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

“Solar facility, rooftop”

A rooftop PV or integrated PV facility that generates electricity from sunlight as an accessory use.

“Solar facility, shared”

A facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

- Under ARTICLE I. GENERAL INFORMATION, Sec. 16-1 Definitions, replace the following definitions with this text:

“Decommissioning and Reclamation Plan”

A plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

“Solar Facility, Medium-Scale”

A ground-mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

“Solar Facility, Small-Scale”

A ground-mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

“Solar Facility, Utility-Scale”

A ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar Facility, Multi-Family Shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

- Under ARTICLE XII. SITE PLAN REQUIREMENTS, Sec. 16-202 When required, add a new item at the end of the list:

8. Battery energy storage facilities.

- Update ARTICLE XXIII. SOLAR FACILITIES as indicated in the attached file.

Conclusion

These amendments to the Comprehensive Plan and Zoning Ordinance, if approved by the Planning Commission and the Board of Supervisors, provide further guidance to the energy industry and the County in how to prepare and evaluate future solar energy and battery storage applications.

cc: Richard Douglas, County Administrator
Beverly Walkup, Director of Community Development
Jeff Gore, County Attorney

encl: Zoning Ordinance, ARTICLE XXIII. SOLAR AND BATTERY FACILITIES

RESOLUTION #2021-1

A RESOLUTION OF THE SUSSEX COUNTY PLANNING COMMISSION IN SUPPORT OF THE PROPOSED MODIFICATIONS TO THE 2004-2005 COMPREHENSIVE PLAN AND PROPOSED ZONING ORDINANCE AMENDMENTS IN CONSIDERATION OF SOLAR AND BATTERY STORAGE FACILITIES

WHEREAS, the Board of Supervisors of Sussex County, Virginia adopted the 2004-2005 Comprehensive Plan on October 20, 2005; and

WHEREAS, the Board of Supervisors amended the Comprehensive Plan on April 2, 2019 to address utility-scale solar facilities; and

WHEREAS, the County has seen considerable interest from development companies desiring to locate more and more solar facilities within the County, including battery energy storage facilities, and

WHEREAS, these renewable energy facilities have the potential to impact prime agricultural, industrial, or commercial land, and need to be carefully weighed against other potential use of the same property; and

WHEREAS, the Sussex County Planning Commission and Board of Supervisors has determined that greater clarity and specificity is needed for how the County reviews and potentially authorizes renewable energy facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of Sussex County recommends the proposed modifications contained in the attached document entitled, "Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities," amended April 2, 2019, and the accompanying zoning amendments.

BE IT FURTHER RESOLVED that the Planning Commission of Sussex County urgently requests the Board of Supervisors approve said modifications contained therein as an amendment to the Comprehensive Plan, and the proposed Ordinance to Amend and Reenact Article I, Definitions and Article XXIII Solar and Battery Facilities.

Adopted and passed by the Sussex County Planning Commission this _____ day of _____, 2021.

Those voting aye: _____.

Those voting nay: _____.

Motion _____.

ATTEST:

Beverly Walkup, Director of Planning and Zoning

Proposed Modifications to the 2004-2005 Comprehensive Plan in Consideration of Solar and Battery Storage Facilities

(Revised April 2, 2019 and _____)



Prepared by Planning Staff:
Content provided by Darren K. Coffey, AICP, The Berkley Group
November 8, 2021 (draft)

The Sussex County, Virginia 2004-2005 Comprehensive Plan was adopted on October 20, 2005. The plan was revised by the Sussex County Board of Supervisors on April 2, 2019 to include land use policy guidance and recommendations for regulating utility-scale solar facilities.

Adopted Amendment from April 2019

The Comprehensive Plan 2004-2005 update was adopted on October 20, 2005 and updated for solar facilities on April 2, 2019. The updated plan defined “utility-scale solar facility as a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt (1 MW). They were classified as an industrial scale land use with the potential to occupy significant acreage.

The plan also recognized that many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations. Therefore, Sussex’s abundant agricultural and forest land combined with its electrical infrastructure and transportation system would be attractive to the solar industry.

The County considered solar facilities in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features we established to address mitigating the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application. These recommendations were included in Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions enumerated as item 23 (p.11-12):

- the total size shall be larger than two (2) acres but less than 1,500 contiguous acres with no more than 65% PV panel coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

In 2019, there was also a recommendation to work with the Crater Planning District Commission or another regional planning entity to identify, catalogue, and map relevant features, including:

- Major electrical facilities (i.e., transmission lines, transfer stations, generation facilities, etc.),
- Brownfield sites and County-owned capped landfills, and
- Prime Farmland including areas of prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively.

Since this comprehensive plan guidance was adopted, Sussex County has approved four solar facilities (one with battery storage) and one battery storage facility adjacent to a substation and staff has been contacted by several additional developers regarding potential applications for additional facilities.

Summary Statistics of Approved Solar/Battery Storage Facilities					
Project Name	Project Area	Site Area	MW_{AC}	MW/Acre Ratio	Average Project Area Coverage Percentage
Cabin Point Solar (Approved August 2020)	1,468 acres	1,842 acres	75 with Battery Energy Storage System (BESS)	1,842 acres/75 MW= 24.6 acres per megawatt	1468 ÷ 1842 = 80%
Sappony Solar (Approved August 2016)	250 acres	371 acres	20	371 acres/20 MW= 18.6 acres per megawatt	250 ÷ 371 = 67%
Shands Energy Center (primary use) (Approved May 2021)	2 acres	32.28 acres	Battery Energy Storage System (BESS)	N/A	2 ÷ 32 = 6%
Waverly Solar (Approved March 2019)	2,000+/- acres	2,700 acres	118	2,700 acres/118 MW= 22.9 acres per megawatt	2000 ÷ 2700 = 74%

With solar utility scale solar facilities having the potential to take up agricultural, industrial, or commercial land for at least twenty years or more, a number of Comprehensive Plan and Zoning Ordinance amendments are recommended for discussion by the Planning Commission and Board of Supervisors.

Additionally, the County recognizes battery energy storage facilities as an industrial land use that requires more safety requirements than solar facilities.

Therefore, the goal is to bring greater clarity and specificity for how the County reviews and potentially authorizes renewable energy facilities moving forward, and any proposed location of these renewable energy facilities need to be carefully weighed against other potential uses of the same property.

Proposed Comprehensive Plan and Zoning Ordinance Amendments

In an effort to continue the protection of prime agricultural, forest and industrial lands in the County, the proposed revisions are recommended to:

Chapter II: Concerns and Aspirations, section B. Issues and Existing and Emerging Conditions under enumerated item 23 (p.11-12) of the 2004-2005 Sussex County Comprehensive Plan

23. Utility-Scale Solar Facilities

As used in this Comprehensive Plan, a utility-scale solar facility is a facility that generates electricity from sunlight which will be used to provide electricity to a utility provider or a large private user with a generating capacity in excess of one megawatt alternating current (1 MWAC). Sussex's abundant agricultural and forest land combined with its electrical infrastructure and transportation system appear to be attractive to the solar industry. These facilities are an industrial scale land use that occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

The County will consider utility-scale solar facilities as a primary use in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- the total size shall be more than 100 but less than 5,000 contiguous acres;
- large contiguous projects are preferred over small decentralized or large discontinuous projects to prevent land fragmentation;
- laid out appropriately on the project parcels;
- laid out with no more than 65% equipment and building coverage;
- located outside planning areas or community hubs;
- located outside forested areas to preserve forest resources;
- located outside prime agricultural land;
- further than three (3) miles from any village or town boundary;
- further than two (2) miles from other existing or permitted solar facilities; and
- located to minimize negative impacts in proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

Battery energy storage facilities are also an industrial land use but require more safety requirements than solar facilities. The County will consider battery facilities as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Article XXIII of the Zoning Ordinance

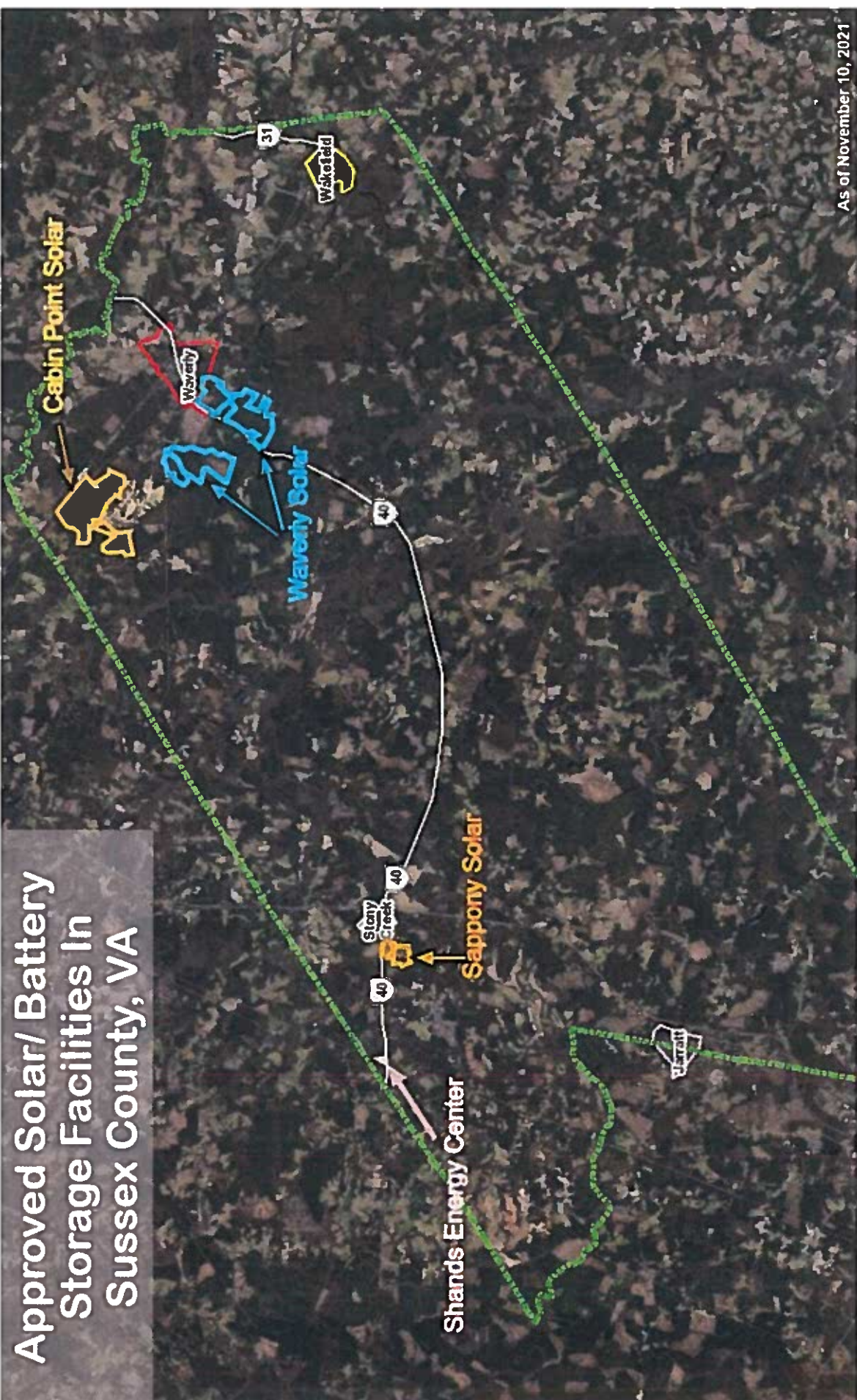
The following changes shall be made to the Sussex County Zoning Ordinance.

- The minimum area of a utility-scale solar facility shall be more than 100 acres.
- Other administrative changes as shown in the Sussex Article XXIII document dated 8-25-21.
- These changes include recommended reorganization of the article for better flow and a reflection of best practices to date.

Map Attachments

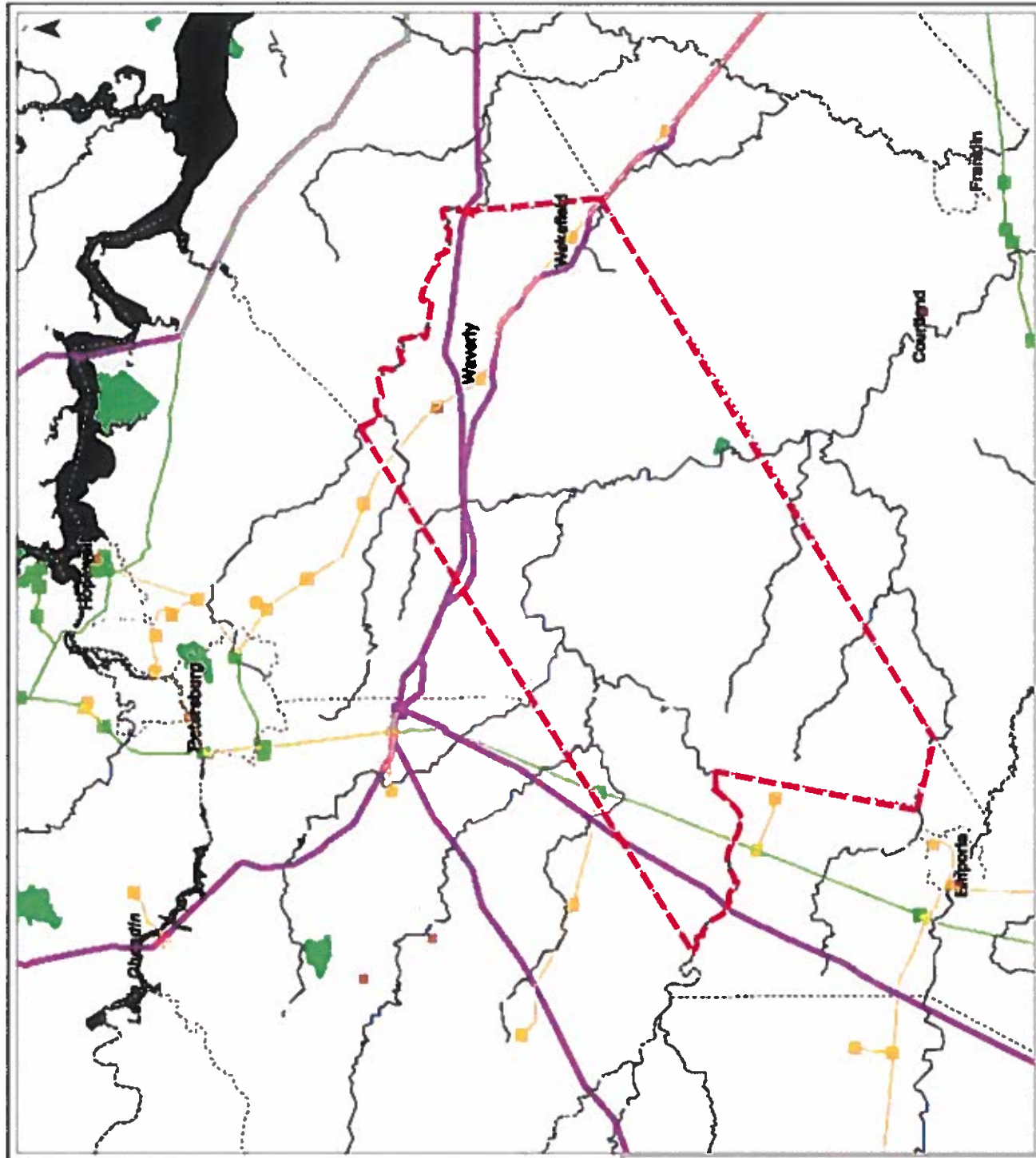
- *Approved Solar/Battery Storage Facilities Map*
- *Major Transmission Lines and Substations Map*
- *Agricultural Land and Soils Map*

Approved Solar/ Battery Storage Facilities In Sussex County, VA



As of November 10, 2021

This map was generated using data on the Northeast Ocean Data Portal on 11/10/2021.
www.northeastoceandata.org



- Countries**
- Electric_Transmission_...
 - NOT AVAILABLE
 - 34; 46; 69; 115; 138;
 - 155; 161
 - 220; 230
 - 345
 - 450; 500
 - 765
 - Electric_Substations_M...
 - NOT AVAILABLE
 - 34; 46; 69; 115; 138;
 - 155; 161
 - 220; 230
 - 345
 - 450; 500
 - 765

Major Transmission Lines and Substations defined by voltage (KV) in Sussex County, VA

Agricultural Land and Soils for Sussex County, Virginia



- Agriculture, Soil, and Major Roads for Sussex County**
- Sussex County
 - Major Roads**
 - Interstate
 - Primary
 - AgrSoilSuit_VA**
 - Not prime farmland
 - Prime farmland if additional conditions met
-
- Prime farmland if additional conditions met
 - Prime farmland if drained
 - Prime farmland if irrigated
 - Farmland of statewide importance
 - Prime farmland

0 1.5 3 6 Miles

Credits:
Crater Planning District Commission
The Berkley Group

An Ordinance to Amend and Reenact the Following Sections of the Sussex County Code, Appendix B, Zoning: Article I, Section 16-1 Definitions and Article XXIII, Solar and Battery Facilities, Supplementary Use Regulations.

WHEREAS, the Board of Supervisors of Sussex County, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of Sussex County; and

WHEREAS, the Sussex County Board of Supervisors is also concerned about the compatibility of uses on public and private lands within Sussex County and seeks to allow flexibility in the administration of the ordinance regulations while protecting the health, safety, and general welfare of present and future residents and businesses of the County.

NOW, THEREFORE, BE IT ORDAINED by the Sussex County Board of Supervisors that Appendix B, Zoning, Article I, Section 16-1 Definitions be amended and reenacted to add the following definitions:

**ARTICLE XXIII
SOLAR AND BATTERY
FACILITIES**

Sec. 16-1 Definitions (add these definitions)

2232 review means the review required by the Code of Virginia (section 15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

Acreage coverage means the total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of security fencing on the project site.

Applicant means the person or entity who submits an application to the locality for a permit under this ordinance.

Battery storage facility means a type of energy storage power station that uses a group of batteries to store electrical energy as a source of power on electrical grids.

Battery energy storage facilities (battery facilities) means one or more battery cells for storing electrical energy stored in a Battery Energy Storage System ("BESS") with a Battery Management System ("BMS"). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations;
or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Brownfield means former industrial or commercial sites typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Decommissioning and reclamation plan means a plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

Disturbance zone means the area within the site directly impacted by construction and operation of the facility.

Electric power plant means a facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

Integrated PV means photovoltaics incorporated into building materials, such as shingles.

Operator means the person responsible for the overall operation and management of a facility.

Owner means the person who owns all or a portion of a facility.

Photovoltaic or "PV" means materials and devices that absorb sunlight and convert it directly into electricity.

PV pod means contiguous rows of solar panels or other photovoltaic materials/devices, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

Rated capacity means the maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

Reclamation means the employment, during and after an operation, of procedures reasonably designed to minimize as much as practicable the disruption from an operation and provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands. Reclamation shall comply with all State and Federal regulations related to air quality, water quality and water law, and stormwater.

Site means the entire area containing a facility.

Siting agreement means an agreement entered into between the Applicant and the County as defined in the Code of Virginia (section 15.2-2316).

Solar energy generating facilities (solar facilities) means photovoltaic devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks and screening on the site.

Solar facility, community means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's community solar pilot program. A community solar facility does not exceed two megawatts (2 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, floating means a floating facility that generates electricity from sunlight. This facility type is a subset of either small-scale, medium-scale, or utility-scale solar facility.

Solar facility, medium-scale means a ground mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

Solar facility, multi-family shared means a ground-mounted facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's multi-family shared solar pilot program. A multi-family shared solar facility does not exceed three megawatts (3 MW) alternating current at any single location or that does not exceed five megawatts (5 MW) alternating current at contiguous locations owned by the same entity or affiliated entities, serves at least three subscribers, is connected to the electric distribution grid, and is located on a parcel of land on the premises of the multi-family utility customer or adjacent thereto.

Solar facility, power purchase agreement (PPA) means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's power purchase agreement solar pilot program. A facility has capacity of no less than 50 kilowatts and no more than three megawatts (3 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, rooftop means a rooftop PV or integrated PV facility that generates electricity from sunlight as an accessory use.

Solar facility, shared means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, small-scale means a ground mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

Solar facility, utility-scale means a ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar facility, multi-family shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

NOW, THEREFORE, BE IT ORDAINED by the Sussex County Board of Supervisors that Appendix B, Zoning, Article XXIII, Solar and Battery Facilities be amended and reenacted as follows:

Sec. 16-401 Statement of intent

The purpose of this section is to establish requirements for construction and operation of solar and battery facilities and to provide standards for the placement, design, construction, monitoring, modification, and removal of solar facilities; address public safety, minimize impacts on scenic, natural, and historic resources; and provide adequate financial assurance for decommissioning.

Sec. 16-402 Applicability

This article shall apply to all solar and battery facilities constructed after the effective date of this article, including any physical modifications to any existing solar facilities that materially alter the type, configuration, or size of such facilities or other equipment.

Sec. 16-403 Zoning districts

~~(a) Rooftop and S~~ small-scale solar facilities may be installed by-right in all zoning districts ~~as an accessory use~~ to provide electricity to individual structures; provided a site plan (as applicable) has been submitted to the zoning administrator for review and approval; all Federal, State, and Local regulations have been followed; and the system is located upon the property or structure being served. ~~Rooftop facilities on commercial or industrial buildings shall also submit an engineering study to the Building Official Office for review and approval.~~

~~(b)(a)~~ _____

~~(c)(b)~~ Medium-scale solar facilities may be installed by-right as an accessory use in the Industrial Districts to provide electricity for use on-site for commercial and industrial applications; provided a site plan has been submitted to the zoning administrator for review and approval; all Federal, State and Local regulations have been followed. the system is located on the property or structure to be served; and the system is in accord with the underlying zoning requirements of the districts.

~~(d)(c)~~ ~~Medium and utility-scale S~~ Solar facilities shall be permitted in zoning districts as follows:

Solar Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
Multi-family shared	CUP	CUP	CUP	CUP
Medium-scale	CUP	By-right	By-right	-
Utility-scale	CUP	CUP	CUP	-

~~(d)~~ Battery facilities shall be subject to a Conditional Use Permit and permitted as follows:
 1. ~~An accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or~~
 2. ~~A primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.~~

<u>Battery Facility</u>	<u>General Agricultural, A-1</u>	<u>Limited Industrial, I-1</u>	<u>General Industrial, I-2</u>	<u>Residential Multi-Family, R-1</u>
<i>Primary use</i>	CUP	CUP	CUP	-
<i>Accessory use</i>	CUP	CUP	CUP	CUP

(e) Solar facilities should locate on brownfields, County-owned capped landfills, or near existing industrial uses, where feasible.

(e)

Sec. 16-404 Conditional Use Permit process

- (a) Pre-application meeting. A pre-application meeting shall be held with the zoning administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, and the potential for a siting agreement.
- (b) Neighborhood meeting. A public meeting shall be held prior to the public hearing with the Planning Commission to give the community an opportunity to hear from the applicant and ask questions regarding the proposed project.
 - 1. The applicant shall inform the Zoning Administrator's Office and adjacent property owners in writing of the date, time, and location of the meeting, at least seven but no more than 14 days in advance of the meeting date.
 - 2. The date, time, and location of the meeting shall be advertised in the County's newspaper of record by the applicant, at least seven but no more than 14 days in advance of the meeting date.
 - 3. The meeting shall be held within the County, at a location open to the general public with adequate parking and seating facilities which may accommodate persons with disabilities.
 - 4. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
 - 5. The applicant shall provide to the Zoning Administrator a summary of any input received from members of the public at the meeting.

(c) Submittal of the permit application and fees.

1. There is a combined application for the 2232 review and CUP permit.

(c) 2. There are separate fees for the 2232 review and CUP permit.

Formatted: Indent: Left: 0.81"

Commented [DN1]: ask the board: should we amend the fee schedule to combine the 2232 and CUP fees for solar?

Formatted: Indent: Left: 0.81"

~~1~~ (d) ~~Comprehensive Plan~~ 2232 review. The Code of Virginia §15.2-2232 requires a review of public utility facility proposals by the Planning Commission to determine if their general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan or part thereof.

Formatted: Font: (Default) Times New Roman

~~2~~ 1. The Planning Commission must determine, at a public hearing meeting, ~~that whether~~ the project is in substantial accord with the Comprehensive Plan. ~~Failure of the Planning Commission to act within 60 days of submission, unless the time is extended by the Board of Supervisors, shall be deemed approval.~~

Formatted: Font: Times New Roman

~~1~~ a. If the Planning Commission approves the 2232 review, the project shall be recommended for a public hearing for the CUP permit.

~~3~~ b.

Formatted: Font: (Default) Times New Roman

4. If the Planning Commission does not approve the 2232 review, the applicant may appeal the decision to the Board of Supervisors within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing unless the time is extended by the applicant. A majority vote of the Board of Supervisors shall overrule the Planning Commission.

Formatted: Indent: Left: 0.32"

Formatted: Font: Times New Roman

Formatted: Indent: Left: 0.63", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Default Paragraph Font, Font: (Default) Times New Roman, 12 pt

Formatted: Indent: Left: 0.59", No bullets or numbering

Formatted: No bullets or numbering, Tab stops: 0.75", Left + Not at 0.59"

Formatted: eop, Font: 12 pt

Formatted: Font:

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: 11 pt

Formatted: eop, Font: 11 pt

Formatted: Indent: Left: 0.59", Add space between paragraphs of the same style, No bullets or numbering

Formatted: eop, Font: 11 pt

Formatted: eop, Font: 11 pt

Formatted: Indent: Left: 0.81", Add space between paragraphs of the same style, No bullets or numbering

Formatted: eop, Font: 11 pt

Formatted: Normal, Justified, Indent: Left: 0.75", Add space between paragraphs of the same style, No bullets or numbering

Formatted: eop, Font: 11 pt, No underline

Formatted: Indent: Left: 0.59", No bullets or numbering

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Indent: Left: 0.56", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 1"

Formatted: List Paragraph, Justified, Indent: Left: 0.56", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

(d) If the Planning Commission does not reach this determination, the applicant may appeal the decision to the Board of Supervisors in accordance with state code.

3. Consideration of the Conditional Use Permit by the Planning Commission. The Planning Commission must consider the Conditional Use Permit application at a public hearing. The Planning Commission has three options:

1. Recommend approval of the application to the Board of Supervisors to include recommendation conditions, if applicable with written reasons for its decision.
2. Recommend denial of the application to the Board of Supervisors with written reasons for its decision.
3. Defer the application for further discussion and consideration.

(e) If the Planning Commission does not recommend the project to the Board of Supervisors for a permit, the applicant may appeal the decision to the Board of Supervisors.

4. Consideration of the Conditional Use Permit by the Board of Supervisors. The Board of Supervisors must consider the Conditional Use Permit application at a public hearing. The Board of Supervisors has three options:

1. Approve the application to include recommended conditions, if applicable with written reasons for its decision.
2. Deny the application with written reasons for its decision.
- (f) 3. Defer the application for further discussion and consideration.

(h) 5. Siting agreement. The process may also include negotiating a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8. The Board of Supervisors must consider the Siting Agreement at a public hearing. An approved siting agreement fulfills the requirement for a 2232 review (§ 15.2-2232).

Sec. 16-405 Conditional Use Permit application

(a) Application packet including:

1. Completed County application form and checklist.
2. Documents demonstrating the ownership of the subject parcel(s).
3. Proof that the applicant has authorization to act upon the owner's behalf.
4. Identification of the intended utility company who will interconnect to the facility.
5. List of all adjacent property owners, their tax map numbers, and addresses.
6. A description of the current use and physical characteristics of the subject parcels.
7. A description of the existing uses of nearby properties.
8. A narrative identifying the applicant, owner, or operator, and describing the proposed solar facility project, including an overview of the project and its location, approximate rated capacity of the solar facility project, the approximate number of panels, representative types, expected footprint of solar equipment to be constructed, and type and location of interconnection to electrical grid.
9. Aerial imagery which shows the proposed location of the solar facility, fenced area, driveways, and interconnection to electrical grid with the closest distance to all adjacent property lines and dwellings along with main points of ingress/egress.
10. Payment of the application fee and any additional review costs, advertising, or other required staff time.

Formatted: Indent: Left: 0.59", Hanging: 0.23", Numbered + Level: 2 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

(b) Concept plan. A concept plan prepared by an engineer with a professional engineering license in the Commonwealth of Virginia, that shall include the following:

1. A description of project title information including tax parcel number, zoning, owner names, address, and phone numbers of the subject parcels.
2. Neighboring property information including tax parcel number, zoning, and owner names.
3. Property lines and setback lines. Existing wetlands, waterways, and floodplains.
4. Locations and types of soils on site.
5. Areas of steep slopes.
6. Existing and proposed buildings and structures including preliminary locations of the proposed solar panels and related equipment.
7. Existing and proposed points of ingress/egress including access roads, drives, turnout locations, and parking.
8. Location of substations, electrical cabling from the solar facility systems to the substations, ancillary equipment, buildings, and structures including those within any applicable setback.
9. Fencing or other methods of ensuring public safety.
10. Areas of steep slopes.
10. 10. Locations of topsoil to be removed and preserved.
11. 11. Locations of stormwater drainage and erosion and sediment control features.
12. 12. Setbacks.
13. 13. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers.

Formatted: Left, Indent: Left: 0.56", Right: 0", Line spacing: single, Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.82" + Indent at: 1.07", Tab stops: 0.82", Left

Formatted: Indent: Left: 0.56", Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.82" + Indent at: 1.07"

Formatted: Indent: Left: 0.56", Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.82" + Indent at: 1.07"

Formatted: Indent: Left: 0.56", Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.82" + Indent at: 1.07"

Formatted: Indent: Left: 0.56"

Formatted: Justified, Indent: Left: 0.56", Right: 0.08", Line spacing: Multiple 1.15 ll, Outline numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.82" + Indent at: 1.07", Tab stops: Not at 0.82"

(c) An estimated construction schedule.

(d) Environmental inventory and impact statement regarding any site and viewshed impacts, including direct and indirect impacts to national and state forests, national or state parks, wildlife

management areas, conservation easements, recreational areas, or any known historic or cultural resources within three (3) miles of the proposed project using information provided by the Virginia Department of Environmental Quality (DEQ), the Virginia Department of Conservation (DCR), Virginia Department of Wildlife Resources (DWR), Virginia Department of Historic Resources (DHR), and/or a report prepared by a qualified third party, such as ConserveVirginia or Virginia Cultural Resource Information System.

Formatted: Not Expanded by / Condensed by

- (e) A visual impact analysis demonstrating project siting and proposed mitigation, if necessary, so that the solar facility minimizes impact on the visual character of the County.
1. The applicant shall provide accurate, to scale, photographic simulations showing the relationship of the solar facility and its associated amenities and development to its surroundings. The photographic simulations shall show such views of solar structures from locations such as property lines and roadways, as deemed necessary by the County in order to assess the visual impact of the solar facility.
 2. The total number of simulations and the perspectives from which they are prepared shall be established by the zoning administrator after the pre-application meeting.
- (f) Solar facility inventory. An inventory of all solar facilities – existing or proposed – within a four (4) mile radius.
- (g) Draft traffic study. The study shall include modelling the construction and decommissioning processes. County staff will review the study in cooperation with VDOT.

Formatted: Justified, Indent: Left: 0.63", Right: 0.08", Line spacing: Multiple 1.15 li, Tab stops: 0.32", Left

~~(h) Draft grading plan. The plan shall indicate:~~

~~1. Areas of steep slopes.~~

~~2. Locations of topsoil to be removed and preserved.~~

~~3. Locations of stormwater drainage and erosion and sediment control features.~~

~~(i)(h)~~ Draft landscaping plan. The plan shall indicate:

1. All ground cover, screening and buffering materials, landscaping, and elevations.
 - a. Ground cover shall be native vegetation where compatible with site conditions.
 - b. Screening vegetation shall include pollinator plants where compatible with site conditions.
 - c. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams, and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
2. Locations of wildlife corridors.
3. Maintenance requirements.

(ii) Draft decommissioning and reclamation plan. A detailed decommissioning and reclamation plan, certified by an engineer, which shall include the following:

1. The anticipated life of the project. The applicant shall provide the basis for determining the anticipated life of the project.
2. The estimated decommissioning and reclamation cost in current dollars. The applicant shall provide a cost estimate for the decommissioning and reclamation of the facility prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. The decommissioning and reclamation cost estimate shall explicitly detail the cost without any reduction for salvage value.
3. The method of ensuring that funds will be available for decommissioning and reclamation. A proposed method of providing appropriate escrow, surety, or security for the cost of the decommissioning and reclamation plan. The surety shall be updated when the decommissioning and reclamation cost estimate is updated. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County unless otherwise provided for in subsection d below.
 - a. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - b. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon on the owner's or occupant's compliance with the approved decommissioning and reclamation plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - c. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning and reclamation cost.
 - d. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning and reclamation of a solar facility, such as a performance bond, letter of credit, or other security approved by the County.
4. The method that the estimated cost will be kept current. The decommissioning and reclamation cost estimate shall include a mechanism for calculating increased removal costs due to inflation. This cost estimate shall be recalculated every five (5) years and the surety shall be updated accordingly. If the recalculated estimated cost exceeds the original estimated cost by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost is less than ninety percent (90%) of the original estimated cost, then the County may approve reducing the amount of the escrow account to the recalculated estimate of cost.
5. The manner in which the site will be decommissioned and reclaimed. This will include:
 - a. Notice to the Zoning Administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
 - b. A traffic study submitted with application modelling the decommissioning processes. County staff will review the study in cooperation with VDOT.
 - c. An estimated deconstruction schedule.
 - d. Removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural or forestall uses.

Formatted: Space Before: 0 pt, Widow/Orphan control, Allow hanging punctuation, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers

- e. The site shall be graded and re-seeded or replanted within 12 months of removal of solar facilities to restore it to as natural a pre-development condition as possible. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment. Any exception to site restoration, such as leaving access roads in place or re-seeded or replanted must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
- f. Hazardous material from the property shall be disposed of in accordance with federal and state law.

~~(c)(1)~~ Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

~~(d)~~ ~~Eighteen sets (11" x 17" or larger), one reduced copy (8 1/2" x 11") and one electronic copy of the concept plan, including elevations and landscape plans as required.~~

Sec. 16-406 Minimum development and performance standards

(a) A utility-scale solar facility shall be constructed, operated, and maintained in substantial compliance with the approved concept plan with allowances for changes required by the Virginia Department of Environmental Quality (DEQ) Permit by Rule (PBR) or State Corporation Commission (SCC) permit process.

(b) Location standards for utility-scale solar facilities. The location standards stated below for utility-scale solar facilities are intended to mitigate the adverse effects of such uses on adjoining property owners, the area, and the County.

1. The minimum area of a utility-scale solar facility shall be ~~two (2)~~ more than 100 acres, ~~and the maximum area shall be less than 1,500 contiguous acres.~~
2. The equipment, improvements, structures, and percent of acreage coverage of a utility-scale solar facility shall be shown on the approved concept plan and site plan. The percent of acreage coverage shall not exceed 65%.

Formatted: Indent: Left: 0.75", Tab stops: 1", Left + Not at 1.13"

(c) Height

1. The maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of the highest edge of photovoltaic panels shall not exceed 15 feet as measured from the finished grade.
2. The maximum height of other facility structures shall not exceed 15 feet. This limit shall not apply to utility poles or the interconnection to the overhead electric utility grid.
3. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

Formatted: Font: 11 pt

Formatted: Indent: Left: 0"

~~(d)~~ Setbacks. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).

Formatted: Left, Indent: Left: 0.63", Right: 0", Space After: 0 pt, Line spacing: single, No bullets or numbering, Widow/Orphan control, Allow hanging punctuation, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers, Tab stops: Not at 1.13"

1. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:

- a. 150 feet from adjacent property lines.
- b. 150 feet from all public rights-of-way.
- c. 300 feet from a dwelling.

2. The Planning Commission or Board of Supervisors may require increased setbacks up to 400 feet in situations where the height of structures or the topography affects the visual impact of the facility.

3. These setback requirements shall not apply to internal property lines of those parcels on which a solar facility is located.

4. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

5. Vehicular access to the site shall be a minimum of 50 feet from the nearest dwelling located on adjacent property.

(d) _____

1. _____; Principal Solar Facility Structure shall include the "Solar facilities" excluding the project roads and transmission poles.

(e) _____ Buffer. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility.

A minimum 150-foot setback shall be maintained from a Principal Solar Facility Structure to the adjoining property line of other parcels.

2. Screening. A minimum 300-foot setback shall be maintained from a Principal Solar Facility Structure to a dwelling.

3. There shall be no setbacks between internal lot lines between parcels in the project area.

(e) The maximum height of the lowest edge of the photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of primary structures and accessory buildings shall be 15 feet as measured from the finished grade at the base of the structure to its highest point, including appurtenances. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

(f) Screening. The facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties or a public street in the buffer zone. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 150 feet. Screening methods may include:

Formatted: Space After: 0 pt, Widow/Orphan control, Allow hanging punctuation, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers, Tab stops: 0.82", Left + Not at 1.13"

Formatted: Indent: Left: 0.88", No bullets or numbering

Formatted: Font: 11 pt

Formatted: Normal, Left, Indent: Left: 0.88", Right: 0", No bullets or numbering, Widow/Orphan control, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers, Tab stops: Not at 1.83"

Formatted: Font: 11 pt

Formatted: Indent: Left: 0.88", No bullets or numbering

Formatted: Indent: Left: 0.82", Line spacing: Multiple 1.15 II, No bullets or numbering, Tab stops: 0.63", Left + 1.69", Left + Not at 1.83"

Formatted: Font: 11 pt

Formatted: Left, Indent: Left: 0.5", Right: 0", No bullets or numbering, Widow/Orphan control, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers, Tab stops: Not at 1.83"

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Left, Indent: Left: 0.63", Space After: 0 pt, No bullets or numbering, Widow/Orphan control, Allow hanging punctuation, Adjust space between Latin and Asian text, Adjust space between Asian text and numbers, Tab stops: Not at 0.82"

1. Existing Screening. Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.

Formatted: Indent: Left: 0.56"

2. Vegetative Screening. In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 ft. on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR's Invasive Plant Species list shall not be used.

Formatted: Not Highlight

Formatted: Not Highlight

3. Berming. Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.

4. Opaque Architectural Fencing. Fencing intended for screening shall be at least 75 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

(e) Security Fence. The facilities shall be enclosed by security fencing not less than six (6) feet in height and topped with barbed wire, as appropriate. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the CUP and the facility's decommissioning.

(f) The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties by a buffer zone at least 100 feet wide that shall be landscaped with native plant materials consisting of an evergreen and deciduous mix (as approved by County staff), except to the extent that existing vegetation or natural landforms on the site provide such screening as determined by the Zoning Administrator. In the event existing vegetation or landforms providing the screening are disturbed, new plantings shall be provided which accomplish the same. Opaque architectural fencing may be used to supplement other screening methods but shall not be the primary method.

Formatted: Indent: Left: 0.82", No bullets or numbering

(g) Ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated landscaping maintenance shall be posted and maintained. Failure to maintain the landscaping ground cover shall result in revocation of the CUP and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

(h) The Applicant shall identify access corridor(s) for wildlife to navigate through and across

the Solar Facility. The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.

~~(h)~~ The design of support buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the facilities to the natural setting and surrounding structures.

~~(i)~~ The owner or operator shall maintain the solar facility in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the equipment and structures, as applicable, and maintenance of the buffer areas and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the solar facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation.

~~(j)~~ Inspections.

1. The Applicant will allow designated County representatives or employees access to the facility for inspection purposes with 24-hour notice.
2. The Applicant shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

~~(k)~~ A utility-scale solar facility shall be designed and maintained in compliance with standards contained in applicable local, state, and federal building codes and regulations that were in force at the time of the permit approval. ~~All facilities must meet or exceed the standards and regulations of the Federal Aviation Administration ("FAA"), State Corporation Commission ("SCC") or equivalent, and any other agency of the local, state, or federal government with the authority to regulate such facilities that are in force at the time of the application.~~

Formatted: Indent: Left: 1.13", No bullets or numbering

~~(l)~~

~~(m)~~ The applicant shall provide proof of adequate liability insurance for a solar facility prior to beginning construction and before the issuance of a zoning or building permit to the zoning administrator.

Formatted: Right: 0.08", Line spacing: Multiple 1.15 li

~~(n)~~ Lighting fixtures as approved by the County shall be the minimum necessary for safety and/or security purposes to protect the night sky by facing downward and to minimize off-site glare. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the zoning administrator.

~~(o)~~ No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.

~~(p)~~ At all times, the solar facility shall comply with the County's noise ordinance.

~~(q)~~ ~~All facilities must meet or exceed the standards and regulations of the Federal Aviation Administration ("FAA"), State Corporation Commission ("SCC") or equivalent, and any other agency of the local, state, or federal government with the authority to regulate such~~

~~facilities that are in force at the time of the application:~~

~~(+)(p)~~ Coordination of local emergency services. Applicants for new solar facilities shall coordinate with the County's emergency services staff to provide materials, education and/or training to the departments serving the property with emergency services in how to safely respond to on-site emergencies.

~~(+)(q)~~ Decommissioning

1. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of six (6) months shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.
2. The owner or operator shall notify the zoning administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
3. Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural or forestall uses. The site shall be graded and re-seeded to restore it to as natural a pre-development condition as possible or replanted with pine seedlings to stimulate pre-timber pre-development conditions as indicated on the Concept Plan. Any exception to site restoration, such as leaving access roads in place or seeding instead of planting seedlings must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
4. The site shall be re-graded and re-seeded or replanted within 12 months of removal of solar facilities. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment.
5. Decommissioning and reclamation shall be performed in compliance with the approved decommissioning and reclamation plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.
6. Hazardous material from the property shall be disposed of in accordance with federal and state law.
7. If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

~~(+)(r)~~ Any other condition added by the Planning Commission or Board of Supervisors as part of a CUP approval.

Sec. 16-407 Special provisions for battery facilities.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a Battery Energy Storage Facility:

- (a) Battery Energy Storage Facilities shall be constructed, maintained, and operated in accordance with national industry standards and regulations including the most current adopted edition of the National Electrical Code, International Fire Code of the International Code Council, and the National Fire Protection Association Fire Code. The batteries will be NFPA (National Fire Protection Agency) compliant. 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.
- (b) Battery cells shall be placed in a Battery Energy Storage System ("BESS") with a Battery Management System ("BMS"). The BESS shall provide a secondary layer of physical containment to the batteries and be equipped with cooling, ventilation, and fire suppression systems. Each individual battery shall have 24/7 automated fire detection and extinguishing technology built in. The BMS shall monitor individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and be able to shut down the system before Thermal Runaway takes place.
- (c) The Battery Energy Storage System will be placed on an appropriate foundation and screened with vegetation outside of environmentally sensitive areas.
- (d) Access to all batteries and electrical switchgear shall be from the exterior for normal operation and maintenance. Access to the container interior shall not be permitted while the system is in operation except for safety personnel and first responders.
- (e) Qualifications and experience from selected developers and integrators shall be provided including disclosure of fires or other hazards at facilities.
- (f) Safety testing and failure modes analysis data from selected developers and manufacturers shall be provided.
- (g) The latest applicable product certifications shall be provided.
- (h) The Solar Facility operator or owner shall be responsible for any environmental remediation required by the county or the state and the costs of such remediation. All remediation shall be completed in a timely manner.
- (i) Battery storage shall be developed in collaboration with technical experts and first responders to utilize technology-appropriate best practices for safe energy storage systems including, but not limited to, the following:
 - 1. Adequate access/egress for the first responders.

2. Adequate facility signage (on battery chemistry and person to contact);
3. Accessible Safety Data Sheets;
4. System-specific emergency response plans;
5. Training for first responders on the type of system, potential hazards and risks, and system-specific emergency response plans;
6. Adequate water sources and fire suppression appliances for the fire fighters if required in the emergency response plans;
7. Signage on Hazardous Materials present in the vicinity;
8. Emergency lighting;
9. Separate battery modules to make it easier to isolate a failed battery from the rest;
10. Sufficient disconnect and shutdown capability including a master kill switch to disable and discharge batteries;
11. System-appropriate sensors and alarms;
12. Air ventilation and fire suppression systems;
13. Drainage for water runoff; and
14. Other practices as recommended by experts or local first responders.

(j) The Solar Facility operator or owner shall conduct regular on-site inspections of the battery units and submit a written report to the Zoning Administrator on their condition, at least once every six (6) months. The Solar Facility operator or owner shall conduct monthly inspections electronically of the battery units and submit a written report to the Zoning Administrator.

Sec. 16-408 Special provisions for substations.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a substation:

- (a) Siting. Substations located within the Solar Facility shall be sited in accordance with these regulations.
- (b) Term and Special Permits. Substations included as part of the Solar Facility shall have the same term as the Solar Facility. However, Substations may have a life longer than that of the larger Solar Facility, and, alternatively, may individually and not as part of a Solar Facility receive a Conditional Use Permit in accordance with these regulations.

Sec. 16-409 Conditions

- (a) The Board of Supervisors may consider conditions addressing a proposed solar and/or battery facility, including, but not limited to, the following:
 1. A solar facility shall be constructed, maintained, and operated in substantial compliance with:
 - i. The development standards under this article.
 - ii. The approved concept plan.
 - iii. Any other conditions imposed pursuant to a Conditional Use Permit.

(b) Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:

1. *Construction Management Plan.* The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:
 - i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction):
 - a. Lane closures
 - b. Signage
 - c. Flagging procedures
 - ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.
 - iii. Site security. The Applicant shall implement security measures prior to the commencement of construction of Solar Facilities on the Project Site.
 - iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.
 - v. Water Supply. In the event that on-site wells are used during construction of the solar energy facility, the Applicant shall prepare and submit for review to the County hydrogeologic information necessary for the County to determine the potential impact to pre-existing users for the same aquifer proposed to be used for the solar energy facility and a plan to mitigate impacts to pre-existing users within the area of impact of the Project. If the County, in consultation with the Department of Environmental Quality, determines that the installation of a well will not adversely affect existing users, the Applicant may proceed with well construction in compliance with approval by the Department of Environmental Quality. At the end of the construction of the solar energy facility, the well shall not thereafter be used except only for personal toilet and lavatory facilities as required by the Uniform Statewide Building Code for operations and maintenance buildings.
2. *Construction Mitigation Plan.* The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator. Damage to public roads related to construction activities shall be repaired as soon as possible and not postponed until construction completion. The Applicant shall provide written notice to the Zoning Administrator of the plans for making such repairs, including time within which repairs will be commenced and completed, within thirty (30) days of any written notice received from the Zoning Administrator.
 - i. Driving of posts shall be limited to 7:00 am to 6:00 pm, Monday through Saturday. Driving of posts shall be prohibited on state and federal holidays. The Applicant may request permission from the County Administrator to conduct post driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the County Administrator.

- ii. Other construction activity on-site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
- iii. During construction, the setbacks may be used for staging of materials and parking. No material and equipment laydown area, construction staging area, or construction trailer shall be located within 200 feet of any property containing a residential dwelling.
- iv. Construction lighting shall be minimized and shall be directed downward.

3. ~~Erosion and Sediment Control Plan.~~ The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project. ~~The grading in addition to state and local requirements, the plan shall:~~

- i. ~~Clearly show existing and proposed contours; and~~
- ii. ~~Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded;~~

4. **Stormwater Management Plan.** The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.

5. ~~Grading plan.~~ The Applicant will submit a final grading plan for review and approval by the Zoning Administrator. The Project shall be constructed in compliance with the Grading Plan as determined and approved by the Zoning Administrator or his designee prior to the commencement of any construction activities and a bond or other security will be posted for the grading operations. ~~The grading plan shall:~~

- i. ~~Clearly show existing and proposed contours;~~
- ii. ~~Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded;~~
 - iii. ~~Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;~~
 - iv. ~~An earthwork balance will be achieved on-site with no import or export of soil;~~
 - v. ~~In areas proposed to be permanent access roads which will receive gravel or in any areas where more than a few inches of cut are required, topsoil will first be stripped and stockpiled on-site to be used to increase the fertility of areas intended to be seeded;~~
 - vi. ~~Take advantage of natural flow patterns in drainage design and keep the amount of impervious surface as low as possible to reduce storm water storage needs;~~
 - vii. ~~Provide for the installation of all stormwater and erosion and sediment control infrastructure ("Stormwater Infrastructure") at the outset of the project to ensure protection of water quality. Once all Stormwater Infrastructure is complete and approved by the VESCP authority, no more than 50 percent of the land disturbance areas as reflected on the Site Plan shall be disturbed without soil stabilization at any one time. Stabilization, for purposes of erosion and sediment control, shall mean the~~

Formatted: Not Highlight
Formatted: Not Highlight
Formatted: Not Highlight
Formatted: Indent: Left: 1.07", No bullets or numbering

Formatted: Font color: Auto

Formatted: Indent: Left: 0.82"

~~application of seed and straw to disturbed areas, which shall be determined by the VLSCP authority.~~

~~6.5~~ **Landscaping Plan.** The Applicant will submit a final landscaping plan for review and approval by the Zoning Administrator. The owner or operator shall construct, maintain, and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's land cover and vegetative buffers in an amount deemed sufficient by the Zoning Administrator. Failure to maintain the landscaping in accordance with the plan may result in the issuance of a notice of violation by the Zoning Administrator. The Applicant (or the operator) shall promptly communicate with the Zoning Administrator within 30 days of the date of the notice of violation and submit a plan in writing satisfactory to the Zoning Administrator to remedy such violation no later than 180 days after the date of the notice of violation. Failure to remedy the violation before the end of the 180-day cure period may result in revocation of the CUP.

- i. Ground cover shall be native vegetation where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
- ii. Screening vegetation shall include pollinator plants where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
- iii. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

~~7.6~~ **Decommissioning and Reclamation Plan.** The Applicant will submit a final decommissioning and reclamation plan in accordance with these regulations for review and approval by the Zoning Administrator.

~~8.7~~ The Applicant shall reimburse the County its costs in obtaining independent third-party reviews as required by these conditions.

- (c) The design, installation, maintenance, and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).
- (d) If the solar facility does not receive a building permit within eighteen (18) months of approval of the Conditional Use Permit, the Permit shall be terminated.
- (e) If the solar facility is declared to be unsafe by the zoning administrator or building official, the facility must be in compliance within fourteen (14) days or the Conditional Use Permit shall be terminated, and system removed from the property.
- (f)** The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within thirty (30) days.

Sec. 16-410 Additional Conditions

- (a) In approving a conditional use permit, the Board of Supervisors may consider conditions that require:

1. Dedication of real property of substantial value, or
2. Substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such conditions are reasonably related to the project.

(b) The Board may include other reasonable conditions as permitted by state law and as otherwise provided for in this Article.

(c) Once a condition is granted, it shall continue in effect until a subsequent amendment changes the zoning on the property for which conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Formatted: No bullets or numbering

Adopted this _____ day of _____, 2021.

Susan Seward, Chairman of the Board of Supervisors

Attest:

Shilton Ricks-Butts, Clerk

Approved as to Form:

Jeff Gore County Attorney

(9)

Formatted: No bullets or numbering

An Ordinance to Amend and Reenact the Following Sections of the Sussex County Code, Appendix B, Zoning: Article I, Section 16-1 Definitions and Article XXIII, Solar and Battery Facilities, Supplementary Use Regulations.

WHEREAS, the Board of Supervisors of Sussex County, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of Sussex County; and

WHEREAS, the Sussex County Board of Supervisors is also concerned about the compatibility of uses on public and private lands within Sussex County and seeks to allow flexibility in the administration of the ordinance regulations while protecting the health, safety, and general welfare of present and future residents and businesses of the County.

NOW, THEREFORE, BE IT ORDAINED by the Sussex County Board of Supervisors that Appendix B, Zoning, Article I, Section 16-1 Definitions be amended and reenacted to add the following definitions:

Sec. 16-1 Definitions (add these definitions)

2232 review means the review required by the Code of Virginia (section 15.2-2232) for features not shown on the adopted master plan, including public utility facilities.

Acreage coverage means the total acres covered by PV pods, buildings, inverters, a substation, battery storage, ancillary equipment, and fencing around these items but excluding wildlife corridors, mandated setbacks, wetlands, and other avoided natural or cultural features outside of security fencing on the project site.

Applicant means the person or entity who submits an application to the locality for a permit under this ordinance.

Battery storage facility means a type of energy storage power station that uses a group of batteries to store electrical energy as a source of power on electrical grids.

Battery energy storage facilities (battery facilities) means one or more battery cells for storing electrical energy stored in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). Facilities are generally used to supplement grid storage capacity. Battery facilities may be permitted as:

- an accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
- a primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Brownfield means former industrial or commercial sites typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Decommissioning and reclamation plan means a plan to disconnect, remove, and properly dispose of equipment, facilities, or devices and reclaim the site.

Disturbance zone means the area within the site directly impacted by construction and operation of the facility.

Electric power plant means a facility designed and operated for the generation and distribution of electricity for the primary purpose of selling electricity generated to the electric power grid, including facilities which use fossil fuels, solar energy, hydroelectric energy, geothermal energy, biomass energy or wind energy as a resource. This definition does not apply to on-site generation equipment when such use is an accessory use.

Integrated PV means photovoltaics incorporated into building materials, such as shingles.

Operator means the person responsible for the overall operation and management of a facility.

Owner means the person who owns all or a portion of a facility.

Photovoltaic or "PV" means materials and devices that absorb sunlight and convert it directly into electricity.

PV pod means contiguous rows of solar panels or other photovoltaic materials/devices, including the space between rows, fenced together in a group. A solar facility is typically comprised of multiple pods.

Rated capacity means the maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

Reclamation means the employment, during and after an operation, of procedures reasonably designed to minimize as much as practicable the disruption from an operation and provide for the establishment of plant cover, stabilization of soil, protection of water resources, or other measures appropriate to the subsequent beneficial use of the affected lands. Reclamation shall comply with all State and Federal regulations related to air quality, water quality and water law, and stormwater.

Site means the entire area containing a facility.

Siting agreement means an agreement entered into between the Applicant and the County as defined in the Code of Virginia (section 15.2-2316).

Solar energy generating facilities (solar facilities) means photovoltaic devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks and screening on the site.

Solar facility, community means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's community solar pilot program. A community solar facility does not exceed two megawatts (2 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, floating means a floating facility that generates electricity from sunlight. This facility type is a subset of either small-scale, medium-scale, or utility-scale solar facility.

Solar facility, medium-scale means a ground mounted facility that generates electricity from sunlight on a facility area between one to ten acres or having a rated capacity of between 250 kW to one megawatt (MW) alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for agricultural, commercial, and industrial applications.

Solar facility, multi-family shared means a ground-mounted facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's multi-family shared solar pilot program. A multi-family shared solar facility does not exceed three megawatts (3 MW) alternating current at any single location or that does not exceed five megawatts (5 MW) alternating current at contiguous locations owned by the same entity or affiliated entities, serves at least three subscribers, is connected to the electric distribution grid, and is located on a parcel of land on the premises of the multi-family utility customer or adjacent thereto.

Solar facility, power purchase agreement (PPA) means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility and that will be part of an investor-owned utility's power purchase agreement solar pilot program. A facility has capacity of no less than 50 kilowatts and no more than three megawatts (3 MW) alternating current. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, rooftop means a rooftop PV or integrated PV facility that generates electricity from sunlight as an accessory use.

Solar facility, shared means a facility that generates electricity from sunlight that was not constructed by an investor-owned utility that will be part of an investor-owned utility's shared solar pilot program. A shared solar facility does not exceed five megawatts (5 MW) alternating current, serves at least three subscribers, has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less, is connected to the electric distribution grid serving the public, and is located on a single parcel. This facility type is a subset of either rooftop, small-scale, medium-scale, or utility-scale solar facility.

Solar facility, small-scale means a ground-mounted facility that generates electricity from sunlight on a facility area of less than one acre or having a rated capacity of less than 250 kW alternating current (excluding Solar facility, multi-family shared). Facilities are generally used to reduce onsite consumption of utility power for residential, agricultural, commercial, and industrial applications.

Solar facility, utility-scale means a ground-mounted facility that generates electricity from sunlight on a facility area of more than ten acres. This size is approximately equivalent to a rated capacity of about one megawatt (MW) alternating current or greater (excluding Solar facility, multi-family shared). Facilities are generally used to provide electricity to a utility provider. These facilities typically include inverters, a substation, a switchyard, and a generator lead line (gen-tie line) to interconnect to a grid transmission line.

NOW, THEREFORE, BE IT ORDAINED by the Sussex County Board of Supervisors that Appendix B, Zoning, Article XXIII, Solar and Battery Facilities be amended and reenacted as follows:

Sec. 16-401 Statement of intent

The purpose of this section is to establish requirements for construction and operation of solar and battery facilities and to provide standards for the placement, design, construction, monitoring, modification, and removal of solar facilities; address public safety, minimize impacts on scenic, natural, and historic resources; and provide adequate financial assurance for decommissioning.

Sec. 16-402 Applicability

This article shall apply to all solar and battery facilities constructed after the effective date of this article, including any physical modifications to any existing solar facilities that materially alter the type, configuration, or size of such facilities or other equipment.

Sec. 16-403 Zoning districts

- (a) Rooftop and small-scale solar facilities may be installed by-right in all zoning districts as an accessory use to provide electricity to individual structures; provided a site plan (as applicable) has been submitted to the zoning administrator for review and approval; all Federal, State, and Local regulations have been followed; and the system is located upon the property or structure being served. Rooftop facilities on commercial or industrial buildings shall also submit an engineering study to the Building Official Office for review and approval.
- (b) Medium-scale solar facilities may be installed by-right as an accessory use in the Industrial Districts to provide electricity for use on-site for commercial and industrial applications; provided a site plan has been submitted to the zoning administrator for review and approval; all Federal, State and Local regulations have been followed; the system is located on the property or structure to be served; and the system is in accord with the underlying zoning requirements of the districts.
- (c) Solar facilities shall be permitted in zoning districts as follows:

Solar Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
<i>Multi-family shared</i>	CUP	CUP	CUP	CUP
<i>Medium-scale</i>	CUP	By-right	By-right	-
<i>Utility-scale</i>	CUP	CUP	CUP	-

- (d) Battery facilities shall be subject to a Conditional Use Permit and permitted as follows:
 1. An accessory use to utility-scale solar facilities, other energy generation facilities, or substations; or
 2. A primary use on a parcel contiguous to utility-scale solar facilities, other energy generation facilities, and substations.

Battery Facility	General Agricultural, A-1	Limited Industrial, I-1	General Industrial, I-2	Residential Multi-Family, R-1
<i>Primary use</i>	CUP	CUP	CUP	-
<i>Accessory use</i>	CUP	CUP	CUP	CUP

- (e) Solar facilities should locate on brownfields, County-owned capped landfills, or near existing industrial uses, where feasible.

Sec. 16-404 Conditional Use Permit process

- (a) Pre-application meeting. A pre-application meeting shall be held with the zoning administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, and the potential for a siting agreement.
- (b) Neighborhood meeting. A public meeting shall be held prior to the public hearing with the Planning Commission to give the community an opportunity to hear from the applicant and ask questions regarding the proposed project.
 - 1. The applicant shall inform the Zoning Administrator's Office and adjacent property owners in writing of the date, time, and location of the meeting at least seven but no more than 14 days in advance of the meeting date.
 - 2. The date, time, and location of the meeting shall be advertised in the County's newspaper of record by the applicant at least seven but no more than 14 days in advance of the meeting date.
 - 3. The meeting shall be held within the County at a location open to the general public with adequate parking and seating facilities which may accommodate persons with disabilities.
 - 4. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
 - 5. The applicant shall provide to the Zoning Administrator a summary of any input received from members of the public at the meeting.
- (c) Submittal of the permit application and fees.
 - 1. There is a combined application for the 2232 review and CUP permit.
 - 2. There are separate fees for the 2232 review and CUP permit.
- 1. (d). 2232 review. The *Code of Virginia* §15.2-2232 requires a review of public utility facility proposals by the Planning Commission to determine if their general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan or part thereof.
 - 2. 1. The Planning Commission must determine, at a public meeting, whether the project is in substantial accord with the Comprehensive Plan. Failure of the Planning Commission to act within 60 days of submission, unless the time is extended by the Board of Supervisors, shall be deemed approval.
 - 3. a. If the Planning Commission approves the 2232 review, the project shall be recommended for a public hearing for the CUP permit. b.
 - 4. If the Planning Commission does not approve the 2232 review, the applicant may appeal the decision to the Board of Supervisors within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing unless the time is extended by the applicant. A majority vote of the Board of Supervisors shall overrule the Planning Commission.
 - 2. If the Board of Supervisors agree to negotiate a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8, the 2232 review process may be delayed until negotiations are complete. If the siting agreement is approved, it fulfills the requirement for a 2232 review.
- 3. Consideration of the Conditional Use Permit by the Planning Commission. The Planning Commission must consider the Conditional Use Permit application at a public hearing. The Planning Commission has three options:
 - 1. Recommend approval of the application to the Board of Supervisors to include recommendation conditions, if applicable.
 - 2. Recommend denial of the application to the Board of Supervisors with written reasons for its decision.

3. Defer the application for further discussion and consideration.
4. Consideration of the Conditional Use Permit by the Board of Supervisors. The Board of Supervisors must consider the Conditional Use Permit application at a public hearing. The Board of Supervisors has three options:
 1. Approve the application to include recommended conditions, if applicable.
 2. Deny the application with written reasons for its decision.
 3. Defer the application for further discussion and consideration.
5. Siting agreement. The process may also include negotiating a Siting Agreement in accordance with Code of Virginia § 15.2-2316.8. The Board of Supervisors must consider the Siting Agreement at a public hearing. An approved siting agreement fulfills the requirement for a 2232 review (§ 15.2-2232).

Sec. 16-405 Conditional Use Permit application

- (a) Application packet including:
 1. Completed County application form and checklist.
 2. Documents demonstrating the ownership of the subject parcel(s).
 3. Proof that the applicant has authorization to act upon the owner's behalf.
 4. Identification of the intended utility company who will interconnect to the facility.
 5. List of all adjacent property owners, their tax map numbers, and addresses.
 6. A description of the current use and physical characteristics of the subject parcels.
 7. A description of the existing uses of nearby properties.
 8. A narrative identifying the applicant, owner, or operator, and describing the proposed solar facility project, including an overview of the project and its location, approximate rated capacity of the solar facility project, the approximate number of panels, representative types, expected footprint of solar equipment to be constructed, and type and location of interconnection to electrical grid.
 9. Aerial imagery which shows the proposed location of the solar facility, fenced area, driveways, and interconnection to electrical grid with the closest distance to all adjacent property lines and dwellings along with main points of ingress/egress.
 10. Payment of the application fee and any additional review costs, advertising, or other required staff time.
- (b) Concept plan. A concept plan prepared by an engineer with a professional engineering license in the Commonwealth of Virginia, that shall include the following:
 1. Project title information including tax parcel number, zoning, owner names, address, and phone numbers.
 2. Neighboring property information including tax parcel number, zoning, and owner names.
 3. Existing wetlands, waterways, and floodplains.
 4. Locations and types of soils on site.
 5. Areas of steep slopes.
 6. Existing and proposed buildings and structures including preliminary locations of the proposed solar panels and related equipment.
 7. Existing and proposed points of ingress/egress including access roads, drives, turnout locations, and parking.
 8. Location of substations, electrical cabling from the solar facility systems to the substations,

- ancillary equipment, buildings, and structures including those within any applicable setback.
 - 9. Fencing or other methods of ensuring public safety.
 - 10. 10. Locations of topsoil to be removed and preserved.
 - 11. 11. Locations of stormwater drainage and erosion and sediment control features.
 - 12. 12. Setbacks
 - 13. 13. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers.
- (c) An estimated construction schedule.
- (d) Environmental inventory and impact statement regarding any site and viewshed impacts, including direct and indirect impacts to national and state forests, national or state parks, wildlife management areas, conservation easements, recreational areas, or any known historic or cultural resources within three (3) miles of the proposed project using information provided by the Virginia Department of Environmental Quality (DEQ), the Virginia Department of Conservation (DCR), Virginia Department of Wildlife Resources (DWR), Virginia Department of Historic Resources (DHR), and/or a report prepared by a qualified third party, such as ConserveVirginia or Virginia Cultural Resource Information System.
- (e) A visual impact analysis demonstrating project siting and proposed mitigation, if necessary, so that the solar facility minimizes impact on the visual character of the County.
- 1. The applicant shall provide accurate, to scale, photographic simulations showing the relationship of the solar facility and its associated amenities and development to its surroundings. The photographic simulations shall show such views of solar structures from locations such as property lines and roadways, as deemed necessary by the County in order to assess the visual impact of the solar facility.
 - 2. The total number of simulations and the perspectives from which they are prepared shall be established by the zoning administrator after the pre-application meeting.
- (f) Solar facility inventory. An inventory of all solar facilities – existing or proposed – within a four (4) mile radius.
- (g) Draft traffic study. The study shall include modelling the construction and decommissioning processes. County staff will review the study in cooperation with VDOT.
- (h) Draft landscaping plan. The plan shall indicate:
- 1. All ground cover, screening and buffering materials, landscaping, and elevations.
 - a. Ground cover shall be native vegetation where compatible with site conditions.
 - b. Screening vegetation shall include pollinator plants where compatible with site conditions.
 - c. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application,

the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams, and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

2. Locations of wildlife corridors.
 3. Maintenance requirements.
- (i) Draft decommissioning and reclamation plan. A detailed decommissioning and reclamation plan, certified by an engineer, which shall include the following:
1. The anticipated life of the project. The applicant shall provide the basis for determining the anticipated life of the project.
 2. The estimated decommissioning and reclamation cost in current dollars. The applicant shall provide a cost estimate for the decommissioning and reclamation of the facility prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. The decommissioning and reclamation cost estimate shall explicitly detail the cost without any reduction for salvage value.
 3. The method of ensuring that funds will be available for decommissioning and reclamation. A proposed method of providing appropriate escrow, surety, or security for the cost of the decommissioning and reclamation plan. The surety shall be updated when the decommissioning and reclamation cost estimate is updated. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County unless otherwise provided for in subsection d below.
 - a. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar facility.
 - b. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon on the owner's or occupant's compliance with the approved decommissioning and reclamation plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - c. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning and reclamation cost.
 - d. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning and reclamation of a solar facility, such as a performance bond, letter of credit, or other security approved by the County.
 4. The method that the estimated cost will be kept current. The decommissioning and reclamation cost estimate shall include a mechanism for calculating increased removal costs due to inflation. This cost estimate shall be recalculated every five (5) years and the surety shall be updated accordingly. If the recalculated estimated cost exceeds the original estimated cost by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost is less than ninety percent (90%) of the original estimated cost, then the County may approve reducing the amount of the escrow account to the recalculated estimate of cost.
 5. The manner in which the site will be decommissioned and reclaimed. This will include:
 - a. Notice to the Zoning Administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
 - b. A traffic study submitted with application modelling the decommissioning processes. County staff will review the study in cooperation with VDOT.

- c. An estimated deconstruction schedule.
 - d. Removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural or forestall uses.
 - e. The site shall be graded and re-seeded or replanted within 12 months of removal of solar facilities to restore it to as natural a pre-development condition as possible. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment. Any exception to site restoration, such as leaving access roads in place or re-seeded or replanted must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
 - f. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- (j) Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping plan, coverage map, and additional information that may be necessary for a technical review of the proposal.

Sec. 16-406 Minimum development and performance standards

- (a) A utility-scale solar facility shall be constructed, operated, and maintained in substantial compliance with the approved concept plan with allowances for changes required by the Virginia Department of Environmental Quality (DEQ) Permit by Rule (PBR) or State Corporation Commission (SCC) permit process.
- (b) Location standards for utility-scale solar facilities. The location standards stated below for utility-scale solar facilities are intended to mitigate the adverse effects of such uses on adjoining property owners, the area, and the County.
 - 1. The minimum area of a utility-scale solar facility shall be more than 100 acres.
 - 2. The equipment, improvements, structures, and percent of acreage coverage of a utility-scale solar facility shall be shown on the approved concept plan and site plan. The percent of acreage coverage shall not exceed 65%.
- (c) Height.
 - 1. The maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of the highest edge of photovoltaic panels shall not exceed 15 feet as measured from the finished grade.
 - 2. The maximum height of other facility structures shall not exceed 15 feet. This limit shall not apply to utility poles or the interconnection to the overhead electric utility grid.
 - 3. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.
- (d) Setbacks. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).

1. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
 - a. 150 feet from adjacent property lines.
 - b. 150 feet from all public rights-of-way.
 - c. 300 feet from a dwelling.
2. The Planning Commission or Board of Supervisors may require increased setbacks up to 400 feet in situations where the height of structures or the topography affects the visual impact of the facility.
3. These setback requirements shall not apply to internal property lines of those parcels on which a solar facility is located.
4. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.
5. Vehicular access to the site shall be a minimum of 50 feet from the nearest dwelling located on adjacent property.

(e) Buffer. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility.

Screening. (f) Screening. The facilities, including security fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties or a public street in the buffer zone. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 150 feet. Screening methods may include:

1. Existing Screening: Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
2. Vegetative Screening: In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 ft. on center. A list of appropriate plant materials shall be available at the Planning Office.

Species listed on DCR's Invasive Plant Species list shall not be used.

3. **Berming:** Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.
4. **Opaque Architectural Fencing.** Fencing intended for screening shall be at least 75 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.
 - (e) **Security Fence.** The facilities shall be enclosed by security fencing not less than six (6) feet in height and topped with barbed wire, as appropriate. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the CUP and the facility's decommissioning.
 - (f) **Ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures.** A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the CUP and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
 - (g) **The Applicant shall identify access corridor(s) for wildlife to navigate through and across the Solar Facility.** The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.
 - (h) **The design of support buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the facilities to the natural setting and surrounding structures.**
 - (i) **The owner or operator shall maintain the solar facility in good condition.** Such maintenance shall include, but not be limited to, painting, structural integrity of the equipment and structures, as applicable, and maintenance of the buffer areas and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the solar facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and operation.
 - (j) **Inspections.**
 1. **The Applicant will allow designated County representatives or employees access to the facility for inspection purposes with 24-hour notice.**
 2. **The Applicant shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.**
 - (k) **A utility-scale solar facility shall be designed and maintained in compliance with standards contained in applicable local, state, and federal building codes and regulations that were in**

force at the time of the permit approval.

- (l) The applicant shall provide proof of adequate liability insurance for a solar facility prior to beginning construction and before the issuance of a zoning or building permit to the zoning administrator.
- (m) Lighting fixtures as approved by the County shall be the minimum necessary for safety and/or security purposes to protect the night sky by facing downward and to minimize off-site glare. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the zoning administrator.
- (n) No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.
- (o) At all times, the solar facility shall comply with the County's noise ordinance.
- (p) Coordination of local emergency services. Applicants for new solar facilities shall coordinate with the County's emergency services staff to provide materials, education and/or training to the departments serving the property with emergency services in how to safely respond to on-site emergencies.
- (q) Decommissioning
 1. Solar facilities which have reached the end of their useful life or have not been in active and continuous service for a period of six (6) months shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.
 2. The owner or operator shall notify the zoning administrator by certified mail and in person of the proposed date of discontinued operations and plans for removal.
 3. Decommissioning shall include removal of all solar electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural or forestall uses. The site shall be graded and re-seeded to restore it to as natural a pre-development condition as possible or replanted with pine seedlings to stimulate pre-timber pre-development conditions as indicated on the Concept Plan. Any exception to site restoration, such as leaving access roads in place or seeding instead of planting seedlings must be requested by the landowner in writing, and this request must be approved by the Board of Supervisors.
 4. The site shall be re-graded and re-seeded or replanted within 12 months of removal of solar facilities. Re-grading and re-seeding or replanting shall be initiated within a six-month period of removal of equipment.
 5. Decommissioning and reclamation shall be performed in compliance with the approved

decommissioning and reclamation plan. The Board of Supervisors may approve any appropriate amendments to or modifications of the decommissioning plan.

6. Hazardous material from the property shall be disposed of in accordance with federal and state law.
 7. If the owner or operator of the solar facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.
- (r) Any other condition added by the Planning Commission or Board of Supervisors as part of a CUP approval.

Sec. 16-407 Special provisions for battery facilities.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a Battery Energy Storage Facility:

- (a) Battery Energy Storage Facilities shall be constructed, maintained, and operated in accordance with national industry standards and regulations including the most current adopted edition of the National Electrical Code, International Fire Code of the International Code Council, and the National Fire Protection Association Fire Code. The batteries will be NFPA (National Fire Protection Agency) compliant. 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.
- (b) Battery cells shall be placed in a Battery Energy Storage System (“BESS”) with a Battery Management System (“BMS”). The BESS shall provide a secondary layer of physical containment to the batteries and be equipped with cooling, ventilation, and fire suppression systems. Each individual battery shall have 24/7 automated fire detection and extinguishing technology built in. The BMS shall monitor individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access and be able to shut down the system before Thermal Runaway takes place.
- (c) The Battery Energy Storage System will be placed on an appropriate foundation and screened with vegetation outside of environmentally sensitive areas.
- (d) Access to all batteries and electrical switchgear shall be from the exterior for normal operation and maintenance. Access to the container interior shall not be permitted while the system is in operation except for safety personnel and first responders.
- (e) Qualifications and experience from selected developers and integrators shall be provided including disclosure of fires or other hazards at facilities.

- (f) Safety testing and failure modes analysis data from selected developers and manufacturers shall be provided.
- (g) The latest applicable product certifications shall be provided.
- (h) The Solar Facility operator or owner shall be responsible for any environmental remediation required by the county or the state and the costs of such remediation. All remediation shall be completed in a timely manner.
- (i) Battery storage shall be developed in collaboration with technical experts and first responders to utilize technology-appropriate best practices for safe energy storage systems including, but not limited to, the following:
 - 1. Adequate access/egress for the first responders;
 - 2. Adequate facility signage (on battery chemistry and person to contact);
 - 3. Accessible Safety Data Sheets;
 - 4. System-specific emergency response plans;
 - 5. Training for first responders on the type of system, potential hazards and risks, and system-specific emergency response plans;
 - 6. Adequate water sources and fire suppression appliances for the fire fighters if required in the emergency response plans;
 - 7. Signage on Hazardous Materials present in the vicinity;
 - 8. Emergency lighting;
 - 9. Separate battery modules to make it easier to isolate a failed battery from the rest;
 - 10. Sufficient disconnect and shutdown capability including a master kill switch to disable and discharge batteries;
 - 11. System-appropriate sensors and alarms;
 - 12. Air ventilation and fire suppression systems;
 - 13. Drainage for water runoff; and
 - 14. Other practices as recommended by experts or local first responders.
- (j) The Solar Facility operator or owner shall conduct regular on-site inspections of the battery units and submit a written report to the Zoning Administrator on their condition, at least once every six (6) months. The Solar Facility operator or owner shall conduct monthly inspections electronically of the battery units and submit a written report to the Zoning Administrator.

Sec. 16-408 Special provisions for substations.

In addition to the above general provisions, application requirements, and development and performance standards, the following additional requirements shall be met for the approval of a substation:

- (a) Siting. Substations located within the Solar Facility shall be sited in accordance with these regulations.
- (b) Term and Special Permits. Substations included as part of the Solar Facility shall have the

same term as the Solar Facility. However, Substations may have a life longer than that of the larger Solar Facility, and, alternatively, may individually and not as part of a Solar Facility receive a Conditional Use Permit in accordance with these regulations.

Sec. 16-409 Conditions

(a) The Board of Supervisors may consider conditions addressing a proposed solar and/or battery facility, including, but not limited to, the following:

1. A solar facility shall be constructed, maintained, and operated in substantial compliance with:

- i. The development standards under this article.
- ii. The approved concept plan.
- iii. Any other conditions imposed pursuant to a Conditional Use Permit.

(b) Site Plan Requirements. In addition to all Virginia site plan requirements and site plan requirements of the Zoning Administrator, the Applicant shall provide the following plans for review and approval for the Solar Facility prior to the issuance of a building permit:

1. *Construction Management Plan.* The Applicant shall prepare a "Construction Management Plan" for each applicable site plan for the Solar Facility, and each plan shall address the following:

- i. Traffic control methods (in coordination with the Virginia Department of Transportation [VDOT] prior to initiation of construction):
 - a. Lane closures
 - b. Signage
 - c. Flagging procedures
- ii. Site access planning. Directing employee and delivery traffic to minimize conflicts with local traffic.
- iii. Site security. The Applicant shall implement security measures prior to the commencement of construction of Solar Facilities on the Project Site.
- iv. Lighting. During construction of the Solar Facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties. Emergency and/or safety lighting shall be exempt from this construction lighting condition.
- v. Water Supply. In the event that on-site wells are used during construction of the solar energy facility, the Applicant shall prepare and submit for review to the County hydrogeologic information necessary for the County to determine the potential impact to pre-existing users for the same aquifer proposed to be used for the solar energy facility and a plan to mitigate impacts to pre-existing users within the area of impact of the Project. If the County, in consultation with the Department of Environmental Quality, determines that the installation of a well will not adversely affect existing users, the Applicant may proceed with well construction in compliance with approval by the Department of Environmental Quality. At the end of the construction of the solar energy facility, the well shall not thereafter be used except only for personal toilet and lavatory facilities as required by the Uniform Statewide Building Code for operations and maintenance buildings.

2. *Construction Mitigation Plan.* The Applicant shall prepare a "Construction Mitigation Plan" for each applicable site plan for the Solar Facility, and each plan shall address the effective mitigation of dust, burning operations, hours of construction activity, access and road improvements, and handling of general construction complaints as set forth and described in the application materials and to the satisfaction of the Zoning Administrator. Damage to public roads related to construction activities shall be repaired as soon as possible and not postponed until construction completion. The Applicant shall provide written notice to the Zoning Administrator of the plans for making such repairs, including time within which repairs will be commenced and completed, within thirty (30) days of any written notice received from the Zoning Administrator.
 - i. Driving of posts shall be limited to 7:00 am to 6:00 pm, Monday through Saturday. Driving of posts shall be prohibited on state and federal holidays. The Applicant may request permission from the County Administrator to conduct post driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the County Administrator.
 - ii. Other construction activity on-site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
 - iii. During construction, the setbacks may be used for staging of materials and parking. No material and equipment laydown area, construction staging area, or construction trailer shall be located within 200 feet of any property containing a residential dwelling.
 - iv. Construction lighting shall be minimized and shall be directed downward.
3. *Erosion and Sediment Control Plan.* The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. An E&S bond (or other security) will be posted for the construction portion of the project. In addition to state and local requirements, the plan shall:
 - i. Clearly show existing and proposed contours; and
 - ii. Note the locations and amount of topsoil to be removed (if any) and the percent of the site to be graded.
4. *Stormwater Management Plan.* The County will have a third-party review with corrections completed prior to County review and approval. The owner or operator shall construct, maintain, and operate the project in compliance with the approved plan. A storm water control bond (or other security) will be posted for the project for both construction and post construction as applicable and determined by the Zoning Administrator.
5. *Landscaping Plan.* The Applicant will submit a final landscaping plan for review and approval by the Zoning Administrator. The owner or operator shall construct, maintain, and operate the facility in compliance with the approved plan. A separate security shall be posted for the ongoing maintenance of the project's land cover and vegetative buffers in an amount deemed sufficient by the Zoning Administrator. Failure to maintain the landscaping in accordance with the plan may result in the issuance of a notice of violation by the Zoning Administrator. The Applicant (or the operator) shall promptly communicate with the Zoning Administrator within 30 days of the date of the notice of violation and submit a plan in writing satisfactory to the Zoning Administrator to remedy such violation no later than 180 days after the date of the notice of violation. Failure to remedy the violation before the end of the 180-day cure period may result in revocation of the CUP.
 - i. Ground cover shall be native vegetation where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.

- ii. Screening vegetation shall include pollinator plants where compatible with site conditions and, in all cases, shall be approved by the Zoning Administrator.
 - iii. Only EPA approved herbicides shall be used for vegetative and weed control at the solar energy facility by a licensed applicator. No herbicides shall be used within 150 feet of the location of an approved ground water well. The Applicant shall submit an herbicide land application plan prior to approval of the certificate of occupancy (or equivalent). The plan shall specify the type of herbicides to be used, the frequency of land application, the identification of approved groundwater wells, wetlands, streams, and the distances from land application areas to features such as wells, wetlands, streams and other bodies of water. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.
6. *Decommissioning and Reclamation Plan.* The Applicant will submit a final decommissioning and reclamation plan in accordance with these regulations for review and approval by the Zoning Administrator.
 7. The Applicant shall reimburse the County its costs in obtaining independent third-party reviews as required by these conditions.
- (c) The design, installation, maintenance, and repair of the Solar Facility in accordance with the most current National Electrical Code (NFPA 70) available (2014 version or later as applicable).
 - (d) If the solar facility does not receive a building permit within eighteen (18) months of approval of the Conditional Use Permit, the Permit shall be terminated.
 - (e) If the solar facility is declared to be unsafe by the zoning administrator or building official, the facility must be in compliance within fourteen (14) days or the Conditional Use Permit shall be terminated, and system removed from the property.
 - (f) The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within thirty (30) days.

Sec. 16-410 Additional Conditions

- (a) In approving a conditional use permit, the Board of Supervisors may consider conditions that require:
 1. Dedication of real property of substantial value; or
 2. Substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such conditions are reasonably related to the project.
- (b) The Board may include other reasonable conditions as permitted by state law and as otherwise provided for in this Article.
- (c) Once a condition is granted, it shall continue in effect until a subsequent amendment changes the zoning on the property for which conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Adopted this _____ day of _____, 2021.

Susan Seward, Chairman of the Board of Supervisors

Attest:

_____ Shilton Ricks-Butts, Clerk

Approved as to Form:

_____ Jeff Gore County Attorney



NEW BUSINESS

Proposed Small Area Plans Discussion

Staff Report
Proposed Modifications to the 2004-2005 Comprehensive Plan of Sussex County (as amended) in Consideration of Small Area Plans

Report Date: November 24, 2021
Planning Commission Meeting Date: December 6, 2021

SUMMARY:

In order to more closely examine various development trends and patterns in Sussex County, the County was divided into several planning areas as designated by the 2004-2005 Comprehensive Plan. The plan established that designating planning areas is a way for County decision makers to look at specific issues and concerns in different parts of Sussex County and to develop policies and implementation strategies to meet these issues and concerns.

The planning areas identified in the plan consisted of the following:

- Jarratt/I-95/U.S. 301
- Stony Creek/I-95/U.S. 301/VA Route 40
- Sussex Courthouse/VA Route 40
- Homeville/Wakefield/U.S. 460
- Blackwater/Newville/Waverly/U.S. 460

The remaining areas of Sussex County were classified as rural areas.

The next step in the process is to review these small area plans with respect to existing development patterns and/or infrastructure (such as roads, water, sewer, stormwater) that impact existing and proposed development and the choices made by the County. This effort was coordinated by The Berkley Group and included citizen input via surveys documenting community priorities for improving public and community services in the County.

In response to citizen input, The Berkley Group developed Small Area Plans for each of the planning areas listed above, adding a small area plan for the Rural Planning Area. These small area plans are attached for the Planning Commission's review and consideration as amendments to the 2004-2005 Comprehensive Plan, as revised in April 2019.

PLANNING COMMISSION CONSIDERATION:

Staff recommends that the Planning Commission set a work session date in January 2022 for consideration of the proposed small area plans, as follows:

- 1) Consider an initial joint work session(s) with the Board of Supervisors allowing staff to provide an overview of all of the districts/boundaries to the Commission and Board;
- 2) Continue conducting work sessions:
 - a) With the Board to review two (2) small area plans two at a time until complete; and/or
 - b) With only the Planning Commission to review two (2) small area plans at a time until complete.
- 3) Conduct a public hearing of the Planning Commission once all plans have been reviewed and send a recommendation to the Board.

ATTACHMENTS:

- Small Area Plans

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

WAVERLY



**PUBLIC HEARING DRAFT
AUGUST 2021**



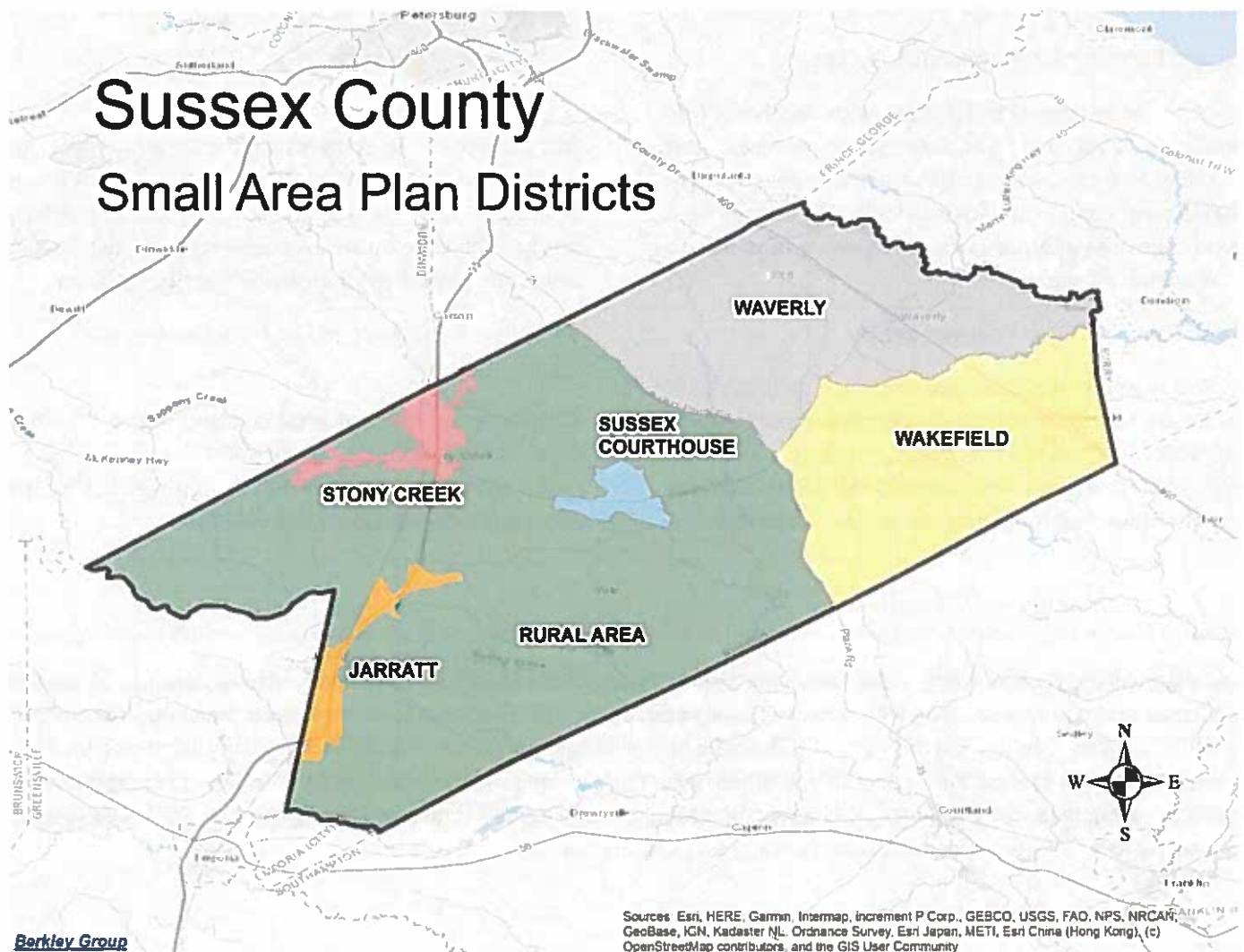
Table of Contents

Preface	3
Six Planning Areas	4
Waverly Planning Area	6
Existing Features & Uses	7
Existing Land Use	9
Public Input	13
SWOT Analysis.....	14
Transportation Analysis	15
U.S. Route 460 Corridor	16
State Route 40 Corridor (Sussex Drive / W. Main Street).....	16
State Route 35 Corridor (Jerusalem Plank Road).....	17
State Route 602 Corridor (Cabin Point Road)	17
Railroad Corridor.....	17
Transportation Improvements.....	18
Future Vision & Planning.....	19
Future Land Use Analysis	20
Implementation Recommendations	23

Preface

Sussex County is a rural yet diverse County that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the County as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent County planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – Civic Core

This planning area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the County.

Jarratt Planning Area – Interstate Services

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this planning area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – Conservation

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – Commercial Center

Fed by I-95 and accessible to other areas in the County, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

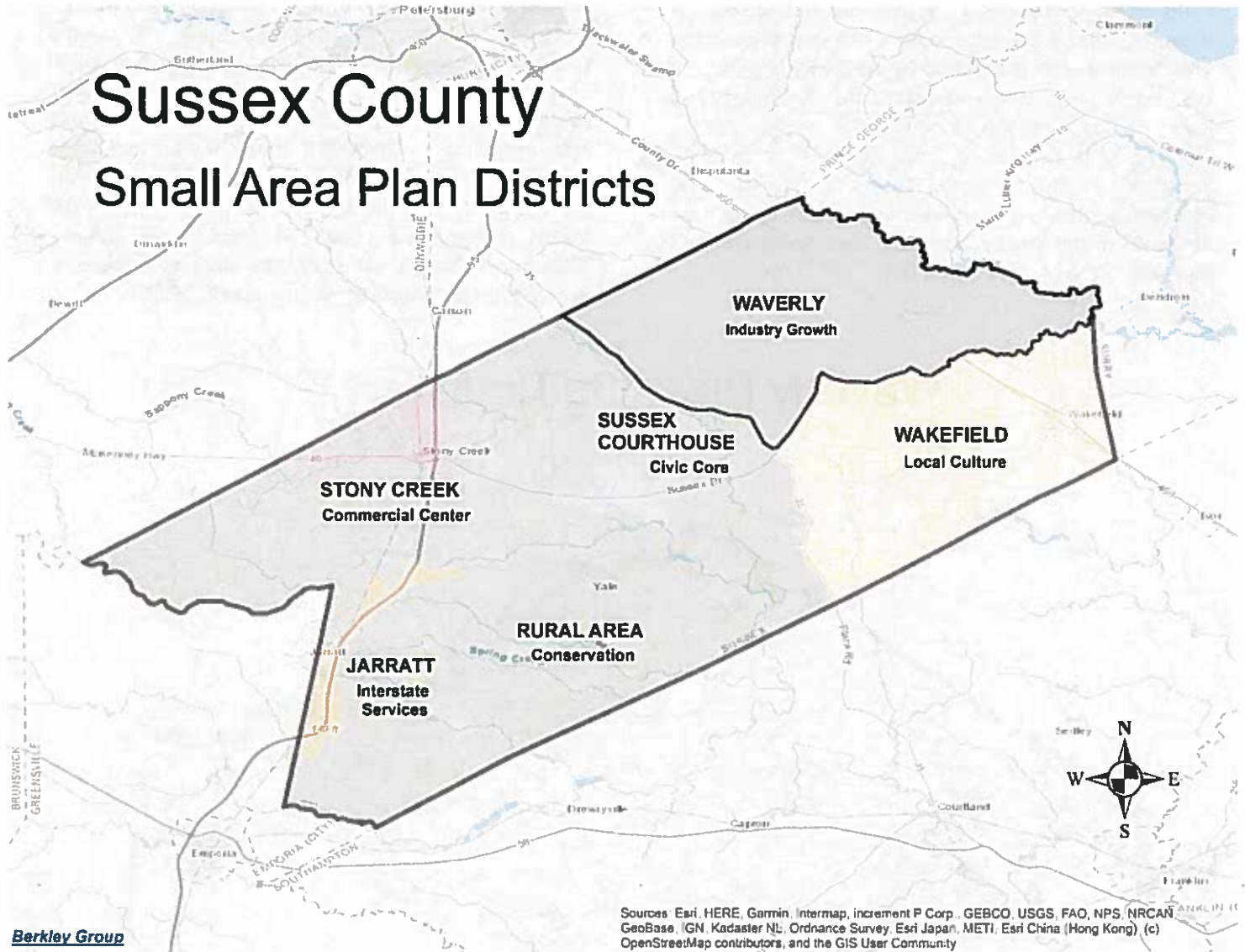
Wakefield / Homeville / U.S. 460 Planning Area – Local Culture

This planning area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – Industry Growth

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

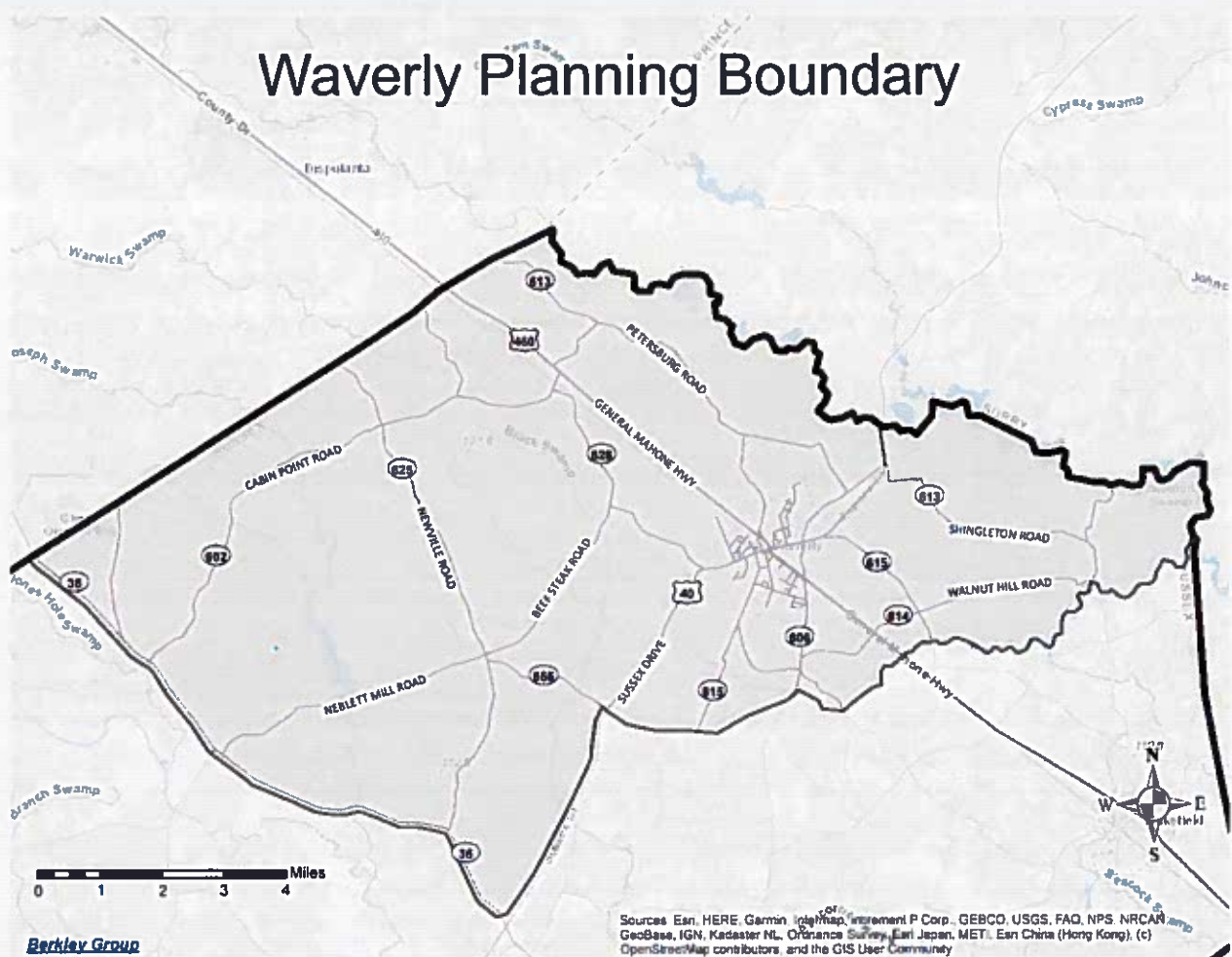
This plan will focus on Waverly – The Center for Industry Growth for Sussex County. With a strong presence of existing industries and businesses, along with a thriving local community, the Waverly Area is considered the Center for Industry Growth in Sussex County. The strength of this area is the existing commercial and industrial activity combined with the availability of sites for new development. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the constrained zone surrounding the Town of Waverly while also considering how this area relates to the other areas of the County.



Waverly Planning Area

The Waverly Planning Area defines the northeast portion of Sussex County and covers approximately 100.4 square miles. The area includes 3.1 square miles in the Town of Waverly, which is the most populous Town in the County. The Planning Area is bisected by a 9.5-mile segment of U.S. Route 460, which connects the Richmond and Hampton Roads metropolitan areas. The boundary of the Planning Area runs along State Route 35 from State Route 40 northward to the Sussex County line. The southern boundary of the Planning Area runs along State Route 40 to the intersection with State Route 655 and then just south of State Route 614.

The estimated population of the area is 5,772 people based on 2010 Census Block data and includes 2,149 people in the Town of Waverly.¹ This is Sussex County's most populated area, accounting for roughly half of the countywide population. The Planning Area had 1,340 households as of 2010. The Sussex State Prison complex contributes to the total population of the Planning Area and, according to 2019 ACS data, has an estimated population of 1,010. When excluding the prison complex, the population is estimated at 4,762 people, which still makes it the most populated area in the County. Additionally, based on 2019 ACS data the Town of Waverly has an estimated population of 2,633.



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Block level is only available every ten years following the Decennial Census.



Existing Features & Uses

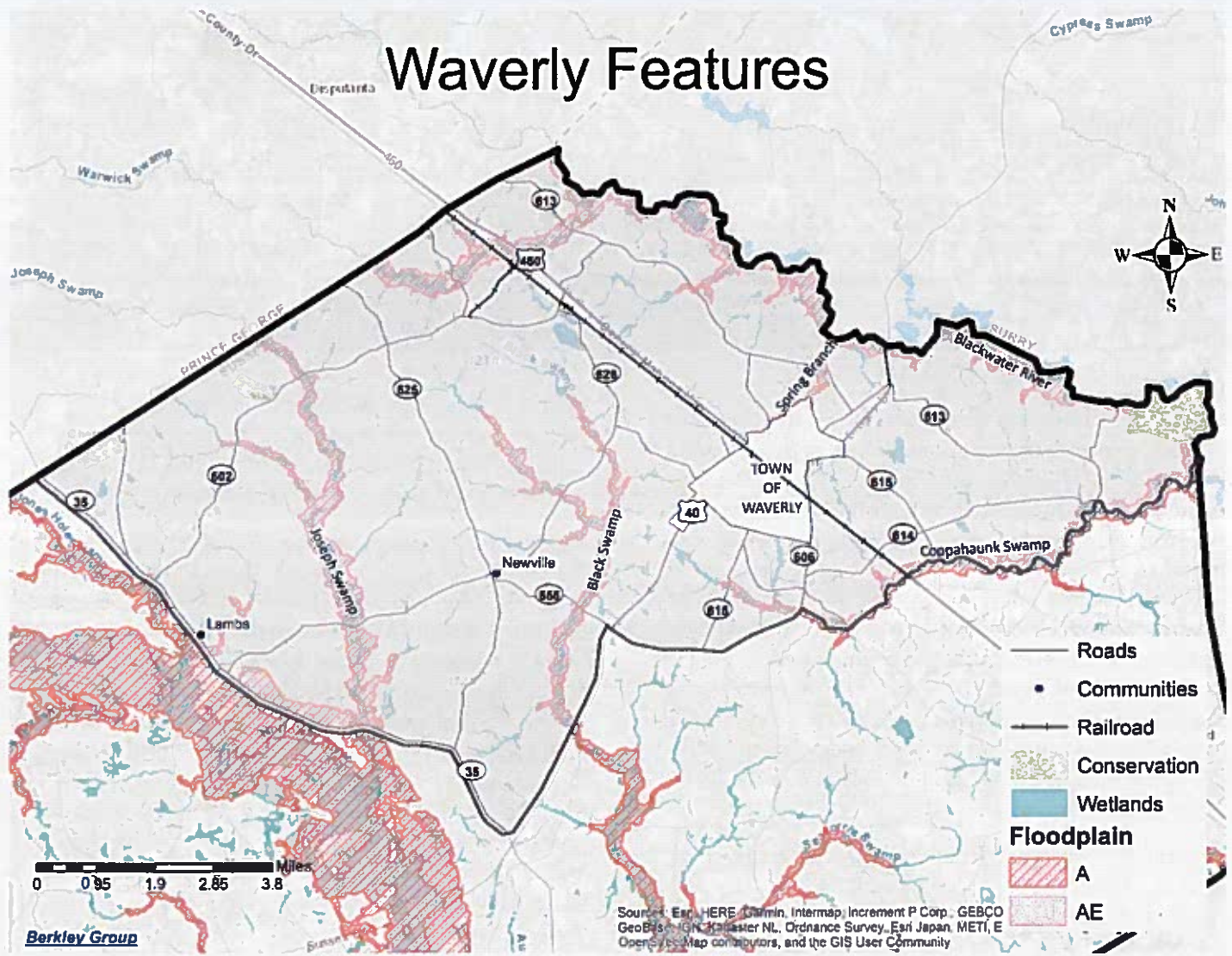
The Waverly Planning Area consists of the Town of Waverly, concentrated development along U.S. 460, and expansive rural and natural areas. The location of existing development and established transportation corridors will guide future development while the presence of natural resources restrict expansive growth beyond established developed areas. Near the Town of Waverly and other strategic corridors in the Planning Area, there are existing neighborhoods with a higher concentration of single-family homes. There is also a modest commercial presence, with most commercial uses located within the Town. Most undeveloped land is dedicated to agricultural uses and forests outside of the Town of Waverly.

Physical development in the Planning Area is served by existing utilities, which include electric power lines and water and sewer service. Most of the Planning Area receives electricity from the Prince George Electric Cooperative, which has its main office and warehouse near the Town of Waverly on U.S. 460. Some portions of the Town and farther south along U.S. 460 receive electricity from Dominion Power. The Sussex Service Authority provides water and sewer service to most of the existing developed areas in the Planning Area. The Blackwater Wastewater Treatment Plant on Beef Steak Road serves wastewater customers in the Planning Area. High-speed fiber internet is available in most of the Planning Area through RuralBand from Prince George

Electric Cooperative. RuralBand's Waverly Zone extends through most of the Planning Area. RuralBand plans to continue extension of fiber internet along U.S. 460 and near Jerusalem Plank Road (State Route 35).

Key natural features in the Planning Area include Blackwater River, Coppahaunk Swamp, Black Swamp, Joseph Swamp, and Spring Branch. These sensitive areas contain a wealth of environmental features, such as wetland areas, flood zones, and riparian areas that play an important role in plant and animal species diversity as well as natural water system filtering. These areas are found along the entire northeast border of the County formed by the Blackwater River and in two large areas in the rural interior of the Planning Area. While extensive, these natural features only make up a small percentage of the Planning Area and do not extend into most of the highly developed parts of the Waverly area.

Waverly Features



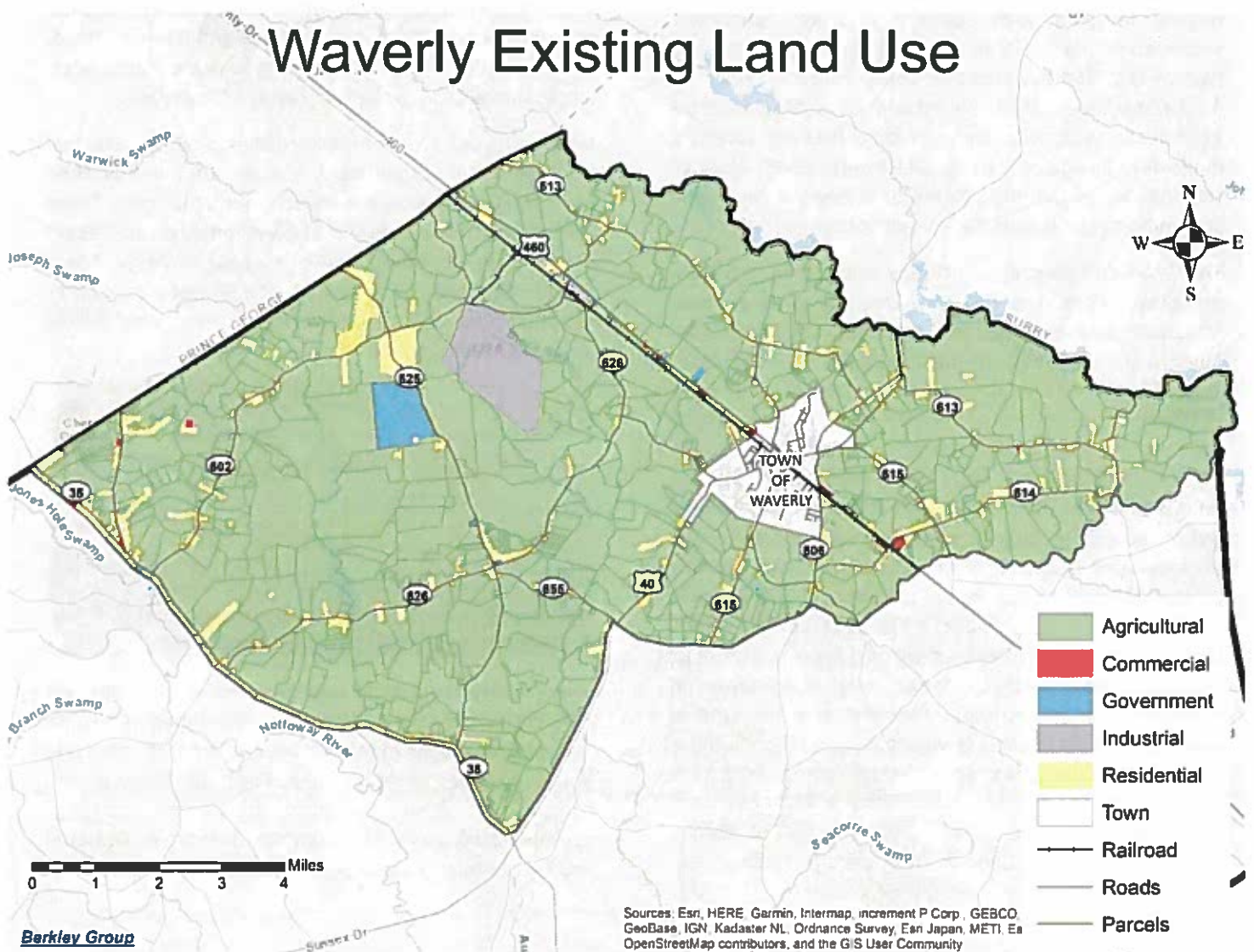
Berkley Group

Existing Land Use

As a large Planning Area that extends well beyond the Town of Waverly and the U.S. 460 corridor, the majority (around 90%) of the Waverly Planning Area is either agricultural or open forested space. This does not mean that the Planning Area is unfit for any development. Instead, it confirms that existing development is strategically located in places that protect the rural character of the County and provide adequate access and services. Most residential and commercial uses are located in the Town of Waverly, which accounts for about three percent (3.1%) of the land area.

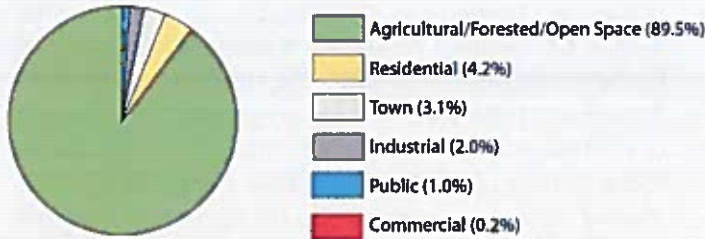
Additional residential development is concentrated around the Town of Waverly and near Cabin Point Road (State Route 602) with scattered rural residential uses throughout the entire area equaling about four percent of the total area (4.2%). Limited commercial uses can be found outside of the Town primarily along U.S. 460. The map below and the pie chart on the next page show the quantity and location of various land use types in the Planning Area. These graphics are also complemented by descriptions of each land use type on the following pages.

Waverly Existing Land Use



EXISTING CONDITIONS

Waverly Existing Land Use



Agricultural/Forested/Open Space

Like much of Sussex County, this Planning Area is mostly composed of agricultural, open space, or forested land use. These areas are labeled simply as Agricultural on the existing land use map. West of U.S. 460, land is more heavily forested with some agriculture operations scattered within the large blocks of dense forested land. East of U.S. 460 towards the County border along the Blackwater River, undeveloped land is mostly cultivated agricultural land with sections of conserved forested lands directly adjacent to the Blackwater River. Most of the area is designated as Prime or Statewide Important Soil, indicating it is suitable for cultivation agriculture.

This land category also includes public and privately preserved lands. The 635-acre Dendron Swamp State Natural Area Preserve is located along the Blackwater River in the southeastern portion of the Planning Area. The 150-acre Cherry Orchard Bog State Natural Area Preserve is located in the extreme northwestern part of the Planning Area. Operated by the Virginia Department of Conservation and Recreation, both sites contain unique and rare environmental features and, therefore, public access is largely restricted. Additionally, the Meadowview Biological Research Station manages the private 428-acre Joseph Pines Preserve off of Cabin Point Road, which is held under a conservation easement through the Virginia Department of Forestry. The land contains a small research station called the Center for Biodiversity at Joseph Pines Preserve, and the land is open for limited public use with a permit. The Planning Area also has two other large tracts of private land held in conservation easements, including a 434-acre tract near Neblitt Mill Road and a 306-acre tract off of Walnut Hill Road near the Coppahaunk Swamp. Collectively, preserved lands equal about three percent (3%) of the entire Planning Area.

A narrow band of wetlands and Approximate A Flood Zones bounds the western, southern, and eastern borders of the Planning Area. Two smaller flood zones run through the middle of the Planning Area. There is little development in these locations with most development being located outside of any designated flood zones.

Residential

Existing residential development consists primarily of single-family dwellings, many of which are prefabricated structures on lots of five acres or less. The Town of Waverly and the roads leading into the Town contain the highest density of residential development. There is also a notable residential area farther from the Town around the intersection of Cabin Point Road and Newville Road. Other housing units in the Planning Area are scattered on larger rural lots along lightly traveled local roads.

Residential units consist mostly of single-family detached housing, with a significant number of manufactured homes in the Planning Areas and around the Town. There are several new residential subdivisions that are recent or are currently being developed near Waverly. These include Cabin Point Estates (28 lots), Sweet Gum Corner (49 lots), the Sebera Subdivision (25 lots), and Willow Woods Estates (28 lots).



High-density residential development in the Planning Area consists of apartments and mobile home parks. The Sussex Trace apartment complex is located on State Route 40 just outside of the Town of Waverly and consists of eight two-story townhome buildings containing 50 units. The complex is income-restricted and has a Project-Based Section 8 contract with HUD.

EXISTING CONDITIONS

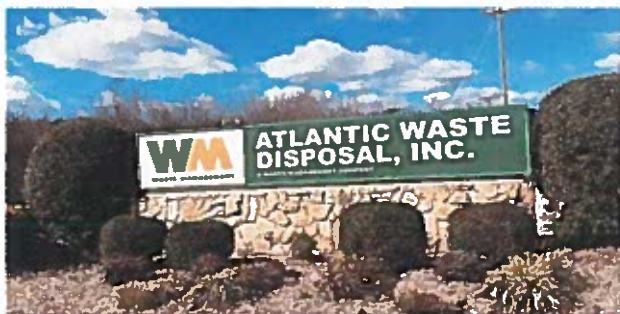
WAVERLY

Within the Town, Waverly Village Apartments is a 40-unit multifamily apartment complex that is income restricted. The 24-unit Covington Court Apartments, also in the Town, is an age-restricted development designed for the elderly population. There are also multiple high density mobile home parks in and around the Town Waverly.

Industrial

The Waverly Planning Area has an established industrial presence in addition to multiple planned industrial parks. The largest industrial use is the Waste Management Atlantic Waste Disposal landfill site on Cabin Point Road, which opened in 1993 and is a major revenue stream for the County. The 1,300-acre landfill accepts between 6,000 and 8,000 tons of refuse per day and is one of the largest landfills in the country. Roughly one-third of the landfill's daily volume comes from municipal waste from New York City. As a benefit to Sussex County, residents are able to drop refuse at the site free of charge. To offset some of the impact of the methane gas produced by the landfill, a 23-mile pipeline was completed in 2004 connecting the landfill to the Honeywell Plant in Hopewell. The pipeline, which is believed to be the longest landfill gas pipeline in the world, supplies the plant with methane-rich gas and eliminates the need for flaring methane gas at the landfill. Gas from the landfill offsets about 20% of the plant's energy needs, which would be enough to power close to 7,000 homes. The use of this pipeline improves local air quality and reduces the region's air emissions of greenhouse gases.

Other industrial uses include the Smithfield Waverly Feed Mill and Grain Elevator at the intersection of U.S.



460 and Cabin Point Road, the McGill-Waverly Composting Facility on Beef Steak Road, the Scott's Company Mulch packaging site near U.S. 460 and Walnut Hill Road, and the Wood Fuel Developer's wood pellet manufacturing site in the Town of Waverly. Currently marketed industrial development sites are discussed later in this plan.

Commercial

This land use category includes areas used for retail, consumer services, and professional activities. Within the Waverly Planning Area, commercial sites are generally concentrated along U.S. 460 and within the Town. Commercial uses outside the Town of Waverly include gasoline stations, auto repair shops, small convenience stores and restaurants. The main office of the Prince George Electric Cooperative is also in the Planning Area located on U.S. 460 south. Other commercial uses are mentioned in the Town section.



Public

This land use category includes buildings for governmental functions as well as schools, libraries, fire stations, and other similar public uses. Public facilities within this Planning Area include the Blackswamp Wastewater Treatment Plant, Deerpath Lane Pump Station, Sussex I and Sussex II correctional facilities, and the Sussex County Water Storage Tank. The Sussex Correctional Complex on Newville Road is the most substantial public use in the Planning Area outside of the Town of Waverly.

In the Town, multiple public uses provide services for Town and County residents. The Agnes Taylor Gray Library in Waverly is a branch of the Blackwater Regional Library. The Town also has the Waverly Volunteer Fire

EXISTING CONDITIONS

WAVERLY

Department and the Waverly Rescue Squad, which provide emergency services to the surrounding area.

Town of Waverly

The Town of Waverly is the hub of this part of the County and is where residential and commercial uses are most concentrated within the Planning Area. The Town has many assets that are important for the vitality of the entire area. Along U.S. 460 and W. Main Street, the Town has a variety of retail options, including restaurants, a pharmacy, banks, gasoline stations, convenience stores, a post office, and boutiques. The Town, however, no

longer has a full-service grocery store. The downtown is listed as a national historic district.

The Town also has health and wellness centers in addition to parks and recreation opportunities that are important local assets. The Waverly Medical Center, operated by Horizon Health, offers basic medical services. Accordius Health operates a 120-bed nursing facility in the Town. Recreational opportunities include Allen W. Gibson Memorial Park, the Waverly Ruritan Ballfields, and the Sussex County Young Men's Athletic Club Park.

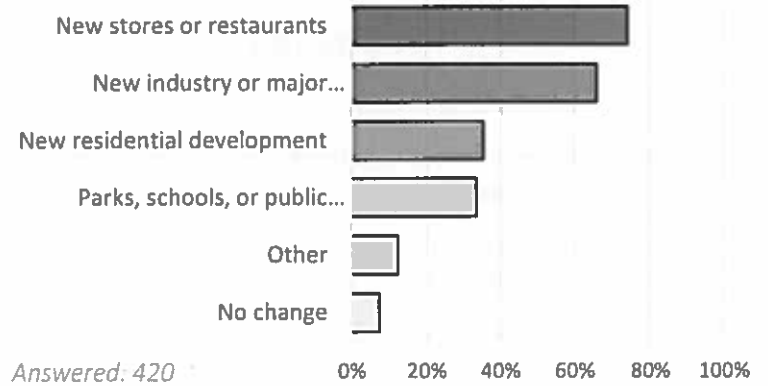


Public Input

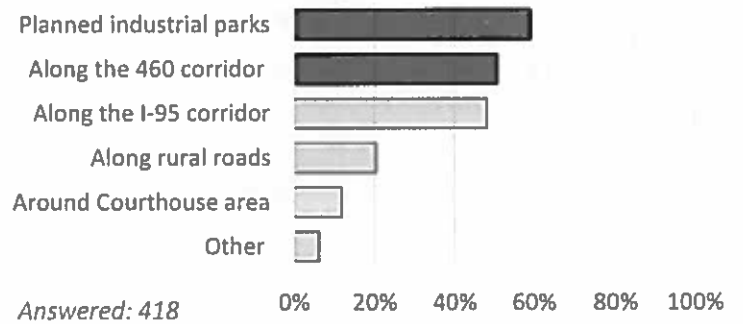
Local stakeholder meetings and county-wide surveys provide a brief understanding of public opinion about the current status and future of the Waverly Planning Area. The input recognizes the need for development of new businesses to increase local commercial activity. Additionally, there is recognition that the Waverly Area has strong potential for new industrial development that can bring more employment opportunities.

Located along U.S. 460 with multiple planned industrial sites, the Planning Area has been recognized as an appropriate location for additional commercial and industrial development. This public input mostly pertains to the areas directly around the U.S. 460 corridor and does not recommend large-scale development for some of the more rural parts of the Planning Area away from U.S. 460. Public input also recognizes some need for new residential development. This type of development is likely best located near but not directly along the U.S. 460 corridor. Accordingly, public input suggests that rural roads are ideal for new residential development in the County. The Waverly Planning Area is already the most populated part of Sussex County, and the area should continue to support the residential development necessary to strengthen the local economy.

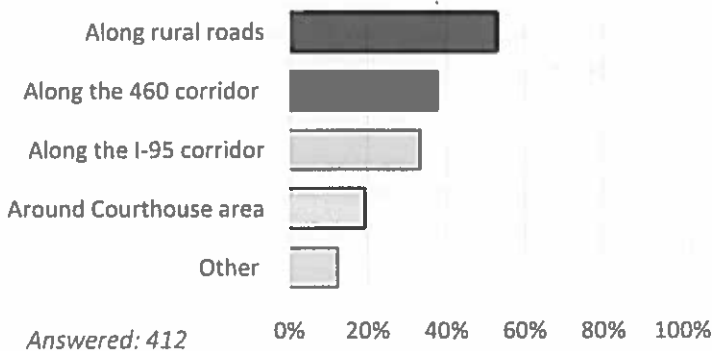
What would you like to see happen in the Waverly area?



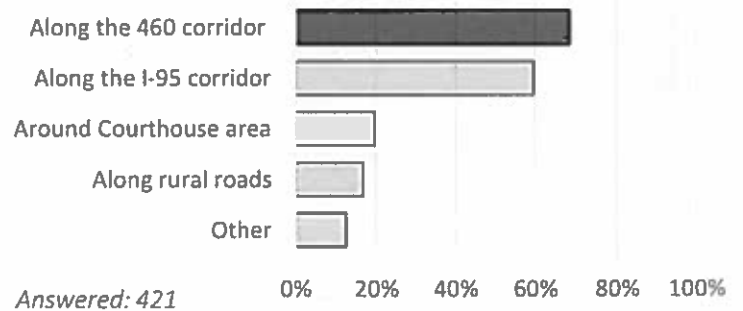
Where should new (non-farm) industry be generally located?



Where in the County should new housing be concentrated?



Where should new, non-farm commercial business and shopping areas generally be located?



SWOT Analysis

The Waverly Planning Area has a host of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that help plan the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Availability of developable land for future public and private use in large tracts.</p> <p>Multiple industrial sites primed for development.</p> <p>Relative affordability compared to Virginia’s Richmond and Tidewater hubs, both in land prices and in tax structure.</p> <p>Transportation access via U.S. 460 (Corridor of Statewide Significance) and State Route 40 provide easy access to multiple major population centers.</p> <p>Access to utility infrastructure to supply potential industrial and commercial development.</p> <p>Rail access to the Norfolk Southern Railway providing direct access to major ports in Hampton Roads</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>U.S. 460 is not a limited access road and has high amounts of through traffic, making safety and site access a concern for new development along the corridor.</p> <p>Water and wastewater capacity restrictions may limit the viability of some larger industrial or commercial developments.</p> <p>The presence of multiple industrial sites along with frequent truck traffic may infringe on existing residential areas and restrict the location of new residential growth in the area.</p> <p>Lack of variety/density and availability of affordable housing may not meet the need of potential future employers.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Prime soils and active agriculture can qualify owners for farm conservation opportunities that offer monetary benefits as well as land preservation.</p> <p>Access to the Port of Virginia makes it possible for Sussex-based manufacturers to reach international markets.</p> <p>Affordable land, taxes, and living costs make Waverly a marketable location for some businesses compared to more urban areas in the state.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>Many Virginia, and other, localities are in competition for similar industrial and commercial developments.</p> <p>Typical conditions placed by major industries for tax breaks and other incentives may reduce actual benefits to the County’s tax base.</p> <p>Other land intensive, but not revenue or job intensive, uses, such as utility-scale solar generation facilities, can take up valuable agricultural or potential industrial land.</p>

Transportation Analysis

Future uses in the Waverly Planning Area (Industrial Center) must be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses).

The following table shows Virginia Department of Transportation (VDOT) average daily traffic (ADT) count estimates in 2019 for each major road in the Planning Area. While future development may increase traffic volumes, it is anticipated that these roadways are sufficient to accommodate potential growth. A brief overview of existing and future uses for each major route follows.

Additionally, this analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT Average Daily Traffic Count Estimates, 2019	
Transportation Corridor	Traffic Count
U.S. 460 North of Town of Waverly South of Town of Waverly	12,000 11,000
Sussex Drive/W. Main Street (State Route 40) West of Town of Waverly Between Lobbs Shop Road/U.S. 460 East of Town of Waverly	2,100 3,200 2,700
Jerusalem Plank Road (State Route 35) North of State Route 626 South of State Route 626	2,500 1,900
Cabin Point Road (State Route 602) East of State Route 625 Between State Route 625 and U.S. 460 West of U.S. 460	410 1,200 280



U.S. Route 460 Corridor

The U.S. 460 corridor is considered a Corridor of Statewide Significance (CoSS) and is a defining feature of the Planning Area and eastern Sussex County. U.S. 460 is an important regional transportation route connecting the Richmond and Hampton Road metropolitan areas. The Waverly Planning Area marks a point approximately halfway between these two important nodes. Within the Planning Area, U.S. 460 is a four-lane undivided highway named General Mahone Highway after the confederate general William Mahone. It carries an average of 11,000 vehicles per day. This includes a notable level of truck traffic which accounts for about 20% of all trips along the corridor. These trucks likely use the route as an easier and more reliable connection to the ports in the Hampton Roads region.

In the past, there have been discussions at the state level about the capacity and safety of the route if regional travel is further prioritized along the corridor. As an undivided highway with high truck traffic and multiple driveways without left turn lanes or deceleration lanes, relevant safety concerns exist along the corridor. For many years, VDOT was working to develop a parallel U.S. 460 limited access bypass through the area, but those plans have not been seriously considered in recent years. Nevertheless, the County must ensure that new development promotes safety and limits further congestion.

Traffic along U.S. 460 is both an asset and challenge. The road brings travelers directly through the Planning Area and helps to support the viability of local businesses along the corridor. However, through traffic also poses some safety risks and may limit where new development can be located with adequate access. The development of new entrances and outlets along the roadway should be carefully planned, with multiple uses sharing entrances where possible.

U.S. 460 is also a major route through the Town of Waverly, and is a central component to the Town's potential as a commercial and residential center. In particular, the Town and County should cooperate on functional and aesthetic improvements within the corridor, including wayfinding, sidewalks, landscaping, and sign regulations that help to tap the economic potential of pass-through traffic, encouraging long-distance travelers to stop or stay in Waverly and Sussex County.



State Route 40 Corridor (Sussex Drive / W. Main Street)

State Route 40 is a major local route transecting the Planning Area and providing access to County resources to the west of Waverly. Route 40 is also an important cross-county route connection to the I-95 corridor near Stony Creek. State Route 40 is, therefore, a key route for residents and businesses relying on access to U.S. 460 and I-95.

State Route 40 in the Town of Waverly goes through the downtown district before crossing the railroad and U.S. 460. Outside of Town, State Route 40 has some light residential development with driveways onto the road as well as many undeveloped areas. As an important cross-county transportation corridor, future development and traffic should be managed to promote safety and the unrestricted flow of traffic. The County should continue its practice of discouraging subdivision lots with state road frontage and should use appropriate regulations to create shared entrances to adjacent uses.

AREA ANALYSIS

WAVERLY



State Route 35 Corridor (Jerusalem Plank Road)

State Route 35 is a lightly developed route forming the western boundary of the Waverly Planning Area. The route has few commercial uses and a light amount of mostly clustered residential development. State Route 35 is at the center of the County's vision to conserve agriculture, forestry, and open space uses in the interior of the County.

State Route 35 serves an important role as being the primary north to south route through the center of the County. It provides an alternate for residents and passing travelers from I-95 or U.S. 460 along a more scenic route. Accordingly, State Route 35 should be considered as a scenic corridor, with appropriate protections applied to preserve land use, aesthetics, and views in this area.



State Route 602 Corridor (Cabin Point Road)

The Cabin Point Road corridor is a minor route connecting U.S. 460 with State Route 35. It provides access to the Sussex mega site via Beef Steak Road and to existing industrial development (landfill), employment (Sussex I and II prisons), and an established residential area. Closer to U.S. 460, the traffic on Cabin Point Road is close to 35% trucks which is high for a smaller state route. Beyond Newville Road (State Route 625), Cabin Point Road has little truck traffic and light residential development. Cabin Point Road is the only elevated crossing for the Norfolk Southern rail line in the area.

Due to heavy truck traffic, the County should discourage significant residential development between U.S. 460 and Newville Road (State Route 625).



Railroad Corridor

Norfolk Southern owns and operates the double-track railway that parallels U.S. 460 through Sussex County. The railroad is heavily used and is a critical freight connection to the Hampton Roads ports. The corridor has Amtrak service on the line, but there is no passenger rail access in the County. The Planning Area also has a few active and inactive spurs from the main line to industrial sites. The roughly 1-mile-long connection to the Waste Management Disposal site is the most heavily used spur in the area. The Smithfield Grain site also has an active connection to the railway. The spur cutting through the Town of Waverly to the Wood Fuel Developers manufacturing site is inactive.

The rail corridor parallel to Route 460 is an asset for the Planning Area. The availability of rail service could be a major factor in attracting new industrial or commercial investment in the area that can transport materials or finished products by rail. This rail line is an important feature in the marketing of multiple available industrial sites for the County. The existing elevated crossing at Cabin Point Road is also an important access point in the Planning Area that supports unrestricted movement of truck traffic across the railway.

Transportation Improvements

A few notable transportation improvements are recommended for the Waverly Planning Area. The VTrans Mid-Term planning recommendations largely focus on U.S. 460 as a Corridor of Statewide Significance (CoSS) and improving access from the CoSS to Industrial and Economic Development Area (IEDA) sites with at least Tier 3 readiness within the Planning Area. First, VTrans identifies U.S. 460 as in need of capacity preservation (low priority) and transportation demand management (medium priority) measures. Jerusalem Plank Road between Baxter Road and Cabin Point Road has also been identified as in need of safety improvements (medium priority). Finally, VTrans lists Cabin Point Road (State Route 602), Beef Steak Road (State Route 626), and U.S. 460 as requiring improved access and road capacity if any IEDA sites are developed. Recent VDOT projects under the Six-Year Improvement Program include the reconstruction of a new bridge on State Route 603 (Triple Bridge Road) at the County border over the Blackwater River. This bridge was completed and reopened in 2019.

Recommendations in the Crater PDC and VDOT Rural Transportation Plan include a number of safety, signage, accessibility, and road size recommendations. First, on U.S. 460, the plan recommends adding more signage about turns and alignment along the corridor in the short-term and proposes a possible realignment in the long-term. Next, the plan recommends that Cabin Point Road from U.S. 460 to Newville Road (State Route 625) also have better signage about turns and alignment in the short-term and proposes widening to four lanes in the long-term. At the intersection of Cabin Point Road and U.S. 460, the plan recommends installing improved pavement markings and assessing if the intersection warrants a signal.

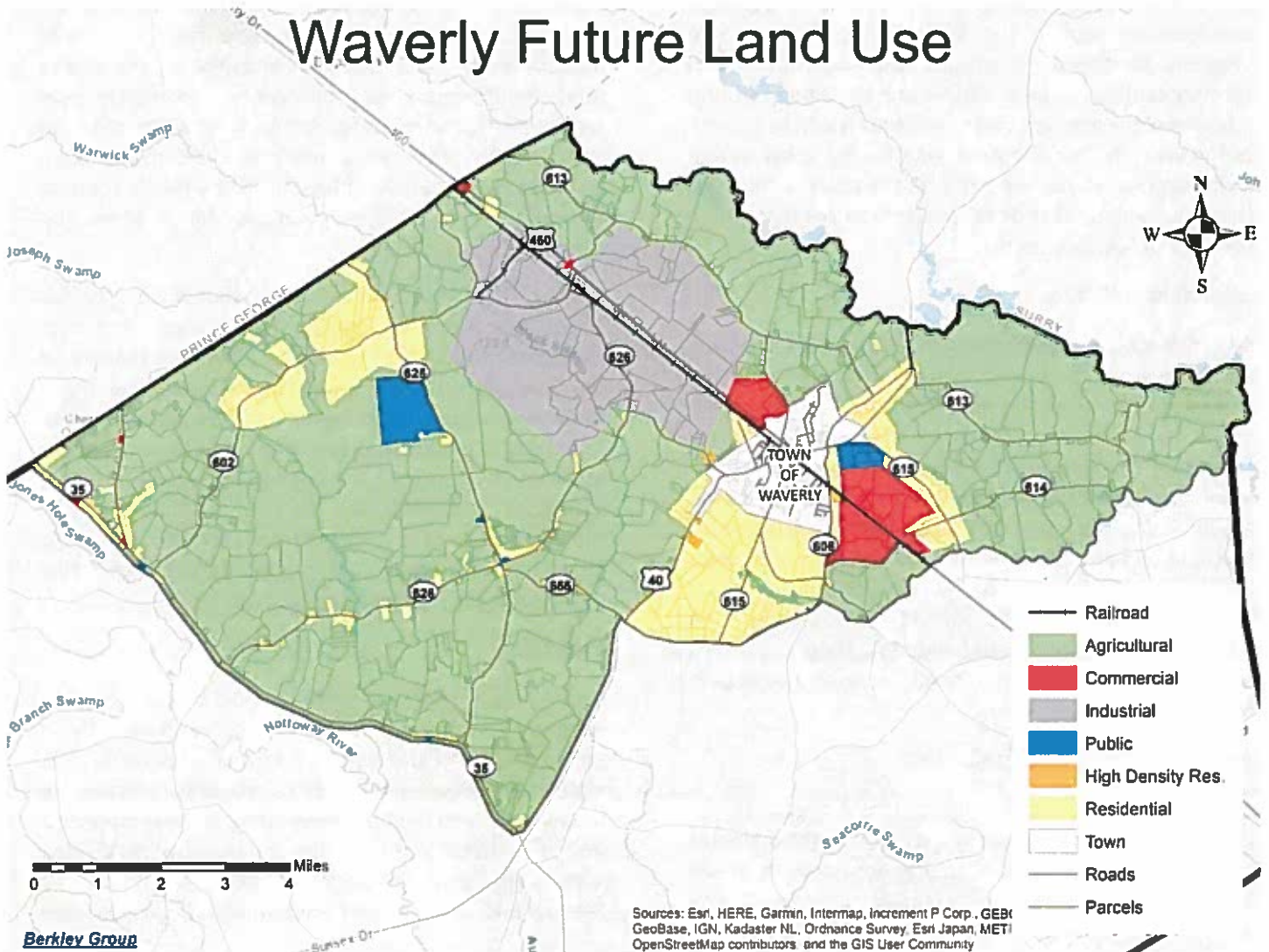
On State Route 40 (W. Main Street) in the Town of Waverly, the plan suggests studying improved turn lanes from State Route 40 onto U.S. 460 to improve safety and reduce congestion as well as relocating the stop bar and stop signs at the railroad crossing. In the long term, the plan also considers an interchange at the intersection of U.S. 460 and State Route 40 if U.S. 460 ever undergoes a realignment.

Future Vision & Planning

The Waverly Planning Area has the potential to support new industrial and commercial development to strengthen and diversify the economy of Sussex County and the surrounding region. The presence of major roads, existing industrial uses, and available developable land will support additional growth in appropriate locations. The clustering of development will also help to protect the rural character and natural features that are important components of the Planning Area. Sussex County has already invested in developing the Waverly Area as a hub for industry and employment while also preserving agriculture and open space.

The fulfillment of the industrial growth vision can bring major benefits to residents. A major industry in the Waverly area would bring new employment opportunities to Sussex, including jobs for existing residents while also drawing new workers to the area. This activity could create new residential demand and help sustain area businesses in addition to attracting new stores, services, and other commercial support functions. Industrial growth would expand the County's tax base, leading to investment and improvements in schools, social services, public facilities, and other community improvements.

Waverly Future Land Use



Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as existing development, actively marketed sites for economic development, best land use practices, environmental conditions, zoning, and access to public utilities. The future land use in the previous page depicts the ideal location for each land use category discussed in this section. The outlying portion of the Planning Area is home to farms, forests, and open spaces, including flood zones and riparian areas that should be protected. The U.S. 460 corridor is an ideal location for businesses, with many large, undeveloped tracts that have access to rail and highway infrastructure. Future land use recommendations include the addition of industrial uses and commercial uses along U.S. 460 and new residential development around the Town of Waverly. It also suggests strategies to ensure that agriculture and forestry continue to be profitable and the unique natural features of the area are preserved. Ultimately, future use of the Waverly Planning Area, whether for conservation or for large-scale development, must be compatible with the existing natural and man-made features that define this part of Sussex County.

Environmental Areas

Sensitive environmental areas, including rivers, streams, flood zones, wetlands, and riparian areas are important considerations for future development. These areas are found along the entire northeast border of the County formed by the Blackwater River and in two major areas in the rural interior of the Planning Area. These resources are critical to the long-term health and sustainability of the land and its residents. As Sussex County welcomes industries and investment, impacts to these critical environmental resources should be assessed and adequately mitigated. Environmental conservation will be a relevant consideration for all land use categories in the Planning Area.

Agricultural/Forested/Open Space

In addition to sensitive environmental areas, Sussex County should focus on maintaining the rural character that defines much of the Planning Area outside of the U.S. 460 corridor. The primary land use around Waverly will continue to be rural in nature and include large tracts

of agricultural, forest, and open land uses. On the future land use map, these areas are labeled as Agricultural. Development should be focused in designated areas and discouraged throughout most of the Planning Area. The main purpose of this land use classification is to facilitate existing and future farming operations, allow for expansion of farm related activity, reduce the effects of soil erosion, and protect watersheds to promote the continuation of farming and forestry as among the most important sectors of the economy.

Identifying the most productive agricultural and forestry enterprises in the Planning Area are necessary to protect them from planned industrial or commercial development and growth. To promote the rural character of the County and ensure these lands remain profitable, the County should consider the full scope of modern farming activities, including agritourism, on-site sales, food preparation, and events, and modify local regulations to more easily permit all activities that can help farmers maintain a profitable enterprise. Such activities have the added benefit of drawing visitors to the rural areas of Sussex County for tourism and recreation.

Areas of agricultural conservation should be used for active agricultural and forestry enterprises, and best management practices should be observed relative to the land disturbance, support structures, and other facilities that such agricultural/rural operations require. Areas that are in forest preservation programs should be maintained to support the ecological balance between agriculture and forest, and the County should consider the formation of a farmland conservation board to promote and manage conservation easements specific to the protection of active agricultural land.

Industrial

Future industry and investment should build on existing industrial development along U.S. 460 and near Cabin Point Road north and west of the Town of Waverly. This area contains existing facilities (landfill, composting facility, and feed mill) and land being actively marketed for commercial and/or industrial investment (Sussex mega site and Cabin Point site). The County's Blackswamp Wastewater Treatment Plant is also located

near these sites. Additionally, the sites are in close proximity to U.S. 460 and the Norfolk Southern railroad which provide ideal accessibility with minimal impacts on local roads. This makes the Waverly Planning Area the ideal location in Sussex County for new industrial development.

The Sussex Mega site and the Cabin Point Road site (Route 602 Industrial Park) are certified sites by the Virginia Economic Development Partnership (VEDP) that are most fit for new industrial growth. The Sussex Mega site is a 752-acre publicly-owned site with direct rail access. The site also surrounds the County's wastewater treatment plant and an electric substation that would provide utilities to the site. The Route 602 Industrial Park is 134 acres and is located across U.S. 460 from the Sussex Mega site.

The County should aggressively market these sites to a variety of businesses including major manufacturing, shipping and fulfillment, data centers, and other uses that can take advantage of available sites, low costs, and proximity to major markets in the Richmond and Hampton Roads metro areas. The County should also make efforts to prepare these sites to be as shovel ready as possible by improving transportation and utilities, clearing land, and making other improvements to ready these investment areas for potential buyers. Site and facility design should consider the rural and scenic attributes of Sussex County and mitigate noise, traffic, pollution, or other externalities near commercial or residential uses. Ultimately, the County must be flexible and open to a variety of investments and industrial uses. Allowing development on industrial sites in phases or pods will create more opportunities for private sector investment. The U.S. 460 and Cabin Point Road intersection already has an industrial presence that best suits the need for economic growth in the County while minimizing additional adverse impacts to the local rural character.

Commercial

The Town of Waverly and the Planning Area in general has experienced very little commercial development and recently lost its only grocery store. Eventual industrial development in planned industrial parks can begin to attract residential development, and then retail, service,

and supporting commercial services to the area, both within and outside of Waverly.

The U.S. 460 corridor and downtown Waverly should be the preferred location for commercial growth. New commercial investment should be prioritized in the Town of Waverly where there is available vacant retail space in need of revitalization. To preserve the level of service on U.S. 460, any new commercial development should be built near existing intersections and driveways along U.S. 460. The Town of Waverly has lower speed limits and major intersections that are ideal locations for commercial growth. As the Town of Waverly redevelops, commercial development can extend outwards along U.S. 460. Development in these zones should conform to a town-like scale and density, with attractive and welcoming landscaping and signage that provides a buffer or transition between planned large-scale industrial use north of the Town and rural highway corridor uses south of Town.

Residential

The Town of Waverly has been the traditional center of residential land use in the Waverly Planning Area. An additional emerging area of new homes has been built within the last 10-15 years along Cabin Point Road near Newville Road and the Sussex correctional facilities. Industrial growth, including the utilization of the Sussex Mega site could lead to new employment opportunities and increased demand for housing in this part of the County. The preferred location for new residential development should be in or near the Town of Waverly, in compact developments with good transportation access, and on parcels of 0.5 acres or less served by public water and sewer utilities. Residential development should be avoided near existing or planned industrial sites. The concentration of residential development in or near the Town can help preserve agriculture in rural areas of the County and minimize traffic impacts on small rural roads. The emerging residential area along Cabin Point Road near Newville Road is not ideally situated near transportation and Town services but can support some development. Residential growth in other locations should largely be restricted to housing structures on large rural lots.

The County should also encourage a wide variety of housing types, including single family homes, townhomes, and apartments to meet the needs of all areas of the housing market. The Town and adjacent parts of the County already have some multifamily development, and these types of uses should continue to be allowed to ensure quality affordable housing is available. Modernizing the vacant and deteriorating housing structures present within the Planning Area should also be emphasized. Finally, improving the local amenities, services, and access to existing residential structures should be an economic development focus. There are many aging mobile homes in need of repair, modernization, or replacement. The County should continue to work with residents to access state and federal funds dedicated to home repairs. Also, as residential growth expands outward from Waverly, the County should prioritize safety and accessibility by limiting residential growth on U.S. 460 and promoting walking and biking infrastructure in neighborhoods.

Public Use

The Sussex I and II Correctional Facilities are a major source of employment for Sussex County. However, state-owned and operated facilities are not a source of tax revenue, and so do not support local schools or other public needs. Given the choice, Sussex County should prioritize the expansion of other existing businesses and the recruitment of new tax-paying businesses over expansion of the State prison system within the County.

The County should also address needs for new public facilities as additional housing and employment creates a greater demand for public services. Opportunities to renovate the library, add parks, and expand recreational options can improve the overall quality of life of residents.

Town of Waverly

While Waverly itself is an incorporated town, and therefore conducts its own land use planning and development and regulatory programs, its vitality is critically important for the County.

Sussex County should welcome new commercial development along U.S. 460, as well as within the downtown. Downtown commercial development should make use of existing vacant structures, including upper floors for offices or accessory residential uses, while any new commercial construction within the downtown should conform to the scale, design, and character of its surroundings along Main Street, Bank Street, and Maifield Avenue. Commercial development along U.S. 460 will be more automobile oriented than downtown uses and should be planned with proper turn lanes and combined and clearly marked entrances to avoid any negative effects on traffic within the corridor.

Commercial development will benefit from industrial and residential growth in the Planning Area. The potential for major employers to invest in the Sussex Mega site and Cabin Point Road Site may help attract commercial investment to the Town. The County should also support new residential growth within the Town.

The County and Town should also consider beautification and wayfinding signage that can attract visitors from the busy U.S. 460 corridor. Landscaping should take the form of street trees as well as attractive entrance features welcoming visitors to Waverly from U.S. 460. With 11,000 vehicles per day currently passing through the Town on this route, landscaping and signs identifying points of interest can convince more travelers to stop and contribute to the local economy.

Implementation Recommendations

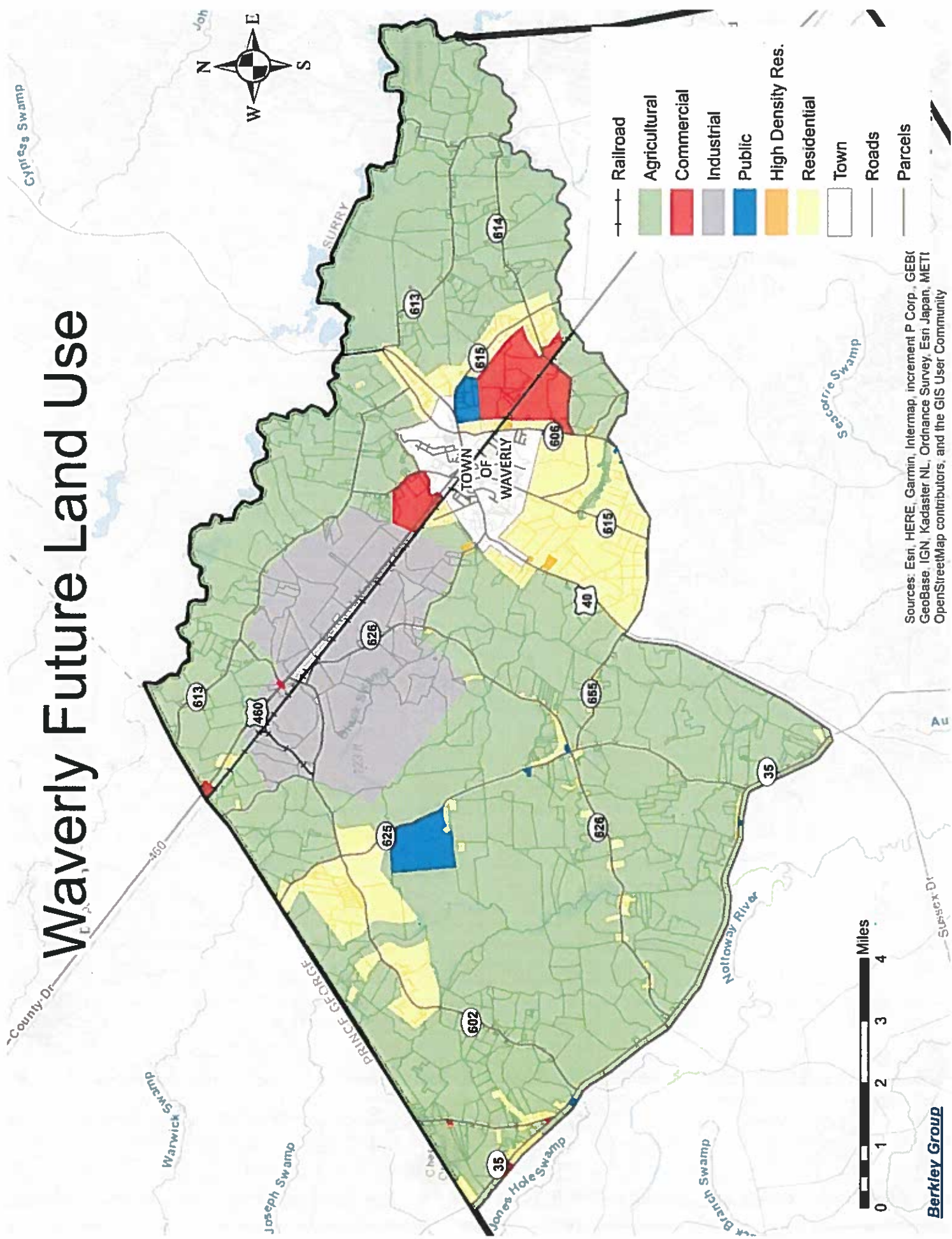
Recommendations for the Waverly Planning Area build on the strengths of the area as Sussex County’s center of industrial growth. The recommendations focus on identifying opportunities for development and investment while also preserving agriculture and open space.

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Continue marketing both the Sussex Mega site and Cabin Point Road Site to select industries and companies that can provide positive employment and tax base benefits while minimizing environmental impacts.	\$	Short-term	County Administration
Amend the zoning ordinance to increase buffering and landscaping requirements around industrial development.	\$\$	Short-term	Planning and Zoning Department
Gather community input to consider renaming U.S. Route 460 (General Mahone Highway) to better present the local culture and identity of the local area.	\$	Short-term	Planning and Zoning Department
Consider wayfinding, signage, and streetscaping that improve the aesthetic and direct traffic to local attractions.	\$\$	Short-term	County Administration
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator
Promote County policies and farmer participation in conservation and environmental programs, such as those available through the VA Department of Agriculture and Conservation Services (VDACS).	\$	Short-term	Cooperative Extension

² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Update County zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Short-term	Planning and Zoning Department
Provide education to local residents to apply and obtain state and federal funding for housing renovations and rehabilitation.	\$\$	Short-term	Planning and Zoning Department
Establish a highway corridor overlay district to preserve and improve the appearance along U.S Route 460.	\$\$	Medium-term	Planning and Zoning Department
Implement site and infrastructure improvements in publicly-owned industrial parks (e.g., grading, clearing, culverts, utilities) that produce shovel-ready sites for major industrial and/or commercial development.	\$\$\$\$	Medium-term	County Administration
Consider utilizing farmland protection tools available in VA State Code to promote long term agricultural conservation.	\$	Medium-term	Cooperative Extension/ Planning and Zoning Department
Partner with the Town of Waverly and the Virginia Department of Transportation to develop and improve sidewalk and bike infrastructure near dense residential development.	\$\$\$	Long-term	County Administration
Work with the Virginia Department of Transportation to pursue additional improvements that support heavy truck traffic entering and using Cabin Point Road.	\$\$\$	Long-term	County Administration
Implement necessary utility improvements/expansions along State Routes where residential commercial, or industrial growth is projected in the Planning Area.	\$\$\$\$	Long-term	County Administration

Waverly Future Land Use



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, OpenStreetMap contributors, and the GIS User Community

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

WAKEFIELD



**PUBLIC HEARING DRAFT
AUGUST 2021**



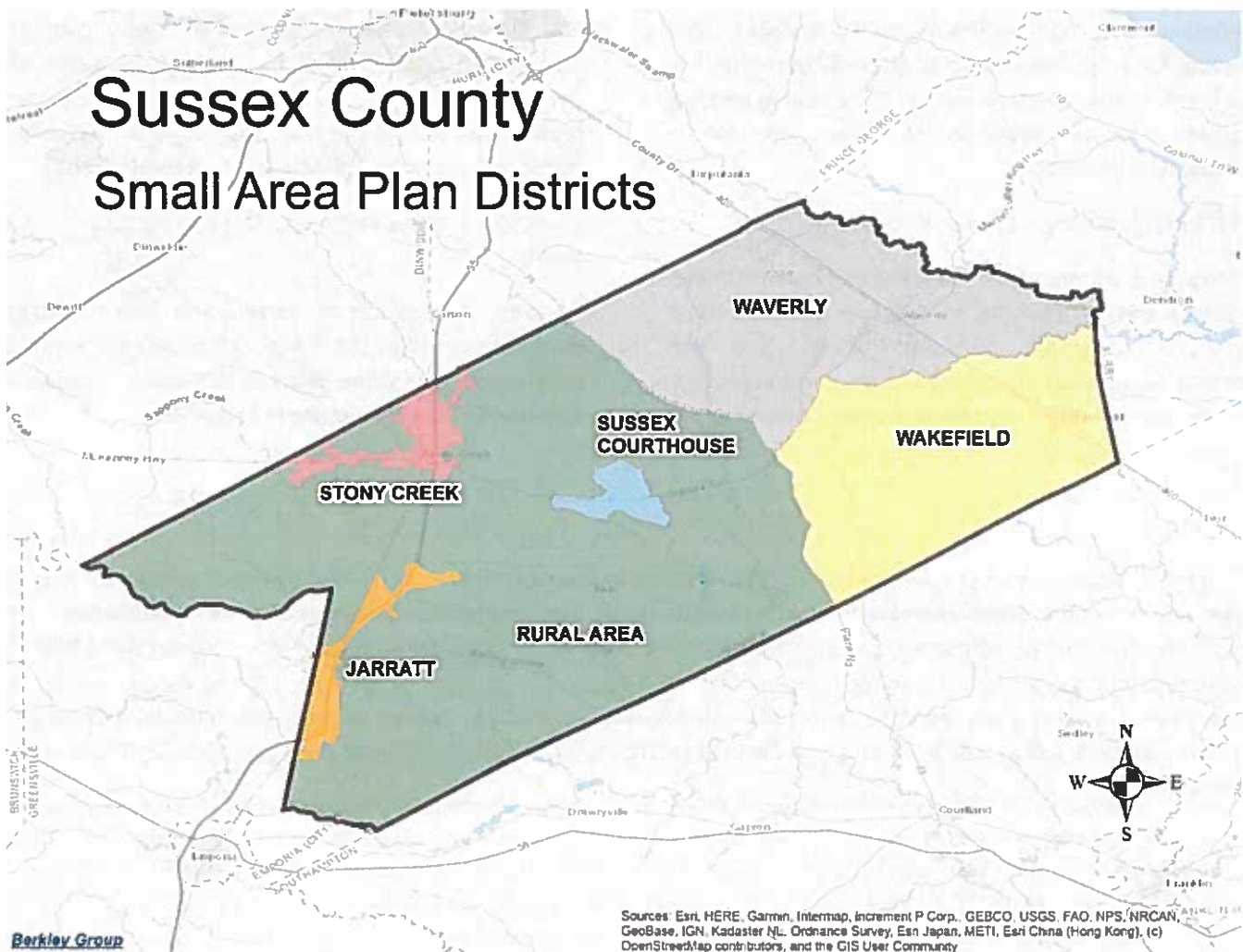
Table of Contents

Preface	3
Six Planning Areas	4
Wakefield Planning Area	6
Existing Features & Uses	7
Existing Land Use	9
Public Input	13
SWOT Analysis.....	14
Transportation Analysis	15
U.S. Route 460 Corridor	16
State Route 40 Corridor (Sussex Drive).....	17
State Route 35 Corridor (Jerusalem Plank Road).....	17
Railroad Corridor.....	17
Transportation Improvements.....	18
Future Vision & Planning.....	19
Future Land Use Analysis	20
Implementation Recommendations	23

Preface

Sussex County is a rural yet diverse county that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the County as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent County planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – Civic Core

This Planning Area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the County.

Jarratt Planning Area – Interstate Services

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this Planning Area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – Conservation

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – Commercial Center

Fed by I-95 and accessible to other areas in the County, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

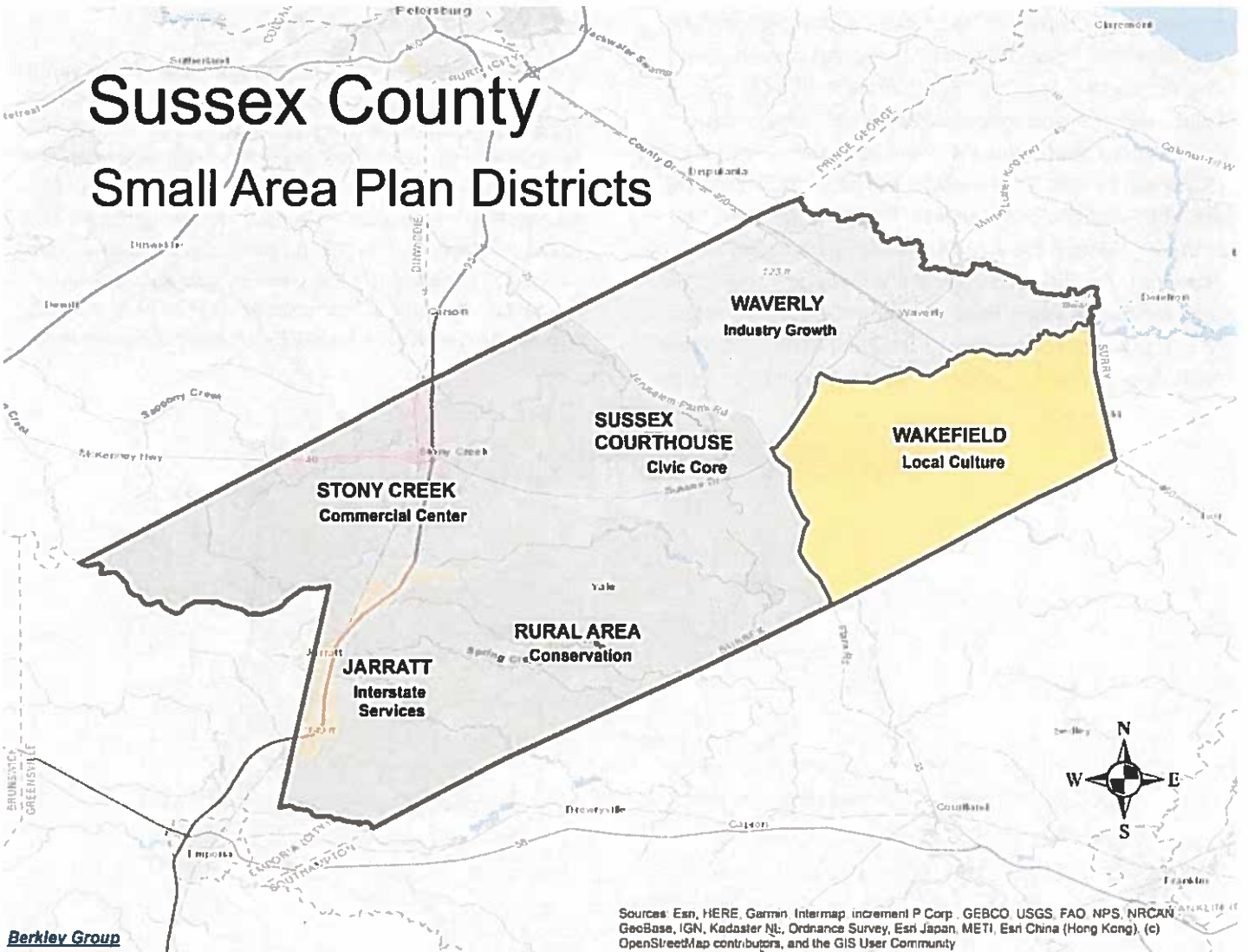
Wakefield / Homeville / U.S. 460 Planning Area – Local Culture

This Planning Area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – Industry Growth

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

This plan will focus on Wakefield – The Hub for Local Culture in Sussex County. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the constrained zone around the Town of Wakefield and the surrounding areas that include Homeville and the U.S. 460 corridor while also considering how this area relates to the other parts of the County. The strength of this area is the existing amenities and the number of travelers passing through the area on U.S. 460. The existing commercial businesses and infrastructure of the Town of Wakefield as well as existing and planned residential development serve as the foundation for future growth in the area.



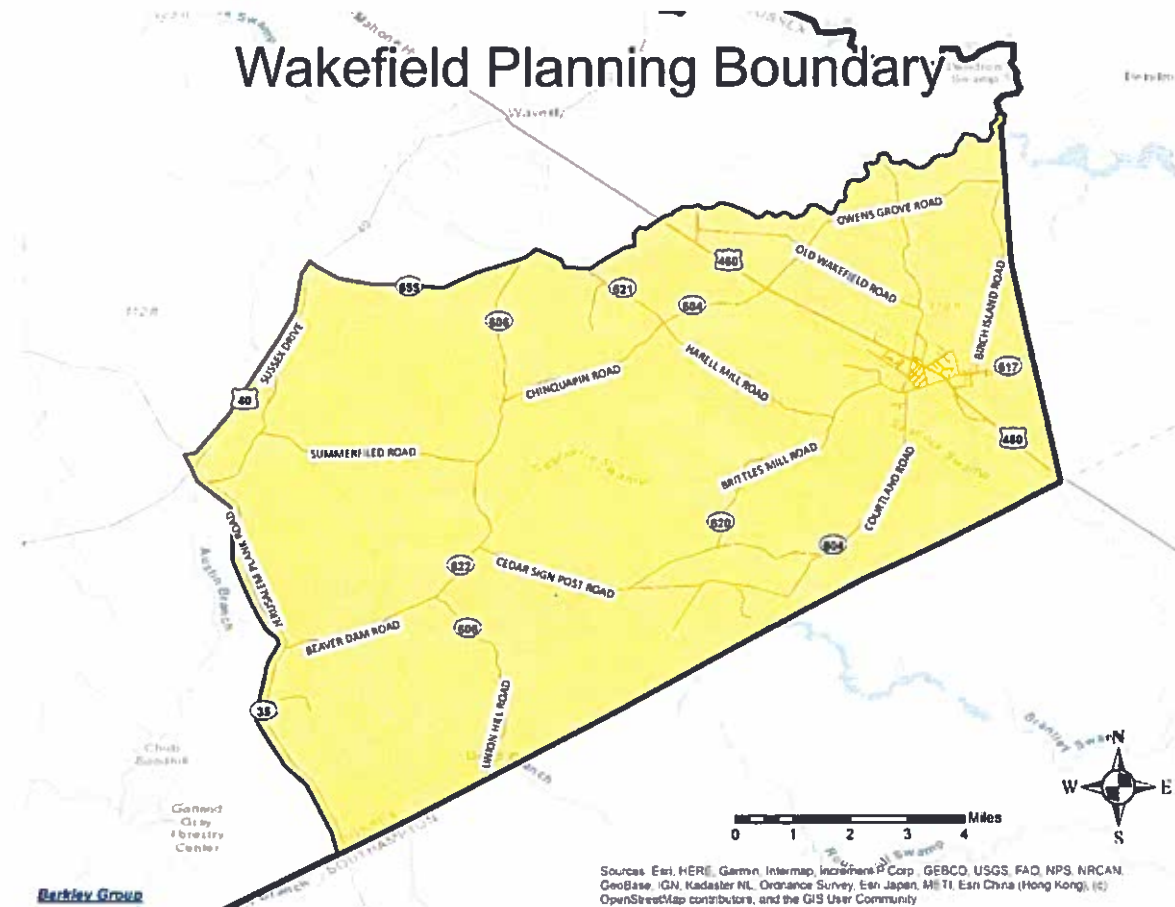
Berkley Group

Wakefield Planning Area

The Wakefield Planning Area is located in southeastern Sussex County. The area includes the Town of Wakefield, a nine mile stretch of U.S. 460, and most of rural southeastern Sussex County. The area borders Surry County to the east and Southampton County to the south. The area also extends west to include portions of Sussex Drive (State Route 40) and Jerusalem Plank Road (State Route 35). Other major transportation features are the Wakefield Municipal Airport and a Norfolk Southern/Amtrak rail line. The northern boundary of the Planning Area follows Sussex Drive from its intersection with Jerusalem Plank Road in Homeville to State Route 655. The western boundary of the Planning Area follows Jerusalem Plank Road from Homeville to the

Southampton County line. The southern boundary is formed by the Sussex County and Southampton County border.

The entire Planning Area is approximately 86.6 square miles, which includes the 1.3 square miles of the Town of Wakefield. Using 2010 Census Block data to analyze the general boundaries of the Planning Area, an estimated 1,999 residents inhabit the Planning Area in 834 households.¹ Approximately 927 people lived in the Town of Wakefield in 2010, although estimates from 2019 ACS data suggests the Town's population may have increased to around 1,175 inhabitants (+26%). The area's population density is roughly 23 people per square mile.



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Block level is only available every ten years following the Decennial Census.



Existing Features & Uses

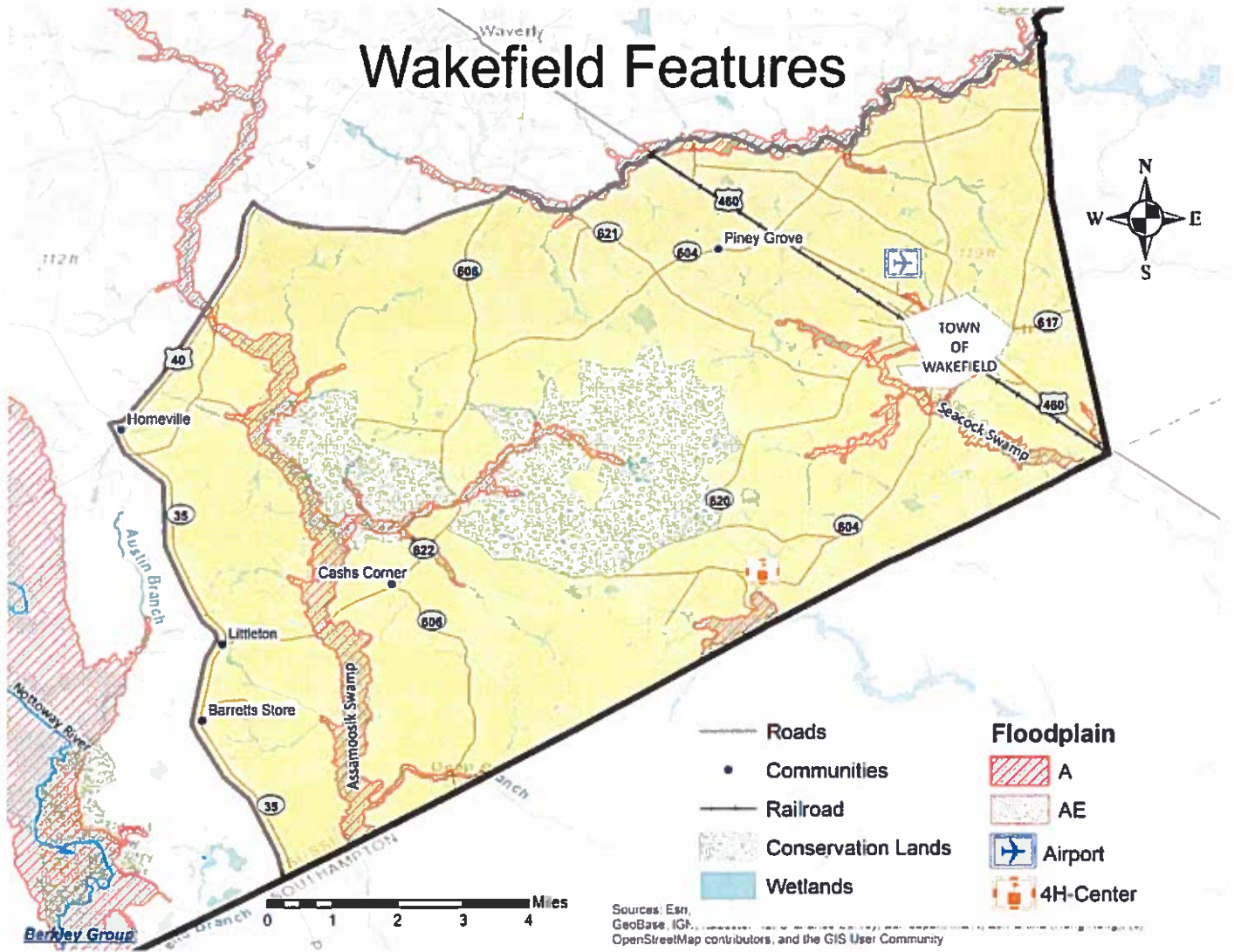
The Wakefield Planning Area has a concentrated presence of developed structures and activity along U.S. 460 surrounded by a much larger natural area full of rich resources beyond U.S. 460 with a mixture of rural residential dwellings, farm structures and actively managed conservation lands. The Wakefield Planning Area has a unique local culture, physical amenities, and valued environmental resources that make it an attractive destination for County residents, passing travelers, and tourists. Major structures and developments in the Planning Area include the Wakefield Municipal Airport, the National Weather Service Forecast Office, the Airfield Conference Center, the Southeast 4-H Educational Center, and the Wakefield Peanut Company.

The location of existing development and established transportation corridors will guide future development while the presence of valuable natural resources restricts expansive growth beyond established developed areas. Most residential and commercial activity occurs in and around the Town with limited rural development spread elsewhere. Development near U.S. 460 has water and sewer service from the Sussex Service Authority. Most of the Planning Area has electric utilities from either Dominion Power or Prince George Electric Cooperative.

Some addresses on the southern County border receive electricity from the Community Electric Cooperative. Additionally, the Town of Wakefield provides electric utilities in the Town limits, making it one of only six towns in Virginia to provide that service. High-speed fiber internet is available in much of the Planning Area through RuralBand from Prince George Electric Cooperative. RuralBand's Wakefield Zone extends along many of the rural roads near Town. RuralBand plans to continue extension of fiber internet to all Prince George electric customers.

Notable natural features in the area include the Airfield Pond, Drumwright Pond, Chinquapin Swamp, and Brittles Mill Pond. In addition, the area has some FEMA Zone A flood zones along the Assamoosick Swamp and the Seacock Swamp that will constrain future development. The Seacock Swamp flood zone is located directly west of Town and may limit some development opportunities to expand development near the Town of Wakefield to the west. Presently, very little development has occurred in either flood area. In addition, the area has large amounts of rural land managed by the Commonwealth of Virginia and The Nature Conservancy as conservation land. A map of all managed conservation areas is found on the next page.

Wakefield Features

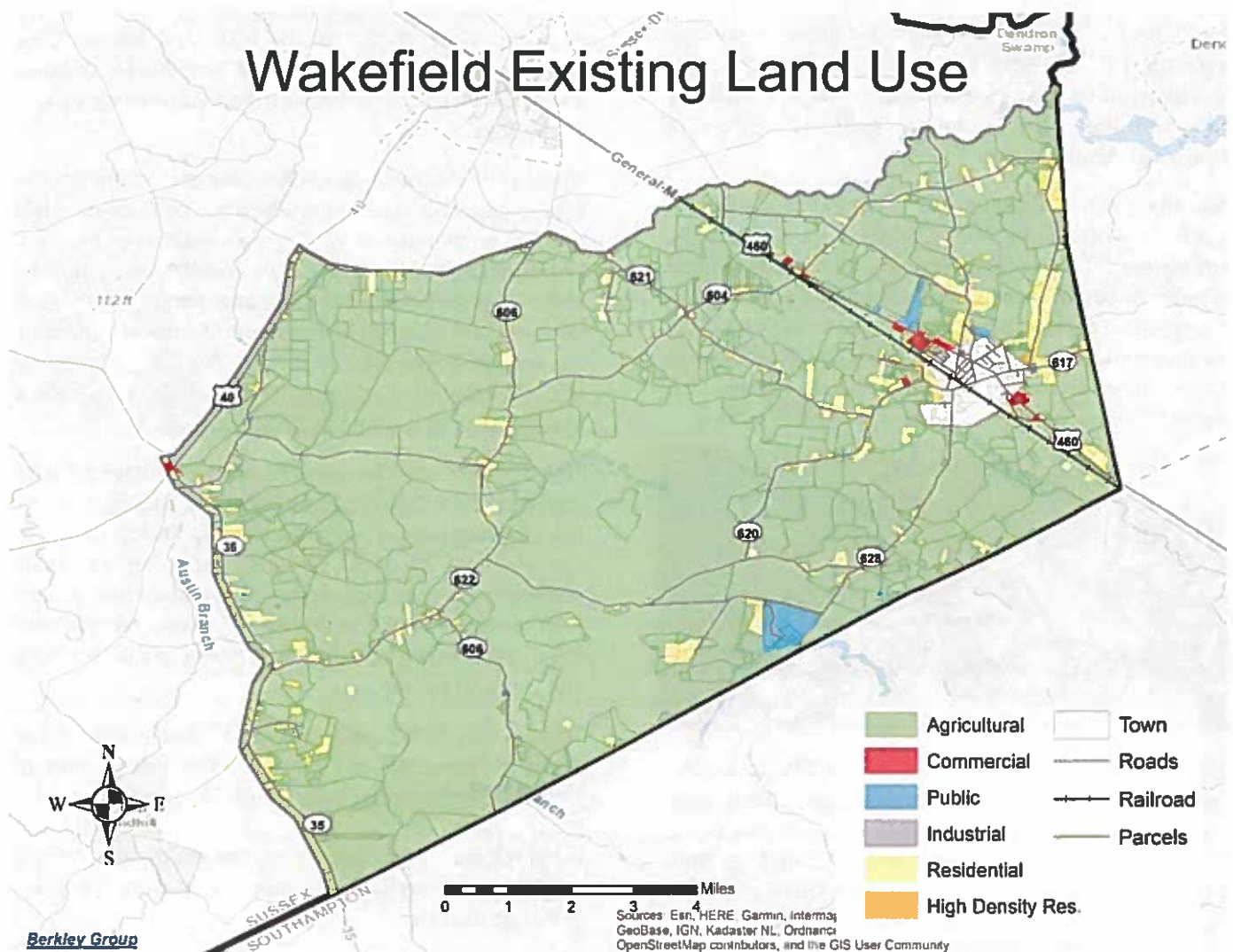


Existing Land Use

The Wakefield Planning Area can generally be separated into the developed land along the U.S. 460 corridor and the rural areas extending outward from U.S. 460. The Wakefield Planning Area along U.S. 460 is a hub for commercial activity in the County and as a result the area has a diverse distribution of land uses centered around the Town of Wakefield. Most of the land beyond the Town is primarily rural with large amounts of land reserved for conservation, silviculture, and agricultural use. A total of 90.6% of the Planning Area is considered agricultural, forested, or open space. For this plan, the Town of Wakefield contains a diverse set of land uses but

is defined as Town and is separated from other land uses in the area. This plan treats the Town as an independent actor in charge of its own land use decisions.

The map below and pie chart on the next page show the quantity and location of various land use types in the Planning Area. These graphics are also complemented by descriptions of each land use type on the following pages.



EXISTING CONDITIONS

Wakefield Existing Land Use



Residential

Existing residential development in the Planning Area consists primarily of single-family dwellings. There are approximately 993 residential housing structures, which include 485 in the Town of Wakefield. Most residential development outside of the Town limits is located very close to U.S. 460 and the Town. The land in and around the Town has some of the highest density of housing units in all of Sussex County. Rural residential development is scattered elsewhere in the Planning Area, but there are no other significant clusters of residential development.

Near the Town of Wakefield, Main Street (State Routes 628/617), North Street/Pine Street (State Route 679), and Railroad Avenue (State Route 705) contain defined neighborhoods with some of the greatest concentration of residential parcels. Housing structures near Wakefield are diverse with a mix of large single-family structures greater than 150 years old, prefabricated structures, modular homes, and more modern ranch style homes.



The Birch Island Apartments (Phase 1 and 2) are located just east of Town in unincorporated Sussex County on Birch Island Road (State Route 31). This complex is the only multifamily development in the Planning Area. Built with a Low-Income Housing Tax Credit (LIHTC) in 1984 and 1988, most of the units are income restricted to low-

and middle-income households. Most of the units (48 total) from Phase 1 were recently renovated in 2019.

Also, the Drumwright Mill Subdivision was a previously proposed 500 lot development near Courtland Road (State Route 628) that was approved as a planned unit development for several years but was never developed. Previous plans called for the construction of a golf course, a medical facility, restaurants, and other commercial establishments. Despite these elaborate plans, the site still remains vacant.

Commercial

This land use category includes areas used for retail, consumer services, and professional activities. Most of this type of development is currently clustered around the Town of Wakefield, especially along U.S. 460 to the east and west of the Town. Wakefield has multiple commercial uses that have been in business for decades and serve as unique cultural attractions bringing visitors to the area.

Many of the commercial businesses are related to the local production of peanuts, which has helped Wakefield become known as one of Virginia's capitals of peanuts. The Virginia Diner and Hope & Harmony Peanuts in Town and the Wakefield Peanut Co. and Adams' Peanuts & Country Store outside of Town on U.S. 460 are all iconic commercial businesses in the area. The U.S. 460 corridor also has a few small antique and collectibles stores and a motel that primarily serves passing travelers.

The U.S. 460 corridor also has many commercial uses oriented towards serving local needs, including the only full-service grocery store in the County. The corridor also has multiple gasoline stations, dollar stores, small restaurants, banks, auto repair shops, and other service oriented commercial businesses. Railroad Avenue also has a small downtown district in Wakefield with a bank and small retail stores.

There is very little commercial development beyond the Town of Wakefield or U.S. 460. The intersection of Jerusalem Plank Road (State Route 35) and Sussex Drive (State Route 40) has a few vacant commercial and industrial buildings. Farther to the south, the Airfield Conference Center has a restaurant that primarily serves guests at the retreat center.

EXISTING CONDITIONS

WAKEFIELD

Industrial

The Wakefield Planning Area has a few smaller industrial uses primarily located along U.S. 460, but overall, the area has a much smaller industrial presence as compared to other areas of the County. There are no sites actively being marketed for industrial development.

The Isle of Wight Forest Product Lumber Mill on U.S. 460 northwest of Town and the Wakefield Peanut Co. processing plant southeast of Town on U.S. 460 are the two main industrial uses in the area. The Wakefield Farm Services grain mill is located in Town. Additionally, the Virginia Diner was recently approved to expand their peanut processing operations in the area. These industrial uses are an integral part of the local economy and directly tied to the forest and agricultural products grown in the surrounding area.

Presently the sites are all near public roads and have small setbacks with minimal landscape screening or buffers. Each of these sites is very noticeable, and the County should consider additional screening requirements to improve the aesthetic of the surrounding area.

Public

The Wakefield Planning Area has a variety of public and institutional uses that are an important component of the local culture and activity. This land use category includes buildings for governmental functions as well as schools, libraries, fire stations, and other similar public uses.



Particularly unique to the Planning Area is the Airfield Conference Center and the Southeast 4-H Educational Center near Courtland Road (State Route 628), which serve as major attractions in the area drawing visitors from across Virginia and beyond to attend camps,

conferences, retreats, and other events throughout the year. The Wakefield Municipal Airport located northwest of the Town, serves as the only active airport for public use in the County. Finally, the National Weather Service's (NWS) Forecast Office for eastern and central Virginia is located on U.S. 460 near the airport. The site includes an office space and a doppler radar used for weather forecasting. The presence of the NWS office in the Planning Area brings regional recognition to Sussex.



The area also has many institutional uses intended to serve local users. The Town and surrounding area have numerous churches, and the Wakefield Friends Center Camp just outside of Town is a religious retreat center drawing people to the area.

The Wakefield Foundation Inc. is a unique nonprofit that has preserved and restored the former Wakefield High School building to offer public classes, events, and meetings. The Troxler Memorial Library, which is a branch of the Blackwater Regional Library, is also located in the same building in Town (pictured below). The Wakefield Town Ballfield Complex and Playground is located along U.S. 460 near the airport just outside of the Town limits. The Wakefield Swim Club is a private recreational asset in Town. The Wakefield Fire Department is also located in Town and responds to emergencies in the surrounding area. The Ellen W. Chambliss Elementary School building, which closed in 2014, on Higgins Street just outside of the Town has a playground and basketball courts available for public use. The building and school property remain mostly vacant and offer an opportunity for future redevelopment.

EXISTING CONDITIONS

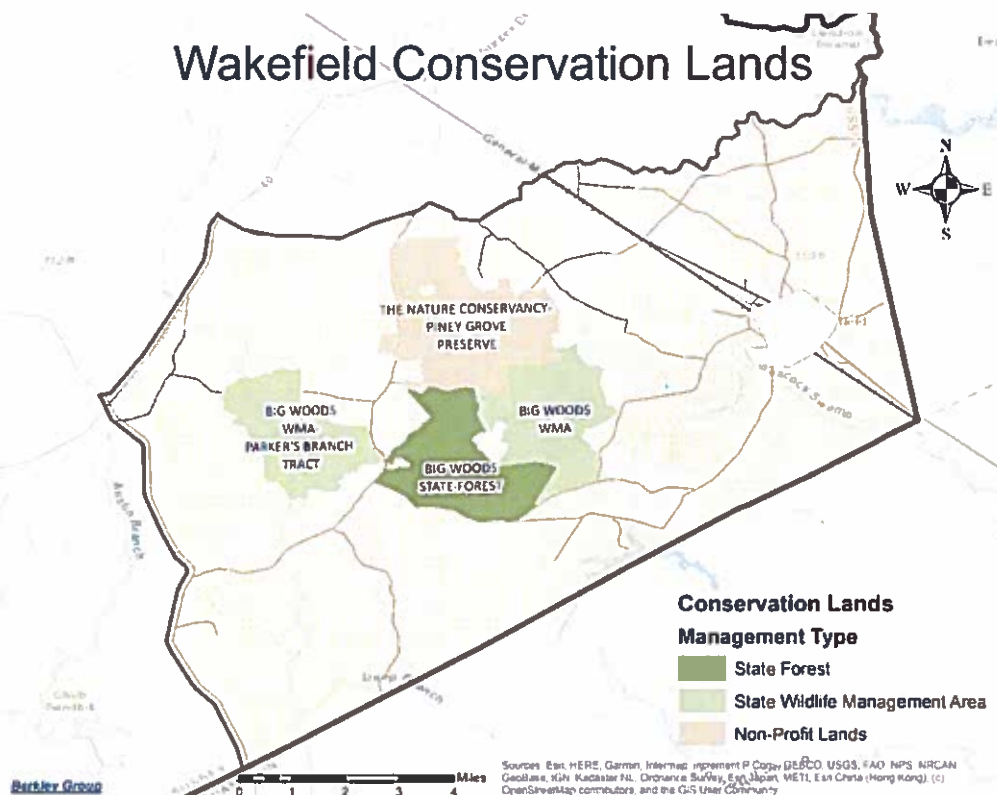
Agricultural/Forested/Open Space

Much of the land within this Planning Area currently consists of agricultural or undeveloped forested/open space. These areas are labeled simply as Agricultural on the existing land use map. Some of these areas near U.S. 460 may experience residential, commercial, or industrial development in the future; however, most of the Planning Area will remain largely undeveloped. West of U.S. 460, the undeveloped land is more heavily forested with some agricultural operations scattered within the large blocks of dense forested land. East of U.S. 460 towards the border with Surry County, the undeveloped land is mostly cultivated agricultural land with smaller sections of conserved forested land. Most of the area is designated as Prime or Statewide Important Soil, indicating it is suitable for cultivating agriculture.

In addition, the Planning Area has a significant amount of contiguous protected forested land. This includes the Big Woods Wildlife Management Area (WMA) (4,173 acres in two tracts of land) operated by the Department of Game and Inland Fisheries, the Big Woods State Forest

(2,220 acres) managed by the Department of Forestry, and the Piney Grove Preserve (3,200 acres) owned by The Nature Conservancy (TNC). Together these conserved lands account for close to 25% of the entire Planning Area and is one of the largest blocks of ecologically diverse, protected woodlands in southeast Virginia. Loblolly and longleaf pine forests of various ages predominate with some hardwood and grasslands. They provide critical habitat to one of Virginia's only breeding populations of the red-cockaded woodpecker, which has been endangered for decades, in addition to numerous other native species like turkey, quail, deer, frogs, and songbirds. Collectively, these lands support a thriving natural habitat within the area.

These lands also offer unique recreational opportunities. The Big Woods WMA and State Forest have trails and small roads that support hiking, hunting, trapping, primitive camping, and birding throughout the lands. The TNC Piney Grove Preserve is mostly closed to the public but does have a small ADA accessible trail for birding and wildlife viewing. All these lands offer excellent opportunities to see and explore wildlife.

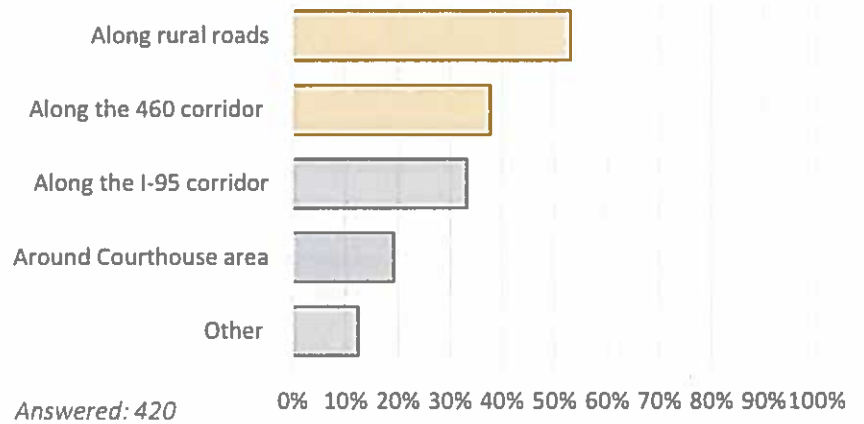


Public Input

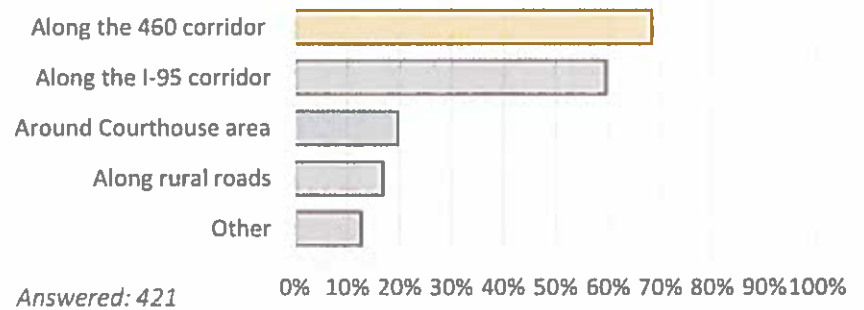
Local stakeholder meetings and county-wide surveys provide a brief understanding of public opinion about the current status and future of the Wakefield Planning Area. Input recognizes the importance of the U.S. 460 corridor for both residential and commercial activity in the County. Additionally, there is recognition that the Wakefield Area has potential for new residential development along some of its rural roads.

While there is some recognition that the U.S. 460 corridor can support industrial uses, this type of development is probably best located near Waverly where multiple planned industrial parks exist alongside existing industrial uses. However, U.S. 460 within the Wakefield Planning Area does offer the appropriate amenities and resources that makes additional commercial and residential development appropriate in the surrounding area. Fully recognizing the potential of the U.S. 460 corridor in Sussex County will require coordination between the interests and needs of the Waverly and Wakefield areas to ensure that new development best supports resident needs and maintains a high level of service for traffic using the U.S. 460 through Sussex County.

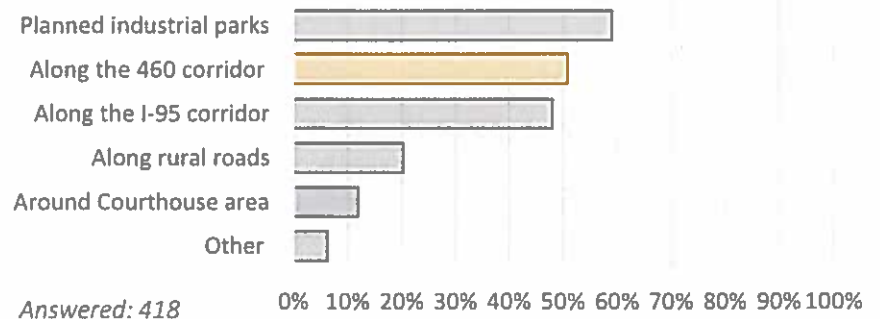
Where in the County should new housing be concentrated?



Where should new, non-farm commercial business and shopping areas generally be located?



Where should new (non-farm) industry be generally located?



SWOT Analysis

The Wakefield Planning Area has a host of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that help plan the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Good access for residents to a grocery store, library, recreational opportunities, and other shopping needs.</p> <p>Existing transportation assets (U.S. 460, airport, and railroad) provide a variety of modes to access the area.</p> <p>Relative affordability compared to Virginia’s Richmond and Tidewater hubs, both in land prices and in tax structure.</p> <p>Local restaurants and the 4-H Airfield Education and Conference Center actively attract visitors to the area.</p> <p>Potential to capture traveler spending from through traffic on U.S. 460</p> <p>Large amounts of public and privately conserved forest lands protect environmental resources and offer ecotourism opportunities.</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>The area’s population provides an aging workforce that does not help to attract businesses.</p> <p>Safety and access management is a concern along the U.S. 460 corridor.</p> <p>Distance and travel times to other County communities, facilities, and the I-95 corridor may isolate Wakefield from development elsewhere in the County.</p> <p>The existing Norfolk Southern Railroad presents a barrier to development and accessibility along the corridor.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Well established history and culture in and around Wakefield is a draw to visitors and potential developers.</p> <p>Farms located in areas on routes near U.S. 460 can take advantage of high visibility for on-site farm markets or local agritourism.</p> <p>Prime soils and active agriculture can qualify owners for farm conservation opportunities that offer monetary benefits as well as land preservation.</p> <p>Affordable land, tax, and living costs make Wakefield a marketable location for some businesses compared to more urban areas in the state.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>National retail trends make future development in rural areas like Wakefield more challenging.</p> <p>Land intensive, but not revenue or job intensive, uses such as utility-scale solar generation facilities can take up valuable agricultural zoned land (crops or timber).</p> <p>Uncertainty about the realignment or reconstruction of a U.S. 460 bypass could inhibit growth and development.</p>

Transportation Analysis

Future uses in the Wakefield Planning Area (Local Culture) should be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses). The transportation features of the Planning Area are central to its future growth.

The following table shows the Virginia Department of Transportation (VDOT) average daily traffic (ADT) count estimates in 2019 for each major road in the Planning Area. While future development may increase traffic volumes, it is anticipated that most roadways in the area are sufficient to accommodate potential growth. A brief overview of existing and future uses for each major route follows.

Additionally, this analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT Average Daily Traffic Count Estimates, 2019

Transportation Corridor	Traffic Count
U.S. 460	
North of Town of Wakefield	11,000
South of Town of Wakefield	11,000
Courtland Road/Main Street/Birch Island Road (State Route 31/628)	
South of Wakefield	520
In Wakefield, South of U.S. 460	1,600
North of U.S. 460/Wakefield	2,800
Jerusalem Plank Road (State Route 35)	
North of State Route 40	1,900
South of State Route 40	2,300
Sussex Drive (State Route 40)	
At State Route 35	2,100

AREA ANALYSIS



U.S. Route 460 Corridor

The U.S. 460 corridor is considered a Corridor of Statewide Significance (CoSS) and is a defining feature of the Planning Area and eastern Sussex County. U.S. 460 is an important regional transportation route connecting the Richmond and Hampton Road metropolitan areas. Within the Planning Area, U.S. 460 is a four-lane undivided highway named General Mahone Highway after the confederate general William Mahone. It runs approximately 7.5 miles through the area and has an average of 11,000 vehicle trips per day both to the north and south of the Town of Wakefield. While some of this traffic serves local needs, a large portion comes from longer trips passing through the area. This includes a notable level of truck traffic which accounts for about 20% of all trips along the corridor. These trucks likely use the route as an easier and more reliable connection to the ports in the Hampton Roads region.

In the past, there have been discussions at the state level about the capacity and safety of the route if regional travel is further prioritized along the corridor. As an undivided highway with high truck traffic and multiple driveways without left turn lanes or deceleration lanes, relevant safety concerns exist along the corridor. For many years, VDOT was working to develop a parallel U.S. 460 limited access bypass through the area, but those plans have not been seriously considered in recent years. Nevertheless, the County must ensure that new development promotes safety and limits further congestion.

Traffic along U.S. 460 is both an asset and challenge. The road brings travelers directly through the Planning Area and helps to support the viability of local businesses along the corridor. However, through traffic also poses some safety risks and may limit where new development can be located with adequate access. The development of new entrances and outlets along the roadway should

be carefully planned, with multiple uses sharing entrances where possible.

U.S. 460 is also a major route within the Town of Wakefield, contributing to the Town's potential as a commercial and residential center. In particular, the Town and County should cooperate on functional and aesthetic improvements within the corridor, including wayfinding, sidewalks, landscaping, and sign regulations that help to tap the economic potential of pass-through traffic, encouraging long distance travelers to stop in Wakefield and Sussex County.



State Route 31 & 628 Corridor (Main Street/Courtland Road/ Birch Island Road)

This two-lane secondary road intersects with U.S. 460 in the Town of Wakefield and continues south into Southampton County and northwest of Town into Surry County going all the way to the James River. In Town, the road is titled Main Street and changes from State Route 628 east of U.S. 460 to State Route 31 west of U.S. 460. Main Street connects U.S. 460 with Wakefield's small commercial downtown at Railroad Avenue. Most of Main Street in the Town of Wakefield is residential and has sidewalks with some limited commercial use.

South of Town, the road goes by the name Courtland Road where it provides access to the 4-H Educational Center and Airfield Conference Center. There is little development along the corridor south of Town and the road has relatively light traffic (520 vehicles per day). Continuing northwest out of Wakefield, the road is called Birch Island Road and has a notable amount of residential development all the way to the County line. This part of the corridor is more heavily trafficked and sees around 2,800 vehicles per day.

As the County looks to expand existing residential development along Birch Island Road (State Route 31), ensuring a safe environment for residents living along or

AREA ANALYSIS

near the highway will be paramount. Sidewalk extensions out of Town to residential neighborhoods along the corridor should be considered. Traffic calming and other traffic control measures may also be necessary in portions of the corridor near U.S. 460 and leading into the Town of Wakefield.



State Route 40 Corridor (Sussex Drive)

State Route 40 is a major local route running along the northwestern portion of the Planning Area. It provides access to County resources near the Sussex Courthouse and the Town of Waverly to the west. Route 40 is also an important cross-county route connection to the I-95 corridor near Stony Creek. State Route 40 is a key route for residents and businesses in Wakefield relying on access to I-95. Currently, an average of 2,100 vehicles travel along the roadway at its intersection with Jerusalem Plank Road (State Route 35). This intersection of Jerusalem Plank Road (State Route 35) and Sussex Drive (State Route 40) is the rural crossroads community of Homeville which is in the Planning Area. While most commercial and industrial uses will be located along the U.S. 460 corridor, some light development should be supported along State Route 40, particularly near the intersection with State Route 35.



State Route 35 Corridor (Jerusalem Plank Road)

State Route 35 is a rural route that forms the western boundary of the Wakefield Planning Area and continues south into Southampton County. With light residential development and minimal commercial uses, Route 35 is at the center of the County's vision to conserve agriculture, forestry, and open space uses in the interior

of the County. State Route 35 serves an important role as being the primary transportation corridor running north to south through the center of the County. It provides an alternate for residents and passing travelers from I-95 or U.S. 460 along a more scenic route. Accordingly, State Route 35 should be considered as a scenic corridor, with careful protections applied to preserve land use, aesthetics, and views in this area.



Railroad Corridor

Norfolk Southern owns and operates the double-track railway that parallels U.S. Route 460 through Sussex County. The railroad is heavily used and is a critical freight connection to the Hampton Roads ports. The corridor has Amtrak service on the line, but there is no passenger rail access in the County. Within the Planning Area there are no active spurs servicing any commercial or industrial uses. The railway does present a physical barrier within the area, with only three public crossing points along the 7.5-mile section of the railroad in the Planning Area. This includes at-grade crossings at Main Street and Chinquapin Road and a small, limited access underpass at Tunnel Road.

Transportation Improvements

A few notable transportation improvements have been recommended for the Wakefield Planning Area. First, VDOT is beginning to implement a Smart Scale project at the intersection of U.S. 460 and Main Street (State Route 628) in the Town of Wakefield (pictured below). This project will include a new right turn lane on eastbound U.S. 460 that increases visibility and turning radius, as well as improving pedestrian accommodations at the intersection to include audible signals. The Six-Year Improvement Program includes paving Glyndon Lane and Carver Lane off of Railroad Avenue near Town.

The VTrans Mid-Term planning priorities largely focus on U.S. 460 as a Corridor of Statewide Significance (CoSS) that may need transportation demand management in the future. In addition to the intersection of U.S. 460 and Main Street, VTrans also identifies the intersection of Jerusalem Plank Road (State Route 35) and Sussex Drive (State Route 40) as in need of safety improvements. It also identifies a section of Owens Grove Road (State Route 604) east of U.S. 460 for safety improvements.

Recommendations in the Crater PDC and VDOT Rural Transportation Plan include a number of safety, signage, accessibility, and road size recommendations. First, the plan recommends speed reduction measures for the sections of U.S. 460 in the Town of Wakefield. It also suggests long-term needs at the U.S. 460 intersections at High Street and Church Street to relocate stop signs, enhance approaches, and study the need for turn lanes. The plan recommends improved signage and alignment along White Marsh Road between Wakefield and Surry County. Finally, it recommends reconstructing Brittles Mill Road near Wakefield to widen the lanes and address geometric deficiencies.



Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as subdivisions on record, best land use practices, environmental conditions, zoning, and access to public utilities. Future land use recommendations include the addition of some residential development near the Town of Wakefield as well as targeted growth in commercial and public uses. This includes strategies that promotes entrepreneurship and investment to further complement the established businesses of the Wakefield area. Moreover, the U.S. 460 corridor should support new commercial and light industrial development while the outlying portions of the Planning Area are retained in their current undeveloped state. As a result, future land use in the Wakefield Planning Area will ensure that new and existing development avoids conflict with the existing natural features and transportation corridors that define this portion of Sussex County.

Environmental Conservation

The Wakefield Planning Area contains a wide variety of environmental features, including wetland areas, flood zones, riparian areas, and large forested tracts, that play an important role in plant and animal species diversity as well as natural water system filtering. The Planning Area already has a large amount of land that is actively managed and protected for its unique environmental features. Given the prevalence of natural features throughout the County, environmental conservation is a relevant consideration for all future land use categories discussed in this plan. New development should be guided towards previously disturbed locations and away from the boundaries of these preserved lands. Most of the land between U.S. 460 and Jerusalem Plank Road (State Route 35) is heavily forested and provides important natural habitat and forest resources that should be protected as much as possible through the County's land use tools.

Accordingly, the County must ensure that development is limited near these environmental areas and should encourage low-impact development strategies and stormwater management improvements to protect habitat and water quality. This includes directly to the west of the Town of Wakefield where the Seacock

Swamp has flood zones and riparian zones in an area that could eventually be developed. Additionally, farmers are encouraged to follow best management practices and take advantage of conservation and environmental programs as promoted by the Virginia Department of Agriculture and Consumer Services (VDACS).

Agricultural, Forested, and Open Space

Protecting agricultural and forestry uses is central to maintaining the rural character that defines much of the Planning Area outside of the U.S. 460 corridor. The primary land use in the Wakefield Planning Area will continue to be rural in nature and include large tracts of agricultural, forest, and open land uses. These areas are labeled as Agricultural on the future land use map. The main purpose of this land use classification is to facilitate existing and future farming operations, allow for expansion of farm related activity, reduce the effects of soil erosion, and protect watersheds to promote the continuation of farming and forestry uses that are among the most important sectors of the economy.

In planning for active agricultural and forestry use of parcels in the rural area, the County should consider the full scope of modern farming activities, including agritourism, on-site sales, food preparation, and events, and modify local regulations to more easily permit all activities that can help farmers maintain a profitable enterprise. Such activities have the added benefit of drawing visitors to the rural areas of Sussex County for tourism as well as providing additional income to farming operations. Large parcels will remain necessary for sustainable agricultural enterprise in the rural area.

Areas that are in forest preservation programs should be maintained to support the ecological balance between agriculture and forest. Private landowners, the Department of Forestry, the Department of Wildlife Resources, and The Nature Conservancy all have different management priorities. Where public access is permitted, the County should promote these important resources to be enjoyed for recreational and eco-tourism opportunities in addition to supporting the economic and natural benefits that these lands provide.

Residential

The Town of Wakefield and the immediate surrounding properties are the only locations with clustered residential land use in the Wakefield Planning Area. As a result, the proposed residential growth areas are concentrated around the existing clusters of dwellings outside of the Town and along routes that lead into the Town.

As the possibility of new employment sites in nearby Waverly arise along with increased business investment in Wakefield, the County should be supportive of additional housing development. Wakefield has the resources and assets that make it an attractive area for new residential development. The County should encourage a wide variety of housing unit types, including single-family homes, townhomes, and apartments close to the Town and U.S. 460. The County should also work to expand water and sewer services around the Town. The Town of Wakefield also has an existing sidewalk network that should be improved and expanded outside of Town to locations with existing clusters of dwelling units, like the Birch Island Apartments. Neighborhoods with safe walking and bicycling routes that connect to shared use areas, such as parks or retail, can improve quality of life, public health, and overall sense of community.

It is recommended that the continuation of the current trend toward linear housing development on routes leading into Town be limited. Where linear development is inevitable, shared driveways can be designed to reduce safety issues that arise with multiple single driveway access points.

Additionally, the County should work to develop parts of the proposed Drumwright Mill Subdivision property. While the full scale of that approved development may not still be feasible, the County should work with the current landowner of the property to promote the residential development of portions of the site that is coordinated with County utilities and services.

Commercial

The U.S. 460 corridor around Wakefield contains multiple commercial businesses that are an important

component of the local culture and identity. Additionally, many existing commercial businesses serve a critical role in supporting the needs of County residents. Specifically, the businesses related to the local peanut industry and the grocery store are critical for the area. The County should ensure that the needs of these businesses are fully supported. Partnering with the Town of Wakefield to improve local wayfinding, signage, and streetscaping would not only increase the attractiveness of the area for new business owners, but also improve the ability of existing businesses to draw customers from U.S. 460. These commercial businesses are central to the identity and culture of the area, and it is appropriate for the County to market their importance.

Future commercial development should continue along U.S. 460 south of Town towards the Southampton County line and north towards the Coppahaunk Swamp. Given existing traffic safety concerns on U.S. 460, new commercial development should incorporate safety and access management improvements. New businesses should take advantage of vacant and underutilized commercial properties along U.S. 460 and on Railroad Avenue. Establishing an enterprise zone or other local incentives for economic development could help to revitalize some of these underutilized properties.

Most future development should be encouraged outside of the Town limits along U.S. 460 where there is greater flexibility in site requirements and transportation access. New commercial development along U.S. 460 should be clustered as much as possible to maintain a high service level for travelers on U.S. 460 with easy access in and out of commercial sites.

A smaller cluster of commercial development should also be encouraged at the intersection of Jerusalem Plank Road (State Route 35) and Sussex Drive (State Route 40) in the western part of the Planning Area where a few vacant commercial buildings already exist. This is one of the major intersections of local roads in the County and should have commercial uses that are convenient to residents in the County's rural areas. Future development in this area may necessitate intersection improvements. However, it is important that major commercial development is not widely permitted outside of these locations.

Industry

Industrial uses in the Planning Area should continue to support the traditional economic activities in the surrounding area focused on harvesting timber and peanuts. The existing light industrial uses in the area contribute to the unique rural culture and do not have heavy industrial impacts. Nevertheless, these existing industrial uses are in close proximity to major roads, other commercial businesses, and residential neighborhoods and should be properly buffered and screened.

Compared to Waverly, less intensive industrial development is anticipated in the Wakefield area. New industrial development may be allowed along U.S. 460 or the Norfolk Southern Railroad northwest of Town. This may require extensive cooperation with the Sussex Service Authority to expand water and sewer services beyond the Town. The site near the Airport is the only specific location on the future land use map that has been proposed for industrial use. Ultimately, industrial uses should be more heavily prioritized farther north along U.S. 460 near Waverly where more industrial uses already exist.

Public Use

Public land and structures are an important part of the local culture and activities that draw many people to the area. The County should continue to engage with all relevant government and non-profit stakeholders to ensure that these uses are maintained and preserved. The Airfield Conference Center and the adjacent Southeast 4-H Educational Center are major attractions in the area and bring many visitors to the County each year. Improving signage to and from the Center would allow local businesses to better attract customers traveling to the Centers.

The County should also coordinate with the Town of Wakefield to support unique public assets like the Wakefield Municipal Airport, the Troxler Memorial Library, and the Wakefield Town Ballfield Complex and Playground. These are important assets for all Sussex County residents and should be properly marketed and supported.

Finally, the Ellen W. Chambliss Elementary School building and property located just outside of Town on Higgins Street has the potential to be a resource to the local community. The County and Town should coordinate to find a partner to revitalize or redevelop the site for community or other appropriate use.

Town of Wakefield

While Wakefield itself is an incorporated town, and therefore conducts its own land use planning and development regulatory programs, its vitality is critically important for the County. Sussex County should support new commercial and residential development in the Town as a positive contribution to the County's tax base. Due to available lot sizes within the Town, most large-scale development is likely to occur outside of Town boundaries. Sussex County should collaborate with the Town to welcome some new commercial development along U.S. 460 with proper turn lanes and combined and clearly marked entrances to minimize negative effects on traffic within the corridor. The Town also has a number of small undeveloped sites and vacant commercial buildings that may be attractive to new commercial or mixed-use investment. Accordingly, the County should work with the Town to pursue economic revitalization efforts under the Main Street program through the Department of Housing and Community Development.

Implementation Recommendations

Recommendations for the Wakefield Planning Area build on the strengths of the area as Sussex County’s center of cultural activity and recreation. The recommendations focus on identifying opportunities for appropriate development while also preserving agriculture, forested, and open space.

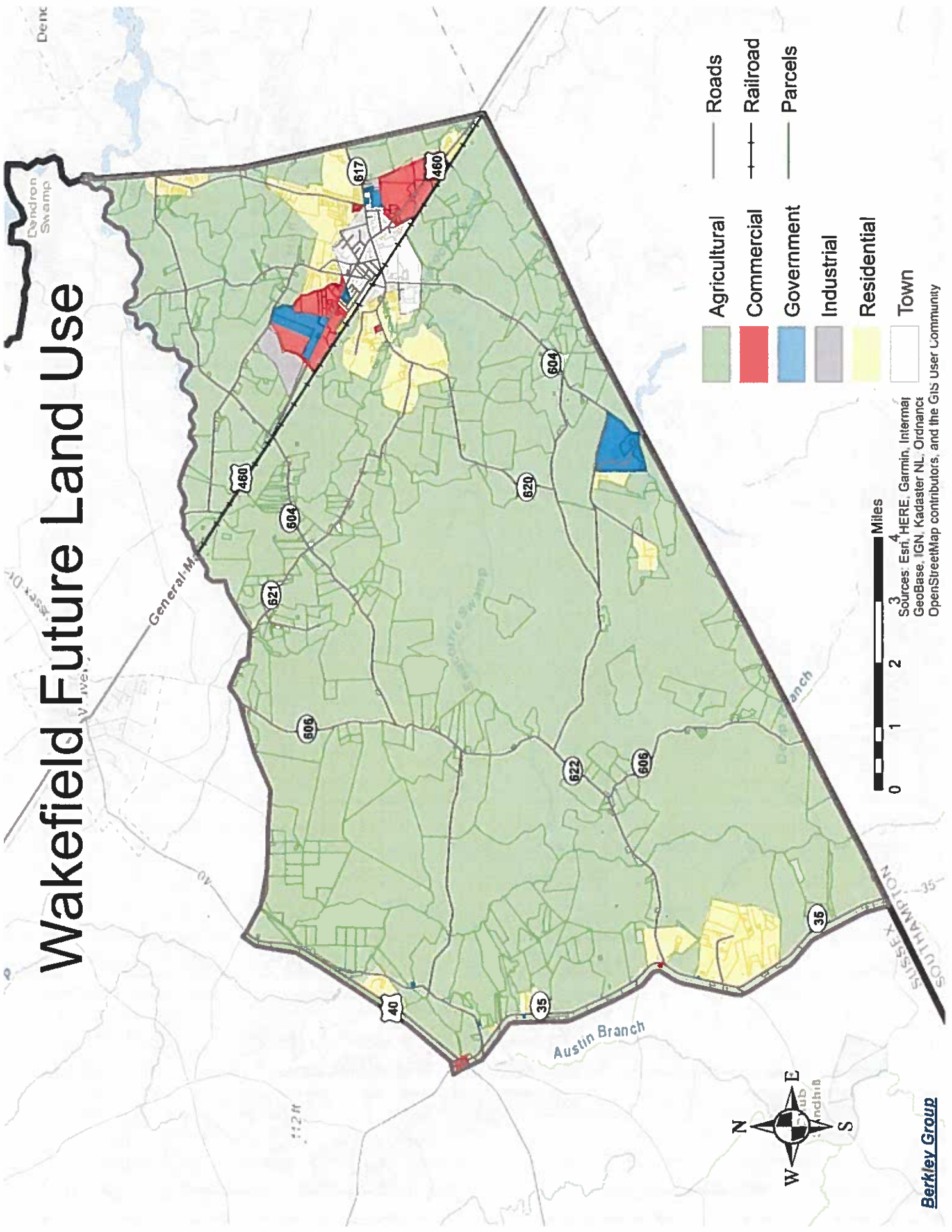
Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Actively promote and market the cultural, recreational, and eco-tourism attractions that define the Planning Area as important County resources.	\$\$	Short-term	County Administration
Consider wayfinding, signage, and streetscaping that improve the aesthetic and direct traffic to local attractions.	\$\$	Short-term	County Administration
Gather community input to consider renaming U.S. Route 460 (General Mahone Highway) to better present the local culture and identity of the area.	\$	Short-term	Planning and Zoning Department
Amend the zoning ordinance to permit facilities for farm tours, agritourism facilities, and other similar uses in the agricultural zoning districts.	\$\$	Short-term	Planning and Zoning Department
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator
Review the potential participation in the Enterprise Zone program and other local incentives and seek ways to encourage participation by existing and new businesses.	\$	Short-term	County Administration

² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

IMPLEMENTATION

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Update the zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Short-term	Planning and Zoning Department
Establish a highway corridor overlay district to preserve and improve the appearance along U.S Route 460.	\$\$	Medium-term	Planning and Zoning Department
Partner with the Town of Wakefield and private/non-profit organizations to promote the use of the Ellen W. Chambliss school complex as a place for recreation and community use in the Planning Area.	\$\$\$	Medium-term	County Administration/Town of Wakefield
Partner with the Town of Wakefield to seek economic revitalization through participation in the Main Street program through the Department of Housing and Community Development.	SS	Medium-term	County Administration
Work with agencies, such as the Department of Wildlife Resources and the Department of Conservation and Recreation, to enable the development of outdoor public recreational facilities. Ensure appropriate marking of access to such facilities.	\$\$	Medium-term	County Administration
Work with VDOT and the Town of Wakefield to expand the existing sidewalk infrastructure to established neighborhoods and proposed developments near Town.	\$\$\$	Long-term	County Administration
Implement necessary utility improvements/expansions along State Routes where residential and commercial growth is projected in the Planning Area.	\$\$\$\$	Long-term	County Administration

Wakefield Future Land Use



- Agricultural
- Commercial
- Government
- Industrial
- Residential
- TOWN
- Roads
- Railroad
- Parcels

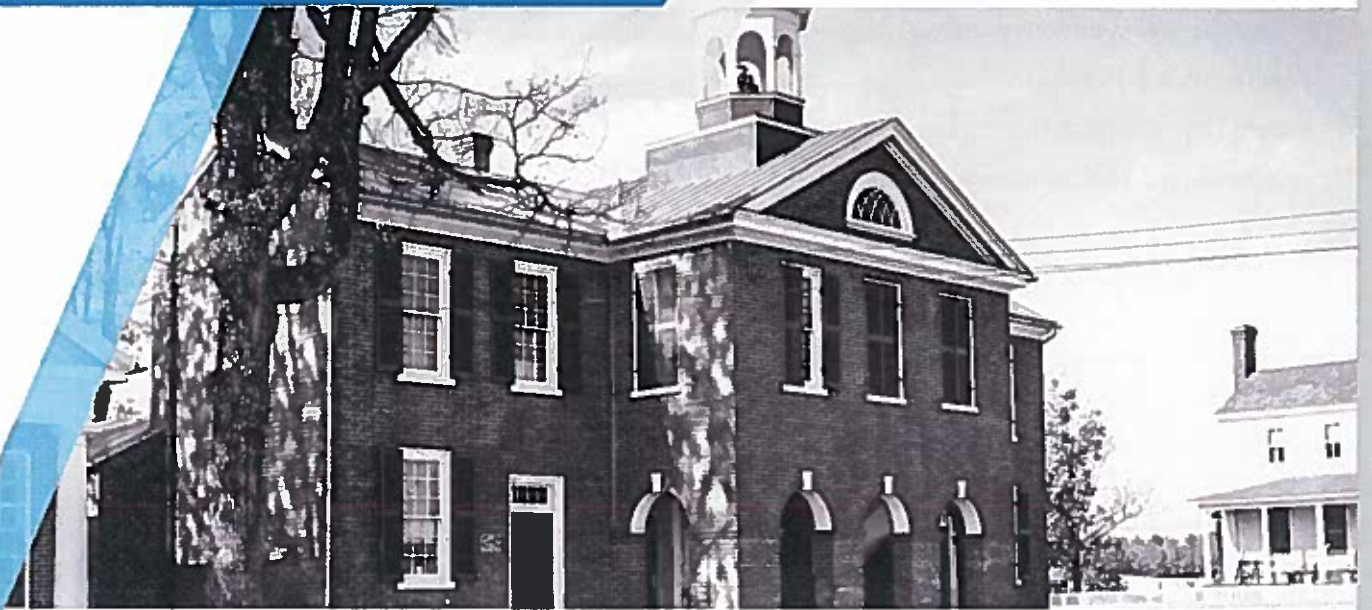
0 1 2 4 Miles



3 Sources: Esri, HERE, Garmin, Intermap, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri, DeLorme, NAVTEQ, Swisstopo, SIA, GEBCO, USGS, AeroGRID, IGN, Esri, Mapbox, OpenStreetMap contributors, and the GIS User Community

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

SUSSEX COURTHOUSE



**PUBLIC HEARING DRAFT
AUGUST 2021**



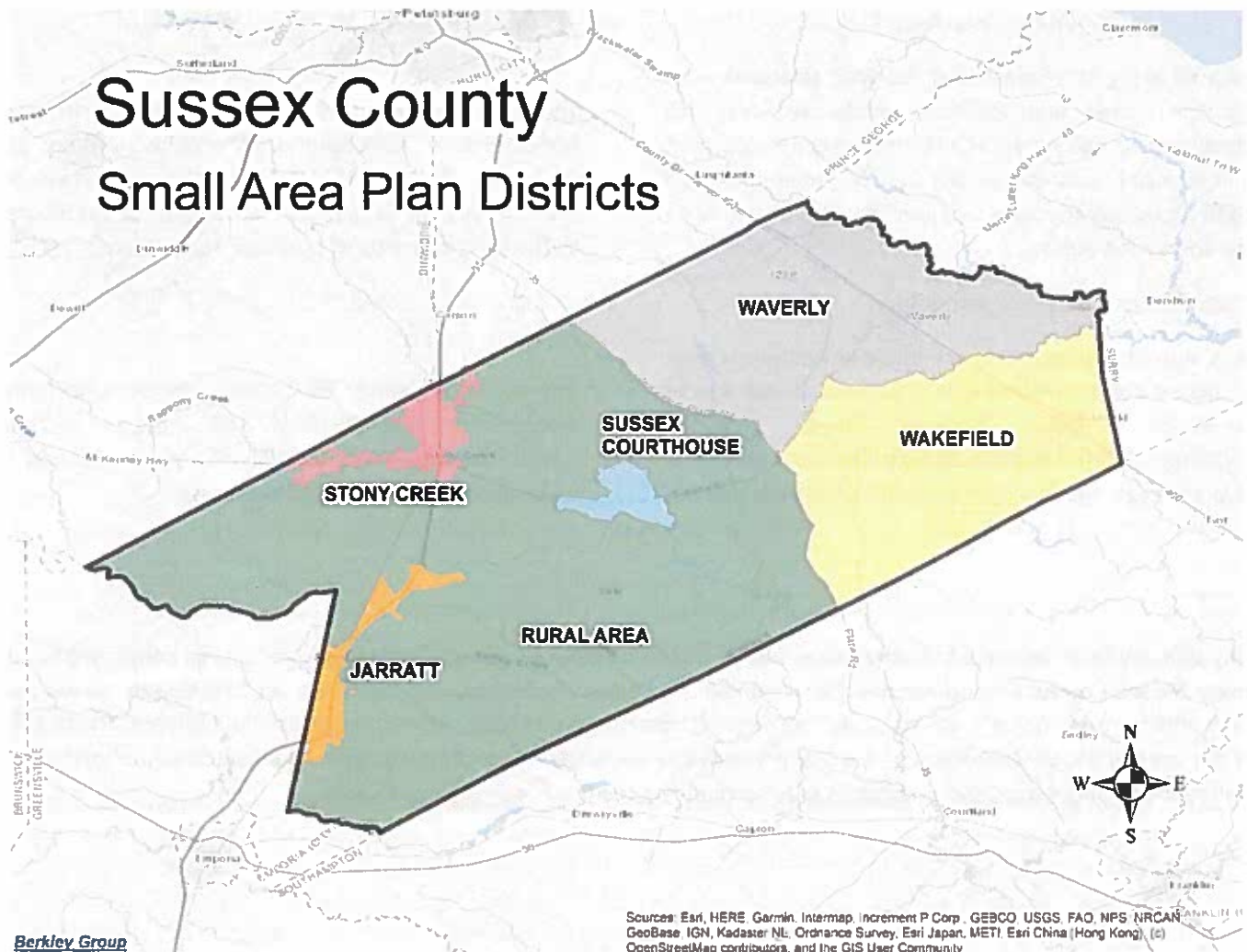
Table of Contents

Preface	3
Six Planning Areas	4
Sussex Courthouse Planning Area.....	6
Existing Features & Uses	7
Existing Land Use	9
Public Input	12
SWOT Analysis.....	14
Transportation Analysis	15
State Route 40 (Sussex Drive)	16
State Route 735/626 Corridor (Courthouse Road)	16
State Route 634 Corridor (Princeton Road/Old Forty Road)	17
Transportation Improvements.....	17
Future Vision & Planning.....	18
Future Land Use Analysis	19
Implementation Recommendations	22

Preface

Sussex County is a rural yet diverse county that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the county as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent county planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – Civic Core

This planning area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the county.

Jarratt Planning Area – Interstate Services

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this planning area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – Conservation

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – Commercial Center

Fed by I-95 and accessible to other areas in the county, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

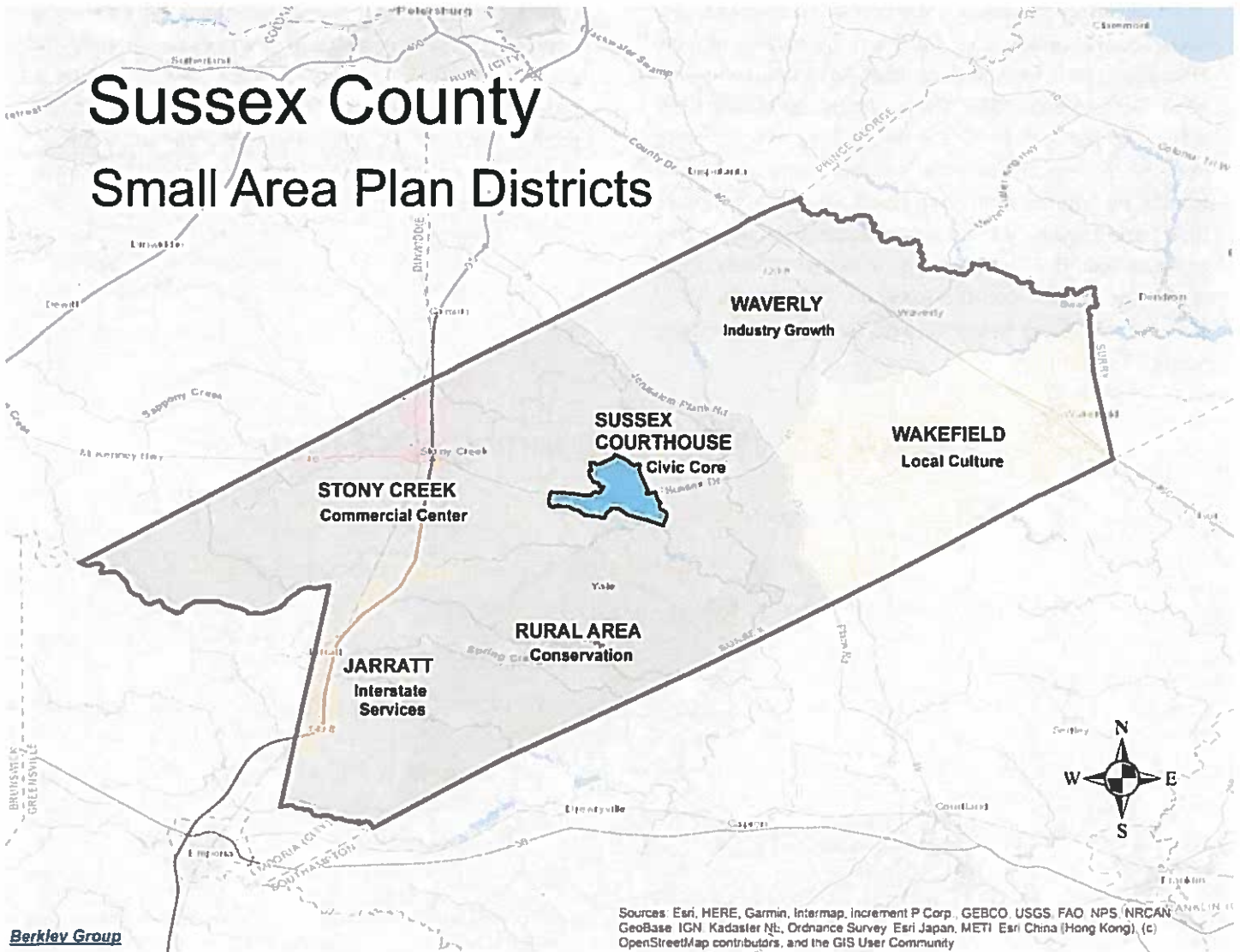
Wakefield / Homeville / U.S. 460 Planning Area – Local Culture

This planning area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – Industry Growth

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

This plan will focus on Sussex Courthouse – The Civic Core for Sussex County. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the constrained zone surrounding Sussex Courthouse while also considering how this area relates to the other areas of the County. The strength of this area is the concentration of government services, including the courthouse and consolidated school complex as well as the strong historic farming community surrounding the Civic Core of Sussex County.

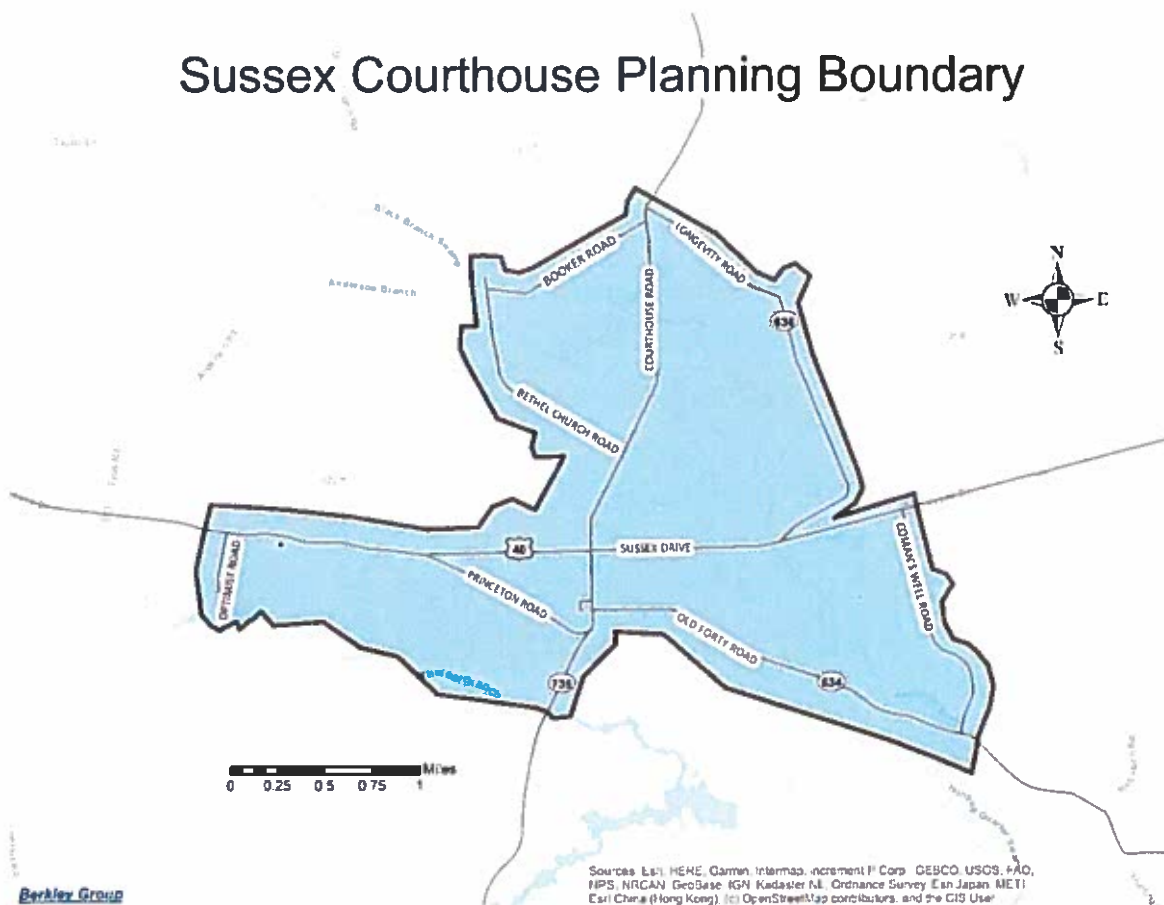


Sussex Courthouse Planning Area

The Sussex Courthouse Planning Area is located in the heart of Sussex County and encompasses an estimated 6.41 square miles. The northern boundary of the Planning Area is formed by Booker Road and Longevity Road (State Route 636). The southern boundary runs along Old Forty Road (State Route 634) and Thweatt Branch. The eastern boundary of the Planning Area is formed by Comans Well Road (State Route 642), Sussex Drive, and Longevity Road (State Route 642), while the western boundary is made up of Bethel Church Road (State Route 637), Courthouse Road (State Route 626), Sussex Drive (State Route 40) and Optimist Road (State Route 733).

The Sussex County Courthouse Planning Area includes 35 Census Blocks and based on 2010 Census Block data, the population for the Planning Area was approximately 250 persons and 85 households.¹ Based on the 2010 Census, the total population for Sussex County was 12,087 people. For context, the American Community Survey estimates for 2019 show the population as having declined to about 11,237 individuals (-6.9%).

Sussex Courthouse Planning Boundary



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Block level is only available every ten years following the Decennial Census.



Existing Features & Uses

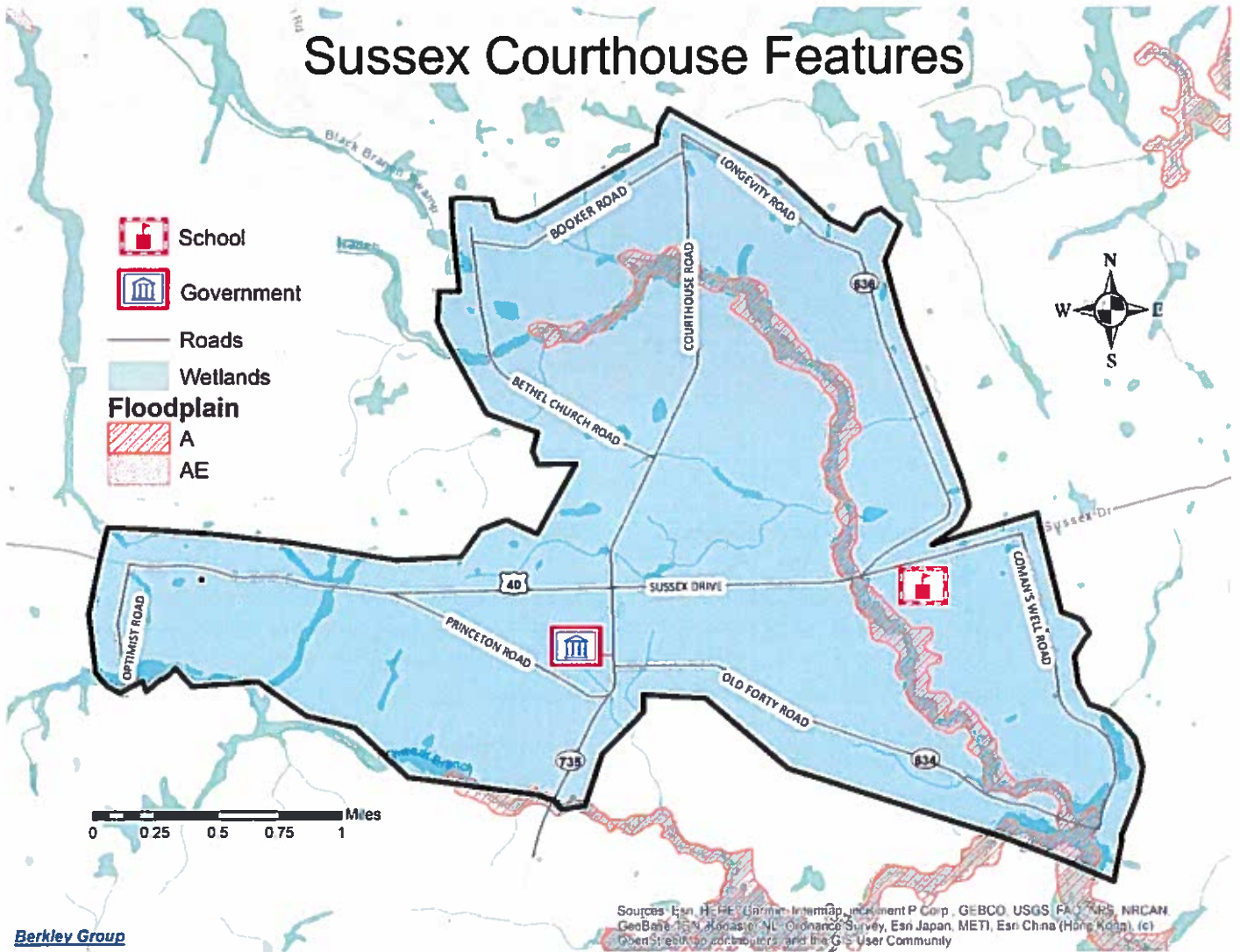
The Sussex Courthouse Planning Area has a number of notable structures as well as a mixture of rural residential dwellings and farm structures. There is also important historical significance here, with the area around the Sussex Courthouse being designated as the Sussex County Courthouse Historical District in the National Register of Historic Places. The County courthouse building was built in 1828 and remains in use today. Other major structures in the area include the Sussex County Government Center, Sussex Elementary, Sussex Central Middle School, and Sussex Central High School, which are all located at the school complex on Sussex Drive. Existing utilities include water, wastewater, and electric power lines. Electricity is provided by either Dominion Energy or the Prince George Electric Cooperative. High-speed fiber internet is available in most of the Planning Area through RuralBand from Prince George Electric Cooperative. RuralBand's Hogwood Zone extends along Old Forty Road, Courthouse Road, and Longevity Road.

The Planning Area is bisected by Sussex Drive (State Route 40), an east/west corridor, which serves as the only major road in the Planning Area. Two other important roads feed into the center of the Sussex

County Government Center: Courthouse Road (State Route 735/626), and Princeton/Old Forty Road (State Route 634). This convergence of corridors is crucial to maintaining the accessibility of the courthouse and other services to outlying portions of the County. These roads are discussed further in the Planning Analysis section of this plan.

The notable natural features in the area are Anderson Branch, which runs north to south beside the school complex on Courthouse Road (State Route 40), and Thweatt Branch that forms the southwest boundary of this Planning Area. Along Anderson Branch and Thweatt Branch, there is a relatively narrow Approximate A Flood Zone, and along both waterways there is a thin band of freshwater wetlands.

Sussex Courthouse Features



Berkley Group

Existing Land Use

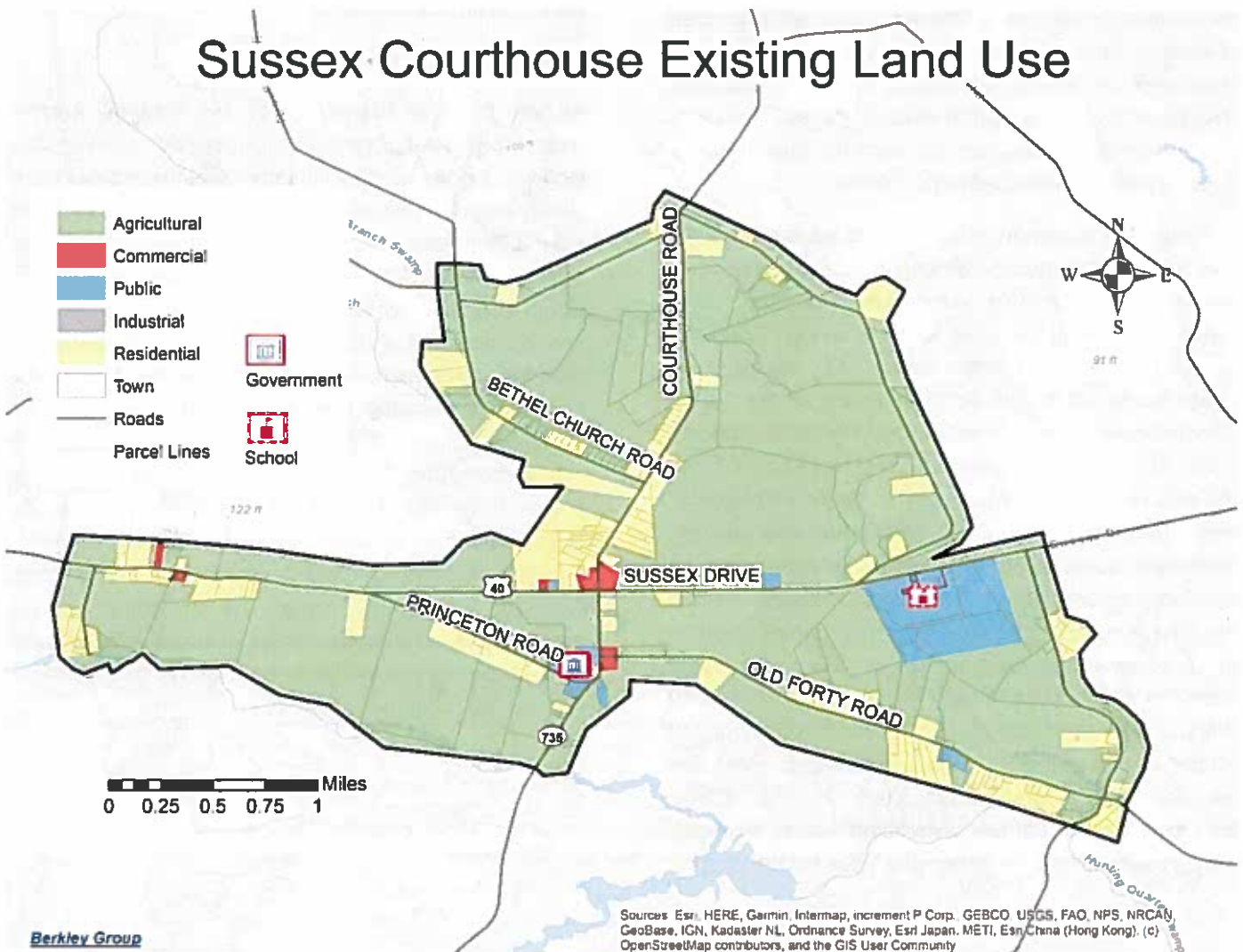
Existing development in the Sussex Courthouse Planning Area is centered around government use with a mix of rural residential uses. Agriculture and forested areas extend outward with active farming primarily taking place on large parcels along the roadways and forested areas lying behind the fields along the streams. Commercial development makes up a relatively small portion of the Planning Area.

The current pattern of development has supported some residential growth in the area, but very little new

commercial development. Existing development has occurred adjacent to public roads. Undeveloped areas contain an equal distribution of forest and agriculture cropland. A small portion of the Planning Area lies within the 100-year floodplain, and there are limited identified wetlands along the freshwater streams.

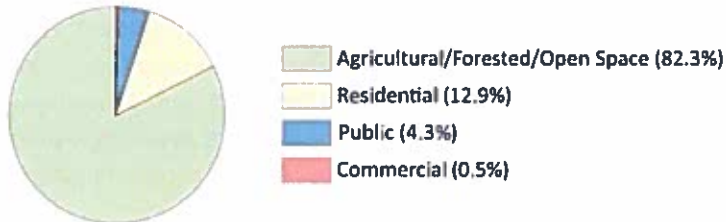
The map below and the pie chart on the next page show the quantity and location of various land use types in the Planning Area. These graphics are also complemented by descriptions of each land use type on the following pages.

Sussex Courthouse Existing Land Use



EXISTING CONDITIONS

Sussex Courthouse Existing Land Use



Residential

Existing residential development in the Planning Area consists of single-family dwellings, many of which are prefabricated structures on lots of five acres or less. Approximately 120 residential structures are estimated to exist in the Planning Area, however some of these structures are vacant. Although a few new residential structures have been built, the housing primarily ranges in age from 20 to 200 years old, with the bulk of newer housing being constructed in the 1990s.

Although the condition of each structure is not readily available, the County assessment data can provide some insight on the housing values and amenities. Most residential dwellings are located along Princeton Road/Old Forty Road (State Route 634), Sussex Drive (State Route 40) to the north and west of the Sussex County Government Center, and Courthouse Road (State Route 626) and Bethel Church Road (State Route 637) to the north of the government center. There is a cluster of small (one to three acre) residential lots on the northwest quadrant of the Sussex Drive/Courthouse Road intersection. One residential subdivision exists in the area comprised of 35 one-acre lots running linear to the road extending west on Bethel Church Road and north on Courthouse Road. This subdivision, County Homes Estates, appears to have structures on about half of the available lots. Of those developed, most are manufactured homes constructed in the 1990s. According to the County assessment value, most are valued near the mid-range housing value for the County.

Commercial

Limited commercial development exists near the County Government Center. Existing businesses include locally owned retail operations and gasoline sales. There are less than ten parcels in this Planning Area that are identified in the Commercial/Industrial tax class in the County's assessment database. Other than the few existing commercial sites, residents and employees in the area must travel to other parts of the County to access restaurants, grocery stores, and other services.

Industrial

No industrial land use currently exists in the Planning Area or is anticipated to be developed.

Agricultural /Forested/Open Space

As with much of Sussex County, this Planning Area is mostly composed of agricultural, open space, or forested land use. On the existing land use map, these areas have simply been labeled as Agricultural. The area has a fairly even distribution of forested land and agriculture land. Approximately 3,500 acres are taxed as agricultural land, which also includes forested areas. Almost half of that area is comprised of 10 large agricultural parcels of more than 100 acres each. The entire area within the Sussex Courthouse Planning Area is designated as Prime or Statewide Important Soil, indicating it is suitable for active agriculture. Western portions of the area along Sussex Drive and close to the Sussex Courthouse are mostly used for cultivation, especially adjacent to roads. The densely forested areas are located primarily along Anderson Branch and Thweatt Branch. There is also a narrow band of wetlands and Approximate A Flood Zone along these streams and there is little to no development in these identified hazard areas.

EXISTING CONDITIONS

SUSSEX COURTHOUSE

Public Use

Government and public land use make up approximately 4.25% of the Sussex Courthouse land area. These uses are the major contributors to activity and development in the area and act as a central meeting point for all of Sussex County. Additionally, the Sussex Courthouse Planning Area is of particular importance to the County as it is the site of most of the County's government services and administrative facilities including: The Sussex County Government Center, USDA Agricultural Service Center, Sussex Courthouse Volunteer Fire Department, Sussex County Courthouse and Circuit

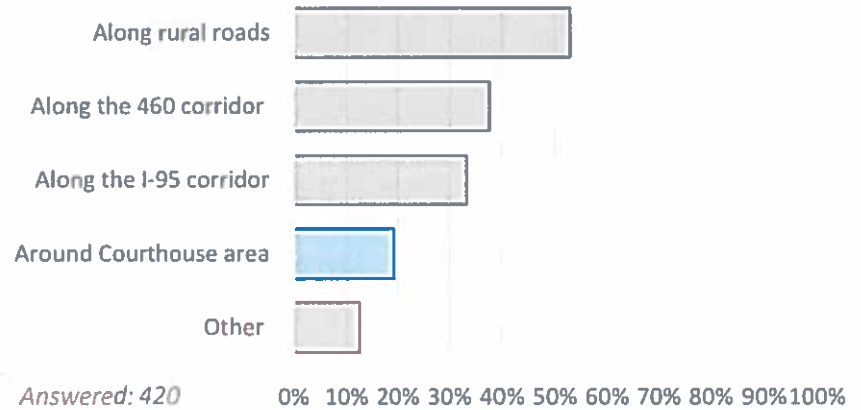
Court, Sussex County Building Inspections, and Sussex County Social Services. The local post office is across from the government complex. The County's consolidated elementary, middle, and high school campus is also located in the Planning Area on Route 40, to the east of the County Government Center. This facility has the capacity to serve as a center for recreational activity and community events for area residents. Several religious assembly uses are also located within this Planning Area.

Public Input

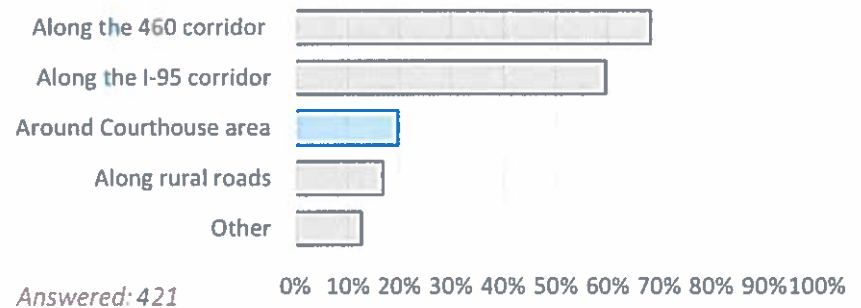
Local stakeholder meetings and county-wide surveys provide a brief understanding of public opinion about the current status and future of the Sussex Courthouse Planning Area. Input recognizes the need for the development of public facilities, which are already concentrated in the area. Additionally, there is recognition that the Sussex Courthouse Area has a relatively low potential for new commercial and industrial development.

Public schools, fire and rescue, and law enforcement are identified as important priorities for the citizens of the County. According to the public input, respondents feel these services need improvement. Each of these public amenities have a significant presence in the Sussex Courthouse Area. The public survey also indicates that the Sussex Courthouse Area will not be a major focus of non-farm industry or commercial development. In addition, while some small commercial development may occur, it will be important to preserve the historic and natural character of the small area by directing major development elsewhere.

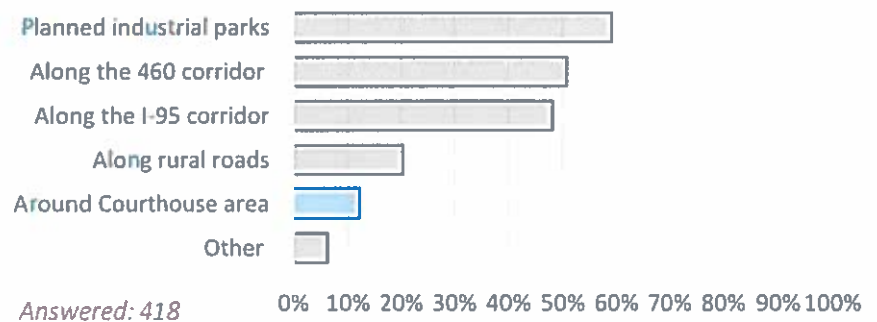
Where in the County should new housing be concentrated?



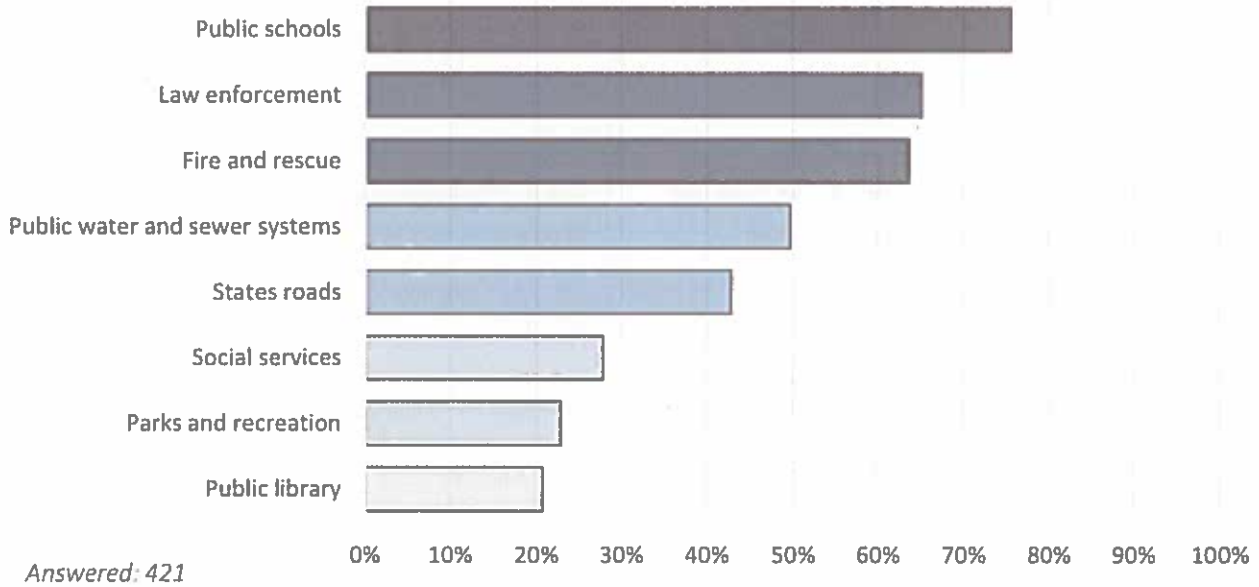
Where should new, non-farm commercial business and shopping areas generally be located?



Where should new (non-farm) industry be generally located?



What should Sussex County's highest priorities be for improving public facilities and community services?



SWOT Analysis

The Sussex Courthouse Planning Area has a host of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that help plan the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Availability of developable land for future public and private use, including vacant lots subdivided for residential use.</p> <p>Relative affordability compared to Virginia's Richmond and Tidewater hubs, both in land prices and in tax structure.</p> <p>Transportation access via State Route 40 – a two-lane divided roadway with available capacity and relatively low traffic volume.</p> <p>Available utilities to support modest residential and commercial development.</p> <p>Prime Agricultural soils, limited floodplain, and good transportation access can offer farmers flexibility in their agricultural commodity production and delivery.</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>The area's low population provides a very small and aging workforce.</p> <p>Accessibility to grocery stores and other major retail is a challenge for residents.</p> <p>Lack of variety, diversity, and availability in housing.</p> <p>No access to public transportation and distance from major regional roadways.</p> <p>Safety along State Route 40, particularly in the school zone close to the Sussex County school complex.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Central location and presence of public offices and facilities can offer traffic for businesses offering goods and services that support government, such as law offices, surveyors, engineers, and lunch cafés.</p> <p>Farms located in areas on routes near the government and school complexes can take advantage of high visibility for on-site farm markets or local agritourism.</p> <p>Prime soils and active agriculture can qualify owners for farm conservation opportunities that offer monetary benefits as well as land preservation.</p> <p>New school complex offers opportunity for community events and gatherings that can also support commercial businesses.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>National retail trends make future development in rural areas like Sussex Courthouse more challenging.</p> <p>Isolation and distance from major roadways limits potential to attract businesses.</p> <p>Lack of available or usable vacant structures in the Planning Area would make new construction necessary for small business.</p>

Transportation Analysis

Future uses in the Sussex Courthouse Planning Area (Civic Core) must be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses).

The following table shows the Virginia Department of Transportation (VDOT) average daily traffic (ADT) count estimates in 2019 for each major road in the Planning Area. While future development may increase traffic volumes, it is anticipated that these roadways are sufficient to accommodate potential growth. A brief overview of existing and future uses for each major route follows.

Additionally, this analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT Average Daily Traffic Count Estimates, 2019	
Transportation Corridor	Traffic Count
Sussex Dr. (State Route 40) East of Courthouse Rd. West of Courthouse Rd.	2,400 1,800
Courthouse Rd. (State Route 735/626) North of Sussex Dr. South of Sussex Dr.	430 950
Princeton Rd. (State Route 634)	570
Old Forty Rd. (State Route 634).	220

AREA ANALYSIS

SUSSEX COURTHOUSE



State Route 40 (Sussex Drive)

Sussex Drive (State Route 40) is a primary transit corridor in Sussex County that runs east to west through the Planning Area, connecting Sussex Courthouse with Stony Creek, I-95, and U.S. 301 to the east, and the Town of Waverly and U.S. 460 to the west. This is the central local roadway for residents in the Planning Area. It provides access to the Sussex County Government Center, as well as the County's consolidated school complex. Sussex Drive (State Route 40) is expected to be the center for any residential and commercial development that takes place in the Planning Area and is the site of a recent residential subdivision development near Sussex Courthouse. The area north of this corridor is expected to support the need for increased housing in the area. The main intersection of the area at Sussex Drive (State Route 40) and Courthouse Road (State Route 735/626) should also support new commercial and public use. While significant growth and development are not anticipated for the Sussex Courthouse Planning Area, County officials should consider the benefits of establishing a highway corridor overlay zoning district along Sussex Drive (State Route 40) to ensure quality development along this major roadway.



State Route 735/626 Corridor (Courthouse Road)

The Courthouse Road Corridor (State Route 735/626) runs north to south through the Planning Area, intersecting with Sussex Drive (State Route 40), and provides direct access to the Sussex County Government Center. Modest commercial development exists at the intersection of Courthouse Road (State Route 735) and Old Forty Road (State Route 634). Limited, commercial development is expected to continue and may be expanded at the intersection of Courthouse Road (State Route 735) and Old Forty Road (State Route 634).

The north side of the intersection of Sussex Drive (State Route 40) and Courthouse Road (State Route 626) may also accommodate potential commercial development. Modest residential development is also anticipated along Courthouse Road (State Route 626) and Bethel Church Road (State Route 637) to the north of the Sussex County Courthouse where several dwellings and utility connections already exist.



State Route 634 Corridor (Princeton Road/Old Forty Road)

The Princeton Road Corridor (State Route 634) runs from northwest to southeast through the Planning Area, branching from Sussex Drive (State Route 40) and intersecting with Courthouse Road directly adjacent to the Sussex County Government Center. State Route 634 then continues eastward as Old Forty Road. Government and commercial development is expected to continue at the intersection of these roads due to their close proximity to the Courthouse.

Transportation Improvements

This analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT has previously paved Longevity Road (State Route 636) starting at Courthouse Road as identified in the VDOT Six-Year Improvement Program. The VTrans Mid-term Needs does not recommend any transportation recommendations for the area. Recommendations in the Crater PDC and VDOT Rural Transportation Plan include improvements to Courthouse Road (State Route 626) north of Sussex Drive (State Route 40) to widen the lanes and address geometric deficiencies. The existing road has less than 10-foot-wide lanes that creates a safety hazard for travelers along the route, particularly at corners and bends. This is the only recommendation that the plan provides for the area.

FUTURE VISION

SUSSEX COURTHOUSE

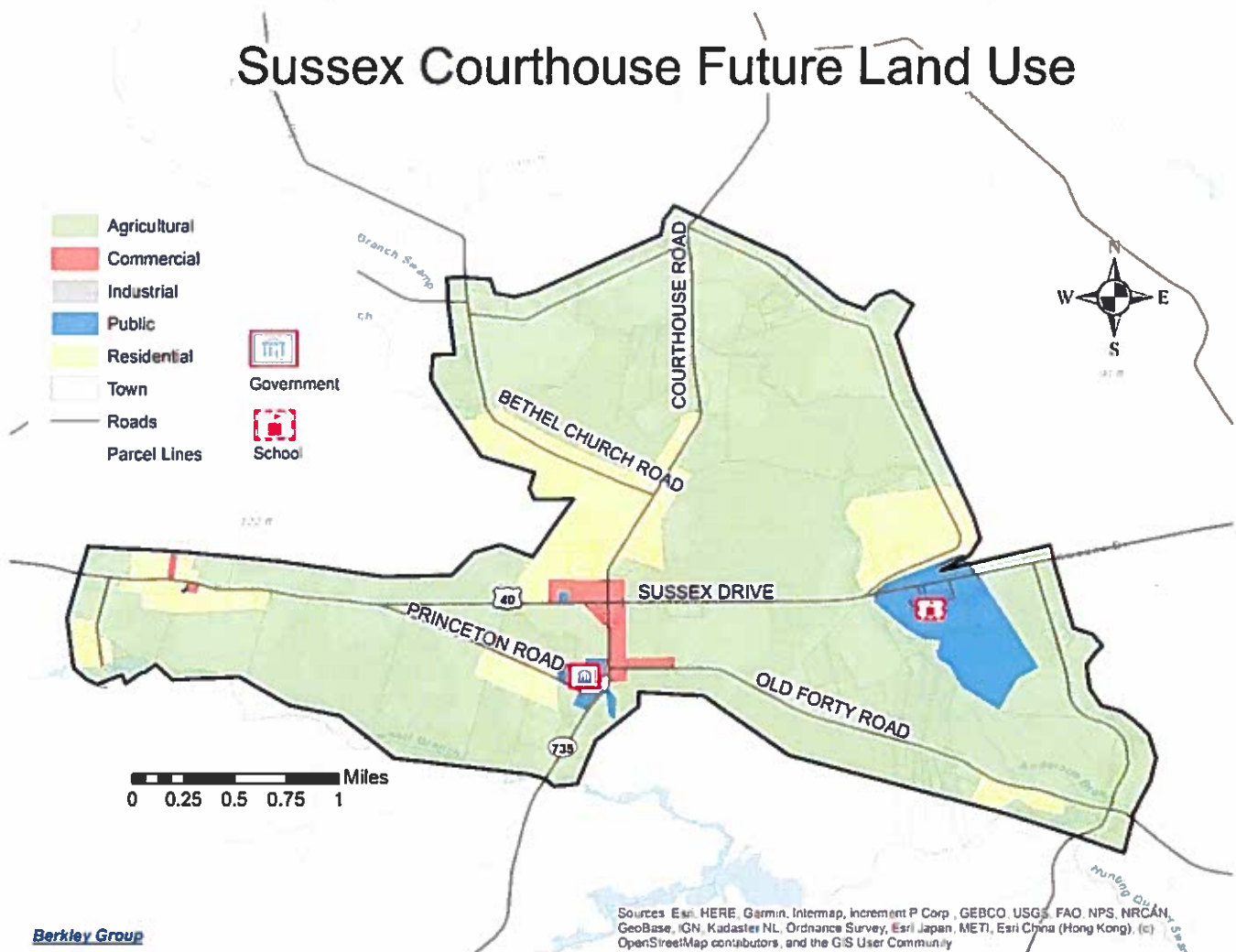
Future Vision & Planning

The Sussex Courthouse Planning Area is the geographic and civic center of Sussex County. This is the primary point of delivery for government services, which is the current and future driver of development in this area. For purposes of this plan, this district has been deemed the Civic Core. These government and educational facilities along with the convergence of several primary rural routes creates some potential for growth and development. Future planning efforts must also recognize the importance of the agricultural economy and local desire to maintain rural character.

Part of the future vision builds upon a future land use analysis that projects ideal land uses for major zones of the Planning Area shown below in the Future Land Use Map, with associated recommendations to follow.

It should be noted that residential use secondary to agricultural operations or scattered rural residential or commercial parcels are not reflected in recommended future uses. This does not mean those existing individual uses should be discontinued, but rather that the recommended land use model reflects the primary future uses.

Sussex Courthouse Future Land Use



Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as subdivisions on record, best land use practices, environmental conditions, zoning, and access to public utilities. Future land use recommendations include the addition of some residential land uses to the Sussex Courthouse Planning Area as well as some limited growth in commercial and government uses and the proposal of strategies to ensure that agriculture continues to be profitable and thus the rural culture preserved. Future development in the area should be clustered as much as possible and be located outside of FEMA flood zones located along Anderson Branch and Thweat Branch.

Environmental Conservation

The Sussex Courthouse Planning Area contains a wide variety of environmental features, including wetland areas, flood zones, and riparian areas that play an important role in plant and animal species diversity as well as natural water system filtering. Given the prevalence of natural features throughout the County, environmental conservation is a relevant consideration for all future land use categories. There are a number of forest, wetland, and recreational conservation easements on properties throughout the County, but few in this area. Conservation easement programs could be enhanced in this area and expanded to specifically include the protection of active farmland.

Low-impact development strategies and stormwater drainage infrastructure improvements should be considered to protect water quality in areas slated for commercial and public facility growth. Moreover, cluster development strategies that emphasize greater density and concentration of dwellings should be utilized when planning for new residential development near the Sussex County Government Center.

Farmers are encouraged to follow best management practices and take advantage of conservation and environmental programs promoted by the Virginia Department of Agriculture and USDA. And, as mentioned

in the Agricultural, Forested, and Open Space section of this document, natural floodplains should be maintained and used as natural buffers along waterways.

Agricultural, Forested, and Open Space

The primary land use within Sussex Courthouse will continue to be rural in nature and include large tracts of agricultural, forest, and open land uses. These areas are labeled as Agricultural on the future land use map. Development should be focused in designated areas and discouraged throughout most of the Planning Area. The main purpose of this land use classification is to facilitate existing and future farming operations, allow for expansion of farm related activity, reduce the effects of soil erosion, and protect watersheds to promote the continuation of farming as one of the most important sectors of the economy. As such, minimizing land subdivision, preserving environmentally-sensitive areas and ensuring appropriate buffers around streams and intensive livestock operations will help preserve the overall rural character of the Planning Area. Additionally, areas within the FEMA-designated flood zones should not see any future development and should be used as a natural flood reserve area that act as a buffer between agricultural uses and waterways.

In planning for active agricultural use of parcels in the rural area, the County should consider the full scope of modern farming activities, including agritourism, on-site sales, food preparation, and events, and modify local regulations to more easily permit all activities that can help farmers maintain a profitable enterprise. Such activities have the added benefit of drawing visitors to the rural areas of Sussex County for tourism as well as providing additional income to farming operations. Large, contiguous parcels will remain necessary for sustainable agricultural enterprise in the rural area.

Outside of sensitive environmental areas, it is the vision of Sussex County that rural areas remain rural, and that active agriculture maintains its importance in the community. A central objective of land use planning in Sussex County is to preserve this valuable land from

being developed for residential or other land uses. Once developed, it cannot easily be restored to its original condition (nature). Areas reserved for agriculture on the land use map should be used for active agricultural and forestry enterprises, and best management practices should be observed relative to the land disturbance, support structures, and other facilities that such agricultural/rural operations require.

Areas that are in forest preservation programs should be maintained to support the ecological balance between agriculture and forest. The County should consider the formation of a farmland conservation board to promote and manage conservation easements specific to the protection of active agricultural land.

Residential

Design

Based on the current number of subdivided but vacant parcels in the area, there is some immediate potential for residential growth. Residential development in the area has historically been as a secondary use on farms or of a linear pattern along roadways. It is recommended that the continuation of the current trend toward linear housing development be limited. Where linear development is inevitable, shared driveways can be designed to reduce safety issues that can arise with multiple single driveway access points. Public sewer service should be secured to ensure sustainable water quality necessary for active agricultural.

It is understood that the option to subdivide small lots with road frontage for residential development provides farmers an opportunity for supplemental income with minimal development effort/loss. However, there are other options for design. Cluster development offers an alternative to linear sprawl with the same or less cropland/forest impact and a safer, higher quality environment for the residents. This design also limits the area of exposure of agricultural commodities and forest land to the risks associated with multiple residential access points. Cluster development can also offer a more

desirable “neighborhood” layout and more design flexibility. Advantages include:

- Safer access for residents to subdivision streets as opposed to highways.
- Reduced front setback to increase the surrounding buffer between agricultural and residential activity.
- Walkable neighborhood with safe walking/bicycling for children and adults.
- Shared use areas such as parks, can be easily accessible to all residents, providing for a better quality of life and a greater sense of community.

Location

Modest residential development is anticipated along Courthouse Road (State Route 626) and Bethel Church Road (State Route 637) where several dwellings and utility connections already exist to the north of the Sussex County Courthouse. In addition, Old Forty Road (State Route 634) and Sussex Drive (State Route 40) have also been identified as possible areas for future residential development. It is a central priority for the Sussex Courthouse Planning Area, and Sussex County as a whole, to guide residential development in a direction that it does not diminish the County’s rural character. Accordingly, utilizing development strategies, such as planned communities or cluster developments as described above, will confine residential development to specific areas rather than allowing it to sprawl along roadways.

Housing Type

In the past, residential development in Sussex County has comprised almost exclusively of low density, single-family dwellings. While this approach has been employed to protect the rural aesthetic of the County and preserve vital environmental and agricultural areas, a consideration of the potential benefits of allowing for more residential options may better achieve many of the County’s long-term goals. For example, duplex/triplex style residential dwellings or accessory dwelling units

(ADU's) could be permitted on individual lots of at least one acre rather than single-family dwellings alone. This approach would enable County officials to ensure the preservation of the area's rural character and economy while also creating more affordable housing opportunities in Sussex County. This could be potentially useful near the school complex. Affordable, well designed residential areas could provide desirable housing opportunities for young teachers and other school staff.

Public Services

Access to public services is also an important component of residential growth. While grant assistance could be used to expand water and sewer services into more rural parts of the Planning Area where residential growth is desirable, the existing treatment capacity is insufficient to support anticipated growth. It is especially important to ensure that areas provided with public water access are also provided with public sewer access. Public water services can increase development pressures, but without public sewer, an increase in the number of septic systems can threaten the groundwater quality, especially in low lying areas where soils may not be suitable for effective septic development. This could endanger the agricultural viability as well as public health.

Commercial

Commercial development should be focused near the intersection of Route 40 (Sussex Drive) and State Route 626 (Courthouse Road), which is the busiest intersection in the Planning Area. Additionally, the area across from the Sussex Courthouse and Government Complex at the intersection of State Route 735 (Courthouse Road) and State Route 634 (Old Forty Road) has potential for commercial growth.

Future commercial development in the Planning Area is expected to be limited relative to other Planning Areas in Sussex County. Given the County's central priorities of preserving environmentally sensitive conservation areas and the area's agrarian economy, any commercial development should be concentrated around the center

of the Planning Area near the Sussex County Government Center, where some commercial development already exists. Commercial development should take advantage of vacant commercial spaces that exist in the Planning Area and limit the disturbance of the rural character of the area. Officials might also consider efforts to bring small market-style retail space to the area to serve its residents and improve food security in the area.

Industry

Unlike other Planning Areas in Sussex County, no industrial development of any kind is anticipated or recommended for the Sussex Courthouse Planning Area.

Public Use

The Sussex Courthouse Planning Area is the center of both the County's courts and administrative services, as well as its consolidated elementary, middle, and high school campus. As such, the modern and spacious school grounds will provide area residents with recreational facilities for many years to come. One of the primary objectives for the Planning Area will be to accommodate any expansion of public facilities and utilities necessary for maintenance and development of the Sussex County Government Center and the school complex.

Implementation Recommendations

Recommendations for the Sussex Courthouse Planning Area build on the strengths of the area as Sussex County’s center of community and government. The recommendations focus on identifying opportunities for appropriate development and preserving agriculture and open space.

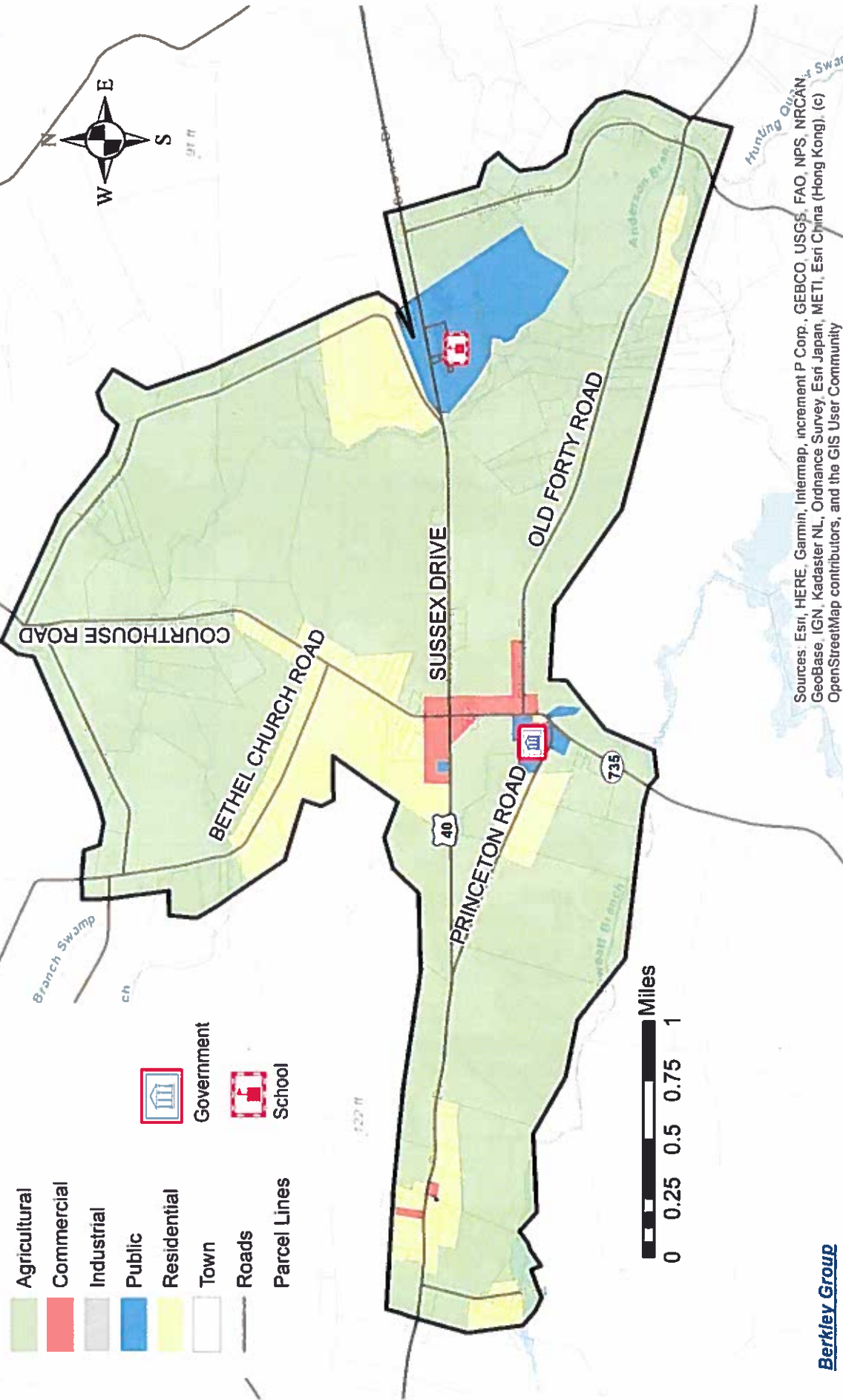
Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Promote County policies and farmer participation in conservation and environmental programs, such as those available through the VA Department of Agriculture and Consumer Services (VDACS) and promote additional forms of income for farmers like Agri-tourism.	\$	Short-term	Cooperative Extension
Promote the use of the Sussex County school complex as a place for recreation and community use in the Planning Area.	\$	Short-term	County Administrator/ School Superintendent
Update County zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Short-term	Planning and Zoning Department
Review and update the zoning ordinance to increase housing diversity, such as allowing cluster development on small lots, duplex, triplex structures and accessory dwelling units in appropriate areas to improve the quality of housing structures and increase affordable housing options in the area.	\$\$	Short-term	Planning and Zoning Department
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator

² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

IMPLEMENTATION

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Modify or update the zoning ordinance to ensure that commercial development is concentrated near the Sussex County Government Center and easily allows for retail, restaurants, offices, and local medical facilities to be developed.	\$\$	Short-term	Planning and Zoning Department
Update zoning ordinance to reflect portions of the Planning Area in the vicinity of the Sussex County Government Center for limited but concentrated commercial development, and direct future commercial development into designated growth areas.	\$\$	Short-term	Planning and Zoning Department
Consider establishing a highway corridor overlay district to preserve the appearance along State Route 40.	\$	Medium-term	Planning and Zoning Department
Consider utilizing farmland protection tools available in the VA State Code to promote long term agricultural conservation.	\$	Medium-term	Cooperative Extension/ Planning and Zoning Department
Adopt low-impact (best management practice) development strategies and guidelines for constructing stormwater drainage infrastructure to mitigate environmental impacts of development and remediate flood prone areas where poor drainage exists.	\$	Medium-term	Planning and Zoning Department
Implement necessary utility improvements/expansions along State Routes where residential and commercial growth is projected in the Planning Area.	\$\$\$\$	Long-term	County Administrator

Sussex Courthouse Future Land Use



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

STONY CREEK



**PUBLIC HEARING DRAFT
AUGUST 2021**



CONTENTS

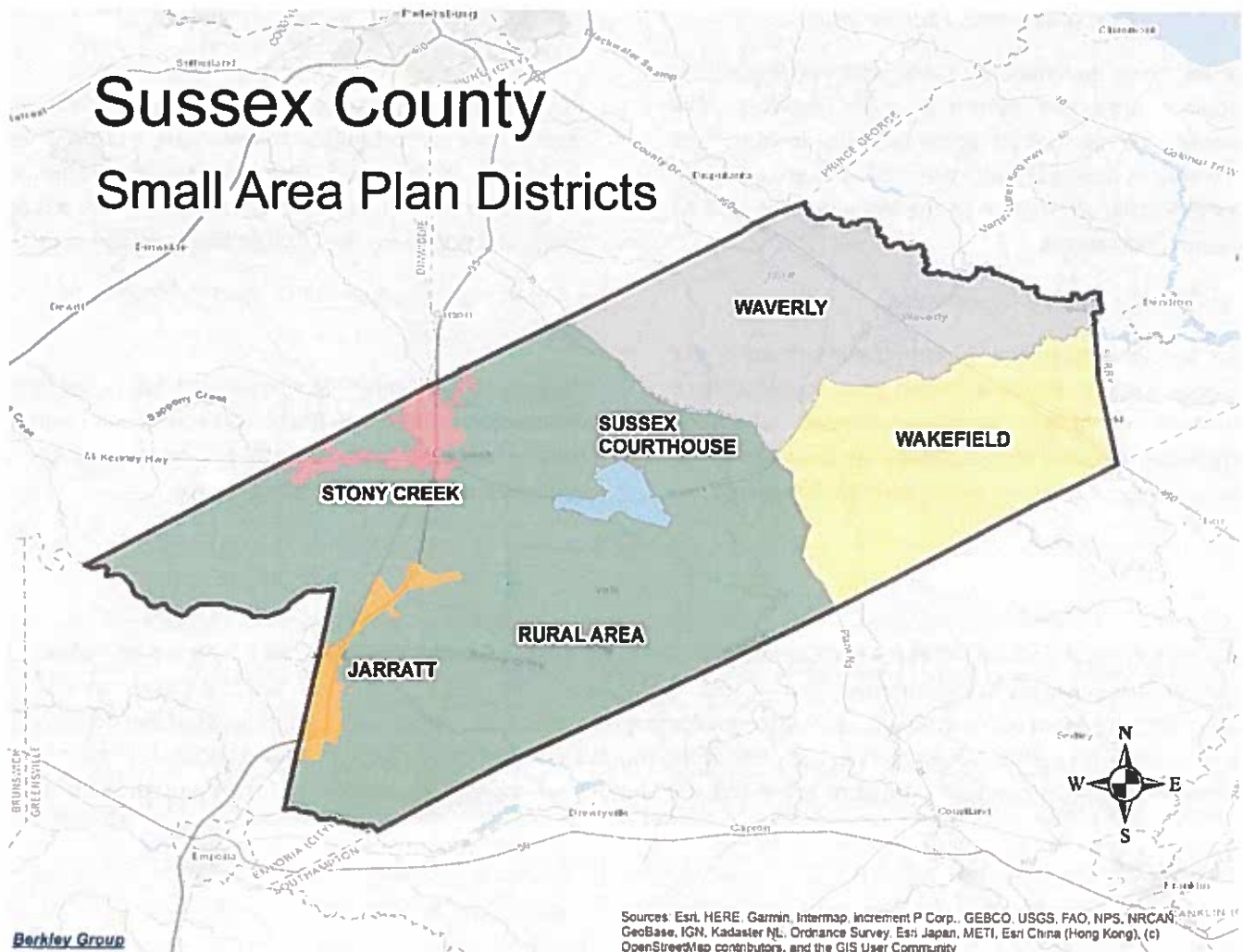
Table of Contents

Preface	3
Six Planning Areas	4
Stony Creek Planning Area	6
Existing Features & Uses	7
Existing Land Use	9
Public Input	12
SWOT Analysis.....	13
Transportation Analysis	14
Interstate 95.....	15
State Route 40 Corridor (Sussex Drive).....	15
US Highway 301 Corridor (Blue Star Highway)	15
Railroad Corridor.....	16
Transportation Improvements.....	16
Future Vision & Planning.....	17
Future Land Use Analysis	18
Implementation Recommendations	21

Preface

Sussex County is a rural yet diverse County that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the County as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent County planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – Civic Core

This planning area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the County.

Jarratt Planning Area – Interstate Services

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this planning area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – Conservation

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – Commercial Center

Fed by I-95 and accessible to other areas in the County, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

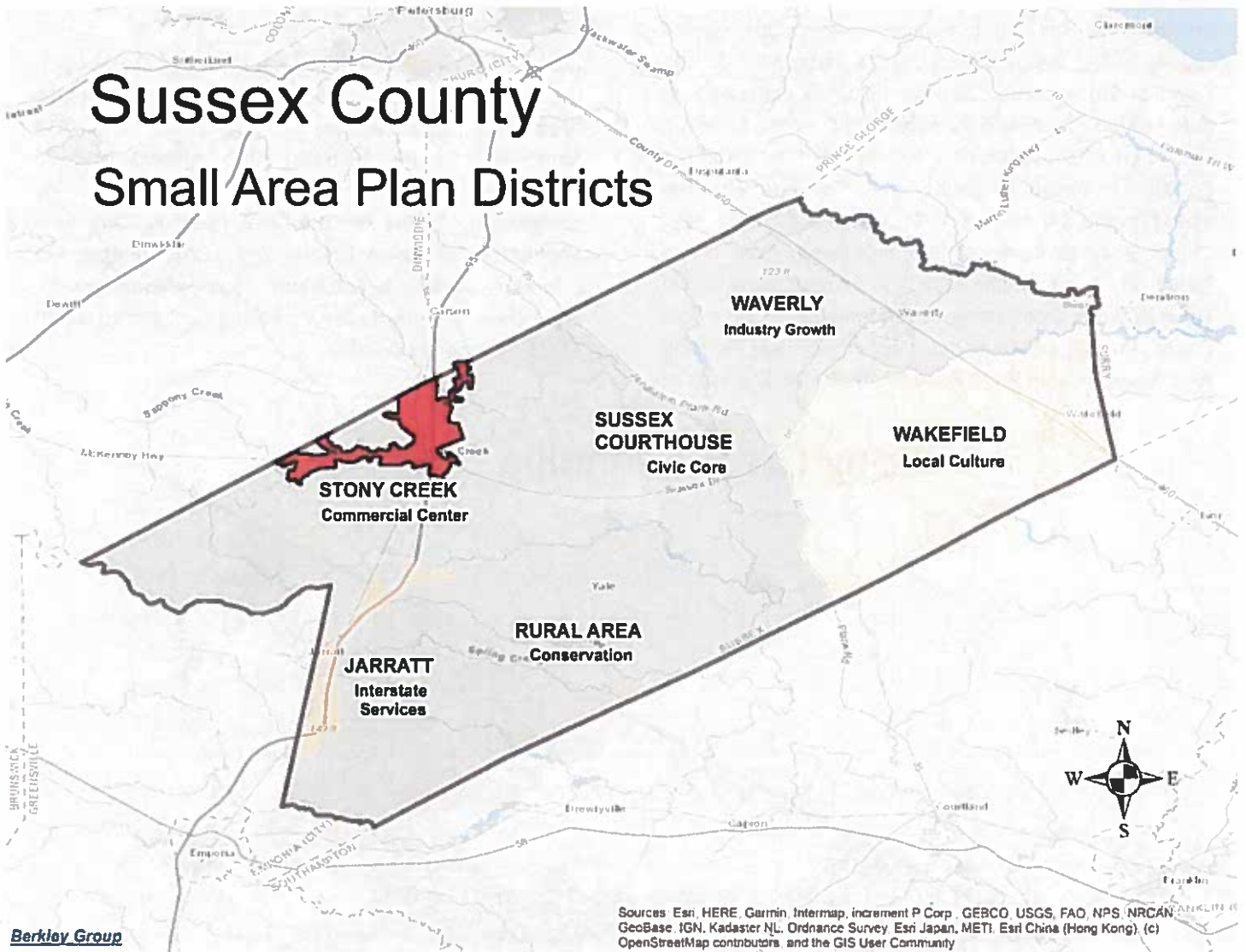
Wakefield / Homeville / U.S. 460 Planning Area – Local Culture

This planning area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – Industry Growth

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

This plan will focus on Stony Creek – The Commercial Center for Sussex County. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the constrained zone surrounding the Town of Stony Creek while also considering how this area relates to the other areas of the County. The strength of this area is the accessibility to I-95, one of the country's busiest interstate highways. Additionally, the existing commercial businesses and infrastructure of the Town of Stony Creek serve as foundation for future growth in the area.



Berkley Group

EXISTING CONDITIONS

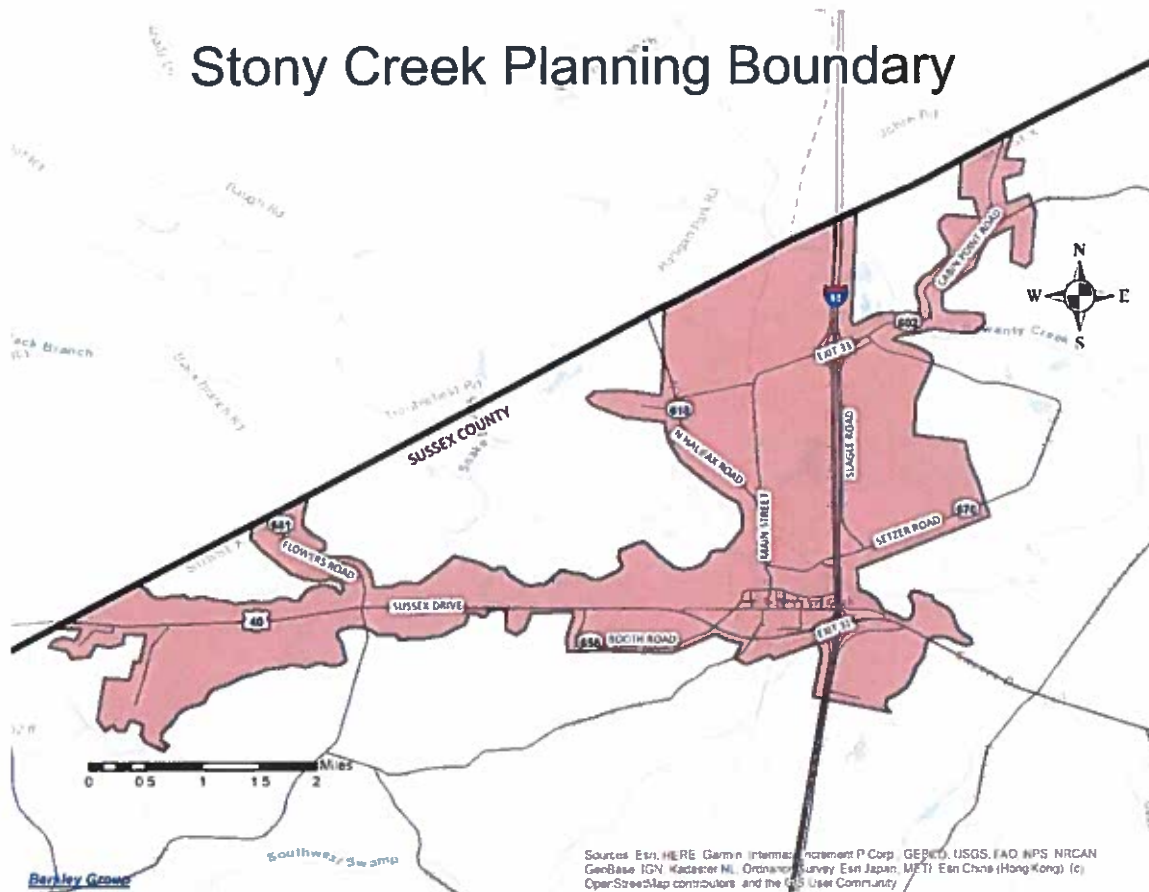
Stony Creek Planning Area

The Stony Creek Planning Area is in the northwestern portion of Sussex County and covers approximately 6.4 square miles, which includes 0.6 square miles in the Town of Stony Creek. The Planning Area contains a 4-mile section of I-95 and the parallel U.S. Route 301 from the Town of Stony Creek north to the Prince George County and Dinwiddie County lines. There are also two exits (31 and 33) off I-95 at Cabin Point Road/St. John Church Road (State Route 602) and Sussex Drive (State Route 40). The Planning Area also extends west of the Town of Stony Creek along Sussex Drive to the Dinwiddie County line. Other smaller corridors that in the Planning Area include Cabin Point Road (State Route 602) east of

I-95 and Flowers Road (State Route 681) north of State Route 40.

Based on the most recent estimates for Census Blocks in the 2010 US Census Data, the population for the Planning Area was approximately 821 persons and 414 households, which includes 198 residents and 75 households in incorporated Stony Creek.¹ By comparison, based on the 2010 Census, the total population for Sussex County was 12,087 people. For reference, American Community Survey estimates for 2019 show the population as having declined to about 11,237 individuals (-6.9%).

Stony Creek Planning Boundary



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Census Block level is only available every ten years following the Decennial Census.

Existing Features & Uses

The Stony Creek Planning Area includes a few commercial nodes along with a mixture of rural residential dwellings and farm structures. The area's road features are important assets that serve as the foundation for existing activity and help to guide future growth. Existing utilities in the area include electric power lines as well as water and wastewater, specifically near the Town of Stony Creek and along the Blue Star Highway (U.S. 301).

Most of the Planning Area is within the Dominion Electric Service Area. Prince George Electric Co-Op serves some customers along State Route 602 in the northern part of the Planning Area. Broadband internet access is available at some locations along U.S. 301, and Prince George Electric Customers receive internet from RuralBand. RuralBand's Rowanty Zone provides fiber optic internet service to the Rowanty Road and Cabin Point Road area. Many other residents in the Planning Area still remain unserved or underserved by internet service. The current wastewater treatment plant that serves the Town of Stony Creek and some development along U.S. 301 is located east of I-95 on Setzer Road just outside the boundaries of the Planning Area. However, the wastewater treatment plant has limited capacity to accommodate additional growth and development.

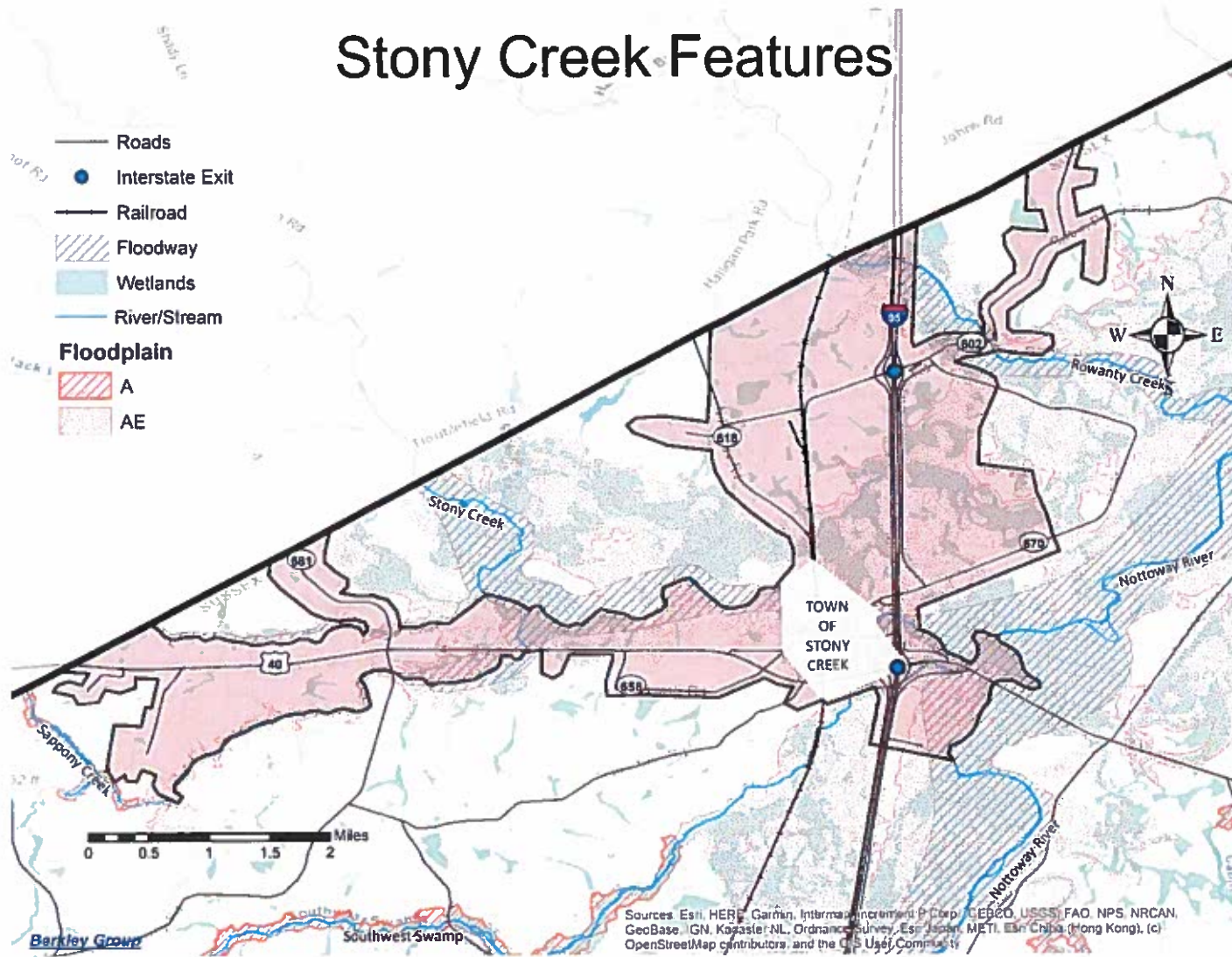
The Town of Stony Creek and the area's two interstate interchanges serve as the hubs for development and

activity within the area. The Davis Travel Center and surrounding restaurants and hotels at Exit 33 are the largest structures in the Planning Area. Exit 31 has a dollar store and gas stations to support local and through traffic. The Town of Stony Creek includes a small commercial area with available vacant space for commercial or adaptive reuse. The Planning Area also has some industrial uses including a concrete manufacturer, a mineral processing plant, and a utility-scale solar facility. Each of these features and the roads are discussed further in the Planning Analysis section of this plan.

Notable natural features include Stony Creek and Sappony Creek, which both run west to east before meeting the Nottoway River. Rowanty Creek in the northern portion of the Planning Area runs southeast before also meeting the Nottoway River. Land around both creeks are designated as floodways and much of the larger surrounding area are classified as Zone AE flood zones, meaning that they are subject to inundation by a 100-year flood event. Many small water bodies are scattered throughout the Planning Area, including small ponds, swamps, and streams. Many of the smaller water bodies contribute to the extensive wetlands found throughout the Planning Area.

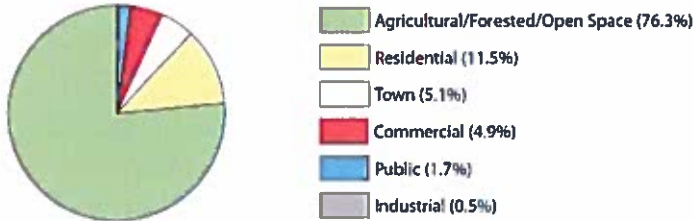


Stony Creek Features



EXISTING CONDITIONS

Stony Creek Existing Land Use



Residential

Residential uses consist almost entirely of low density single-family detached housing and make up only 11.5% of lands in the Planning Area. An estimated 439 housing units (occupied or vacant) are located within the Planning Area. Generally, homes are scattered throughout the Planning Area, but small concentrations can be found within the Town of Stony Creek, along the State Route 40 corridor between Flowers Road (State Route 681) and Shands Road (State Route 713), and northeast of Exit 33 in the area of Cabin Point (State Route 602) and Rowanty (State Route 623) Roads. This northeast cluster includes both single-family homes on large lots and manufactured homes. Most of the concentrations of residential development in the Planning Area are located outside of designated floodplain areas. Additionally, most existing residential development has occurred along public roads and there are no subdivisions with development on separate private roads.

Commercial

This land use category includes areas used for retail, consumer services, and professional activities, and makes up less than five percent (4.9%) of Planning Area land use. While commercial uses cover a small portion of the area, these uses are some of the defining features of the Stony Creek Planning Area. Retail uses include hotels, restaurants, gas stations, banks, and convenience stores. Several smaller retail commercial uses are found in the Town of Stony Creek. Travel related services are concentrated at Exits 31 and 33 of I-95. Exit 33 at the intersection of U.S. 301 and Cabin Point Road (State Route 602) is a hub for commercial activity serving local and regional traffic. The Davis Travel Center Truck Stop

draws a large amount of interstate traffic into the Planning Area. Additionally, hotels, restaurants, and gas stations located on U.S. 301 are drivers of local commercial activity. The Exit 33 interchange also offers large amounts of accessible vacant land for future commercial development.

The Town of Stony Creek and the area around Exit 31 at Sussex Drive (State Route 40) also has a presence of commercial uses at a lower density. This includes gas stations, small restaurants, and a dollar store. A small assortment of locally-serving commercial uses, such as a pharmacy, auto repair shops, a used truck dealer, and a post office, are located in and around the Town of Stony Creek.

Industrial

The Planning Area currently has two active industrial sites with the land and access to support industrial growth in the future. Existing rail and interstate access may make the Stony Creek area attractive for future industrial development. One of the existing sites is an active precast concrete manufacturer located off of Setzer Road along I-95. The other existing industrial site is the Iluka Resources mineral separation plant and operations office. However, Iluka resources has ceased active mining operations in the surrounding area, so the active use of the site has been recently reduced. Nevertheless, the site remains heavily industrial due to the intensity of existing uses on the site.

Sussex County's only active utility-scale solar facility is on approximately 200 acres of land that is partially in the Stony Creek and Rural Planning Areas. It is a 20-megawatt solar facility that is considered a temporary use with an initial lifespan of around 40 years. The site is an active use of the land but is not defined within the traditional industrial land use classification. The site is specifically highlighted on the existing land use map separate from the industrial and agricultural uses.

Agricultural/Forested/Open Space

Agriculture, forest, or open space makes up the majority of the land in the Planning Area, accounting for over 75% of the total area. On the existing land use map, these areas are labeled simply as agricultural. Many of these areas include actively cultivated agriculture lands with a notable presence of soils designated as prime farmland or a soil of statewide importance. Although some of these areas may experience future development pressure as a result of their proximity to the Town of Stony Creek and Interstate 95 interchanges, the County's Comprehensive Plan vision is for a large portion of Sussex's land to remain undeveloped to preserve the rural and agricultural lands of the area.

This land use category also includes the Stony Creek waterway, scattered wetlands, and floodplains. The areas directly along Stony Creek are unique natural resources that provide important environmental services and are largely unfit for development.

Public

This land use category includes buildings for governmental functions, schools, libraries, fire stations, and similar public uses, as well as institutions like churches. Public use makes up less than two percent (1.7%) of the Planning Area, and include churches, telecommunications facilities, and the Stony Creek Volunteer Fire and Rescue Squad.

Town of Stony Creek

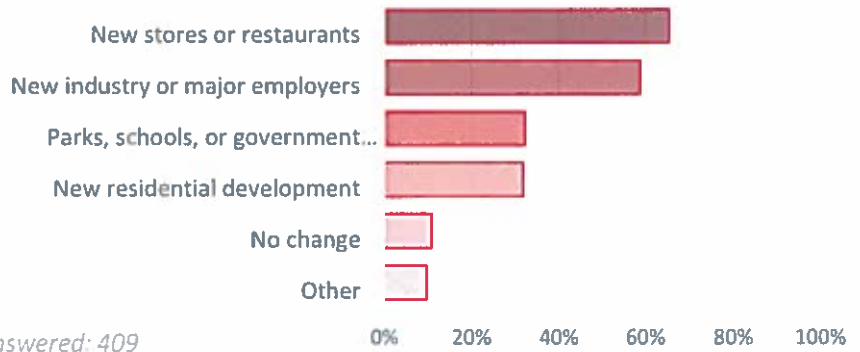
The Town of Stony Creek includes a number of residential and commercial uses that complements development in the overall Planning Area. Small commercial uses and a post office in the small downtown serve as the main center of activity in the Town. The Town also features a public park with a walking trail, fitness stations, and a pavilion that serves as a recreational asset for the area.

Public Input

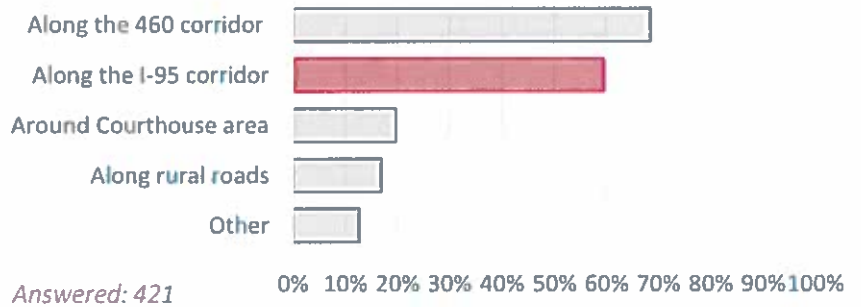
Local stakeholder meetings and county-wide surveys provide a brief understanding of public opinion about the status and future of the Stony Creek Planning Area. Input recognizes the need for the development of public facilities, with public water and sewer systems being particularly relevant to the Stony Creek area. Additionally, there is recognition that the Stony Creek area has potential for new commercial and industrial development. This further substantiates the need to improve local water and sewer service to support more commercial uses of various sizes.

Additionally, the location of the Planning Area along the heavily trafficked I-95 corridor further explains why commercial and industrial uses should be a priority. The types of development desired for the Stony Creek area in the public survey directly complement its location along I-95. Accordingly, the public survey responses appropriately prioritize development along the corridor where through traffic is mostly likely to stop and contribute to the local economy.

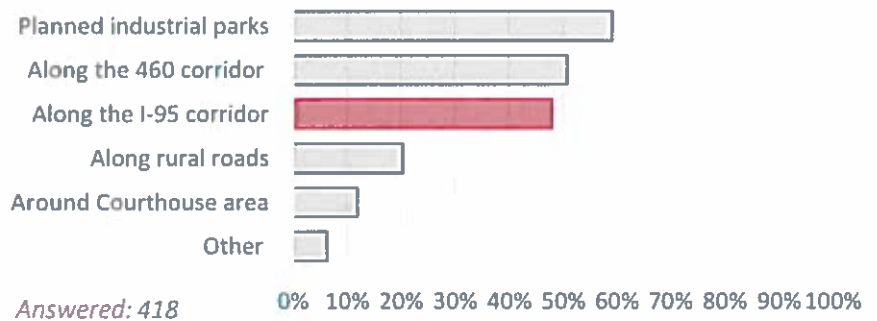
What would you like to see happen in the Stony Creek area?



Where should new, non-farm commercial business and shopping areas generally be located?



Where should new (non-farm) industry be generally located?



SWOT Analysis

The Stony Creek Planning Area has a variety of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that can help to inform the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Availability of developable land for future public and private use, including vacant lots near highway interchanges with established businesses and commercial activity.</p> <p>Relative affordability compared to Virginia’s Richmond and Tidewater hubs, both in land prices and in tax structure.</p> <p>Excellent transportation access via I-95, U.S. Route 301, and State Route 40 provides connectivity to the entire east coast with capacity for additional growth.</p> <p>Available rail access for new industries that may require both rail and highway access.</p> <p>Existing commercial activity at highway interchanges serves as a foundation for further growth.</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>Much of the land in the planning area is within designated flood zones, including most of the Town of Stony Creek, making these areas inappropriate for many types of development and difficult to insure.</p> <p>The limited capacity of the existing sewer treatment plant may prevent the ability to accommodate large developments in the short term.</p> <p>Lack of variety/density and availability in housing may not meet the needs of potential employers.</p> <p>Failing septic systems within floodplains and low-lying areas may compromise local water sources.</p> <p>Safety concerns along State Route 40, particularly at the intersection with US 301 and the I-95 interchange.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Visibility and access to a high-volume interstate highway system.</p> <p>Affordable land, tax, and living costs make Stony Creek a marketable location for some businesses compared to more urban areas in the state.</p> <p>Prime soils and active agriculture can qualify owners for farm conservation opportunities that offer monetary benefits as well as land preservation.</p> <p>Distance and commute time to the Richmond metropolitan area makes the area attractive for commuters looking for a more rural lifestyle.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>Many localities are in competition for the same kinds of commercial and industrial development desired for Stony Creek.</p> <p>Trends toward increasing environmental regulation may make development in flood-prone areas more complex as time goes on.</p> <p>Easy transportation in the Stony Creek area makes it convenient for the limited local workforce to access jobs in the metro Richmond area rather than work locally.</p>

Transportation Analysis

Future uses in the Stony Creek Planning Area (Commercial Center) must be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses).

The following table shows the Virginia Department of Transportation (VDOT) average daily traffic (ADT) count estimates in 2019 for each major road in the Planning Area. While future development may increase traffic volumes, it is anticipated that these roadways are sufficient to accommodate potential growth. A brief overview of existing and future uses for each major route follows.

Additionally, this analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT Average Daily Traffic Count Estimates, 2019	
Transportation Corridor	Traffic Count
Interstate 95	
At Sussex Dr.	39,000
North Exit Ramp at Exit 33	1,500
South Exit Ramp at Exit 33	1,700
North Exit Ramp at Exit 31	1,100
South Exit Ramp at Exit 31	940
Blue Star Highway (US 301)	
North of SR 40 Bus.	1,800
Between SR 40 Bus. and SR 40	2,500
South of SR 40	740
Sussex Dr. (State Route 40)	
East of US 301 Blue Star Hwy	3,500
West of US 301 Blue Star Hwy	2,500
Cabin Point Rd./St. Johns Church Rd. (602)	
East of I-95	720
West of I-95	560
Flowers Rd. (681)	
North of Sussex Dr.	300

AREA ANALYSIS

STONY CREEK



Interstate 95

I-95 is the most important transportation feature of the Stony Creek area and is considered a Corridor of Statewide Significance (CoSS) by VDOT. Running north and south along the eastern edge of the Planning Area, I-95 serves the entire east coast of the United States, including major metropolitan areas, with high-volume and high-speed transportation. The Planning Area is fortunate to have two interstate interchanges; Exit 33 to the north at the location of the Davis Travel Center, and Exit 31 adjacent to the Town of Stony Creek and State Route 40. This interstate brings nearly 40,000 vehicles per day through the area and will provide the demand for the majority of new commercial, industrial, and eventually residential development in the area.

New retail should be concentrated in areas that are proximate to Interstate 95 access points. Exit 33 is already the most heavily trafficked exit in the County with an estimated 3,200 trips exiting at the interchange in either direction. There are already two hotels and a third under construction along the corridor with the possibility for more development. While I-95 does serve larger metropolitan areas, the traffic and high land costs in other areas along the corridor can be a detriment to business, especially industrial applications with large land needs. Stony Creek therefore can be an ideal location for such businesses relying on access to I-95. With two local interchanges and low existing traffic counts based on road capacity, there is little concern for future congestion.



State Route 40 Corridor (Sussex Drive)

State Route 40 runs from east to west across the Planning Area, providing access for local travel. State Route 40 is also an important cross-county connection to the I-95 corridor and to the U.S. 460 Corridor near Waverly. State Route 40 is, therefore, a key route for residents that are accessing I-95 from more rural parts of the County. State Route 40 bypasses the Town of Stony Creek, while State Route 40 Business serves the Town. The two roads merge and continue west into Dinwiddie County where some residential development is present. East of Stony Creek, State Route 40 serves a small concentration of residential development and has the width and capacity to serve more residential growth in this area if development is appropriately clustered. Signage and landscaping along Route 40 should create a visually cohesive experience for locals and visitors alike.



US Highway 301 Corridor (Blue Star Highway)

The Blue Star Highway (U.S. 301) offers a parallel route to I-95 and has local connections between the Planning Area's two I-95 interchanges. This route is ideally located to provide local circulation and access to potential development sites without obstructing the interstate interchanges themselves. Various sites along the U.S. 301 frontage offer opportunities for commercial and industrial development needing easy access to I-95. The corridor also provides local connection between the Planning Area's two main hubs of activity at Exit 33 and Exit 31 around the Town of Stony Creek.

AREA ANALYSIS



Railroad Corridor

CSX rail line runs north and south through the Planning Area, providing opportunities for industry, commercial distribution, and other applications. A spur from the main line connects to the Iluka Resources mineral processing plant. While the appeal of rail access has declined in certain industries as modern commerce has shifted to highway shipping, the flexibility offered by the railroad is another asset to the community. Combined with access to I-95, this asset may allow potential industrial users to import raw materials by rail and export finished products by highway from a single site.

The rail line also creates a physical barrier through the Town that limits development in some parts of the Planning Area. While Route 40 has an elevated crossing over the railroad, at-grade crossings exist on Route 40 Business within the Town and at Route 602 (St John Church Road) north of the Town of Stony Creek. At-grade crossings may cause congestion and safety issues if further development that attracts truck traffic takes place near these crossings.

Transportation Improvements

A few notable transportation improvements are recommended for the Stony Creek Planning Area. The VTrans Mid-Term planning priorities include intersection improvements at the intersection of U.S. 301 (Blue Star Hwy) and State Route 40 (Sussex Drive) as well as the intersection of U.S. 301 and State Route 40 Business (Lee Ave.). Additionally, the priorities include speed reduction improvements on the southbound exit ramp of I-95 at Exit 31 onto State Route 40. As of the most recent VTrans report, all of these projects are designated as Priority 4, which is the lowest priority classification. Finally, the VTrans recommendations includes the proposed industrial site at Exit 31 as an Industrial and Economic Development Area (IEDA) based on input from Sussex County. Accordingly, VTrans has listed potential capacity improvements to the surrounding roads to complement site development.

Recommendations in the Crater PDC and VDOT Rural Transportation Plan include the short-term need to install speed reduction measures at the intersections along State Route 40 as well as to add deer warning signs along State Route 40. Over the long term, the plan recommends potentially widening State Route 40 to four lanes and also reconstructing Rowanty Road in the northeastern portion of the Planning Area to widen lanes and address geometric deficiencies.

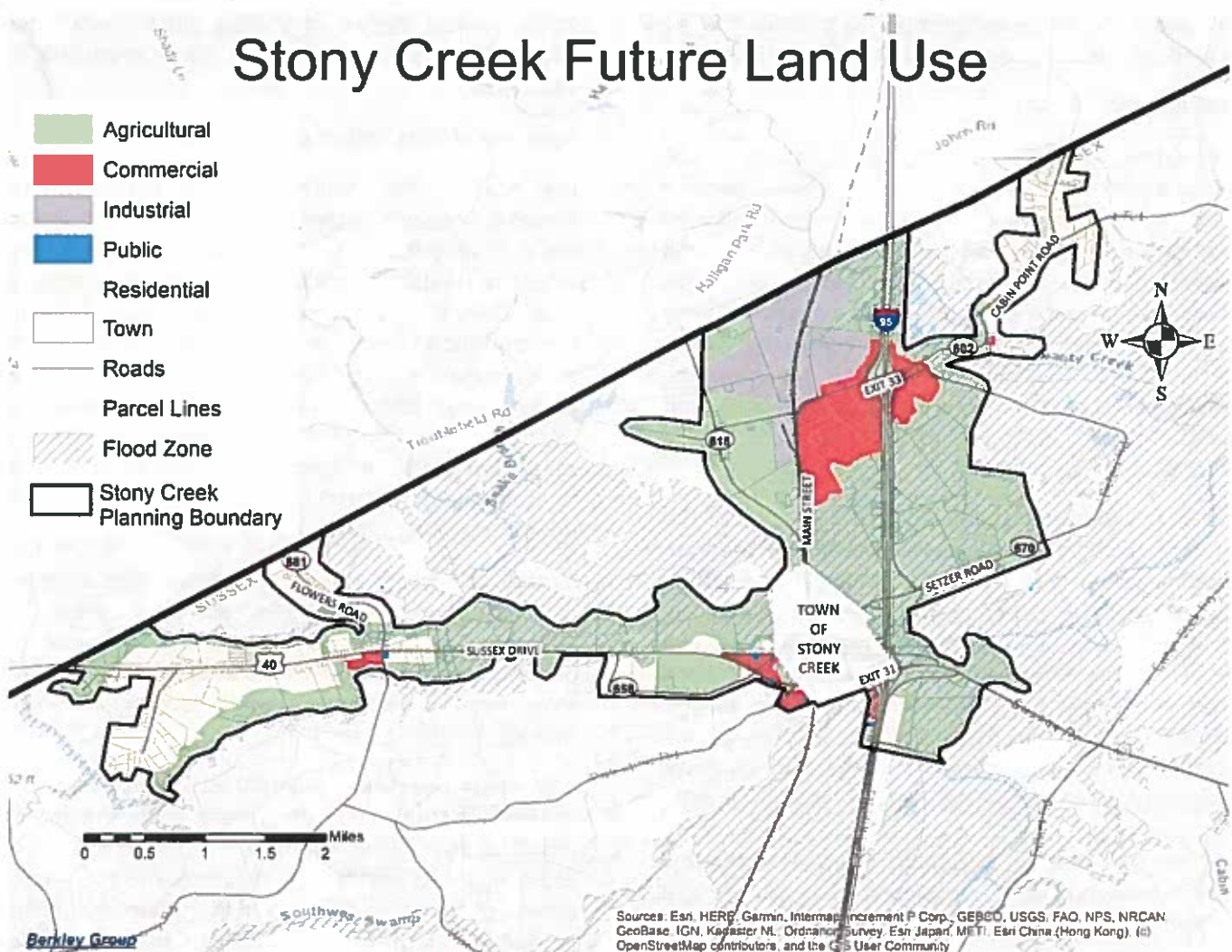
Future Vision & Planning

The Stony Creek Planning Area has the potential to become the gateway of Sussex County and a hub of commercial activity. With a long frontage on Interstate 95, the Stony Creek Planning Area offers high visibility and access for development. New commercial and industrial uses at the Planning Area's two interstate exits can contribute to the County's tax base and increased exposure for the Town and its surroundings. While existing gas station, hotel, and restaurant uses aimed at passing travelers provide tax revenue and some job opportunities, the long-term success of the Stony Creek area will rely on the expansion of commercial and industrial uses that provide high quality jobs, attract new

residents, and support the growth of retail and services in the area.

Part of the future vision builds upon a future land use analysis that projects ideal land uses for targeted locations in the Planning Area shown below in the Future Land Use Map, with associated recommendations to follow. It should be noted that a significant portion of land in the Stony Creek area is within designated flood zones, including most of the Town of Stony Creek itself. Any future developments within flood zones should be informed by the relevant environmental constraints and the risks of flooding.

Stony Creek Future Land Use



Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as existing development, actively marketed sites for economic development, best land use practices, environmental conditions, zoning, and access to public utilities. Future land use recommendations include the addition of some residential land uses to the Stony Creek Planning Area as well as targeted growth of commercial and industrial uses in appropriate and accessible locations. Many of the recommendations are contingent on the ability of the County to expand wastewater capacity in the area. Moreover, it also includes the proposal of strategies to ensure that agriculture continues to be profitable and that the general rural culture is preserved. Finally, future development in the area should be clustered as much as possible and be located outside of the extensive FEMA flood zones.

Environmental Areas

The Stony Creek Planning Area contains many environmental features, including waterways, wetland areas, flood zones, and riparian areas that play an important role in plant and animal species diversity and natural water system filtering. As well as being important environmental features, the area's waterways, primarily Stony Creek itself, can be scenic and recreational assets. Given the prevalence of natural features throughout the Planning Area, environmental conservation is a relevant consideration for all future land use categories discussed in this plan.

The local waterways and low-lying topography of the area bring risks of flooding, as well as the potential for contamination from future development. These natural features must be respected in the process of pursuing future development for Stony Creek. Approximately 41% of lands in the Planning Area are within defined flood zones, presenting a challenge for future development. Preferred uses within flood zones include agriculture, recreation, and open space. Moreover, with so much designated flood zone, the County should consider programs available to localities to help mitigate flood risk. The Pre-Disaster Mitigation Grant Program is a Federal Emergency Management Agency (FEMA) program that can assist with a variety of disaster

preparation steps for communities, including physical improvements that protect against flooding. Grants are also available through Virginia Department of Emergency Management (VDEM), including the Hazard Mitigation Assistance (HMA) program for acquisition and relocation of flood prone structures or elevation of flood prone structures. Finally, both the County and Town of Stony Creek can participate in the Community Rating System (CRS), which is a flood insurance program that can drastically lower flood insurance costs if the County is willing to help further inventory flood prone areas.

Also, the County must ensure that development is limited near these environmental areas and encourage low-impact development strategies and stormwater management improvements to protect habitat and water quality. This includes along Stony Creek where flood zones and riparian zones could eventually be developed.

Agricultural, Forested, and Open Space

Like much of the County, the outer portions of the Planning Area will remain rural in nature and include tracts of agricultural, forest, and open land uses. These areas are labeled as Agricultural on the future land use map. Development should be focused along transportation routes and in designated locations. The main purpose of this land use classification is to facilitate existing and future farming operations, allow for expansion of farm related activity, reduce the effects of soil erosion, and protect watersheds in order to promote the continuation of farming and forestry as one of the most important sectors of the local economy.

As such, preserving environmentally sensitive areas and ensuring appropriate buffers around streams and intensive livestock operations will help preserve the overall rural character of the Planning Area. Many of the most flood prone areas should remain as unused forested or open space.

In planning for active agricultural use, the County should consider the full scope of modern farming activities, including agritourism, on-site sales, food preparation, and events and modify local regulations to more easily permit all activities that can help farmers maintain a profitable enterprise. Such activities have the added

benefit of drawing visitors to Sussex County for tourism as well as providing additional income to farming operations. While the rural and agricultural landscape of the County extends well beyond the Stony Creek area, this type of expanded farm enterprise, including farm stands, activities, pick your-own, and other elements can be especially successful with proximity to, and visibility from, I-95.

Outside of sensitive environmental areas, it is the vision of Sussex County to remain rural and that active agriculture is preserved. A central objective of land use planning in Sussex County is to protect this valuable land from being developed for residential or other land uses. Once developed, it cannot easily be restored to its original condition. Since the Stony Creek Planning Area is near a major transportation corridor, finding a balance between commercial activity and rural character will be an important consideration as development interests in the area increase.

Residential

Currently, three nodes of residential development exist in the Planning Area: at the western end of the Planning Area along State Route 40; within the Town of Stony Creek; and along State Route 602 east of I-95. Each of these areas has room for additional residential growth, and infill should be welcomed to this area of the County where it can be served with adequate transportation access and utilities. The Stony Creek area is situated to serve two kinds of residential demand – people that work in the Stony Creek area and people who live in Stony Creek and commute elsewhere. While there is very little employment base currently in Stony Creek, the designation of areas for commercial and industrial development could lead to future residential demand to support local employment needs.

Future residential development should be located in and around Town and at the northern and western ends of the Planning Area. The County should also encourage a wide variety of housing unit types, including single family homes, townhomes, and apartments close to the Town and U.S. 301. If new commercial or industrial development occurs, it will likely create additional residential demand for higher density housing.

Based on the current number of subdivided but vacant parcels in the area, there is some immediate potential for residential growth. Residential development in the area has historically been as a secondary use on farms or of a linear pattern along roadways. It is recommended that the continuation of the current trend toward linear housing development be limited. Where linear development is inevitable, shared driveways can be designed to reduce safety issues that can arise with multiple single driveway access points.

The option to subdivide small lots with road frontage for residential development provides farmers an opportunity for supplemental income with minimal development effort/loss. However, there are other options for design. Cluster development offers an alternative to linear sprawl with the same or less cropland/forest impact and a safer, higher quality environment for the residents. This design also limits the area of exposure of agricultural commodities and forest land to the risks associated with multiple residential access points. Cluster development can also offer a more desirable “neighborhood” layout and more design flexibility. Advantages include:

- Safer access for residents to subdivision streets as opposed to highways.
- Reduced front setback to increase the surrounding buffer between agricultural and residential activity.
- Walkable neighborhood with safe walking and bicycling for children and adults.
- Shared use areas such as parks, can be easily accessible to all residents providing for a better quality of life and a greater sense of community.

Finally access to reliable water and sewer services will be critical to expanded residential development in the area. The existing wastewater system is already close to capacity and is insufficient to support anticipated growth.

FUTURE VISION

Commercial

The Stony Creek Planning Area is well situated to take advantage of I-95 for commercial uses focused on traveler services. As a result, the Stony Creek Planning Area is considered the commercial center of Sussex County. Although the local population is relatively small, new commercial development can rely on the consistent interstate traffic in the area, and therefore, should be clustered around the two existing interchanges. With two existing hotels and a new one almost complete, as well as dining options and gasoline stations, the foundation for future commercial growth already exists. The Davis Travel Center serves as the cornerstone for any new development at Exit 33, while growth in and around the Town of Stony Creek can help to expand commercial activity at Exit 31.

The County should also encourage more expansive commercial developments that are not intended simply for servicing travelers that are passing through. The Planning Area has the land and accessibility to support a large retailer or a group of smaller retailers. However, wastewater improvements will be necessary to support the full potential of commercial development in the Planning Area. With sufficient demand and wastewater capacity, additional new hotels could serve the area, along with restaurants, fueling stations, and other interstate services. Sussex County is already considered part of the Richmond MSA, and as the Richmond region continues to expand outward, the Stony Creek area may be a viable location for more intensive commercial development close to I-95 similar to developments farther north in Prince George and Dinwiddie Counties.

Industry

The Stony Creek Planning Area is currently over seventy percent agricultural land, and this plan recommends transitioning some agricultural land for industry. This plan remains ambitious and flexible about the area that could be used for industrial uses.

The proposed industrial area at the northern portion of the Planning Area close to the Exit 33 interchange is significant in size, with access to both rail and highway transportation. The County has begun to market this site and should consider a variety of businesses including

major manufacturing, shipping and fulfillment, data centers, and other uses that can take advantage of low land costs, proximity to I-95, and access to major markets in the Richmond and Hampton Roads metro areas. The County should also make efforts to prepare these sites by improving transportation and utilities, clearing land, and making other improvements to create shovel-ready investment areas for potential tenants. As the selected site may be visible from I-95 once developed, building and site design should be of high quality to promote a strong County image. Depending upon the use, traffic and housing considerations may also require county attention.

Another notable use that currently exists in the Planning Area is the Sappony Solar Facility. The County should continue to monitor the ongoing use, impacts, and future benefits of the site. Ultimately, the County should decide if the solar facility should remain beyond the initial lease as an industrial scale use. If so, the County should recommend adaptive methods that better integrate the solar farm with the agricultural surroundings as opposed to simply being reserved as an industrial use.

Town of Stony Creek

Sussex County should welcome new commercial and residential development in the Town of Stony Creek as a positive contribution to the County's tax base. However, since the majority of Town lands are within designated flood zones new commercial or residential investment will need to comply with additional environmental requirements. This means that the County should coordinate to ensure that development in the Town utilizes existing buildings and take advantage of adaptive reuse methods.

The Town also has some parcels that are outside of significant flood risk. These parcels are located in the southeast quadrant of the Town, south of Route 40 Business, with immediate proximity to the Exit 31 interchange. These parcels appear to have development potential and should be the focus of immediate investment within the Town.

Implementation Recommendations

Recommendations for the Stony Creek Planning Area build on the strengths of the area as Sussex County’s center of commercial activity. The recommendations focus on identifying opportunities for appropriate development while also preserving agriculture and open space.











Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Update County zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Short-term	Planning and Zoning Department
Modify the County’s zoning districts to permit creative agricultural uses, including on-site sales and other features that can make agricultural properties attractive to passing highway traffic and other visitors.	\$	Short-term	Planning and Zoning Department
Review and update the zoning ordinance to allow for some variation in density and appropriate accessory dwellings to increase affordable housing options in the area.	\$\$	Short-term	Planning and Zoning Department
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator
Plan for and construct landscape and signage improvements that represent Stony Creek as a gateway to the County and draw passing I-95 travelers into the Planning Area for short-term and convenience spending to boost the local tax base.	\$\$	Medium-term	Planning and Zoning Department

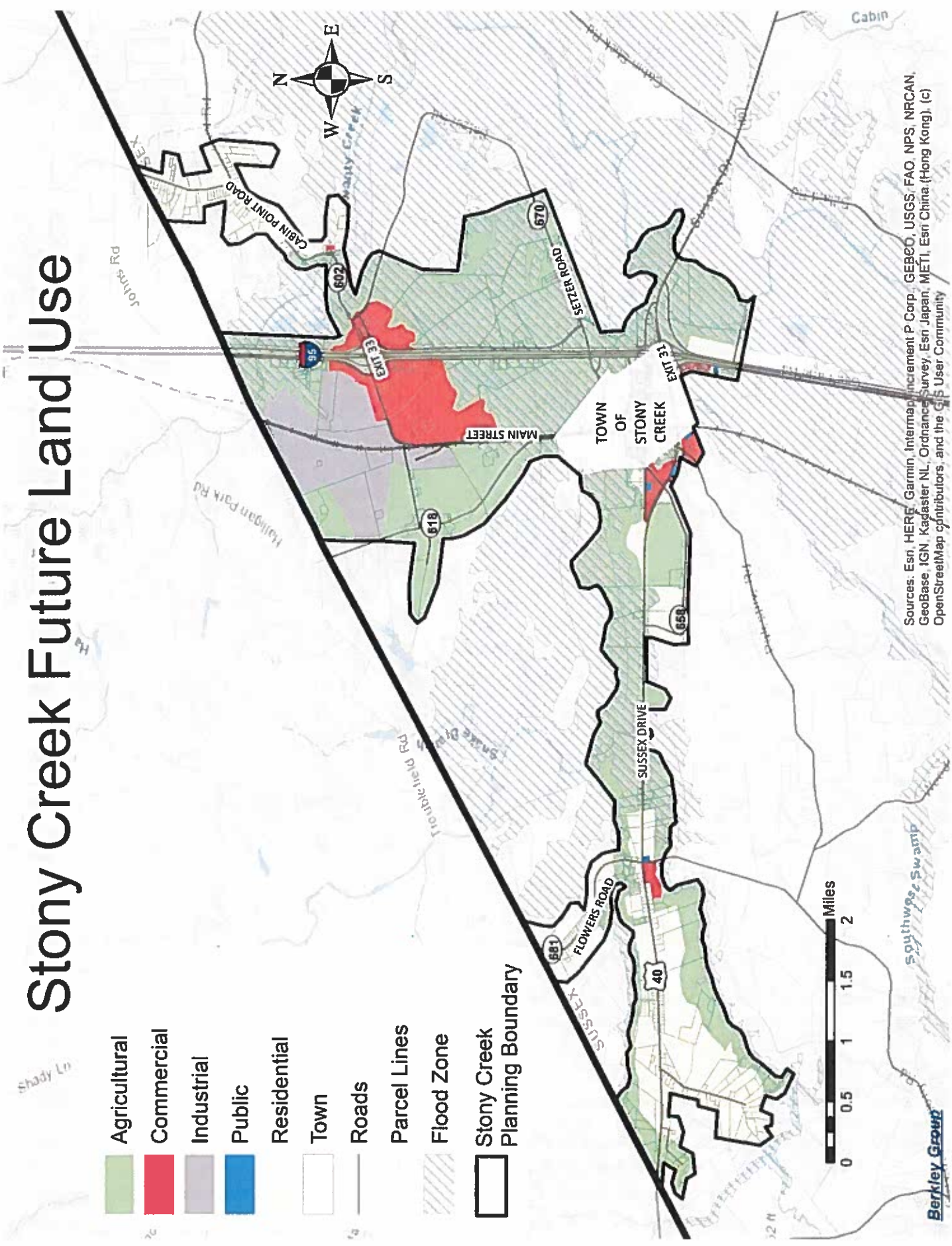
² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

IMPLEMENTATION

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Prioritize water and sewer expansion and distribution to targeted areas and consider incentives to encourage the location and form of development that fits with planned County capacity.	\$\$\$\$	Medium-term	County Administration
Adopt low-impact (best management practice) development strategies and guidelines for constructing stormwater drainage infrastructure to mitigate environmental impacts of development.	\$	Medium-term	Planning and Zoning Department
Market the Stony Creek Planning Area as a location for commercial and industrial development that capitalizes on interstate access and other local assets.	\$	Medium-term	County Administration
Implement necessary utility improvements/expansions along State Routes and near interstate exits where residential and commercial growth is projected in the Planning Area.	\$\$\$\$	Medium-Long-term	County Administration
Consider utilizing farmland protection tools available in the VA State Code to promote long term agricultural conservation.	\$	Long-term	Cooperative Extension/ Planning and Zoning Department

Stony Creek Future Land Use

-  Agricultural
-  Commercial
-  Industrial
-  Public
-  Residential
-  Town
-  Roads
-  Parcel Lines
-  Flood Zone
-  Stony Creek Planning Boundary



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

RURAL AREA



**PUBLIC HEARING DRAFT
AUGUST 2021**



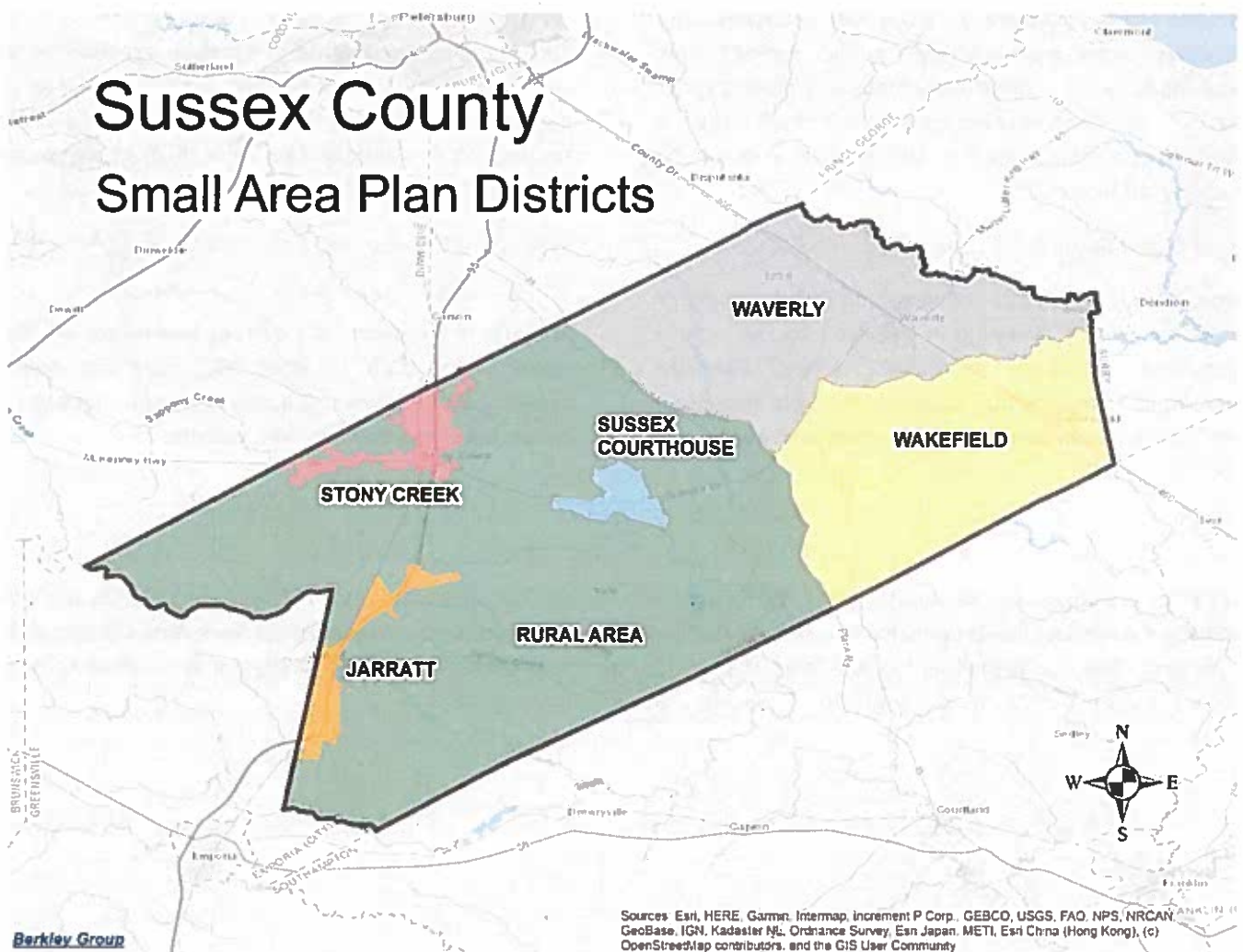
Table of Contents

Preface	3
Six Planning Areas	4
Rural Planning Area.....	6
Existing Features & Uses	7
Existing Land Use	8
Additional Land Use Features	12
SWOT Analysis.....	15
Transportation Analysis	16
Future Vision & Planning.....	17
Future Land Use Analysis	18
Implementation Recommendations	21

Preface

Sussex County is a rural yet diverse County that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the County as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent County planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – Civic Core

This Planning Area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the County.

Jarratt Planning Area – Interstate Services

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this Planning Area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – Conservation

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – Commercial Center

Fed by I-95 and accessible to other areas in the County, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

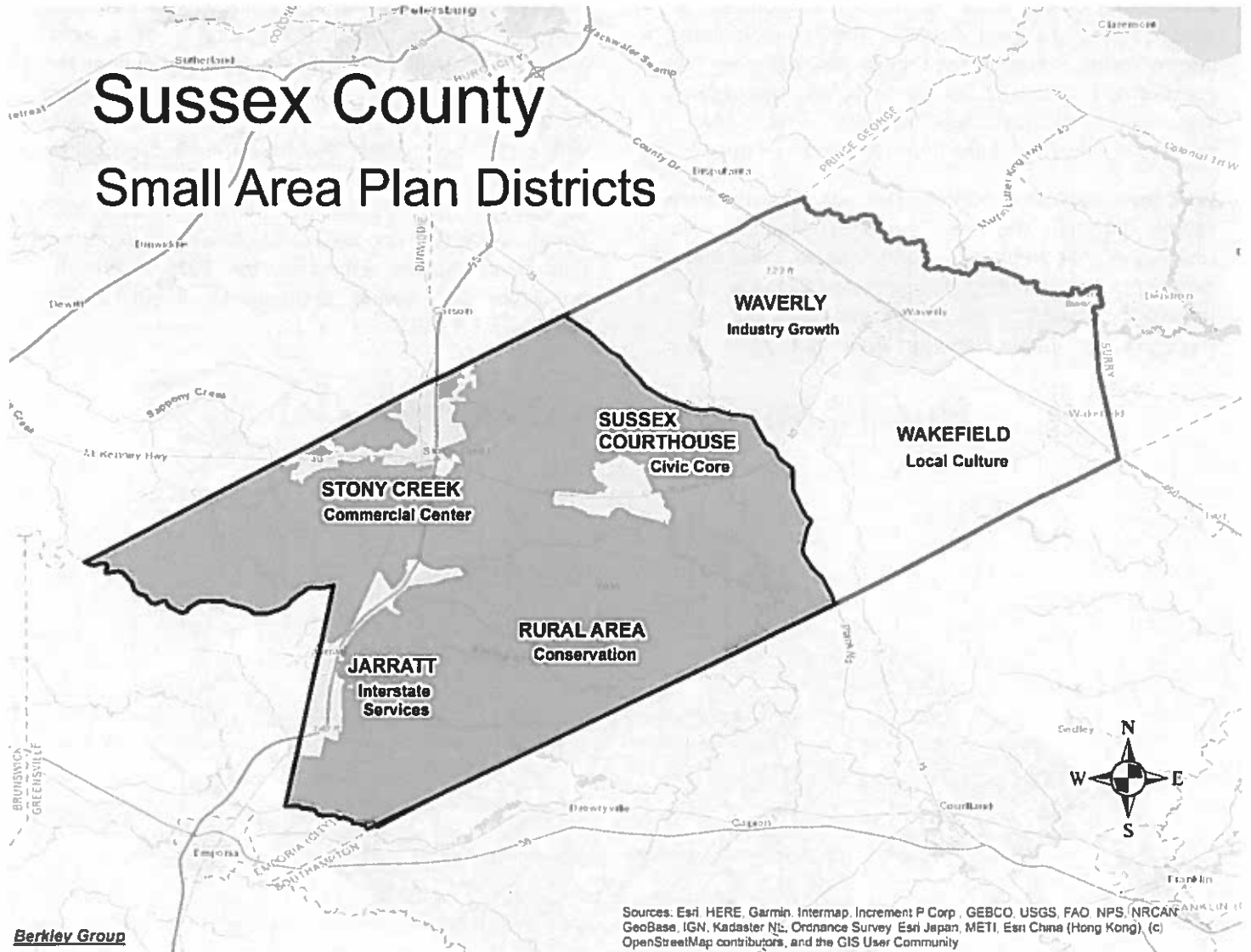
Wakefield / Homeville / U.S. 460 Planning Area – Local Culture

This Planning Area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – Industry Growth

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

This plan will focus on the Rural Area – The Conservation Lands for Sussex County. This includes the County's vast landscape of undeveloped agricultural and forested lands that are a critical component of Sussex's rural character. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the County outside of the five other identified Planning Areas.



Berkley Group

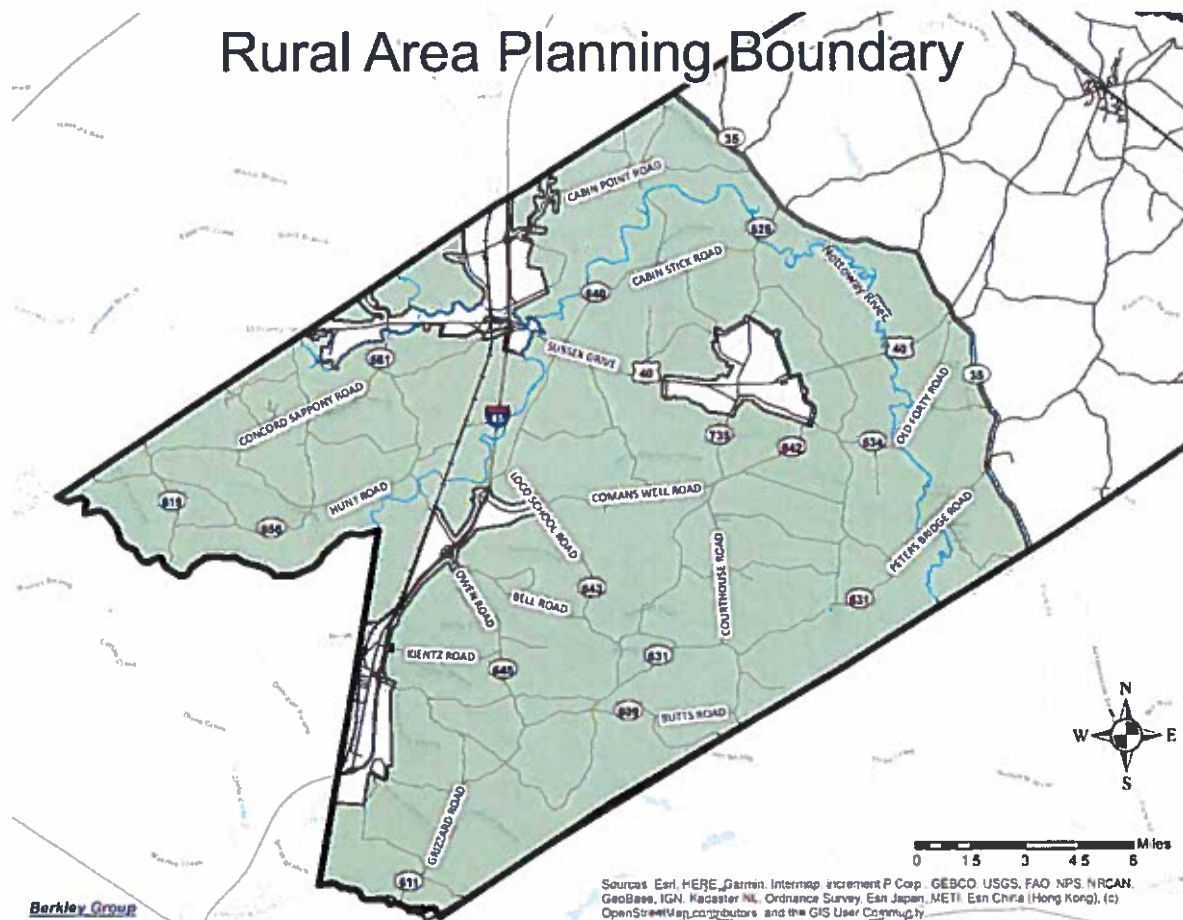
Rural Planning Area

The boundaries of the Rural Planning Area comprise all of western Sussex County west of the Waverly and Wakefield Planning Areas, excluding the Stony Creek, Jarratt, and Sussex Courthouse Planning Areas. This is the largest Planning Area in the County (282 square miles) accounting for about 57% of the total area of the County. The area includes many large undeveloped tracts of land primarily reserved for agricultural and forested uses.

With the exception of I-95 and U.S. 301, transportation routes through the area primarily support light residential development and some incidental commercial development serving those residential uses. Interstate 95 and U.S. 301 run parallel north and south through the Rural Planning Area but have few

intersections with local roads. State Route 40 runs east to west through the County and connects to other more developed areas. Jerusalem Plank Road (State Route 35) forms the eastern border of the Rural Planning Area. Many other small local routes extend throughout the area. Based on 2010 Census Block data, the population for the Planning Area was approximately 2,989 people with 1,273 households.¹ The population density for the Rural Area is 10.6 people per square mile. By comparison, the 2010 Census estimated that the total population for the County was 12,087 people. American Community Survey estimates for 2019 show the population as having declined to about 11,237 individuals (-6.9%).

Rural Area Planning Boundary



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Block level is only available every ten years following the Decennial Census.



Existing Features & Uses

The Rural Planning Area has numerous natural features that are central to the unique rural character of Sussex County. As a result, the area does not have any significant concentrations of development or physical structures. Low density residential development exists throughout the area either in the form of strip development along local roads or on larger properties associated with farm operations. There are unincorporated communities, or census designated populated places, with a slightly higher density of development such as Gray, Henry, Grizzard, Little Mill, and Yale, as well as other named and unnamed locations.

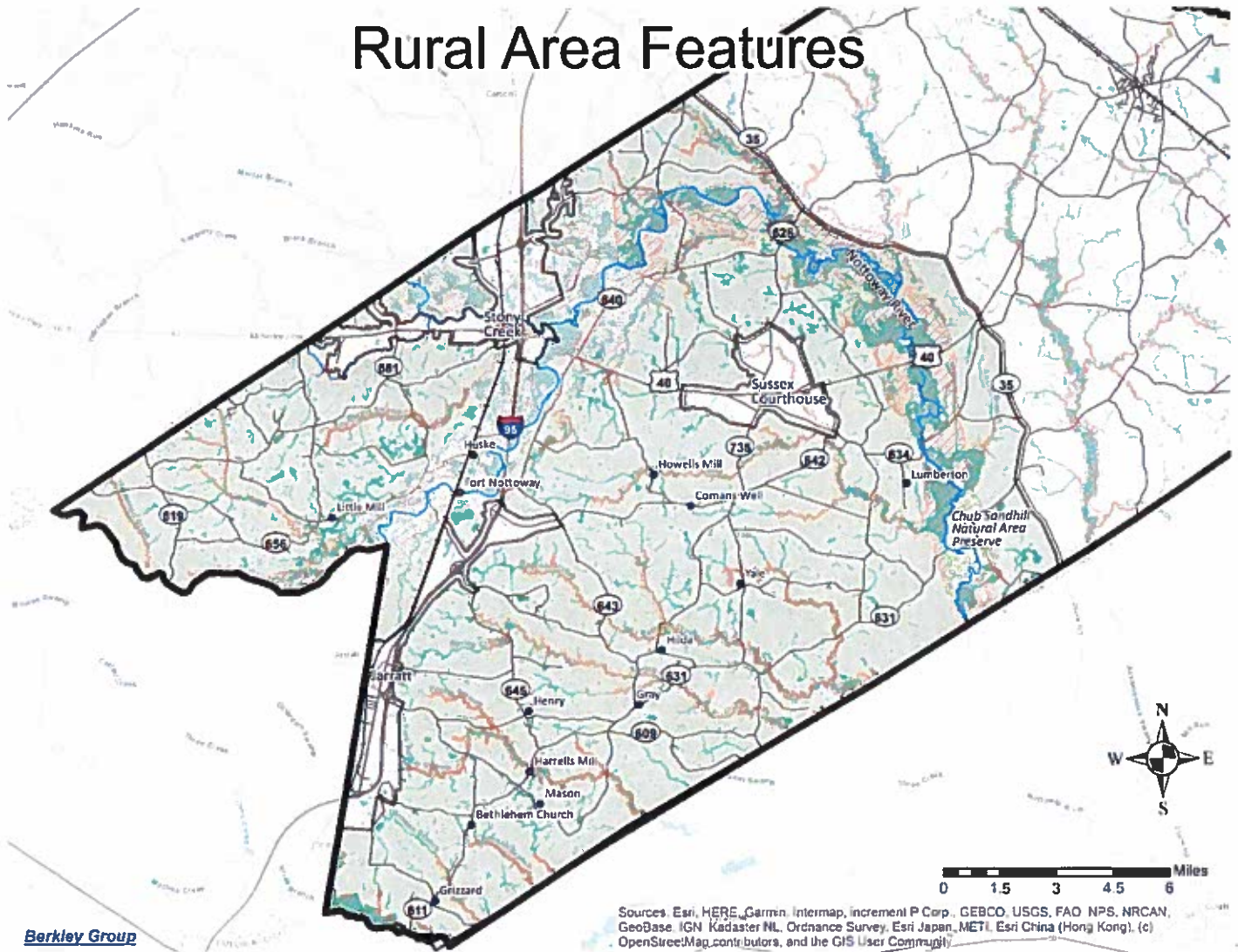
Public utilities have not been expanded into the rural areas nor are they recommended in the future. Residential developments rely on wells and septic systems for water and wastewater needs. Electricity service is primarily provided by Dominion Energy with some locations receiving electricity from either Prince George Electric Cooperative or Southside Electric Cooperative. High-speed fiber internet is available in some of the Planning Area through RuralBand from Prince George Electric Cooperative. However, many

residents in the Planning Area still remain unserved or underserved by internet service.

Most undeveloped land is dedicated to agricultural uses or forestry, however there are some properties dedicated to surface mining, landfills, electric transmission lines, rights-of-way, and renewable energy generation. Additionally, there is some rural commercial activity scattered throughout the County serving the needs of agricultural community, passing travelers, and residents.

Notable natural features in the area are the Nottoway River and its many tributaries, such as Racoon Creek, Spring Creek, Poplar Swamp, Southeast Swamp, Hunting Quarter Swamp, and Mayes Branch. The Nottoway River supports many rich riparian areas and pristine wetlands. As a result of the river and its tributaries, a sizable amount of land in the Planning Area is designated FEMA Flood Zone A. There is also a significant amount of land held in conservation easements, and Virginia Department of Conservation and Recreation (DCR) manages the Chub Sandhill Natural Area Preserve.

Rural Area Features



[Berkley Group](#)

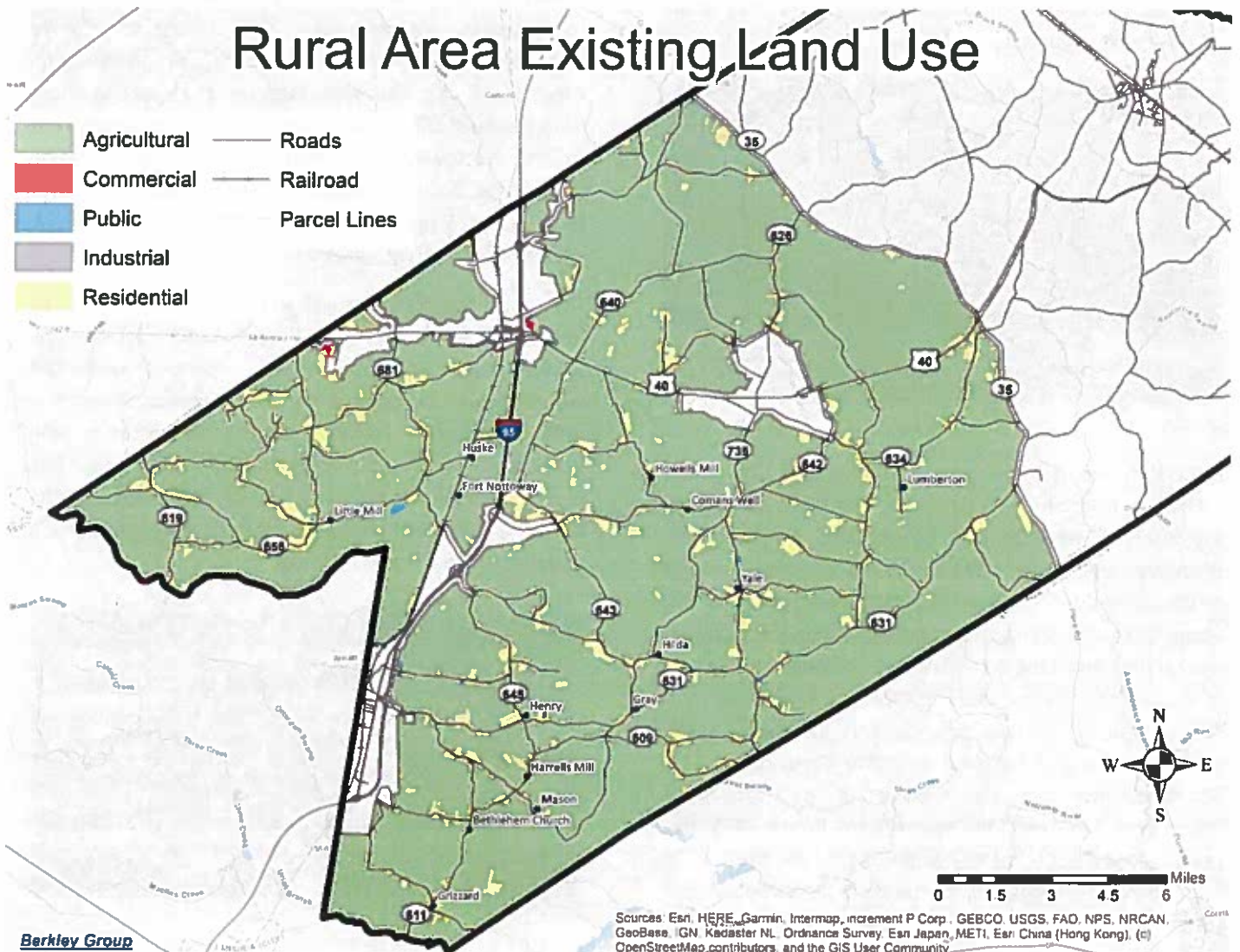
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

Existing Land Use

Most of the land use in the County's rural area is forested, agricultural, or open space. Single-family dwellings are also scattered throughout the rural area. There is no major commercial, industrial, or multi-family residential development. Some public and institutional uses are present, which includes religious assembly uses as well as various sites owned and operated by the state of Virginia.

Much of the development in the area has occurred along existing public roads. Most of the large tracts of land between public roads have therefore remained largely

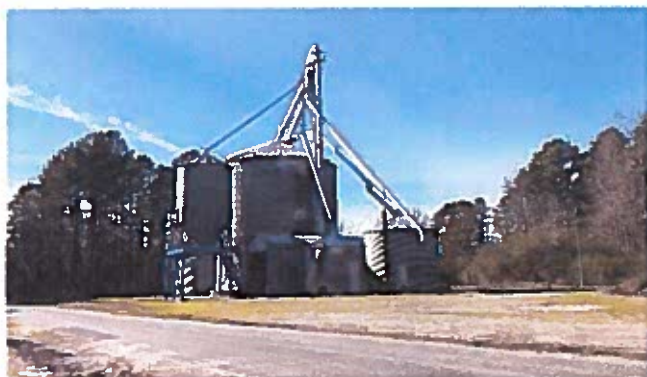
undeveloped. While I-95, U.S. 301, State Route 40, and the CSX Railroad pass through the rural area, these transportation corridors do not currently support any major developments like they do in the other Planning Areas in Sussex County. The map below and the pie chart on the next page show the quantity and location of various land use types in the Planning Area. These graphics are also complemented by descriptions of each land use type on the following pages.



Agricultural/Forested/Open Space

As with much of Sussex County, this Planning Area is mostly comprised of agricultural, open space, or forested land uses. On the existing land use map, these areas are labeled simply as agricultural. Agricultural uses include land that is actively being used for the harvesting of crops or grazing land for livestock. Much of the land is designated as Prime or Statewide Important Soil, indicating it is suitable for cultivating agriculture.

In addition to these agricultural uses, much of the land in the rural area consists of large tracts of forested lands. Many of these sites have been, or are being, harvested and help to support a silviculture industry that is an integral part of the local economy.



Also included in this land use category are many wetlands, riparian areas, swamps, and flood zones that are unfit for development. Specifically, the Nottoway River weaves its way in the northeast direction through much of the County's Rural Area between the Jarratt and Stony Creek Planning Areas before turning southward near Jerusalem Plank Road. The river is flanked by several miles of wetlands and swamps along its roughly 40-mile stretch through Sussex County. This includes a large amount of land designated as FEMA flood zones. The Nottoway River has access points at the Purdy Boat Ramp near Walkers Mill Road (State Route 619), the Jarratt Boat Ramp on Little Mill Road (State Route 630) and the Peters Bridge Boat Ramp on (Peters Bridge Road (State Route 631). Additionally, the section of the

Nottoway River east of Stony Creek is designated as a State Scenic River which recognizes the natural, historic, and recreational values of the river. The rest of the Nottoway River in Sussex County west of Stony Creek also qualifies but has not yet received the same designation. The designation serves as a meaningful partnership between the local citizens, the County government, and the Commonwealth of Virginia to ensure the river is properly protected and maintained.

Additionally, a number of private and public lands within this category have been designated for conservation or preservation. The Rural Area has numerous parcels with conservation easements that restrict future development. These locations are mapped on the *Rural Area Land Use Features* map in the next section. Nevertheless, only a few parcels of land directly adjacent to the Nottoway River currently have conservation easements. Given the importance of the Nottoway River as a State Scenic River, there is the potential for additional conservation easements in these areas.

The Chub Sandhill Natural Area Preserve is also an important conservation land with public access. The preserve is 1,066 acres with important protected wetlands and sandhills along the Nottoway River. The area supports a variety of rare bird species and vegetation that is visible through public trails and wildlife observation platforms. In the future, the Preserve will be an important contributor to habitat restoration, tourism, and preservation in the County.



Residential

Most of the residential development occurring in the County's rural areas is situated along public roads. Residential development primarily consists of low-density detached dwellings. This includes manufactured (mobile) homes, historic farm dwellings, and traditional single-family homes. Many of these housing structures are located on lots greater than two acres in size, but there are some residential uses on smaller lots, mostly along highways and near unincorporated communities and intersections throughout the Planning Area. These include Yale, the intersection of Concord Sappony Road and Little Mill Road, the intersection of Big Woods Road and Peters Bridge Road, along Gray Road, and around Dillard Road near I-95.

Commercial

Commercial presence is very limited in the County's Rural Area, with only a few small convenience stores and businesses associated with rural tourism and agriculture. Along Courthouse Road in the community of Yale, there is a small gasoline station and convenience store as well as a post office. There are a number of wedding and event venues, as well as hunting clubs that are commercial uses integrated with the rural surroundings.

Industrial

No major industrial land use currently exists in the Planning Area or is anticipated to be developed. There are several active and inactive resource extraction sites and capped landfills that are discussed later in this plan. These uses are secondary to the predominant land use in the area and are designated as Agricultural on the existing land use map.

Public

The public, governmental, or institutional land use makes up a small portion of the overall land use in the rural area. Most notably, there are numerous churches along rural roads throughout the County. Many of these religious assembly uses have been in operation for generations and remain an important part of the active and neighborly culture present Sussex County's rural communities. Also, Camp Rudolph is a religious camp and retreat center located south of the community of Yale on Courthouse Road. The camp attracts hundreds of families and children each year to enjoy the rural character of Sussex County.

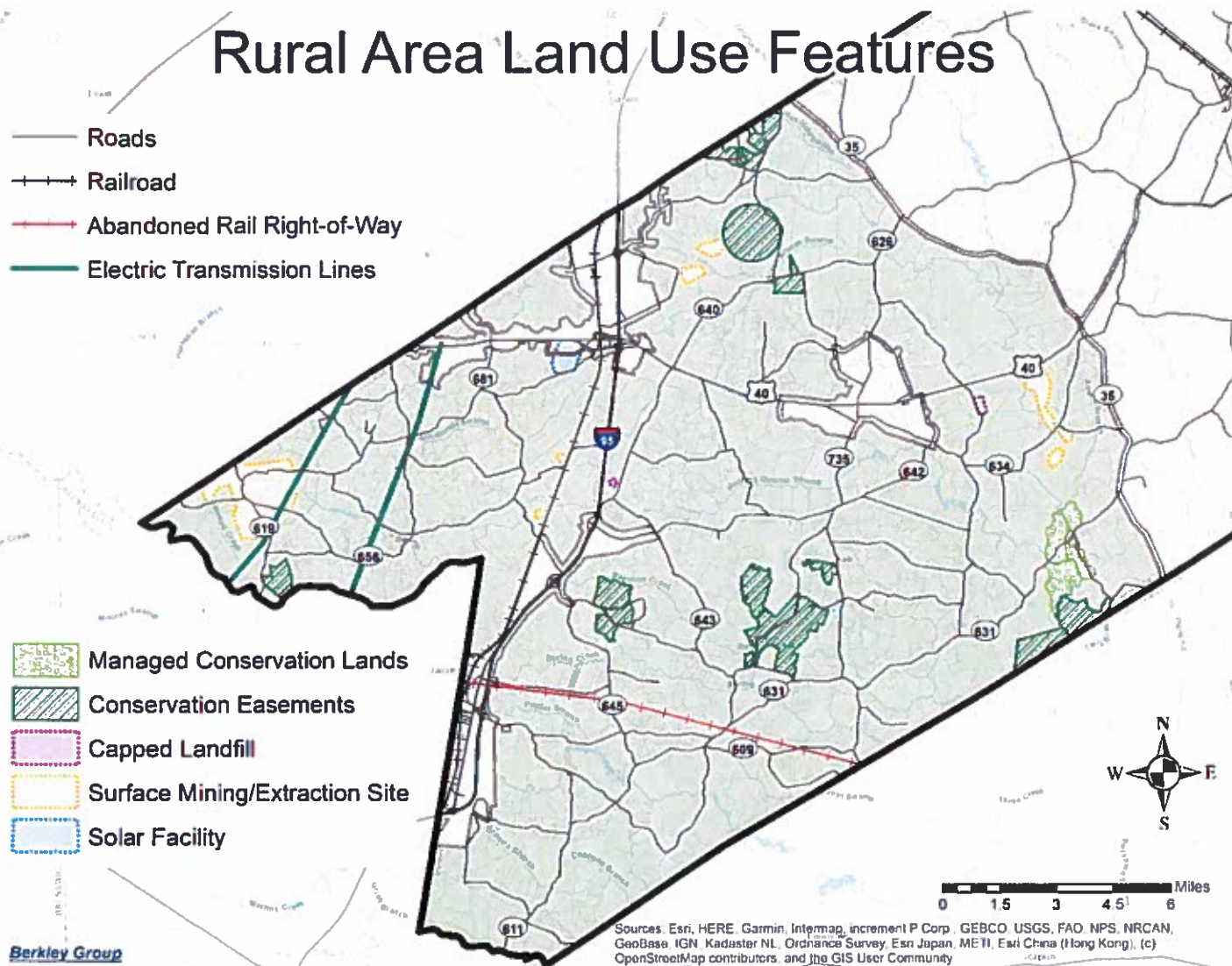
Active government uses in the Rural Area include the Garland Gray Forestry Center and Yarden Farms. The Garland Gray Forestry Center, operated by the Virginia Department of Forestry, is located next to the Chub Sandhill Natural Area Preserve near the Nottoway River and Peters Bridge Road. The center operates as a nursery growing millions of seedlings of loblolly and longleaf pines to help restore Virginia's forestland. Yarden Farms is located on Huske Road and is operated by the Virginia Department of Corrections. The 160-acre farm employs inmates to supply the surrounding correctional facilities with fresh produce and dairy products.

Additional Land Use Features

The County's rural areas also include a few special uses and designations occurring in the agricultural and open space land use classification. This includes surface mining sites, utility-scale solar facilities, capped landfills, and reserved rights-of-way as well as managed conservation lands and easements. These sites are exceptions to the standard forested and agricultural uses found throughout the Rural Area and provide economic opportunities and adaptive reuse potential. They also present limitations and potential negative impacts to the rural character of the County if not properly managed.

Inventoried these specific existing uses helps to identify locations in the County where new mining sites, solar facilities, or other potential uses may be located in the Rural Area. The location of conservation land should serve as a guide for where these types of uses should not occur in the future. Details about each use shown on the map below are discussed on the next page.

Rural Area Land Use Features



Surface Mining

Sussex County has a few active surface mining sites in addition to inactive sites that are currently being remediated. These activities are occurring on private property with the expectation that the sites will eventually return to a more natural land coverage once mining operations are completed. The largest site is the Concord heavy mineral sands mine operated by Iluka Resources in the northwestern corner of the County. This mine is no longer active but was used to extract titanium and zirconium rich mineral sands. Remediation of the site is currently in progress and is expected to continue until 2023. Other mines in the County are currently being used by sand and gravel suppliers primarily for paving purposes. This includes the Titan Mid-Atlantic Aggregate Site on Sussex Drive, the Branscome Site on Setzer Road, and the GreenRock Site on Chambliss Road. Two smaller mining projects were started near the Nottoway River on Green Church Road and Huske Road.

Resource extraction sites present major changes to land coverage and impacts to the natural environment. Future management and permitting of these projects should be closely monitored. Additionally, residential development should continue to be adequately buffered from these sites to avoid the particulate matter that is generated. In the future, these disturbed sites may present opportunities for reclamation and the siting of other active uses like solar facilities without needing to disturb additional land in the County's rural areas.

Solar Facilities

Sussex County's only active utility-scale solar facility is on approximately 200 acres of land that is partially in the Stony Creek and Rural Planning Areas. The solar project generates 20 megawatts (MW) of electricity. This project is a significant change from the previous land use of agriculture and received a special use permit from the County to operate. The County has also received interest from multiple developers to build additional utility-scale solar facilities throughout the County. Sussex County also recently addressed solar facilities in the comprehensive plan that is particularly relevant to the Rural Area. That guidance is provided in the future land use section of this plan.

Landfills

The Gin Hill and Robinson Road landfills are two smaller capped landfills in the County's rural areas. The Gin Hill site is located near I-95 on Dillard Road. The other site is on Robinson Road to the west of the Sussex County School Complex south of Sussex Drive. Post-closure care has been terminated at both sites and the County has explored leasing both properties for reuse.

Rail Right-of-Way

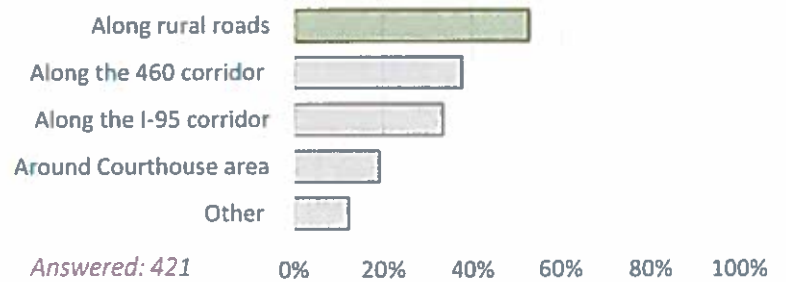
The abandoned Norfolk & Western railroad right-of-way goes from the Town of Jarratt southeast to the County's southern border with Southampton County. The Virginia Beach Lake Gaston Water Pipeline is also buried along this right-of-way. The corridor is currently maintained by the Virginia Department of Conservation and Recreation. Virginia Department of Transportation (VDOT) plans to include the extension of the Tobacco Heritage Trail into Sussex County as part of the Beaches to Bluegrass Trail. This project would develop this corridor (in red in the land use feature map above) into a shared use path as part of the statewide trail. As a result, the County should continue to promote this corridor for future use to expand eco-tourism and economic development opportunities.

Public Input

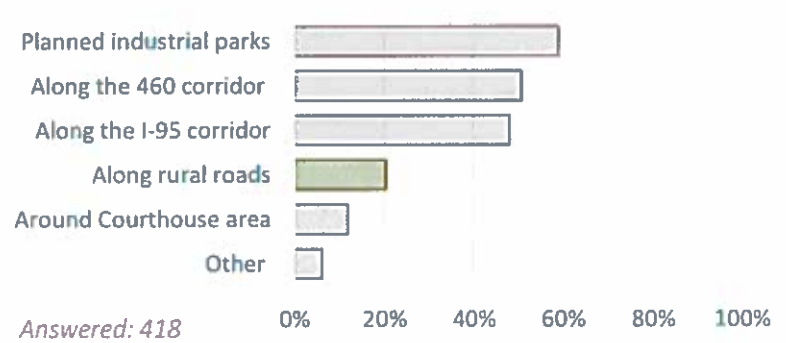
Local stakeholder meetings and County-wide surveys provide a brief understanding of public opinion about the current status and future of the Rural Planning Area. Overall, the input received recognizes the importance of the County's rural areas to the identity of Sussex County. Additionally, there is recognition that the Rural Area has relatively low potential for new commercial and industrial development, but some opportunity for residential development.

The County's rural opportunities and open space was overwhelmingly identified by residents as the best quality of the County. Therefore, rural areas should be protected and maintained for the enjoyment of generations to come. Significant commercial or industrial development should be avoided outside of existing activity centers. However, input also recognized that rural roads were the preferred location for new housing development. While this form of development may be preferable for many County residents, the County should maintain clear guidance and limits on how and where new residential development may occur along rural roads.

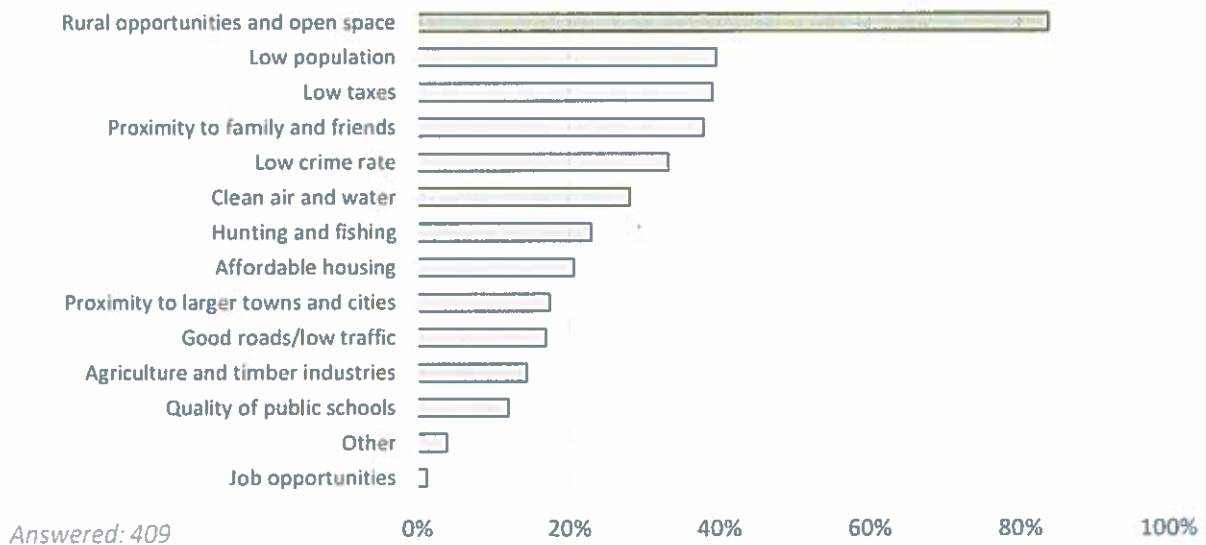
Where in the County should new housing be concentrated?



Where should new (non-farm) industry be generally located?



What are things you like best about living in Sussex County? (Choose top four)



SWOT Analysis

The Rural Planning Area has a host of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that help plan the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Availability and affordability of land to continue to protect rural uses.</p> <p>The quantity and quality of natural resources provide quality of life benefits and can be used to promote eco-tourism.</p> <p>Prime agricultural soils, limited floodplain, and proximity to major roads can offer farmers flexibility in their agricultural commodity production and delivery.</p> <p>Existing low-density residential development promotes the area's rural character without threatening natural resources.</p> <p>The Nottoway River is a unique recreational amenity with its scenery and natural resources .</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>Accessibility to grocery stores and other major retail is a challenge for residents.</p> <p>Minimal connections to public utilities will limit the ability to support new residential development or connect existing dwellings with failing septic systems.</p> <p>Poor road conditions due to lack of maintenance creates safety hazards.</p> <p>Distance to County facilities contributes to lower emergency response times.</p> <p>Prevalence of flood zones along the Nottoway River may threaten existing development.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Farms can take advantage of their proximity to I-95 to supply regional farm markets and provide local agritourism opportunities.</p> <p>Prime soils and active agriculture can qualify owners for farm conservation opportunities that offer monetary benefits as well as land preservation.</p> <p>Affordable land and lower taxes and living costs make the rural lifestyle attractive for the foreseeable future.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>Declining crop yields and market values could lead to disinvestment and the conversion of agriculture to other uses.</p> <p>Increased demand to develop utility-scale solar facilities may impact the rural character and natural resources.</p> <p>Impacts from development along the Nottoway River upstream from Sussex County may harm environmentally sensitive areas.</p> <p>Regional demand for more affordable large lot housing in the Richmond region may create development pressure on the rural areas.</p>

Transportation Analysis

Future uses in the Rural Planning Area must be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses). Unlike the County’s other planning areas, the Rural Planning Area does not have any major intersections or interchanges along the County’s most heavily traveled transportation corridors.

I-95 does pass through the Rural Area, but there is no direct access to the highway. Gee Farm Road (State Route 659) is the only road that crosses I-95 outside of the Stony Creek or Jarratt Planning Areas. Similarly, U.S. 301 runs parallel to I-95 and only has one intersection at Huske Road (State Route 734) along the 4.5 mile stretch in the Rural Area. The CSX railroad also parallels these routes but has no spurs or access points. There are at-grade crossings at Green Church Road, Hardaway Drive, and Huske Road.

The following table shows VDOT average daily traffic (ADT) count estimates in 2019 for the heaviest traveled roads in the Planning Area. Compared to other planning areas, these traffic counts are much lower. While future development may increase traffic volumes, it is anticipated that these roadways are sufficient to accommodate existing and future activity.

VDOT Average Daily Traffic Count Estimates, 2019	
Transportation Corridor	Traffic Count
Sussex Drive (State Route 40) Between I-95 and Courthouse Road Between Courthouse Road and Jerusalem Plank Road	2,400 1,800
Blue Star Highway (U.S. 301) Between Owen Road and Huske Road Between Huske Road and Sussex Drive	630 740
Courthouse Rd. (State Route 735/626) North of Sussex Drive At Gilliam Road	430 660
Cabin Point Road (State Route 602) Between Rowanty Road and Railroad Bed Road Between Railroad Bed Road and Jerusalem Plank Road	390 290

Transportation Improvements

Additionally, this analysis incorporates construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission Rural Transportation Plan.

Under VDOT’s Six-Year Improvement Program, reconstruction and drainage improvements have been approved for Courthouse Road (State Route 735) between Gilliam Road (State Route 660) and Gray Road (State Route 631). VDOT also approved paving Steel Bridge Road (State Route 635) between Mason Road (State Route 610) and Gray Road (State Route 609).

There are no recommendations for the area listed under the VTrans Mid-Term Needs.

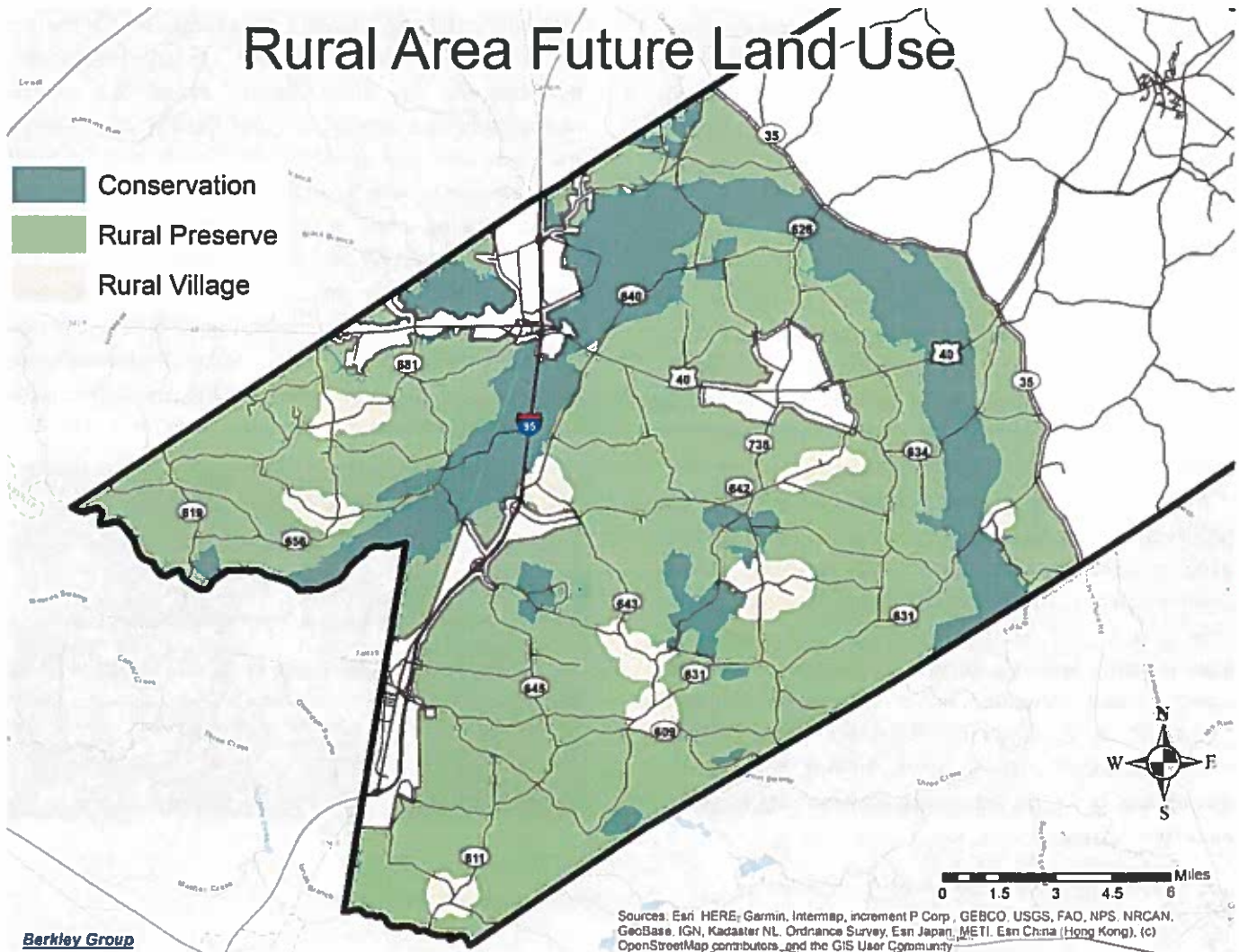
The Crater PDC and VDOT Rural Transportation Plan have a number of road size recommendations. The plan recommends reconstructing portions of State Routes 619, 626, 631, 638, and 645 to address geometric deficiencies and widen lanes to 10 feet. It also recommends widening State Routes 630 and 681 to 11-foot lanes and State Route 657 to 12-foot lanes.

Future Vision & Planning

The Rural Planning Area is the largest planning area in the County and is critical in supporting the unique rural character and natural resources of Sussex County. This means that the Rural Area is the core of intentional and targeted conservation efforts of agricultural, forested, and riparian corridors in the County. As a result, this plan closely directs and guides any new development to ensure that the local natural resources are retained and protected as much as possible. The rural character of Sussex County is an important cultural and economic asset that is worth protecting. Accordingly, productive agriculture and timber lands should be protected and

prioritized over new residential, commercial, or industrial development.

Future uses in the Rural Area should be coordinated with the need and interests of the County's other planning areas. Large developments and activity centers requiring adequate public facilities and transportation access should be directed to planning areas with more compatible uses. Light residential and commercial development that is more complementary of sensitive environmental areas and natural resources may be acceptable in certain portions of the Rural Area.



Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as subdivisions on record, best land use practices, environmental conditions, zoning, conservation easements, and access to public utilities. The recommendations include three different land use categories to provide general guidance for future land use. To prioritize conservation in the Rural Area, these categories are different from the land use categories in the other small area plans. The Conservation category is for future land use areas of environmental sensitivity due to unique land characteristics that include flood zones, wetlands, conservation easements, State preserved lands, and soil types. The Rural Preserve category includes most of the undeveloped, outlying lands that are generally stable and require protection to preserve agricultural, forested, recreational, and remote rural residential uses. Finally, the Rural Village category includes areas where limited development activity has occurred and continues to be appropriate.

Conservation

The Rural Planning Area contains a variety of environmental features, including wetlands, flood zones, and riparian areas that play an important role in plant and animal species diversity as well as natural water system filtering. Much of the most environmentally sensitive lands in the County are located along the Nottoway River and have been designated as Conservation. The Conservation category also includes highly productive agricultural and forested lands, conservation easements, publicly managed conservation lands, and very limited low-density rural residential development. The Conservation category contains locations with unique or irreplaceable natural, agricultural, and cultural resources deserving the highest level of protection. These areas do not have urban services and have limited access on rural improved or unimproved roads.

Currently, there are a number of forest, wetland, and recreational conservation easements on properties in

the area. However, conservation easement programs could be enhanced and expanded to specifically include the protection of active farmland and riparian areas along the Nottoway River.

Unlike other land use designations, the Conservation category does not easily transfer into a corresponding zoning district and should function as an overlay area. Various environmental policies associated with the State Scenic Rivers Program, National Wetlands Inventory, conservation easements, and FEMA flood zones should help to weigh any proposed development and density with resource protections.

Ultimately, the Conservation designation should protect the natural character of the County. Residential development in these areas should be mostly discouraged and average a gross density of not more than one unit per 10 acres. The permitting of more intensive uses, such as utility-scale solar facilities and surface mining sites, should be discouraged in these locations. To preserve the most valuable agricultural and forested lands, the County should consider working with landowners to create Agricultural and Forestal Districts (AFDs). Where allowed, the County should also maintain, improve, and promote public access to conservation areas, trails, and boat ramps.



Rural Village

The primary land use within this Planning Area will continue to be rural in nature and include large tracts of agricultural, forest, and open land uses. However, there are a few locations of existing development in rural communities and farming areas where light residential growth and commercial development may be appropriate. These existing clusters of rural development are based on an analysis of population, address, and building footprint information. These areas are primarily located at crossroads in rural areas and include named communities like Gray, Henry, Grizzard, Little Mill, and Yale as well as other unnamed locations. Each of these locations has access to a rural arterial road, is does not have public utility service, is near active agricultural uses, and is in a place where rural residential housing is desirable.

Land uses in the Rural Village may include rural housing with low densities averaging no smaller than one unit per acre. Any new residential development should be built as clustered development. Rural centers of community, such as religious assembly facilities, fire stations, and parks may be appropriate. Limited small scale commercial uses that serve the local community may also be allowed, such as personal services and retail convenience stores. Basic agricultural production and services should also be encouraged in these areas. Finally, forest and wood product services may be allowed such as the operation of timber tract and nurseries, however sawmills and large-scale timber operations are not encouraged.

New development in the Rural Areas should be focused in these designated areas to confine residential development to specific areas rather than allowing it to sprawl into all areas of the County along roadways. Low-impact development strategies and stormwater management improvements should be considered to protect water quality. Moreover, cluster development strategies that emphasize a concentration of dwellings should be utilized when planning for new residential development in the Rural Village areas. Finally, septic

potential and soil quality should be carefully monitored. A substantial increase in the number of septic systems can threaten the groundwater quality, especially in low lying areas where soils may not be suitable for effective septic development. This could endanger both agricultural viability as well as public health.



Rural Preserve

The Rural Preserve classification includes agricultural, forested, and remote rural residential uses. This category is most similar to the Agricultural, Forested, and Open Space classification in other planning areas and considers locations where agricultural zoning is in effect. Agricultural production and services as well as forest and timber land are predominant and are encouraged to expand. Limited, very low density residential and institutional uses are present along rural roads and arterial rural highways.

Agricultural, forestal, recreational, and remote rural residential areas should be protected and preserved. In addition to allowing widespread agriculture production and forested uses, limited rural residential uses may be allowed at a gross density of one unit per five acres. Limited institutional uses such as religious assembly facilities and civic clubs serving the local rural population may also be allowed. Mining and extraction operations that locate according to the availability of natural resources should have strict limitations to avoid harmful

effects on housing, farming, and conservation areas. Similarly, the potential siting of utility-scale solar facilities should follow guidance established in the County Comprehensive Plan that is detailed at the end of this section.



Within these areas, farmers are encouraged to follow best management practices and take advantage of conservation and environmental programs as promoted by the Virginia Department of Agriculture and Consumer Services (VDACS). The main purpose of this land use classification is to facilitate existing and future farming operations, allow for the expansion of farm related activity, reduce the effects of soil erosion, and protect watersheds to promote the continuation of farming as one of the primary sectors of the economy. In planning for active agricultural use of parcels in the Rural Area, the County should consider the full scope of modern farming activities, including agritourism, on-site sales, food preparation, and events, and modify local regulations to more easily permit all activities that can help farmers maintain a profitable enterprise. Such activities have the added benefit of drawing visitors to the rural areas of Sussex County for tourism as well as providing additional income to farming operations. Large parcels will remain necessary for sustainable agricultural enterprises in the Rural Area.

Outside of sensitive environmental areas, it is the vision of Sussex County that rural areas remain rural, and that active agriculture maintains its importance in the community. A central objective of land use planning in Sussex County is to preserve this valuable land from

being developed for residential or other land uses. Once developed, it cannot easily be restored to its original condition. Areas of agricultural conservation should be used for active agricultural and forestry enterprises, and best management practices should be observed relative to land disturbance, support structures, and other facilities that such agricultural/rural operations require.

Guidance on Solar Facilities

Sussex's abundant agricultural land combined with its electrical infrastructure and transportation system are attractive to the solar industry. These facilities are an industrial scale land use that may occupy significant acreage. Many utility-scale solar facilities are located on agricultural or forested land that may have had other future land use potential or land use designations.

The County will consider solar facilities in districts zoned agricultural or industrial with preference for brownfields and County-owned capped landfills. The following site features should be addressed to mitigate the potential negative impacts of utility-scale solar facilities on County land use patterns as part of the evaluation of a Conditional Use Permit (CUP) application:

- The total size shall be larger than two (2) acres but less than 1,500 contiguous acres with no more than 65% PV panel coverage;
- Located outside planning areas or community hubs;
- Located outside forested areas to preserve forest resources;
- Further than three (3) miles from any village or town boundary;
- Further than two (2) miles from other existing or permitted solar facilities; and
- Proximity to residences; historic, cultural, recreational, or environmentally-sensitive areas; and scenic viewsheds.

Implementation Recommendations


Recommendations for the Rural Planning Area emphasize the importance of maintaining and improving the natural features and rural character of Sussex County. The recommendations focus on identifying opportunities for preserving agricultural, forested, and open space while also accommodating development when appropriate.

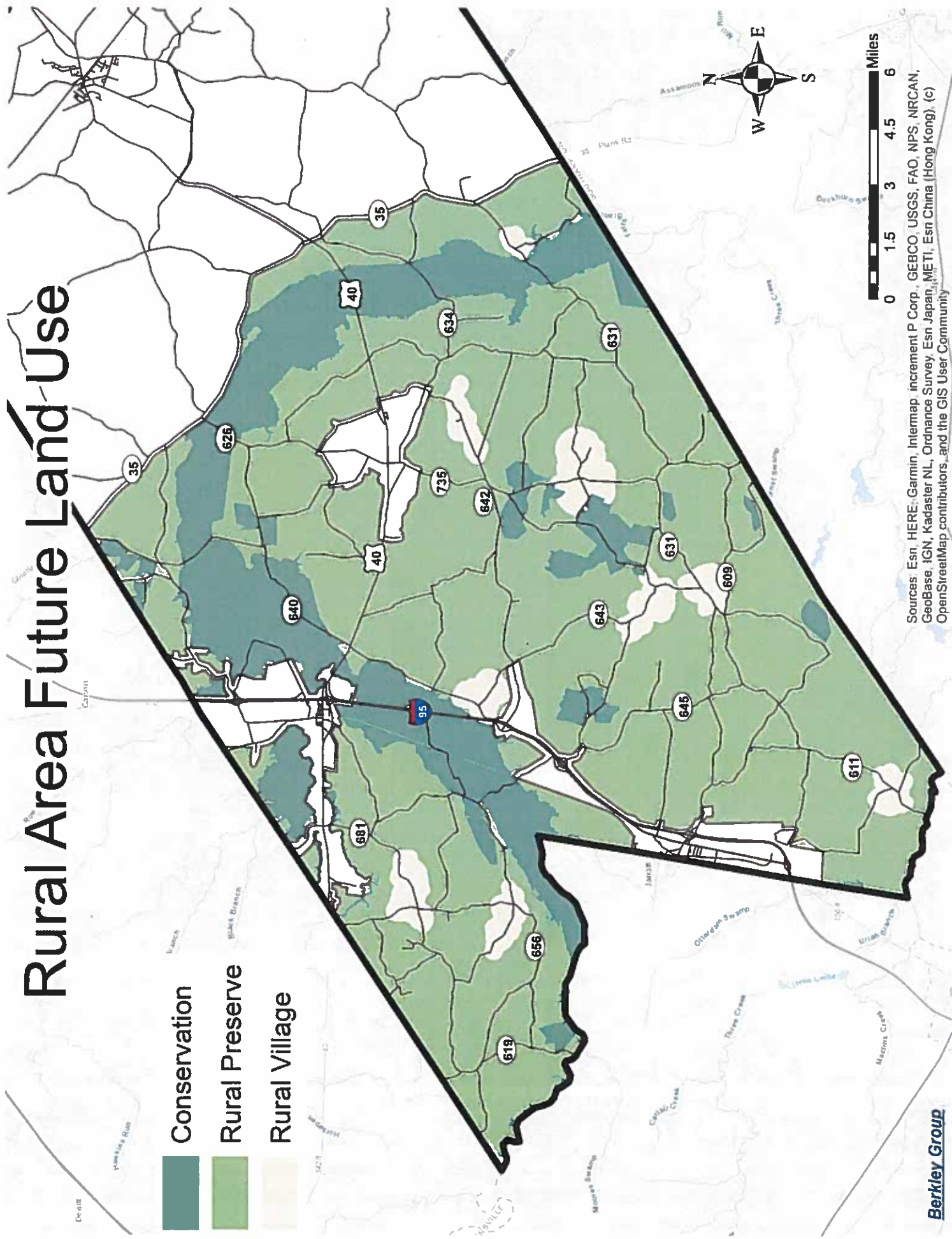
Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Maintain the land use taxation program as a key tool to encourage agricultural land and production within the County.	\$	Short-term	County Administration
Expand eco-tourism by promoting access and use of publicly-owned parks, conservation land, boat ramps, and scenic rivers	\$	Short-term	County Administration
Extend the State Scenic River designation to all of the Nottoway River in Sussex County to include the portions of the river east of Stony Creek to maximize natural resource protection.	\$	Short-term	County Administration
Promote County policies and farmer participation in conservation and environmental programs, such as those available through the VA Department of Agriculture and Consumer Services (VDACS)	\$	Short-term	Cooperative Extension
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator
Support public education and awareness of the benefits of erosion and sediment control measures, best management practices, and other nonpoint source pollution controls.	\$	Short-term	Planning and Zoning Department

² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

Implementation Task	Cost Scale	Time Scale²	Responsible Party
Follow established standards for locating alternative energy generating facilities to ensure preservation of environmental, cultural, and scenic resources and maintaining prime agricultural lands for agriculture.	\$	Short-term	Planning and Zoning Department
Work with the Virginia Department of Health to promote environmentally compatible wastewater disposal systems, and where appropriate, communal systems to address failing septic systems.	\$\$	Medium-term	Planning and Zoning Department
Support the work of conservation organizations in establishing and holding conservation easements.	\$	Medium-term	County Administration
Update the County zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Medium-term	Planning and Zoning Department
Work with local landowners to create Agricultural and Forestal Districts (AFDs) to encourage the production of food and other agricultural and forestal products.	\$	Medium-term	Planning and Zoning Department
Consider utilizing farmland protection tools available in the VA State Code to promote long term agricultural conservation.	\$	Medium-term	Cooperative Extension/ Planning and Zoning Department
Encourage the reclamation of quarry and landfill sites for other active uses such as renewable-energy generation.	\$\$	Long-term	County Administration
Partner with VDOT and surrounding localities to develop the abandoned rail/water pipeline right of way into a shared use path as a part of the Tobacco Heritage Trail.	\$\$\$	Long-term	County Administration

Rural Area Future Land Use

-  Conservation
-  Rural Preserve
-  Rural Village



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

SUSSEX COUNTY, VIRGINIA
SMALL AREA PLANS

JARRATT



**PUBLIC HEARING DRAFT
AUGUST 2021**



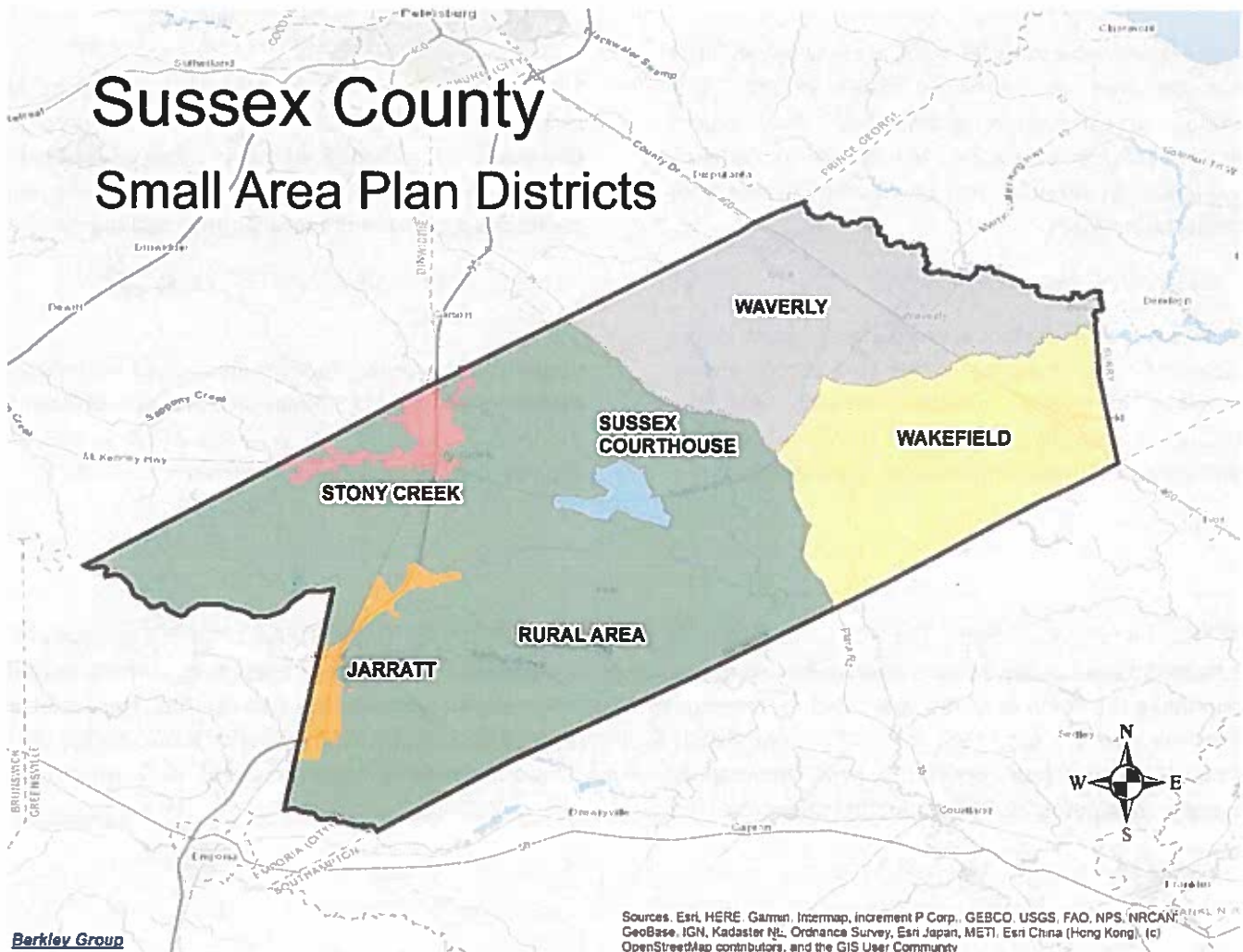
Table of Contents

Preface	3
Six Planning Areas	4
Jarratt Planning Area.....	6
Existing Features & Uses	7
Existing Land Use	9
Public Input	12
SWOT Analysis.....	13
Transportation Analysis	14
Interstate 95.....	15
U.S. Highway 301 Corridor (Blue Star Highway)	15
Jarratt Avenue/Henry Road (State Route 139/631)	16
Railroad Corridor.....	16
Transportation Improvements.....	16
Future Vision & Planning.....	17
Future Land Use Analysis	18
Implementation Recommendations	21

Preface

Sussex County is a rural yet diverse County that contains individual development areas separated by rural landscape, farms, forests, and a diverse network of waterways. Due to this disparate pattern of development, Sussex County has chosen to utilize a planning strategy that includes individualized area plans for six areas, including the rural area that lies between each of the developed areas.

Each of the geographic regions of Sussex County has a prevalent strength that is specific to the unique conditions of that area. By identifying, focusing on, and nurturing these individual strengths, the County can develop a balance of overall growth and conservation that builds a healthy ecosystem for future development. The goal is to support beneficial growth in each of the focus areas that promotes the success of the County as a whole, while protecting the elements that are important to the people, the economy, and the culture.



Six Planning Areas

The six individual areas that create the backbone of this interdependent County planning strategy are as follows:

Sussex Courthouse / State Route 40 Planning Area – *Civic Core*

This Planning Area contains a large government complex and new consolidated school facility. The area is of historical importance and is surrounded by large pristine farms that are important to the local agricultural heritage. It is also served by State Route 40 which is a significant local transportation route within the County.

Jarratt Planning Area – *Interstate Services*

Located along Interstate 95 (I-95) with relatively little floodplain area and sufficient public services, this Planning Area can support higher intensity development that is reliant upon easy access to I-95. The area offers a good industrial alternative to the Waverly area due to transportation access.

Rural Planning Area – *Conservation*

Agriculture is an important economic and cultural driver in Sussex County. Planning in this area should ensure protection of prime farmland, forests, and the hydrological network that supports the farm economy, rural heritage, tourism, and environmental diversity.

Stony Creek Planning Area – *Commercial Center*

Fed by I-95 and accessible to other areas in the County, the Stony Creek area can accommodate commercial development that is missing in the rural area between Petersburg and Emporia. The large floodplain/wetland areas of this district restrict the amount of development and make it more suitable to commercial than industrial development.

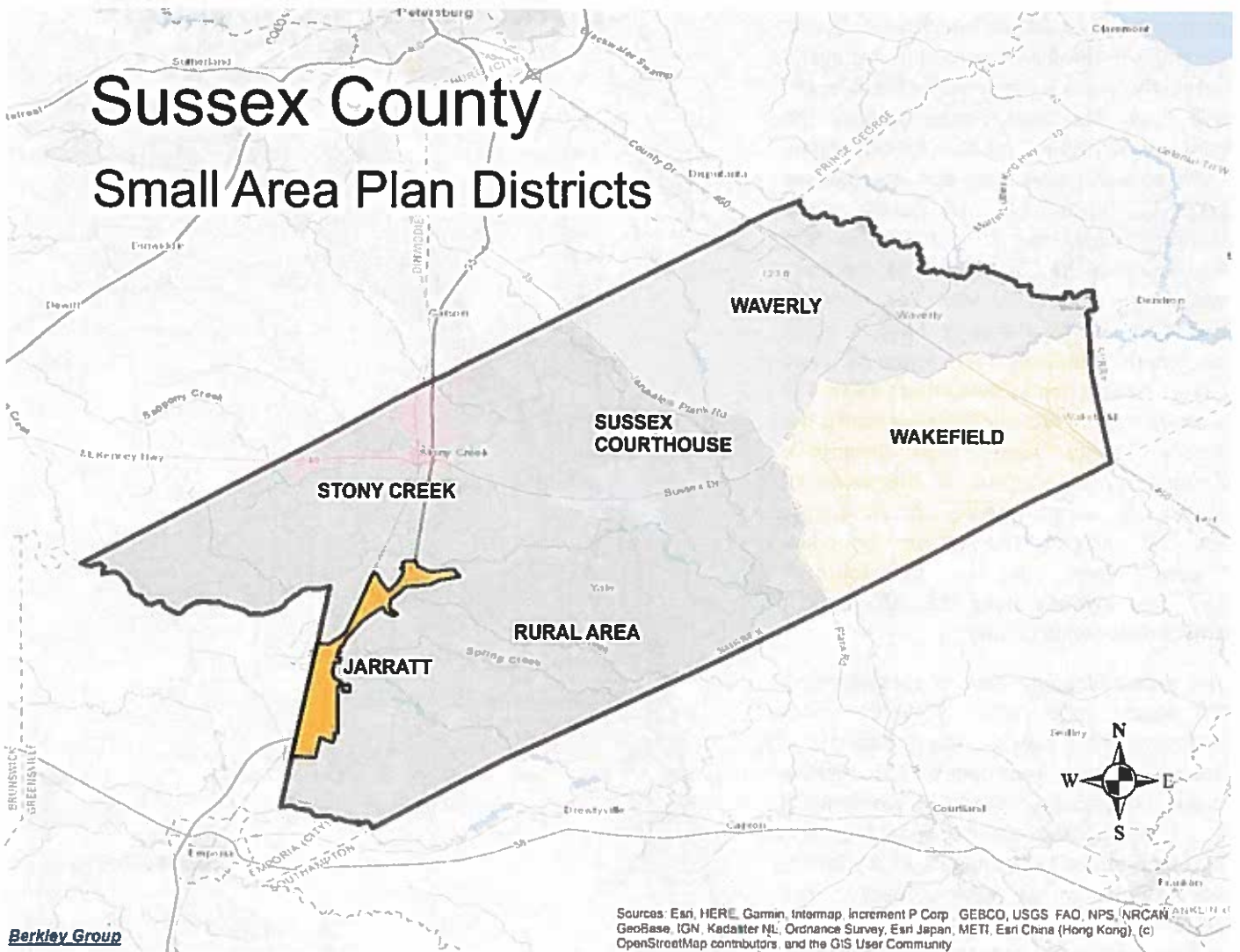
Wakefield / Homeville / U.S. 460 Planning Area – *Local Culture*

This Planning Area contains tourism, agritourism, and recreational opportunities that can be nurtured and developed. With the U.S. Route 460 access and existing tourism, Wakefield can take advantage of the passing traffic and popularity of nostalgic and rural tourism.

Waverly / Blackwater / U.S. 460 Planning Area – *Industry Growth*

Waverly is the center for current and future industrial development. With U.S. Route 460 access and room for rural/urban expansion, Waverly is a prime location for expanded urban development patterns.

This plan will focus on Jarratt – The Hub for Interstate Services for Sussex County. This Small Area Plan is a component of the larger Sussex County Comprehensive Plan examining features, challenges, and opportunities in the constrained zone surrounding the Town of Jarratt and the three interchanges of I-95 in southeastern Sussex County. The strength of this area is the accessibility to I-95, one of the country's busiest interstate highways and large amounts of undeveloped land near multiple interstate exits. Additionally, the existing commercial businesses and infrastructure of the Town of Jarratt serve as a foundation for future growth in the area.



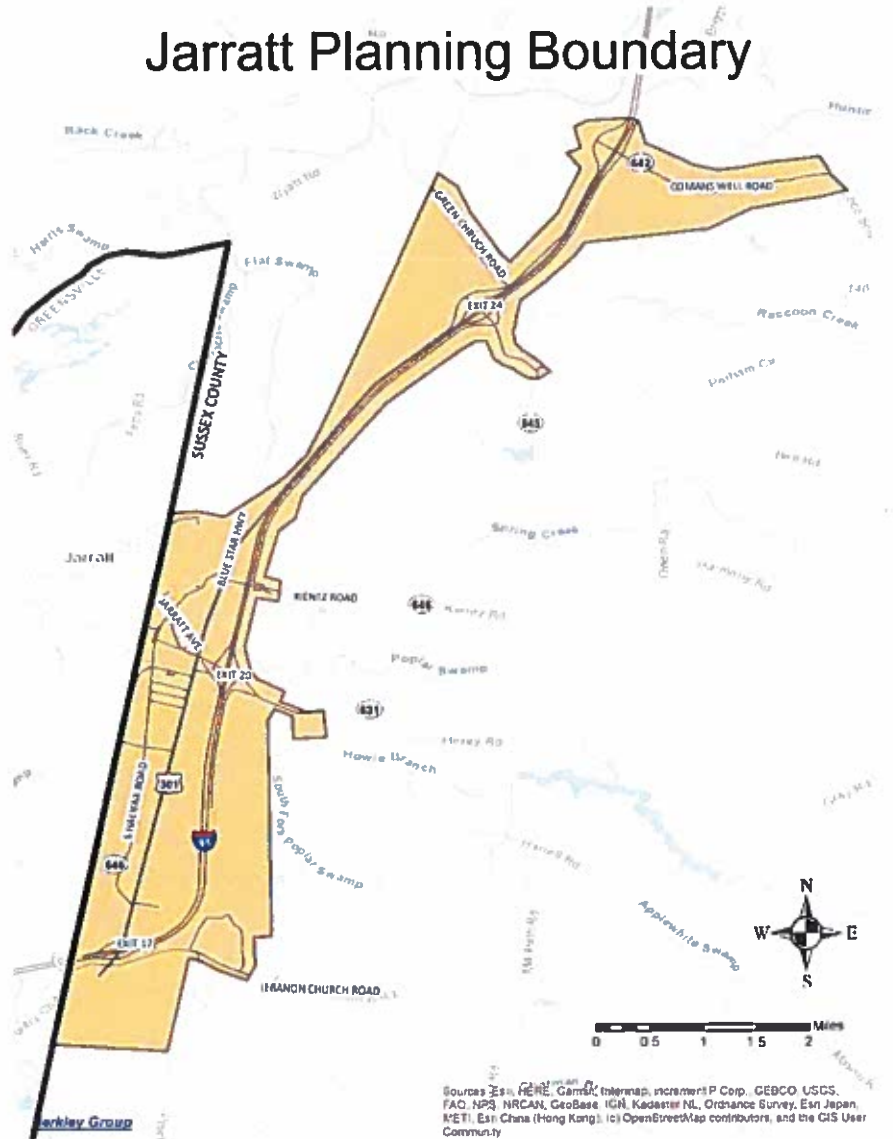
Berkley Group

Jarratt Planning Area

The Jarratt Planning Area is located in the southwestern portion of Sussex County. Part of the Town of Jarratt which is in Sussex County is in this Planning Area, but the land within the Town is not specifically subject to this plan. The area closely follows the contours of a 9.5-mile section of I-95 running north to south with three exit interchanges (exits 17, 20, and 24). Also located in the Planning Area, the U.S. 301 Blue Star Highway and the CSX/Amtrak "A" railroad, which run parallel to I-95. The northern boundary of the Planning Area is north of Comans Well Road (State Route 642) and Green Church Road (State Route 645). The western boundary of the Planning Area is the Sussex County border with Greenville County, however north of the Town of Jarratt, the western border closely follows the CSX railroad. The eastern boundary closely follows I-95, and the southern boundary extends along U.S. 301 until it enters Greenville County.

The entire Planning Area is approximately 8.8 square miles with 0.7 square miles located in the Sussex County portion of the Town of Jarratt. According to 2010 Census Block data, an estimated 959 residents in 411 households inhabit the Planning Area, including about 171 residents in the Jarratt Town limits within Sussex County.¹ The population density of the area is approximately 109 people per square mile. According to 2010 census data, 644 people live in the Town of Jarratt in both Sussex and Greenville County, although the annual estimates from the U.S. Census Bureau from 2019 suggest the Town's population may have declined to 590 inhabitants (-10%).

Jarratt Planning Boundary



¹ Due to the small size of the Planning Area, Census Block data must be used to estimate population. Data on the Census Block level is only available every ten years following the Decennial Census.



Existing Features & Uses

The Jarratt Planning Area is uniquely situated along the Sussex County border with Greenville County near multiple major transportation corridors. The area contains a portion of the incorporated Town of Jarratt. The Town is not completely in Sussex County and is also partially in Greenville County.

The area has a variety of residential uses and densities in addition to a modest commercial presence. Most of the existing commercial uses are located within the Town of Jarratt which includes the small commercial district in the center of Town. Additionally, a large amount of traffic passes through the Jarratt Planning Area to access neighboring residential neighborhoods and employment center in the directly adjoining parts of Greenville County.

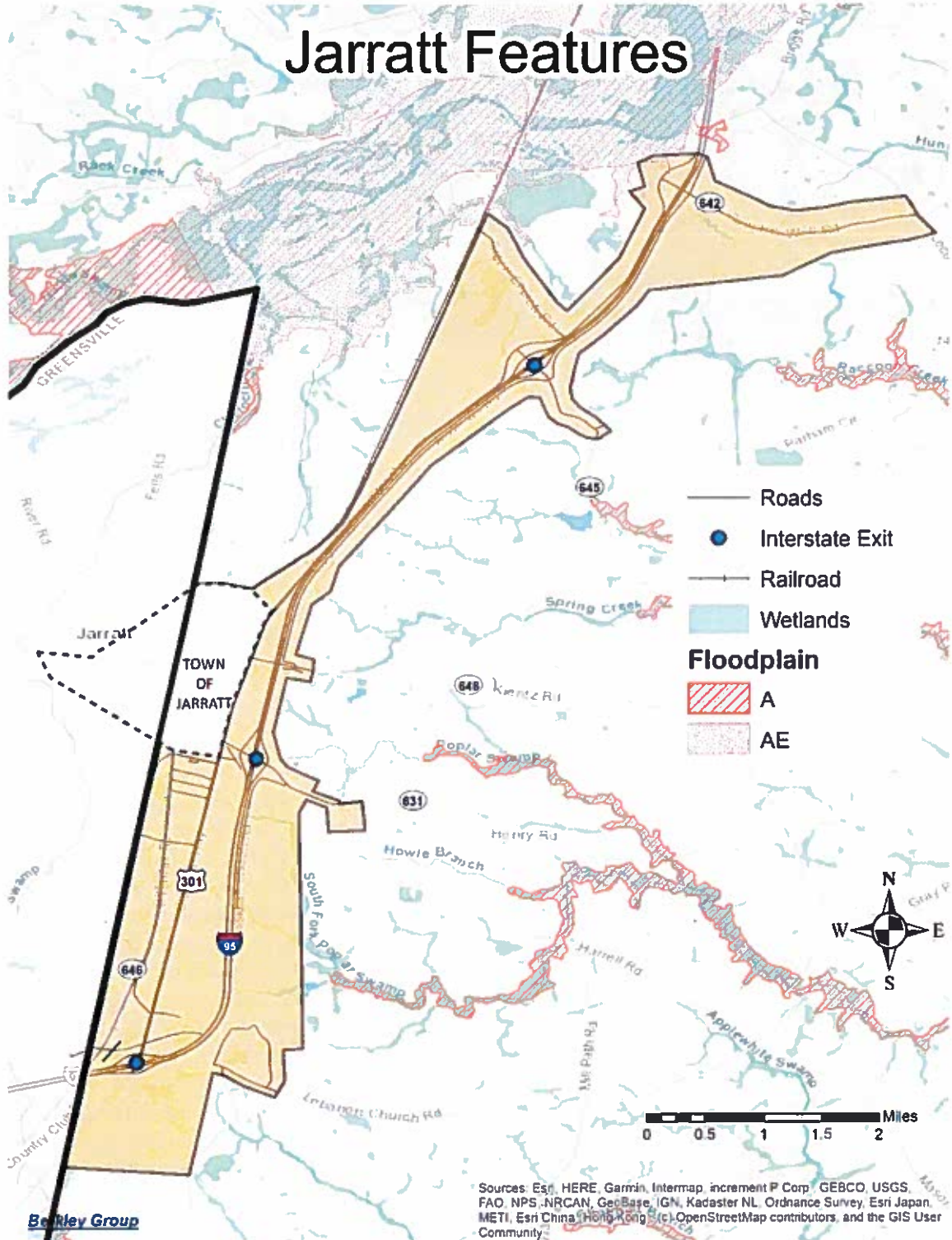
The area has minimal natural features that would inhibit development. There is some open land dedicated to agricultural and forests outside of the Town, but there are no floodplains and relatively few wetlands. A few small ponds exist but no major water features or areas with flood risks are present that would restrict development. However, some of the large natural blocks of productive forest and agriculture lands should be preserved where appropriate.

While the Planning Area has very few natural features restricting access and development, there are a few notable manmade features (I-95 and the CSX railroad).

Along the 9.5 mile stretch of I-95 within the Planning Area, there are only five (5) roads that cross the limited access interstate. This includes underpasses at Blue Star Highway (U.S 301) and Kientz Road (State Route 646), and overpasses at Henry Road (State Route 631), Owen Road (State Route 645), and Comans Well Road (State Route 642). With most development located west of I-95 near the County line; these roads are important local access points to the Planning Area from other parts of Sussex County. Similarly, the railroad only has public at-grade crossings at Ridge Road, Mayes Street, Grigg Avenue, and Jarratt Avenue (State Route 139).

Existing utilities in the area include electric power lines as well as water and wastewater service in and around the Town of Jarratt and along some portions of the Blue Star Highway (U.S. 301). These water service areas are served by the Greenville County Water & Sewer Authority. The Jarratt Sewage Treatment Plant is located just outside of Sussex County, and a new raw water storage reservoir is located northwest of Jarratt in Greenville County. Given the recent expansion of water infrastructure, processing capacity exists to expand service in the area. Most of the Planning Area receives electricity from Dominion Power, but Mecklenburg Electric Cooperative serves customers around Exit 17 off I-95. Broadband internet access is available at some locations along U.S. 301, but many residents in the Planning Area remain unserved or underserved.

Jarratt Features

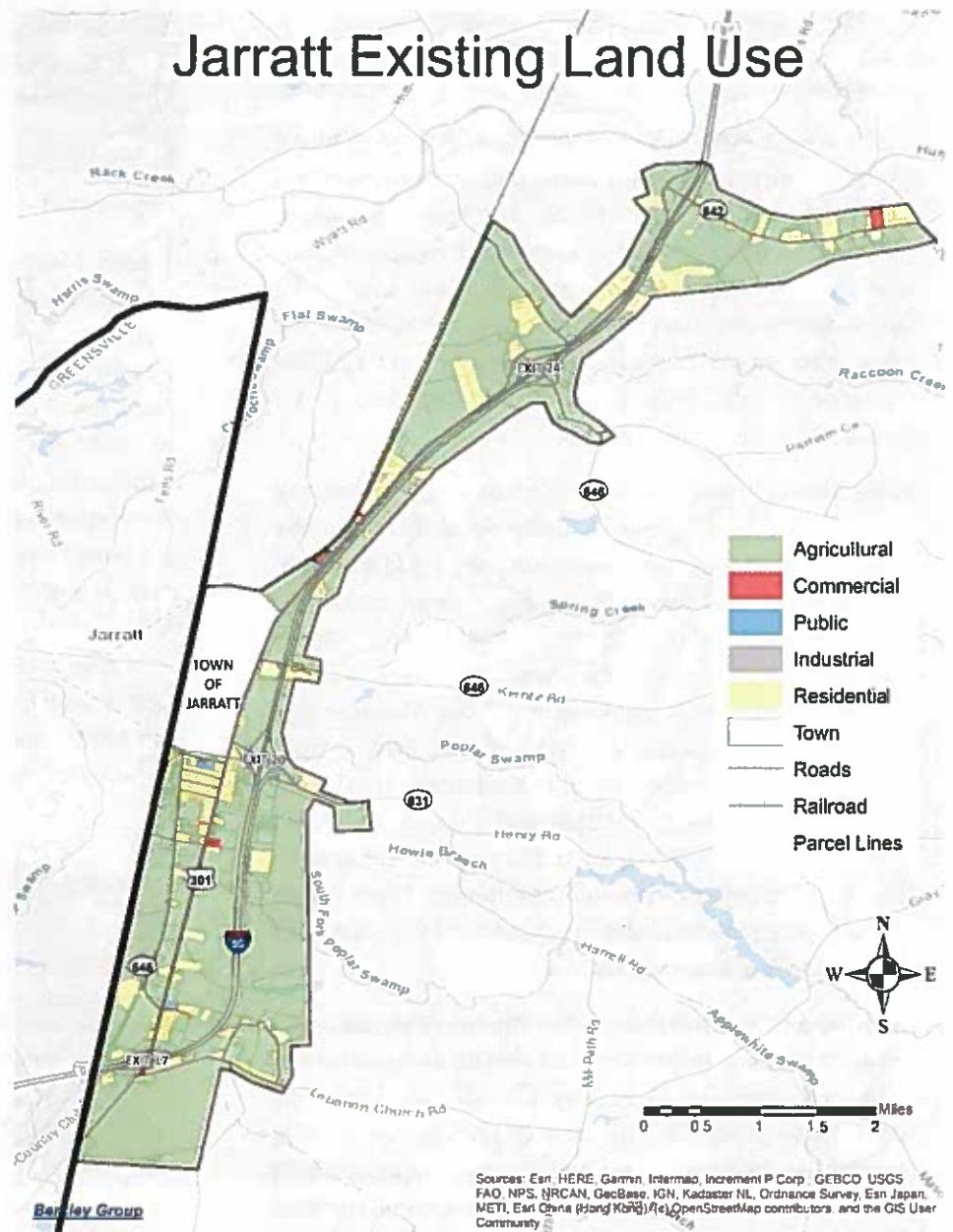


Existing Land Use

The Jarratt Planning Area along I-95 offers some of the greatest opportunities for growth in all of Sussex County. The current pattern of development provides a foundation for future development in the area. The portion of the Town of Jarratt in Sussex County and the area directly around it contains a variety of land uses. Those areas within the incorporated Town have been categorized simply as Town and have been defined separately from other land uses in the area.

Existing development in the Jarratt Planning Area is centered around the Town of Jarratt and is closely related to development patterns and land uses in neighboring Greenville County. While the Planning Area has three interstate exits, it has relatively few uses directly associated with interstate travel as compared to other parts of the County near Stony Creek. The current pattern of development has supported some residential growth, but very limited commercial development. With large amounts of undeveloped land near existing interstate exits, the Planning Area has the capacity to support a variety of new commercial and industrial uses that may rely on dependable interstate access. The interchanges are some of the most important assets to spurring economic development in the Jarratt Planning Area.

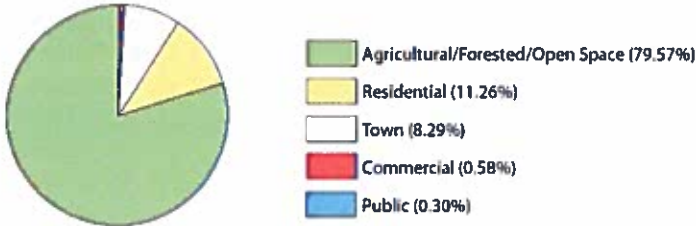
Like much of Sussex County, the majority of land (around 80%) in the Jarratt Planning Area is either agricultural or open/forested area. Commercial uses cover a very small proportion of the overall land area. Many of the more active commercial and public uses are located in the Town. The map on this page and the pie chart on the next page show the quantity and location of various land use types in the Planning Area. These graphics are also complemented by descriptions of each land use type on the following pages.



EXISTING CONDITIONS

JARRATT

Jarratt Existing Land Use



Residential

Existing residential development is scattered throughout the Planning Area, with the densest clusters located near U.S. 301 on the outskirts of the Town of Jarratt. Residential development is comprised mostly of low-density single-family dwellings with some smaller lot single-family detached dwellings closer to the Town. The area also has a number of vacant or underutilized residential lots that present an opportunity for residential redevelopment.

Collectively, there are approximately 400 residential units in the Planning Area, including about 85 units in the Town. Where water and sewer services are available in and around the Town, there are denser residential neighborhoods along Carver, Marion, and Maclin Avenues, as well as Mayes Street. Due west, another cluster of residential dwellings are along Mangum and Moores Lanes between U.S. 301 and I-95. Farther from Town, there are clusters of rural residences on Lebanon Church Road (State Route 609) and Comans Well Road (State Route 642). Many of these rural dwelling units consist of mobile or manufactured homes. There is also some residential development that fronts the section of U.S. 301 that is a divided highway.

Additionally, the Nottoway River Commons Apartments located partially in the Town of Jarratt and partially in unincorporated Sussex County is a 44-unit multifamily development and is one of the few higher density residential developments in the County. The apartments were built in 1992 with the use of Low-Income Housing Tax Credits (LIHTC) and is limited to low and middle-income households with an income up to 60% of the Area Median Income (AMI). Moreover, these apartments are

one of the few federally subsidized affordable housing options in the surrounding area, with most other similar developments located near Emporia.



Commercial

Limited commercial development exists in the Jarratt Planning Area outside of the Town. Existing businesses include trucking and self-storage businesses located on Blue Star Highway north of the Town of Jarratt. There is also a small country store on Comans Well Road in the far northern part of the Planning Area. All other commercial uses in the Planning Area are located inside of incorporated Jarratt. Near the intersection of U.S. 301 and Jarratt Avenue close to Exit 20 there are two gasoline stations with small restaurants as well as a car dealership and a dollar store. On Jarratt Avenue in the commercial district of the Town of Jarratt there is a post office, a bank, a local hardware store, and a restaurant. There are numerous other vacant commercial buildings along the corridor that have the potential for future reuse.



Other than the few existing commercial sites, residents and employees in the area often travel to neighboring localities to access larger restaurants, grocery stores, and

EXISTING CONDITIONS

JARRATT

other services. Exit 20 is the only interstate exit in the Planning Area that offers any commercial development, but it remains far less developed than other nearby exits.

Industrial

No major industrial land use currently exists in the Planning Area. Within the Town of Jarratt, the Virginia Department of Corrections has a warehouse for food and produce that serves surrounding Department of Corrections facilities. The County, however, has marketed at least three separate sites within the Planning Area for future industrial use. One is located west of I-95 along Henry Road (State Route 631), and two other sites are near Lebanon Church Road (State Route 609) and I-95, Exit 17. Just west of the Planning Area, the Greenville County Correctional Facility and the Boar's Head meat wholesale facility in Greenville County are major local employers. Additionally, the Greenville County industrial park is located less than 3 miles south of the Planning Area along U.S. 301.

Agricultural/Forested/Open Space

As with much of Sussex County, this Planning Area is mostly composed of agricultural, open space, or forested land use. On the existing land use map, these areas are labeled simply as agricultural. The area has an even distribution of forested land and agricultural land. Compared to other parts of the County, some of the

undeveloped areas in the Jarratt Planning Area hold less environmental value because they are constrained by their proximity to I-95, U.S. 301, and the CSX railroad. The Sussex Comprehensive Plan has established that some of the undeveloped land near I-95 should be used for residential, commercial, and industrial development. The Planning Area also has a portion of an abandoned railroad that has previously been designated for the future extension of the Tobacco Heritage Trail. Although this natural corridor is bisected by I-95, it has potential for improved use in the future as a section of a multi-use trail that continues into rural Sussex County and Greenville County.

Public

The Jarratt Planning Area has very few public areas in active use. The Town of Jarratt has a lighted youth baseball field and a small community room available for public use in neighboring Greenville County. Notable institutional structures include Chapel Hill Baptist Church, Hassidah Baptist Church, Lebanon Baptist Church, and Jerusalem Baptist Church.

Additionally, the former Jefferson Elementary School on Mayes Street is also located in the Planning Area. The building is vacant and in disrepair, but the property has playground areas and a basketball court. If properly managed and revitalized, this site is an important asset to the quality of life for surrounding residents.

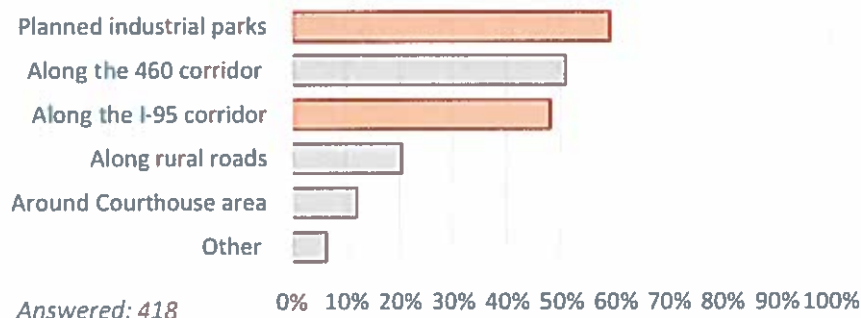


Public Input

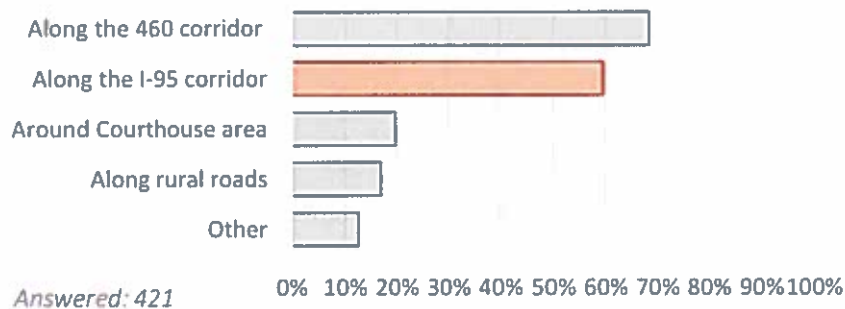
Local stakeholder meetings and county-wide surveys provide a brief understanding of public opinion about the current status and future of the Jarratt Planning Area. Based on input, there is a recognition that the features of the Jarratt Planning Area (I-95 and planned industrial sites) make it a good candidate for additional commercial and industrial development along with associated housing development. Additionally, input recognizes the need for the development and extension of public facilities.

Given the location of the Planning Area along the heavily trafficked I-95 corridor and near existing industrial uses in Greenville County, the Jarratt Planning Area offers opportunities for development that would complement existing features of the Planning Area. Accordingly, as suggested by public input, concentrating development with a higher intensity of uses in the Jarratt Planning Area allows the County to expand economic opportunity with minimal impact on the overall rural character of the County. The Jarratt Planning Area already has a level of development that would make further development appropriate to strengthen the County's economic base.

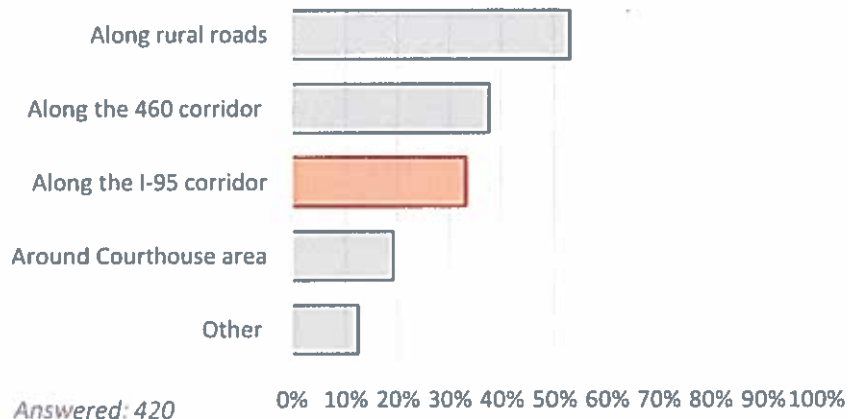
Where should new (non-farm) industry be generally located?



Where should new, non-farm commercial business and shopping areas generally be located?



Where in the County should new housing be concentrated?



SWOT Analysis

The Jarratt Planning Area has a host of assets and challenges. The SWOT analysis identifies the Strengths, Weaknesses, Opportunities, and Threats faced by the Planning Area. These are internal and external factors that help plan the best uses for land and best investments for the community.

	POSITIVE	NEGATIVE
INTERNAL	<p>Strengths (Positive characteristics of the Planning Area that give it an advantage over others.)</p> <p>Availability of large tracts of developable land for future public and private use.</p> <p>Relative affordability compared to Virginia’s Richmond and Tidewater hubs, both in land prices and in tax structure.</p> <p>Transportation access via I-95 and U.S. 301 – Blue Star Highway – a four lane divided highway (two-lane north of Jarratt) with good capacity and low traffic volume.</p> <p>Available utilities to supply potential industrial and commercial development as well as possible rail access.</p> <p>Topographic and other conditions make site development in the Jarratt area relatively easy compared to other areas.</p> <p>Presence of a major railroad corridor to support industrial development.</p>	<p>Weaknesses (Negative characteristics of the Planning Area that could harm its revitalization.)</p> <p>The area’s low population provides a very small and aging workforce.</p> <p>Safety concerns along U.S. 301 where private driveways enter the four-lane divided highway.</p> <p>Inadequate screening and buffering of existing commercial uses from surrounding uses.</p> <p>I-95, U.S. 301 and the CSX railroad parallel each other north/south through the Planning Area and serve as a physical barrier to east/west movement through the area.</p> <p>Distance and travel times to other communities in Sussex County and the County Government Complex.</p>
EXTERNAL	<p>Opportunities (External influences that can be used to the advantage of the Planning Area.)</p> <p>Proximity to major employers and industrial uses in surrounding localities brings traffic into the area and serves as a foundation for economic growth and development.</p> <p>Large amounts of developable land with visibility and access to a high-volume and low traffic interstate highway system.</p> <p>Distance and commute time to the Richmond metropolitan area makes the area attractive for commuters looking for a more rural lifestyle.</p> <p>Amenities in neighboring localities (commercial businesses and recreation) are assets due to their close proximity.</p>	<p>Threats (External factors that could prevent improvement of the Planning Area.)</p> <p>Proximity to Greensville County and reliance on the Greensville County Sewer and Water Authority means that the Planning Area is susceptible to external administrative decisions.</p> <p>Potential business owners and residents may prefer the more established and substantial commercial uses and services in neighboring Greensville County and Emporia.</p> <p>Recent trends in the use of industrial sites (data centers, solar facilities) in Virginia may not bring large amounts of permanent jobs or benefits to local tax income.</p>

Transportation Analysis

Future uses in the Jarratt Planning Area (Interstate Services) should be coordinated with transportation routes and other existing assets in the area (See also: Existing Features & Uses). The transportation features of the Planning Area are central to its future growth.

The following table shows the Virginia Department of Transportation (VDOT) average daily traffic (ADT) count estimates in 2019 for each major road in the Planning Area. While future development may increase traffic volumes, it is anticipated that most roadways in the Planning Area are sufficient to accommodate potential growth. A brief overview of existing and future uses for each major route follows.

Additionally, this analysis incorporates various construction priorities, programmed projects, identified deficiencies, and recommendations from existing VDOT publications and plans such as the VTrans Mid-Term Needs, projects listed in the Six-Year Improvement Program, and traffic deficiencies identified in the Crater Planning District Commission (PDC) Rural Transportation Plan.

VDOT Average Daily Traffic Count Estimates, 2019	
Transportation Corridor	Traffic Count
Interstate 95	
At Greenville County Line	37,000
At Owen Road (State Route 645)	38,000
North Exit Ramp at Exit 17	440
South Exit Ramp at Exit 17	160
North Exit Ramp at Exit 20	320
South Exit Ramp at Exit 20	580
North Exit Ramp at Exit 24	90
South Exit Ramp at Exit 24	220
Blue Star Highway (U.S. 301)	
At Greenville County Line	3,800
At Jarratt Avenue (State Route 139)	3,100
At Owen Road (State Route 645)	900
Jarratt Avenue/Henry Road (State Route 139/631)	
At Greenville County Line	2,000
At U.S. 301	1,900
East of I-95	620
Comans Well Road (State Route 642)	
At U.S. 301	290

AREA ANALYSIS

JARRATT



Interstate 95

I-95 is undoubtedly the Planning Area's most significant transportation route and its greatest asset for attracting commercial and industrial development to the area. The corridor is considered a Corridor of Statewide Significance (CoSS) by VDOT. The Planning Area extends along a roughly 9.5 mile stretch of I-95 running north and south with three exit interchanges. The first exit in Sussex County heading north from Greenville County is Exit 17 at U.S. 301, followed by Exit 20 at Henry Road (State Route 631) close to the Town of Jarratt, and Exit 24 at Owen Road (State Route 645). U.S. 301 runs parallel to I-95 on the western side of the interstate, while Andrews Road and Hassidiah Church Road parallel I-95 to the east through much of the Planning Area. Presently, only Exit 20 offers any commercial activity near the interchange, while Exit 24 is lightly used primarily for locally generated trips. Exit 17 also has minimal development near the highway but does provide direct access to U.S. 301 where existing commercial and industrial uses are present in bordering Greenville County. Currently, the three exits in the Jarratt Planning Area have less surrounding development and therefore less traffic as compared to the County's other two interstate exits in the Stony Creek Planning Area.

Accordingly, both Sussex County and the Town of Jarratt should cooperate to ensure that new development is encouraged in locations that best take advantage of the area's high accessibility. Consequently, VDOT has recommended improvements to on and off ramps of I-95 and their intersections with local roads in the coming years if industrial and commercial traffic increases in the area.



U.S. Highway 301 Corridor (Blue Star Highway)

The Blue Star Highway (U.S. 301) is a parallel route to Interstate 95 that has local connections with the Planning Area's three I-95 interchanges. This route provides local circulation and access to potential development sites with high visibility near I-95. South of the Town of Jarratt, U.S. 301 is a four-lane highway with a median. It transitions into a two-lane highway as it continues north from Town. Traffic counts on the route are much higher on the four-lane portions of the highway in and around the Town of Jarratt.

U.S. 301 supports a significant amount of the existing commercial activity in the Planning Area. Though a limited number of residential lots exist, future residential development directly on U.S. 301 should be avoided as VDOT discourages single driveways along the route. Opportunities to expand commercial and industrial activity should take advantage of existing driveways and curb cuts along U.S. 301 to ensure a high level of service is maintained along the corridor. U.S. 301 is the main route used for local trips in the Planning Area, so proposed developments should consider access and safety along the corridor. Safety improvements along with proper signage and landscaping of new developments will help to improve the ability to support new development along the route.

U.S. 301 also continues south into Greenville County where motels, restaurants, and the Greenville County industrial park are located less than 2 miles from Sussex County. Sussex County should encourage development along this section of the corridor closest to the County border to complement existing development from Exit 13 at U.S. 301 in Greenville County up to Exit 17 at U.S. 301 in Sussex County.



Jarratt Avenue/Henry Road (State Route 139/631)

Henry Road (State Route 631) is a two-lane secondary road that leads directly into the Town of Jarratt from the east where it becomes Jarratt Avenue (State Route 139) and passes through the middle of the Town of Jarratt. In the Town, Jarratt Avenue serves a small commercial district at the western edge of Sussex County where on-street parking and pedestrians are more common in the Planning Area. The County should continue to promote pedestrian and safety improvements within this portion of the corridor.

In 2019, an average 620 vehicle trips were made along Henry Road to the east of the Town of Jarratt and U.S. 301 on Henry Road, and 1,900 trips were made to the west of U.S. 301 through the Town. West of U.S. 301, the corridor is an important local route supporting commercial activity. East of U.S. 301, the route is less developed, but offers opportunity for industrial development due to its accessibility. Any significant development would likely require expansions and other roadway improvements to accommodate increased congestion and larger trucks.



Railroad Corridor

The CSX rail line in the Planning Area runs from north to south through the area and is a tremendous asset for proposed industrial development. Within the Planning Area, the railway has two tracks running in both directions. However, the railway also divides much of the area and acts as a barrier to proposed residential

development, particularly south of the Town of Jarratt. Currently, the line is only utilized for the transportation of cargo and offers no direct access to passenger transportation services in the area. To the south of Town, there are currently three at-grade rail crossings at Ridge Road (State Route 397), S. Halifax Road (State Route 646) near Lee Road, and Mayes Street (Local Route 1102).

Transportation Improvements

A few notable transportation improvements are recommended for the Jarratt Planning Area. VTrans Mid-Term planning priorities include Priority 4 (Low) improvements to I-95 at the interchanges of Exit 17 and 20 if additional commercial or industrial development occurs nearby. VTrans also identifies the intersection of Jarratt Avenue, Henry Road, and U.S. 301 for Priority 4 improvements. The VTrans improvements are tied to the Industrial and Economic Development Areas (IDEA) located in the Planning Area. These include a proposed industrial site on Henry Road (State Route 631) and two industrial sites near Lebanon Church Road (State Route 609) and U.S. 301. The area does not have any projects on VDOT's Six-Year Improvement Program (SYIP).

Recommendations in the Crater PDC and VDOT Rural Transportation Plan include short term restriping improvements on U.S. 301 and Jarratt Avenue and better signage at the Exit 17 interchange of I-95 to resolve safety concerns. The plan also recommends a long-term goal of reconstructing Owen Road (State Route 645) near I-95 to widen and address geometric deficiencies.

Future Land Use Analysis

The recommended future uses are based on a variety of factors, such as existing development, the location of marketed sites for economic development, best land use practices, environmental conditions, zoning, and access to public utilities. Future land use recommendations for the Jarratt Planning Area include the addition of residential land uses and expansion of commercial and industrial uses in suitable locations with appropriate siting strategies. With I-95 access and available utilities, the Jarratt Planning Area is an ideal location for new industrial development and commercial services along I-95. The area can also support additional residential development to accommodate a productive workforce in the area. The recommendations also support continuation of productive agriculture and preservation of the County's rural character.

Commercial

The Jarratt Planning Area's location along I-95 makes it ideally situated to take advantage of commercial uses that depend on interstate access. The Planning Area has three interstate interchanges, each having ample land area for new development. Most new commercial development slated for the Planning Area should be located along U.S. 301 which parallels I-95 and offers good visibility and a high level of service for local traffic.

Development at the I-95 interchanges and along U.S. 301 will ideally be concentrated into higher-density commercial centers, rather than occurring in strips along the area's major roadways. The presence of vacant and/or abandoned commercial structures in the Planning Area provide ample opportunities for reuse and should also guide the location of future commercial uses.

Currently, the intersection of U.S. 301 and Henry Road (State Route 631) near Exit 20 offers the best opportunity to expand the existing commercial presence in the Planning Area. This area has the most readily available access to public utilities and already has a small established commercial presence. New commercial development at the Exit 17 and Exit 24 interchanges will be more limited in the short-term due to limited public facilities. Some commercial development may also be

viable north of the Town of Jarratt along U.S. 301 where a small commercial presence also already exists.

Proper design and regulation are important components of commercial growth in the area. Much of the extent of U.S. 301 in the Planning Area is a four-lane divided highway with few places that support left turns. As a result, commercial use should be restricted to existing intersections along U.S. 301 to guarantee safe access to commercial uses. Additionally, new and existing commercial uses should be properly screened and buffered from residential uses. The Planning Area has both rural residential housing units as well as defined residential neighborhoods near the Town of Jarratt and U.S. 301 that should not be infringed upon by commercial uses.

New commercial development must also consider the needs of residents in both Sussex County and neighboring Greenville County. Commercial uses focused on interstate services should complement the needs of the local community. Access to healthy food and quality healthcare are specific needs within the local community. Locally-oriented businesses should be encouraged within the Town of Jarratt and can make use of existing, available commercial buildings. The small commercial district in the Town of Jarratt, however, is not suitable for supporting more expansive commercial uses that generate large amounts of traffic from the interstate due to the limited road and parking capacity on Jarratt Avenue. Larger commercial uses that may generate more vehicle trips should remain concentrated along U.S. 301.

Industrial

The potential for industrial growth in the Jarratt Planning Area is dependent on access to I-95. Accordingly, all potential industrial sites in the Planning Area are near interstate exits. The Boars Head Meat Processing facility west of Jarratt in Greenville County and the Greenville County industrial park just south of the Planning Area are important assets to help attract new industrial uses within the Planning Area in Sussex County.

Proposed areas for industrial uses include sites that have been actively marketed through the Virginia Economic Development Partnership (VEDP). As a result, this plan

remains ambitious and flexible about the area that could be used for industrial uses. The County has helped market at least three separate sites within the Planning Area for future industrial use that are designated on the future land use map. One is located west of I-95 along Henry Road (State Route 631), and two other sites are near Lebanon Church Road (State Route 609) south of Exit 17 off I-95. Each of these sites currently has easy access to I-95 with minimal surrounding residential or commercial development. As the County continues to explore the best use for these sites, significant residential development in these areas should be avoided. Additionally, impacts associated with new industrial development should be properly mitigated, including sufficient screening and buffering from adjacent land uses.

Residential

New residential development within the Planning Area should be concentrated in and around the Town of Jarratt where public utilities are most readily available. Redeveloping and modernizing some of the vacant housing structures present within the Planning Area should also be emphasized. Finally, improving the local amenities, services, and access to existing residential structures should be improved.

As the possibility of new employment sites arise in the Planning Area, additional housing development should be considered. The County should encourage a wide variety of housing unit types, including single-family homes, townhomes, and apartments close to the Town and U.S. 301. Most new residential housing units in the Planning Area near the Town of Jarratt should be built in the form of clustered neighborhoods close to the Town. The existing Nottoway River Commons Apartments is an appropriate clustered residential development for the area and similar developments should be encouraged as demand necessitates. Locations with potential for high density residential development are noted on the Future Land Use Map and include apartments and multifamily dwellings. These areas are typically closer to locations that may see commercial development. Larger rural residential lot development may be allowed along Comans Well Road (State Route 642) and Lebanon

Church Road (State Route 609) in the extreme northern and southern parts of the Planning Area.

The County must also take steps to actively improve the state of existing residential neighborhoods. Specifically, Carver, Maclin, and Marion Avenues to the south of the Town of Jarratt - where the Planning Area's most dense residential development already exists - should be a focus of infrastructure improvements. A Community Development Block Grant (CDBG) could provide opportunities to add sidewalks, improve stormwater drainage in the neighborhoods, support housing restoration, and create new homeownership opportunities. A similar effort in Greenville County's Washington Park neighborhood may serve as a useful example.

Finally, the County should avoid any new linear residential development along U.S. 301. The presence of driveways entering a divided four lane highway is unsafe, and new residential housing units may not be properly buffered from the roadway. Additionally, the County should support safety and access improvements to existing housing units along U.S. 301, while minimizing the impacts created by new residential development.

Public

The Jefferson Elementary School site should remain as a public use. Opportunities to redevelop or renovate the site as an asset for the local community should be considered. A CDBG grant could also be used to redevelop the Jefferson Elementary site for public use, such as a community center to serve as a hub for the neighborhood. Partnering with non-profit community organizations may also provide opportunities to maximize the use of the site as a public recreational area.

Agricultural/Forested/Open Space

The Jarratt Planning Area serves an important role in helping to maintain the rural character of other parts of the County. With the presence of Interstate 95, U.S. 301, and a railroad within a relatively small area, the Planning Area already has a significant presence of physical infrastructure. As a result, the presence of additional development with a higher intensity of uses is more appropriate in the Jarratt Planning Area than in many

other parts of the County. Accordingly, by steering larger developments into the Jarratt Planning Area, the rural character of Sussex County can be largely preserved elsewhere.

Compared to other parts of the County, the Jarratt Planning Area is likely to have fewer large blocks of undeveloped land. This means that the County should strategically identify and preserve the tracts of land in the Planning Area with the best forest conservation values and farmland suitability. These areas are labeled as Agricultural on the future land use map. Additionally, with multiple transportation corridors serving as a barrier to wildlife movement and habitat connectivity in the Planning Area, the County should also carefully consider opportunities to maintain and improve natural landscape connectivity.

Town of Jarratt

Sussex County should welcome new commercial and residential development in the Town of Jarratt as a positive contribution to the County's tax base. Due to limitations of road capacity and available lot sizes within the Town, most large-scale development is likely to occur outside of the Town boundaries. However, the Town does have a number of small undeveloped sites and vacant commercial buildings that may be attractive to new commercial or mixed-use investment. The County should work with Town officials to coordinate local planning efforts with the intention of utilizing the larger Planning Area.

Coordination with Adjacent Localities

The Jarratt Planning Area's proximity to Greenville County and the Town of Jarratt makes it unique compared to other Sussex County Planning Areas. As a result, the localities must coordinate development activities to ensure benefit to all residents in the area. Since many Sussex County residents in the Planning Area rely on water and sewer service from Greenville County, Sussex County must maintain a strong intergovernmental relationship to fully maximize the potential of the Jarratt Planning Area. This includes involving officials from the Town of Jarratt and Greenville County in any major developments that will require public facilities. Moreover, the presence of the Mid-Atlantic Advanced Manufacturing Site (MAMaC) industrial site just outside of the Planning Area in Greenville County is an important consideration for Sussex County. If developed, the industrial megasite would likely generate increased interest in commercial and residential development in Sussex County, particularly near Exit 17, which will be a main access point to the industrial site.

Implementation Recommendations

Recommendations for the Jarratt Planning Area build on the potential of the area as Sussex County’s center of interstate services supporting both commercial and industrial uses. The recommendations focus on identifying opportunities for appropriate development and preserving agriculture and open space.

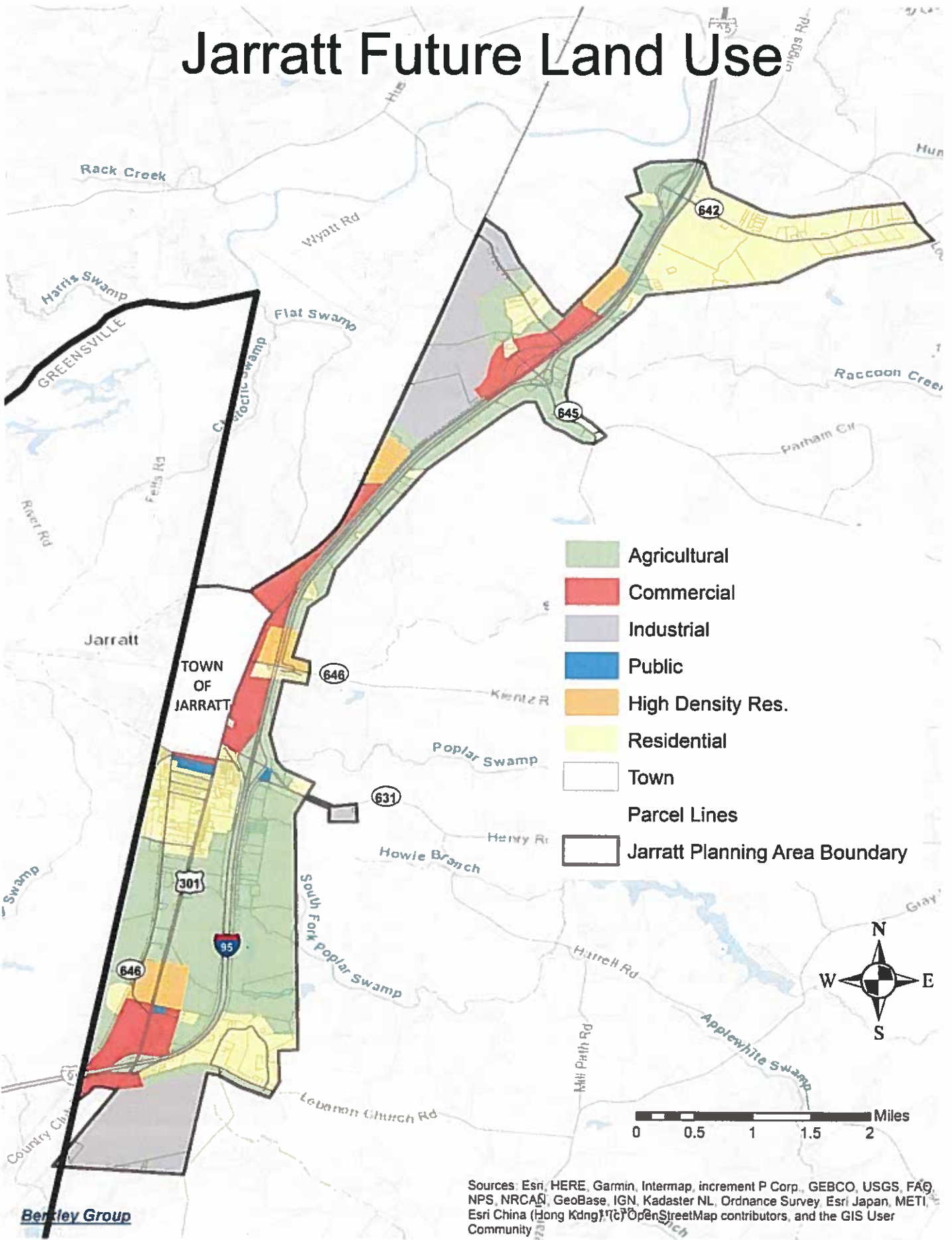
Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Enforce and expand proper buffering and landscaping requirements for commercial and industrial uses to protect adjacent residential uses.	\$	Short-term	Planning and Zoning Department
Update County zoning ordinance to encourage cluster development, deter the development of prime farmland and woodlands, and preserve the rural character of the County.	\$\$	Short-term	Planning and Zoning Department
Review and update the zoning ordinance to allow for some variation in density to increase affordable housing options in the area.	\$\$	Short-term	Planning and Zoning Department
Continue to work with utility providers, local businesses, and County residents to extend broadband internet service to all unserved and underserved homes and businesses.	\$\$	Short-term	County Administrator
Update the zoning of specific properties to prepare portions of the Planning Area near interstate exits for concentrated commercial development, and direct future commercial development into designated growth areas.	\$\$	Short-term	Planning and Zoning Department

² Short-term (1-5 years); Medium-term (5-10 years); Long-term (10+ years)

IMPLEMENTATION

Implementation Task	Cost Scale	Time Scale ²	Responsible Party
Explore pursuing a Community Development Block Grant (CDBG) to revitalize residential neighborhoods around Jarratt to improve housing conditions, promote homeownership, and add pedestrian infrastructure.	\$\$	Medium-term	Planning and Zoning Department
Consider establishing a highway corridor overlay district to preserve and improve the appearance along U.S. 301.	\$\$	Medium-term	Planning and Zoning Department
Partner with a community-oriented nonprofit organization or private developer to renovate the former Jefferson Elementary School site to be used by the neighborhood as a place for formal and informal recreation and community use.	\$\$\$	Medium-term	County Administration
Collaborate with Greensville County, and the Town of Jarratt to coordinate growth and investment in and around Jarratt.	\$	Medium-term	County Administration
Implement necessary utility improvements/expansions along state routes where residential and commercial growth is projected in the Planning Area.	\$\$\$\$	Medium-Long-term	County Administration
Support extension of the Virginia Tobacco Heritage Trail into Sussex County through Jarratt and continuing into rural parts of the County along the existing unused right-of-way.	\$\$\$	Long-term	County Administration

Jarratt Future Land Use



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAS, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, OpenStreetMap contributors, and the GIS User Community

Bentley Group

