

**MONTGOMERY COUNTY PLANNING COMMISSION**  
**July 13, 2011**  
**SITE VISIT AGENDA**

**NO SITE VISITS IN JULY**

**MONTGOMERY COUNTY PLANNING COMMISSION**  
**July 13, 2011 @ 7:00 P.M.**  
**Board Room, Government Center**

**A G E N D A**

**CALL TO ORDER:**

**DETERMINATION OF A QUORUM:**

**APPROVAL OF AGENDA:**

**APPROVAL OF CONSENT AGENDA:**

**PUBLIC ADDRESS:**

**PUBLIC HEARING:**

1. A request by **Billy D. & Ruth G. Massie** to rezone approximately 2.4 acres from Agriculture (A-1) to Planned Mobile Home Residential Park (PMR), with possible proffered conditions, and an amendment to a Special Use Permit approved 4/8/2002 to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units on 45.307 acres . The properties are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and are identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C (Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492) in the Riner Magisterial District (District E). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.
  - a. Staff Presentation (Dari Jenkins)
  - b. Applicant Presentation
  - c. Public Comment
  - d. Discussion/Action

**OLD BUSINESS:**

**NEW BUSINESS:**

- The Ridges Major Subdivision (Lots 57, 58, and 61) (Jamie MacLean)

**WORKSESSION:**

- Wind Ordinance Discussion (Steven Sandy)
- Departmental Work Program Update (Steven Sandy)

**LIAISON REPORTS:**

- Board of Supervisors- John Muffo
- Agriculture & Forestal District- Bob Miller
- Blacksburg Planning Commission – Frank Lau
- Christiansburg Planning Commission – Bryan Rice
- Economic Development Committee- John Tuttle
- Public Service Authority – Malvin Wells

-- OVER --

- Parks & Recreation- Walt Haynes
- Radford Planning Commission- Bob Miller
- School Board- Bill Seitz
- Transportation Safety Committee- Malvin Wells
- Planning Director's Report- Steven Sandy

**MEETING ADJOURNED:**

**UPCOMING MEETINGS:**

July 20, 2011	Planning Commission Regular Meeting <b>CANCELLED</b>
August 10, 2011	Planning Commission Regular Meeting <b>(6:00 pm @ Elliston Fire Station)</b>
August 17, 2011	Planning Commission Site Visits (To be determined) Planning Commission Public Hearing (7:00 pm)

**MONTGOMERY COUNTY PLANNING COMMISSION  
CONSENT AGENDA  
July 13, 2011**

**A. APPROVAL OF MINUTES**

- April 20, 2011

**ISSUE/PURPOSE:**

The above listed minutes are before the Planning Commission for approval.

**B. SCHEDULE THE FOLLOWING ITEM FOR PUBLIC HEARINGS BEFORE THE PLANNING COMMISSION ON AUGUST 17, 2011 AND BOARD OF SUPERVISORS ON AUGUST 22, 2011**

\*\*\* THERE ARE NO PUBLIC HEARINGS SCHEDULED FOR AUGUST\*\*\*

AT A MEETING OF THE MONTGOMERY COUNTY PLANNING COMMISSION ON APRIL 20, 2011 IN THE BOARD ROOM, SECOND FLOOR, COUNTY GOVERNMENT CENTER, CHRISTIANSBURG, VIRGINIA:

**CALL TO ORDER:**

Mr. Rice, Chair called the meeting to order.

**DETERMINATION OF A QUORUM:**

Mrs. Hopkins established the presence of a quorum.

Present: Bryan Rice, Chair  
Walt Haynes, Vice Chair  
William Seitz, Member  
Frank Lau, Member  
Malvin Wells, Member  
Robert Miller, Member  
John Tuttle, Member  
John Muffo, Board of Supervisors Liaison  
Steve Sandy, Planning Director  
Dari Jenkins, Planning & Zoning Administrator  
Jamie MacLean, Development Planner  
Brea Hopkins, Planning & Zoning Technician

Absent: Ryan Thum, Secretary  
Joel Donahue, Member

**APPROVAL OF AGENDA:**

On a motion by Mr. Miller, seconded by Mr. Tuttle and unanimously carried the agenda was approved as amended by placing new business prior to the work session and by adding sign ordinance amendment and safe route to schools discussion to the work session.

On a motion by Mr. Miller, seconded by Mr. Wells and unanimously carried the consent agenda was approved as presented.

**PUBLIC ADDRESS:**

Mr. Rice opened the public address session; however, there being no speakers the session was closed.

**PUBLIC HEARINGS:**

Montgomery County requests a Comprehensive Plan amendment to add a policy map designation and supporting language for proposed Urban Development Areas (UDA) to comply with Section 15.2-2223.1 of the Code of Virginia. The proposed UDAs will permit residential densities of up to twelve (12) units per acre and commercial densities of 0.4 FAR. The proposed areas are located in the unincorporated area of the County and contain approximately 450 acres in the Route 177 Corridor and Merrimac areas. These areas are currently designated as Urban Expansion areas in the County Comprehensive Plan with an overall maximum allowable residential density of four (4) units per acre.

Mr. Rice introduced the request.

Mr. Sandy reviewed the two (2) areas being designated as Urban Development Areas (UDA). The proposed areas are the Merrimac area and a section of the Route 177 corridor. The amendments to the comprehensive plan will include text amendments and an amendment to the future land use map. The Board of Supervisors public hearing has not been scheduled to allow time to make revisions if necessary. The desire is to meet the state deadline of June 30<sup>th</sup>. There is not a special area plan for Merrimac; however, one is being developed for the Route 177 corridor and for the Elliston Lafayette area.

Mr. Vlad Gavrilovic, consultant, expressed his appreciation to staff for assistance in meeting the state guidelines. The proposed amendments consist of UDA areas being designated on the land use map, projected densities, allow mixed uses, incorporation of traditional neighborhood design. He discussed the proposed incentives to direct growth to UDA areas. The revisions are to the comprehensive plan only and do not include any changes to existing zoning designations of property. The two (2) proposed UDA areas are portions of existing Urban Expansion areas. The designation requirement for the unincorporated area of the county is 204-448 acres. The proposed UDA areas will total approximately 413 acres.

Mr. Sandy asked about future updates.

Mr. Gavrilovic stated the UDA should be updated with the 5 year comprehensive plan updates; however, there is no preclusion to prevent updates sooner.

Mr. Rice asked if recalculations had to be conducted every 5 years.

Mr. Gavrilovic stated the calculations would need to be updated.

Mr. Rice opened the public hearing for comment.

Mr. Wessol, stated he would like to thank the planning commission and the board of supervisors for being progressive and offering commercial development opportunities.

There being no further comments hearing closed.

Mr. Seitz made a motion which was seconded by Mr. Wells to recommend approval of a Comprehensive Plan amendment to add a policy map designation and supporting language for proposed Urban Development Areas (UDA) to comply with Section 15.2-2223.1 of the Code of Virginia.

Mrs. Hopkins called the roll and the motion passed (7-0) with the following vote:

AYES: Rice, Haynes, Seitz, Lau, Wells, Miller, Tuttle

NAYES: None

ABSTAIN: None

Montgomery County requests a Comprehensive Plan amendment to incorporate the 177 Gateway Area Plan into the existing Route 177 Corridor Land Use Plan. The proposed amendment will revise the proposed future land use map of the area adjacent to Exit 109 and identify this area as an Urban Development Area (UDA) to comply with Section 15.2-2223.1 of the Code of Virginia.

Mr. Rice introduced the request.

Mr. Sandy stated this plan specifically considers the 177 corridor and amends the existing corridor plan to incorporate the Gateway Area Plan. Direct mailings were sent to owners within this area on at least two (2) occasions and an open house held prior to the Planning Commission meeting.

Mr. Gavrilovic stated the area plan is an opportunity to look at a growth area identified by the county and explore impacts of development. Workshops have produced positive responses. The benefits of developing the area plan is to focus on a key growth area while utilizing grant funds, explore the impacts and opportunities for development, give landowners clarity about policy intentions, and realize the economic potential for land. The entire 177 corridor is a growth area identified by the County and part of a joint plan with the City of Radford. The key issues identified were: value of coordinated planning, supporting property owner's initiatives to create long range vision, understanding transportation issues, and identifying opportunities for funding infrastructure. The City of Radford is aware of the proposed amendments to the 177 Corridor Plan. He reviewed the Gateway Plan and presented illustrations showing potential development over time. Implementation can be achieved through obtaining funding for future infrastructure such as grants, tax increment financing, and special service districts. He noted that he would recommend the county gauge landowner interest, match goals with the best funding option, and develop a coalition of landowner/developers to assist the process.

Mr. Rice opened the public hearing session; however, there being no speakers the public hearing was closed.

Mr. Seitz made a motion which was seconded by Mr. Miller to recommend approval of a Comprehensive Plan amendment to incorporate the 177 Gateway Area Plan into the existing Route 177 Corridor Land Use Plan.

Mrs. Hopkins called the roll and the motion passed (7-0) with the following vote:

AYES: Rice, Haynes, Seitz, Lau, Wells, Miller, Tuttle  
NAYES: None  
ABSTAIN: None

## **OLD BUSINESS:**

### **WORKSESSION:**

On a motion by Mr. Wells, seconded by Mr. Seitz and unanimously carried the Planning Commission entered into worksession.

#### Zoning Ordinance Amendments

- PUD-TND (New District)
- TND-Infill (New District)
- Residential R-2 & R-3 Compact (Modified District)

Mr. Sandy stated zoning amendments would need to be made to address and support the amendments to the comprehensive plan.

Mr. Gavrilovic discussed the addition of two new districts, PUD-TND, TND Infill. Amendments are text amendments only and will not effect any current zoning designations on anyone's property. There are also potential revisions to Residential R-2 and R3 districts for incorporation of the TND design principles. The acreage requirements for rezoning to TND-Infill are a maximum of ten (10) acres in order to allow for flexibility for higher densities on smaller parcels. The TND-PUD district has a forty (40) acre minimum.

Mr. Rice asked about property development options for parcels between ten (10) to forty (40) acres in size.

Mr. Gavrilovic stated the property could be rezoned and developed under a traditional Planned Unit Development (PUD) or under a Residential zoning district.

After discussion, it was the consensus of the planning commission to move forward with advertising a public hearing for the proposed ordinance amendments.

#### Sign Ordinance Amendments

Mrs. Hopkins discussed the following proposed amendments to Section 10-45 of the Montgomery County Code:

- An amendment to add regulations regarding LED/Changeable Message Signs
- Amend the matrix to allow directory signage and incorporate the proposed TND-I and TND-PUD districts
- Amendment to Apply allowances for "shopping centers" regardless of the amount of retail space and add size limitations for walls up to one thousand (1,000) square feet.
- Amendment to add regulations for Mixed-use development & business parks
- Amendment to allow off-premise signs for semipublic uses, community signs, subdivision signs, and signs for church, chapel, synagogue, temple or other place of worship
- An amendment to allow the BZA to grant a special use permit to allow an increase in sign area

Mr. Miller stated the amendments seemed appropriate; however, suggested the square footage for off-premise signs be reduced to twenty (20) square feet.

Mr. Seitz stated the reduction in size seemed reasonable.

After discussion, it was the consensus of the planning commission to move forward with advertising a public hearing for the proposed ordinance amendments.

#### Prices Fork Elementary Safe Route To Schools Radford University Project

Mrs. Hopkins stated she was assigned the task of completing a planning project for a class at Radford University. She chose to develop a report to be used as a guideline for the future development and implementation of a "Safe Route To School" project for the Prices Fork Elementary School and to assist with Comprehensive Plan implementation. Federal grant funds are administered by Virginia Dept. of Transportation. Currently applications are only being considered for infrastructure grants and funds up to \$500,000 can be received per program. She presented maps depicting preliminary routes and discussed the advantages of the program, infrastructure and non-infrastructure needs, and the relationship of the project to the comprehensive plan and VITL plan.

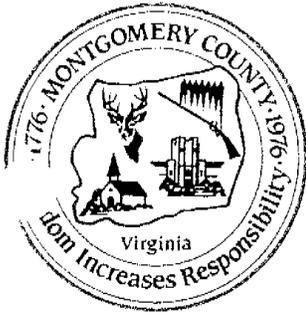
Mr. Miller stated the report should be used and the project should be pursued. He commended Mrs. Hopkins for the work she had done.

On a motion by Mr. Seitz, seconded by Mr. Miller and unanimously carried the planning commission closed the worksession.

#### Planning Commission Annual Training Event

Mr. Rice announced the training event to be held from 6:00-9:00 pm on April 27<sup>th</sup> at the NRV Planning District Commission in Fairlawn.

There being no further business, the meeting was adjourned at 8:45 pm.



MONTGOMERY COUNTY DEPARTMENT  
OF PLANNING & GIS SERVICES

PLANNING  
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

**MEMORANDUM**

TO: Planning Commission

FROM: Planning Staff

*TDX*

DATE: July 5, 2011

RE: **Staff Analysis (RZ-2011-08827)**

A request by **Billy D. & Ruth G. Massie** to rezone approximately 2.4 acres from Agricultural (A1) to Planned Mobile Home Residential Park (PMR), with possible proffered conditions, and an amendment to a Special Use Permit approved 4/8/2002 to allow a ten (10) unit expansion of the existing **Massie's Mobile Home Park** for a total of 174 units on 45.307 acres. The properties are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and are identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181 & 64-A-185C (Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 033492) in the Riner Magisterial District (District E). The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

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**I. NATURE OF REQUEST**

The applicants, Billy & Ruth Massie (Agent: Marvi D. Stine) are requesting rezoning of approximately 2.4 acres from Agriculture (A1) to Planned Unit Mobile Home Park (PMR), with possible proffered conditions, and an amendment to an existing special use permit to allow ten (10) additional manufactured homes to be located within Massie's Mobile Home Park on 45.307 acres bringing the total number of units to 174.

The three (3) areas affected by the rezoning request are identified on the concept plan by diagonal lines. Parcel 001934 located on Coal Hollow Road is 0.9 acres and is the proposed site of four (4) additional units. Parcel 033492 located on Mass Circle is 0.7 acres and is the proposed site of one (1) additional unit. Parcel 030919, 0.5 acres, is currently part of Mass Circle and will receive zero units since it serves as part of the road. A portion of parcel 011977, 0.3 acre, adjacent to the Massie residence will receive zero additional units, but will formally bring Unit #58 into the park.

If the proposed rezoning is approved, an important part of this proposal includes a proposed boundary line adjustment plat to combine several parcels so that all mobile homes will be located on one parcel. This will greatly benefit County staff as we issue permits for installation of new or replacement units in the park and should make the owner's payment of taxes easier with less parcels to identify.

## **II. LOCATION**

The subject properties to be rezoned are located at 232 Coal Hollow Road and 2720 Peppers Ferry Road and are identified as Tax Parcel No. 64-A-173, 64-A-185A & 64-A-185C (Parcel ID #'s 001934, 030919, 033492).

The subject properties for a Special Use Permit (SUP) are identified as Tax Parcel Nos. 64-A-165, 64-A-169, 64-A-171, 64-A-172, 64-A-173, 64-A-176, 64-A-181, 64-A-185A, & 64-A-185C (Parcel ID #'s 018494, 013076, 005101, 017988, 001934, 011982, 011977, 030919, 033492).

All properties lie within the Riner Magisterial District (District E). There is currently a Community Business (CB) district to the west of Coal Hollow Road (Route 705). There is a small General Business (GB) district located at the intersection of Vicker Switch Rd. (Route 659) and Peppers Ferry Road (Route 114), and currently occupied by Bell Oil Company. The remaining adjoining parcels are currently zoned Agricultural (A-1).

The property is bordered on the south by Peppers Ferry Road (Route 114) and by Coal Hollow Road (Route 705) along the southwestern corner.

## **III. BACKGROUND**

In September 1999, the Board of Supervisors approved an expansion of Massie Mobile Home Park 140 units with seven (7) conditions on the Special Use Permit.

In April 2002, the Special Use Permit (SUP) for the mobile home park was amended to allow no more than 12 additional units.

As a result of previous zoning actions and the purchase of additional properties with existing residential units, the Massies currently own a total of 162 manufactured home rental lots, two (2) apartments, and their personal residence on the properties described above. There are three (3) entrances to the park; two (2) from Peppers Ferry Road and one (1) from Coal Hollow Road.

## **IV. IMPACTS**

### **Transportation**

During the Plan Review meeting on June 23, 2011, John Thompson, VDOT Land Use Engineer, indicated that each home is estimated to generate 7.5 vehicle trips per day. Therefore, the addition of ten (10) manufactured homes to the park will generate approximately 75 additional trips per day; however, the increased traffic will not generate enough additional vehicle trips per hour to require a review under the Virginia Department of Transportation (VDOT) Chapter 527 Regulation.

After their site visit to review the existing three (3) entrances, VDOT advised they did not see any problems with the proposal to add ten (10) additional manufactured homes to the manufactured home

park. Since there are multiple access points for Massie's Mobile Home Park along with several loop roads within the park, it is felt that emergency access for the residents is adequate.

### **Fire and Rescue**

Neal Turner, Emergency Services Coordinator, has stated that he does not have any concerns regarding the proposal to add ten (10) units to Massie's Mobile Home Park.

Staff has discussed the issue of readdressing the entire park with the applicants in conformance with the 911 street naming requirements. The owners are in agreement with renumbering the park and purchasing new street signs for installation. Conformance with the county wide addressing system should reduce response time for emergency situations within the park.

### **Infrastructure**

The property is currently served by PSA water and sewer and the proposed units will be served with public water and sewer as well. The park owner is responsible for maintaining the water and sewer lines internal to the park. The PSA Director indicated in a letter dated June 8, 2011 that public water and sewer capacity is available for the ten (10) additional residential units.

### **Schools**

In a letter dated June 20, 2011, Dan Berenato, Director, Montgomery County Public Schools, Facilities and Planning Department, indicates that "each new family dwelling unit has the potential to add 0.6 children each to the school system", potentially adding six (6) students to the school system. This site is in the Christiansburg Stand and Christiansburg High School is currently using two (2) mobile classrooms although the enrollment is below the capacity of the school. Mr. Berenato requests consideration of the impact of this and other recent development approvals on the school system.

The Facilities and Planning Department indicated there are approximately 80 school children currently residing within the park. There are three school bus stops along Peppers Ferry Road in front of this park. It may prove beneficial to add another school bus waiting shelter in the vicinity of the intersection of Peppers Ferry Road (Rt. 114) and Coal Hollow Road (Route 705).

### **Impact Summary**

It appears the proposed rezoning from Agricultural (A1) to Planned Unit Mobile Home Park (PMR) would be compatible with the use of surrounding parcels, and that appropriate infrastructure is in place to support the proposed uses.

## **V. COMPREHENSIVE PLAN**

The property currently lies in an area designated as Village Expansion in the 2025 Comprehensive Plan and further described as High Density Residential within the Belview Village Plan.

### **Village Expansion**

According to Section PLU 1.6.3 of the Montgomery County Comprehensive Plan:

*Village Expansion Areas are intended to provide an alternative to scattered rural residential development and to provide an opportunity to enhance the vitality of existing villages by providing for compatible expansions of residential and employment uses. Village expansion areas are adjacent to existing villages where appropriate new development can be accommodated while retaining the viability and character of the historic village core.*

The following Land Use Policies are specified within the Belview Village Plan and should be considered during the review of this application for expansion of Massie Mobile Home Park:

***BVW 1.8.1 Density.*** *Density in High Density Residential Neighborhoods should not exceed eight (8) dwelling units per gross acre.*

***BVW 1.8.2 Uses.*** *Land uses in High Density Residential Neighborhoods should be limited to multifamily and manufactured housing developments, which fit with the character of the neighborhood, home occupations, and appropriate home businesses.*

***BVW 7.1 Housing Opportunities.*** *Provide rental and owner-occupied housing opportunities that are affordable to a wide range of individuals and families, including seniors.*

## **Comprehensive Plan Summary**

The applicant has proposed that approximately 2.4 acres of the subject parcel(s) be rezoned to a higher intensity land use from Agricultural (A-1) to Planned Mobile Home Residential Park (PMR). The applicant has prepared a concept plan that shows growth in an areas where the increased density can be supported by infrastructure improvements, while maintaining the existing community character.

The proposal is consistent with the Planning and Land Use chapter of the Montgomery County 2025 Comprehensive Plan, including the Belview Village Plan. As proposed, this development meets the goals and objectives of the future land use for this area and does qualify for consideration of rezoning from Agricultural (A-1) to Planned Mobile Home Residential Park (PMR).

## **VI. ANALYSIS**

The subject parcel(s) qualify for rezoning to Planned Mobile Home Residential Park (PMR) per Section 10-36 of the Montgomery County Code. The additional affordable housing provided by this expansion should provided a much needed housing resource as the downturn of the economy has resulted in a significant rise in a default in home mortgages, resulting in a greater need for rental housing. Based on review of the PMR Development Plan, revised June 9, 2011, the proposed project meets all the requirements of Section 10-36, including density, recreation areas and open space.

The owners have continued to make improvements within Massie Mobile Home Park including paved streets, improved playground areas, connection of the entire park to PSA water and sewer systems, and installation of extensive landscaping. The park is well maintained and generally free of debris. If the current rezoning and special use permit requests are approved, the applicant will be submitting a site plan including the landscaping and buffering as indicated on the concept plan.

The proposed zoning changes will not present a significant change in land use compared to the existing surrounding community uses.

## **VII. STAFF RECOMMENDATION**

Staff preliminarily recommends **approval** of the the proposed rezoning of approximately 2.4 acres from Agricultural (A-1) to Planned Mobile Home Residential Park (PMR).

Staff preliminarily recommends **approval** of an amendment of the Special Use Permit (SUP) approved 4/8/2002 to allow a ten (10) unit expansion of the existing Massie's Mobile Home Park for a total of 174 units on 45.307 acres with the following conditions:

1. This Special Use Permit (SUP) authorizes expansion of Massie's Mobile Home Park to a maximum of 174 units on 45.307 acres, based upon the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C.
2. A boundary line adjustment plat shall be submitted and approved vacating the interior parcel lines as indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C., prior to approval of the final development plan by the Zoning Administrator.
3. Final development plans shall be approved by the Zoning Administrator prior to the issuance of any building permits for installation of manufactured home on new spaces.
4. Final development plans shall include any improvements requested by Montgomery County Public Schools Transportation Department for the school bus loading areas.
5. Fire hydrants shall be installed throughout the entire park so that no manufactured home space will be more than 500 feet by road from a hydrant, subject to engineering constraints. Hydrant locations (existing and proposed) shall be noted on final development plans.
6. If required, an erosion and sediment control plan shall be submitted to the County Engineer for approval prior to any excavation.
7. New access roads shall be surfaced in conformance with County Code Section 10-36, Planned Mobile Home Residential Park, prior to the installation of any manufactured homes served by those roads.
8. A landscaping and buffering plan for the areas indicated on the PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by Highland Surveys P.C., including a variety of plant species, shall be approved by the Zoning Administrator as part of the final development plans for the expansion.
9. New street names and addresses for all units in the mobile home park shall be assigned by the County's E-911 Coordinator. New street signs and 911 address markers for all units shall be purchased and installed by the property owner. Installation shall be completed within sixty (60) days of receipt of signs from the County. All address and street changes shall be coordinated with Montgomery County, U. S. Post Office and Verizon.

At the time this report was issued, the Planning and GIS Services office has received no inquiries regarding this request for rezoning and amendment of the Special Use Permit. Adjoining property owners were notified in accordance with Montgomery County Code Section 10-52(3). Consideration should be given to adjacent property owners or other interested citizens attending the public hearing to express their views regarding this request.

Enclosures: Aerial Map  
Zoning Map  
PMR Concept Plan for Massie's Mobile Home Park, Revised June 9, 2011, prepared by  
Highland Surveys P.C.  
Letter from Bob Fronk, Montgomery County PSA, dated June 8, 2011  
Letter from Daniel Berenato, Director, Facilities & Planning Dept., Montgomery Co Public  
Schools  
Application Materials







**MONTGOMERY COUNTY  
PUBLIC SERVICE AUTHORITY**

Government Center  
Suite 2I  
755 Roanoke Street  
Christiansburg, VA 24073-3185  
June 8, 2011

Gary D. Creed, Chair  
John A. Muffo, Vice-Chair  
Mary W. Biggs, Secretary-Treasurer  
Annette S. Perkins, Member  
William H. Brown, Member  
James D. Politis, Member  
Douglas W. Marrs, Member

Robert C. Fronk, PE  
PSA Director

Mr. Billy D. Massie  
2834 Peppers Ferry Road, Lot 57  
Christiansburg, VA 24073

**FILE COPY**

RE: Availability No. 11-32  
2834 Peppers Ferry Road  
Massie Mobile Home Park  
Tax Map No. 064-A173, A176 & A185C  
Parcel ID 001934, 011982 & 033492  
Water/Sewer

Dear Mr. Massie:

Public water and sanitary sewer are available for 10 additional units in the mobile home park on this property at 2834 Peppers Ferry Road, Parcel ID 001934, 011982 & 033492.

Public water service for the 10 additional units can be provided by connections to the existing private water system serving the Massie Mobile Park which is served by a 4-inch master meter with connection to the public water system. The water pressure at the point of connection would be approximately 90 pounds per square inch (psi). Your plumber will need to install a pressure-reducing valve on the service lines to each new unit to reduce the water pressure to 80 psi or less. The facility fee is \$2,500.00 per unit or \$25,000.00 for the proposed 10 new units. Connection fees will not be required provided the service connections are to the existing private water system. The installation and maintenance of the pressure-reducing valve shall be the property owner's responsibility.

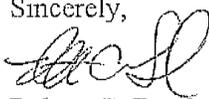
Public sewer service for the 10 additional units can be provided by connections to the existing private sewer system serving the Massie Mobile Park Public within this property. The facility fee is \$3,000.00 per unit or \$30,000.00 for the proposed 10 new units. Connection fees will not be required provided the service connections are to the existing private sewer system.

If the owner wants to proceed with this service, please make application and pay the appropriate fees at the Finance Office in the Montgomery County Government Center at 755 Roanoke Street. ***This letter and stated fees are only valid to June 1, 2012.***

Please be advised that all PSA water and sewer systems have a fixed number of available connections. Connections are reserved by payment of facility fees, provided service is currently available to the subject property.

You must submit another application for water and sewer service if you plan to subdivide this property. Please be advised that water and sewer fees would be charged for each residential unit such that a duplex would be considered as two residential units.

If you should have questions or need additional clarification of the above information, please call me at 381-1997.

Sincerely,  
  
Robert C. Fronk, PE  
PSA Director

cc: Utility Billings

TELEPHONE NO. (540) 381-1997

FAX NO. (540) 382-5703

# Montgomery County Public Schools

## Facilities and Planning Department

1175 Cambria Street, Christiansburg, VA 24073

Telephone: 540-382-5141 Fax: 540-381-6118

June 20, 2011

Ms. Brea Hopkins  
Planning & Zoning Technician  
Montgomery County  
755 Roanoke Street, Suite 2A  
Christiansburg, VA 24073

Re: Rezoning Request by Billy D. & Ruth G. Massie  
from Agriculture (A-1) to Planned Mobile Home Residential Park

Dear Ms. Hopkins:

I am writing in response to your email dated June 17, 2011, regarding the Massie's rezoning request.

The referenced property is located in the Christiansburg Strand. Children from homes in this area attend Belview Elementary School, Christiansburg Middle School, and Christiansburg High School. Belview Elementary School has a capacity of 240 students and a current enrollment of 233. Christiansburg Middle School has a capacity of 1200 students and a current enrollment of 810. Christiansburg High School has a theoretical capacity of a 1216 students and a current enrollment of 1081. Our planning consultant advises us that on average across the country, new family dwelling units have the potential to add .6 children each to the school system. Ten additional units in this development could potentially add 6 students to our school system, or approximately 1 student in every other grade level. This potential number of additional students could further impact the high school, which is currently using two mobile classrooms. Please consider the impact of this development in conjunction with other recent rezoning approvals that potentially add students to the schools.

If the rezoning request is approved, please ensure that any new public roads servicing this development can accommodate large school busses.

Thank you for this opportunity to comment on the proposed developments.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel A. Berenato". The signature is stylized with a large, sweeping horizontal stroke at the end.

Daniel A. Berenato  
Director

cc: Walt Shannon  
Rebecca Mummau



**Application to Planning Commission and Board of Supervisors**

<b>Application For: (check appropriate boxes)</b>	
<input checked="" type="checkbox"/> Rezoning	<input type="checkbox"/> Rezoning & Special Use Permit
<input type="checkbox"/> Special Use Permit	
<b>Owner/Applicant Information: (Use current mailing/contact information for all property owners. An additional sheet may be attached for multiple owners.)</b>	
Property Owner: <u>Billy D. + Ruth G. Massie</u>	Agent: <u>MARV D. STINE</u>
Address: <u>2834 PEPPERS FERRY RD. CHRISTIANSBURG VA. 24073</u>	Address: <u>P.O. Box 6364 CHRISTIANSBURG VA. 24073</u>
Phone 1: <u>540-382-7437</u>	Phone 1: <u>540-381-0595</u>
Phone 2: <u>540-320-6090</u>	Phone 2: _____
Email: <u>FAX 540-382-0047</u>	Email: <u>HIGHLAND SURVEYS@VERIZON.NET</u>
<b>Location of Property/ Site Address:</b> <u>2834 PEPPERS FERRY + 2120 PEPPERS FERRY</u>	
<b>Legal Record of Property: Total Area:</b> <u>2.230</u> Acres <b>Magisterial District</b> <u>R1ER</u>	
<b>Parcel ID:</b> <u>001934, 033492</u> <b>Tax Parcel Number(s):</b> <u>64-A-173, 64-A-185</u>	
<b>Rezoning Details: Current Zoning District:</b> <u>A1</u> <b>Requested Zoning District:</b> <u>PMR</u>	
<b>Desired Use(s):</b> <u>MOBILE HOMES (PMR)</u>	
<b>Special Use Permit: Current Zoning District</b> _____ <b>Total Area/Acres:</b> _____	
<b>Desired Use(s):</b> <u>(PMR)</u>	
<b>Comprehensive Plan Designation:</b> <u>PLAN BEING SUBMITTED</u>	
<b>Traffic Impact Analysis Required:</b> <input type="checkbox"/> Yes (payment enclosed) <input checked="" type="checkbox"/> No	
<i>I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.</i>	
<u>Ruth G. Massie</u>	Agent's Signature
<u>6-1-11</u>	Date
Property Owner(s) Signature	Date

.....

Date Received: 5/11 **FOR OFFICE USE ONLY** Application Number: K2-2011-05837

Traffic Impact Analysis and Payment Received:  Yes  No Date Submitted to VDOT: \_\_\_\_\_

Issues for Consideration for Planned Mobile Home Residential Park (PMR) Massie's Mobile Home Park

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification")  
**A detailed plat plan is being submitted.**
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control.  
**Hydrants are already in place.**
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.  
**These lots will be merged in with the other lots already in place.**
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area.  
**All lights are already in place from the original installation.**
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.  
**Lights already in place.**
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.  
**This is already approved Mobile Home Park that we are adding too.**
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.  
**This will be single wide & double wide mobile homes only.**
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.  
**Shrubs & landscaping already in place.**
9. The timing and phasing of the proposed development and the duration of the proposed use.  
**This development will be done over the period of a year.**
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance.  
**These lots will be integrated into a Mobile Home Park already in existence.**
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.  
**We furnish low-income housing for families.**
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement.  
**This should generate about 25 extra vehicles of traffic.**
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County.  
**This is for mobile homes only.**

14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services.  
**Our streets and roads are adequate to handle any needs that may arise.**
15. The effect of the proposed Special Use Permit on groundwater supply.  
**The ground water was taken care of in 2001 planning with lines runs to alleviate water run off.**
16. The effect of the proposed Special Use Permit on the structural capacity of the soils.  
**Very little soil will be disrupted.**
17. Whether the proposed use will facilitate orderly and safe road development and transportation.  
**Roadways are adequate to handle all traffic.**
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality.  
**This will have no effect because the vegetation is already in place. (No effect on air quality)**
19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.  
**This will give people a place to live so they can seek employment in Montgomery County. Also increase the tax base on mobile homes.**
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth.  
**This will give people a place to live.**
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County.  
**Low-income housing for people coming into county.**
22. The location, character, and size of any outdoor storage.  
**There may be some small (200 Sq. Ft.) buildings at trailers for storage.**
23. The proposed use of open space.  
**Playground, Basketball, Volleyball, horseshoes, and Gazebo for picnics.**
24. The location of any major floodplain and steep slopes.  
**All steep slopes are seeded & grass in place.**
25. The location and use of any existing non-conforming uses and structures.  
**To my knowledge there is no existing non-conforming structures.**
26. The location and type of any fuel and fuel storage.  
**There is no fuel storage. All mobile homes are heated with electric & heat pumps.**
27. The location and use of any anticipated accessory uses and structures.  
**Adjacent to mobile home (small storage building).**
28. The area of each use; if appropriate.  
**Personal storage for each unit.**
29. The proposed days/hours of operation.  
**"Personal storage" only.**
30. The location and screening of parking and loading spaces and/or areas.  
**Most of parking places are already in place.**
31. The location and nature of any proposed security features and provisions.  
**Massie's Mobile Home Park & Montgomery County Sheriffs Department.**
32. The number of employees.

33. The location of any existing and/or proposed adequate on and off-site infrastructure.

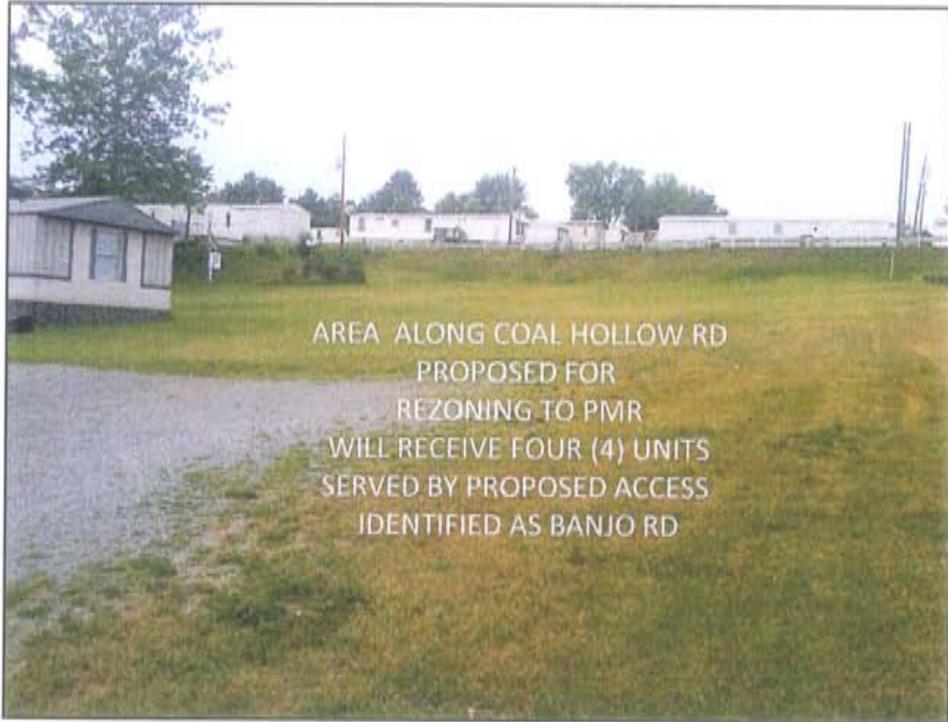
**No Building will be constructed.**

34. Any anticipated odors, which may be generated by the uses on site.

**No odors will be generated on this site.**

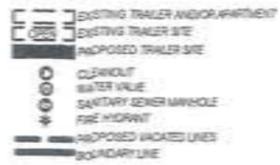
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.

**We have a good working relationship with schools in our area. We give them a list of children living in our park. No noticeable construction traffic.**



MASSIE REZONING A-1 TO PMR & SPECIAL USE PERMIT ; RZ-2011-08827  
PHOTOS TAKEN: JULY 5, 2011

**LEGEND**



**TYPICAL SETBACK DIAGRAM OF TRAILER UNITS**



**LANDSCAPING**

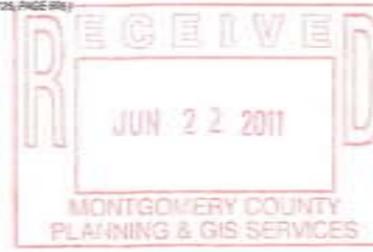
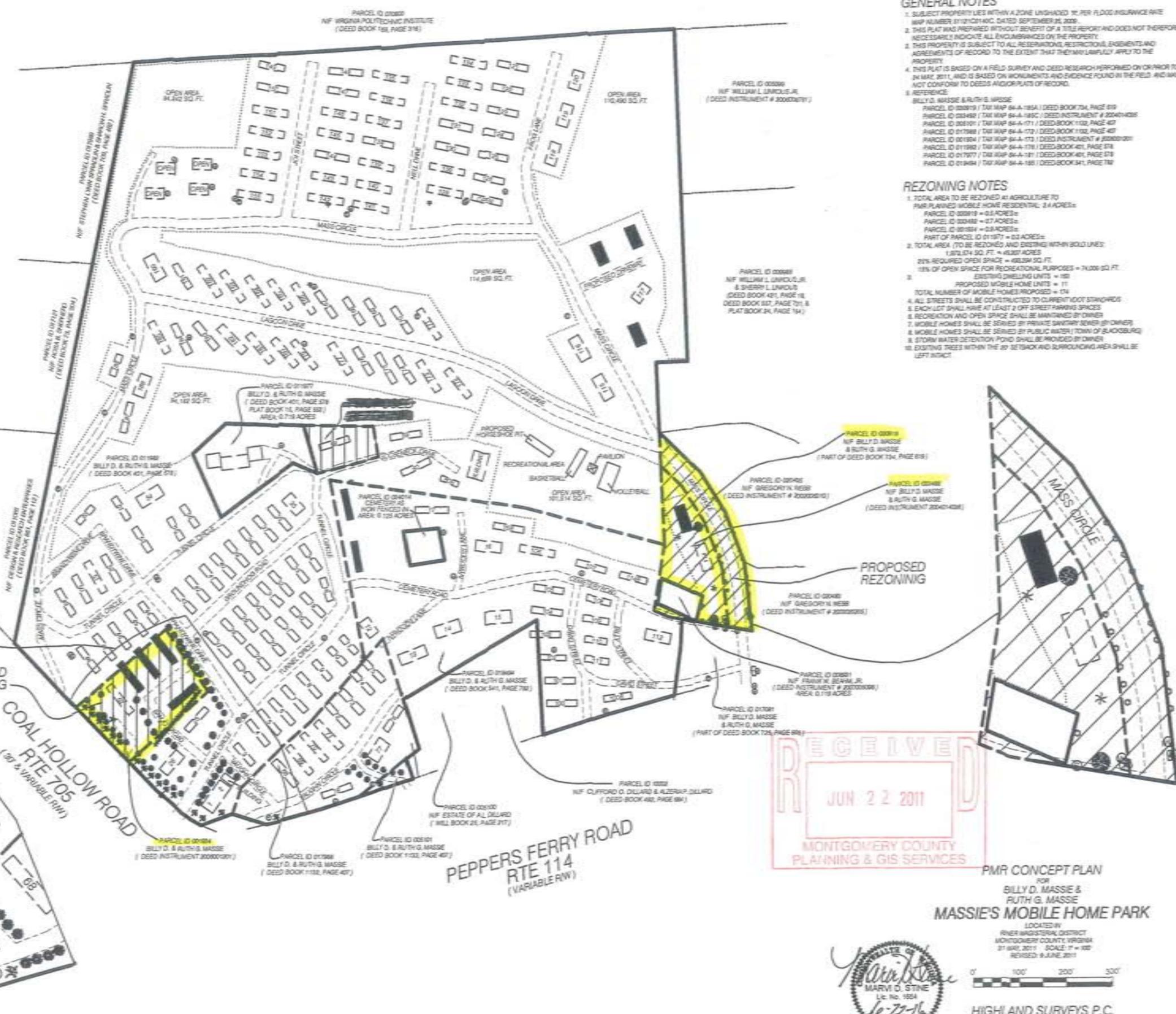
EXISTING (AS SHOWN)	PROPOSED (AS SHOWN)
2-OAK	16-LELAND CYPRESS
1-HAWK	
2-WEEDING CHERRY	
17-CREPE MYRTLE	3-DOORWOOD
	5-RED BLD
25-BANANA	25-PAVONIA
1-FORSYTHIA	25-SPY

**GENERAL NOTES**

- SUBJECT PROPERTY LIES WITHIN A ZONE UNZONED BY PER FLOOD INSURANCE RATE MAP NUMBER 812101410C, DATED SEPTEMBER 25, 2009.
- THIS PLAN WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- THIS PROPERTY IS SUBJECT TO ALL RESERVATIONS, RESTRICTIONS, EASEMENTS AND AGREEMENTS OF RECORD TO THE EXTENT THAT THEY MAY LAWFULLY APPLY TO THE PROPERTY.
- THIS PLAN IS BASED ON A FIELD SURVEY AND DEED RESEARCH PERFORMED ON OR PRIOR TO 24 MAR. 2011, AND IS BASED ON MONUMENTS AND EVIDENCE FOUND IN THE FIELD AND MAY NOT CONFORM TO DEEDS AND/OR PLATS OF RECORD.
- REFERENCE:  
BILLY D. MASSE & RUTH G. MASSE  
PARCEL ID 020819 / TAX MAP 94-A-185A / DEED BOOK 704, PAGE 619  
PARCEL ID 020492 / TAX MAP 94-A-185C / DEED INSTRUMENT # 200414038  
PARCEL ID 020701 / TAX MAP 94-A-171 / DEED BOOK 1102, PAGE 407  
PARCEL ID 011788 / TAX MAP 94-A-173 / DEED BOOK 1102, PAGE 407  
PARCEL ID 021054 / TAX MAP 94-A-173 / DEED INSTRUMENT # 200202201  
PARCEL ID 011992 / TAX MAP 94-A-178 / DEED BOOK 401, PAGE 578  
PARCEL ID 011707 / TAX MAP 94-A-181 / DEED BOOK 401, PAGE 578  
PARCEL ID 011854 / TAX MAP 94-A-185 / DEED BOOK 341, PAGE 782

**REZONING NOTES**

- TOTAL AREA TO BE REZONED AS AGRICULTURE TO PMR PLANNED MOBILE HOME RESIDENTIAL: 2.1 ACRES:  
PARCEL ID 020819 = 0.5 ACRES  
PARCEL ID 020492 = 0.7 ACRES  
PARCEL ID 021054 = 0.9 ACRES  
PART OF PARCEL ID 011871 = 0.0 ACRES
- TOTAL AREA (TO BE REZONED AND EXISTING WITHIN BOLD LINES): 1,870.54 SQ. FT. = 0.0427 ACRES  
25% REQUIRED OPEN SPACE = 467.63 SQ. FT.  
15% OF OPEN SPACE FOR RECREATIONAL PURPOSES = 70.05 SQ. FT.  
EXISTING OVERLAP UNITS = 150  
PROPOSED MOBILE HOME UNITS = 174  
TOTAL NUMBER OF MOBILE HOMES PROPOSED = 174
- ALL STREETS SHALL BE CONSTRUCTED TO CURRENT FOOT COUNTERS.
- EACH LOT SHALL HAVE AT LEAST 2 OFF STREET PARKING SPACES.
- RECREATION AND OPEN SPACE SHALL BE MAINTAINED BY OWNER.
- MOBILE HOMES SHALL BE SERVED BY PRIVATE SANITARY SEWER (IF OWNER).
- MOBILE HOMES SHALL BE SERVED BY PUBLIC WATER (TOWN OF BLACKSBURG).
- STORM WATER DETENTION POND SHALL BE PROVIDED BY OWNER.
- EXISTING TREES WITHIN THE 30' SETBACK AND SURROUNDING AREA SHALL BE LEFT INTACT.



PMR CONCEPT PLAN FOR BILLY D. MASSE & RUTH G. MASSE MASSIE'S MOBILE HOME PARK

LOCATED IN RIVER WARDEN DISTRICT MONTGOMERY COUNTY, VIRGINIA  
21 MAR. 2011 SCALE: 1" = 100'  
REVISED: 9 JUNE 2011



HIGHLAND SURVEYS P.C.  
TELEPHONE 540.281.0251  
P.O. BOX 8284 HICK SHAWNEE ST.  
CHRISTIANSBURG, VIRGINIA 23028



MONTGOMERY COUNTY  
PLANNING & GIS SERVICES

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073 3177

**MEMORANDUM**

**TO:** Planning Commission  
**FROM:** Planning Department *JDA*  
**DATE:** July 6, 2011  
**RE:** **Preliminary Plat Approval for "The Ridges Major Subdivision (Lots 57, 58, and 61)".**

---

**Background** – The Ridges Subdivision is located off of North Fork Road (Route 603) in the Ironto area. It includes 193 acres that were rezoned to Residential (R-2) in 1986. It has been developed in seven (7) previous phases and now totals approximately 63 lots. The new Phase 8 will consist of an additional three (3) lots to be served by well and septic systems.

**Developer** – Reese Family Limited Partnership

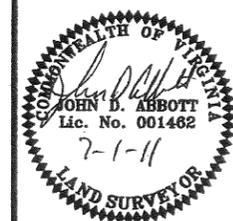
**Consultant**– John D. Abbott, PE, CLS

**Draft Resolution** – Approval of the Preliminary Plat for "The Ridges Lots 57, 58, and 61" (John D. Abbott Job No. 11-028) dated July 1, 2011 subject to the following conditions:

1. The Virginia Department of Transportation (VDOT) shall review and approve the proposed streets and any associated drainage plans.
2. The Virginia Department of Health shall review and approve all proposed on site well and sewage disposal systems.
3. The County Engineer shall review and approve the erosion & sediment control plans.
4. All remaining items on the attached Subdivision Application Report dated July 6, 2011 shall be addressed.
5. If there are any stormwater detention facilities, then the County Attorney shall review and approve the Homeowner's Association Bylaws for maintenance and liability.
6. Prior to the signing of the final plat a letter of credit equal to 110% of public improvement costs shall be received by the subdivision agent.

After all the above conditions are met, the Planning Commission will review and act on the Final Plat of Subdivision.

Attachments: Preliminary Plat dated July 1, 2011  
Subdivision Application Report dated July 6, 2011  
Board of Supervisors Ordinance 1986-4



**ABBOTT**  
ENGINEERING & SURVEYING  
5997 Upper Craig Creek Rd.  
Catowba Va 24070  
(540) 864-5271 (540) 864-6702 fax

**MAJOR SUBDIVISION  
THE RIDGES LOTS 57, 58, 61**  
MOUNT TABOR MAGISTERIAL DISTRICT  
Montgomery County, VA

REESE FAMILY LIMITED PARTNERSHIP  
AGENT: LYNN J. REESE  
PRINCIPAL OFFICE ADDRESS:  
4289 North Fork Rd Elliston, VA 24087

Job # 11-028  
DATE 7-1-2011  
REVISIONS:

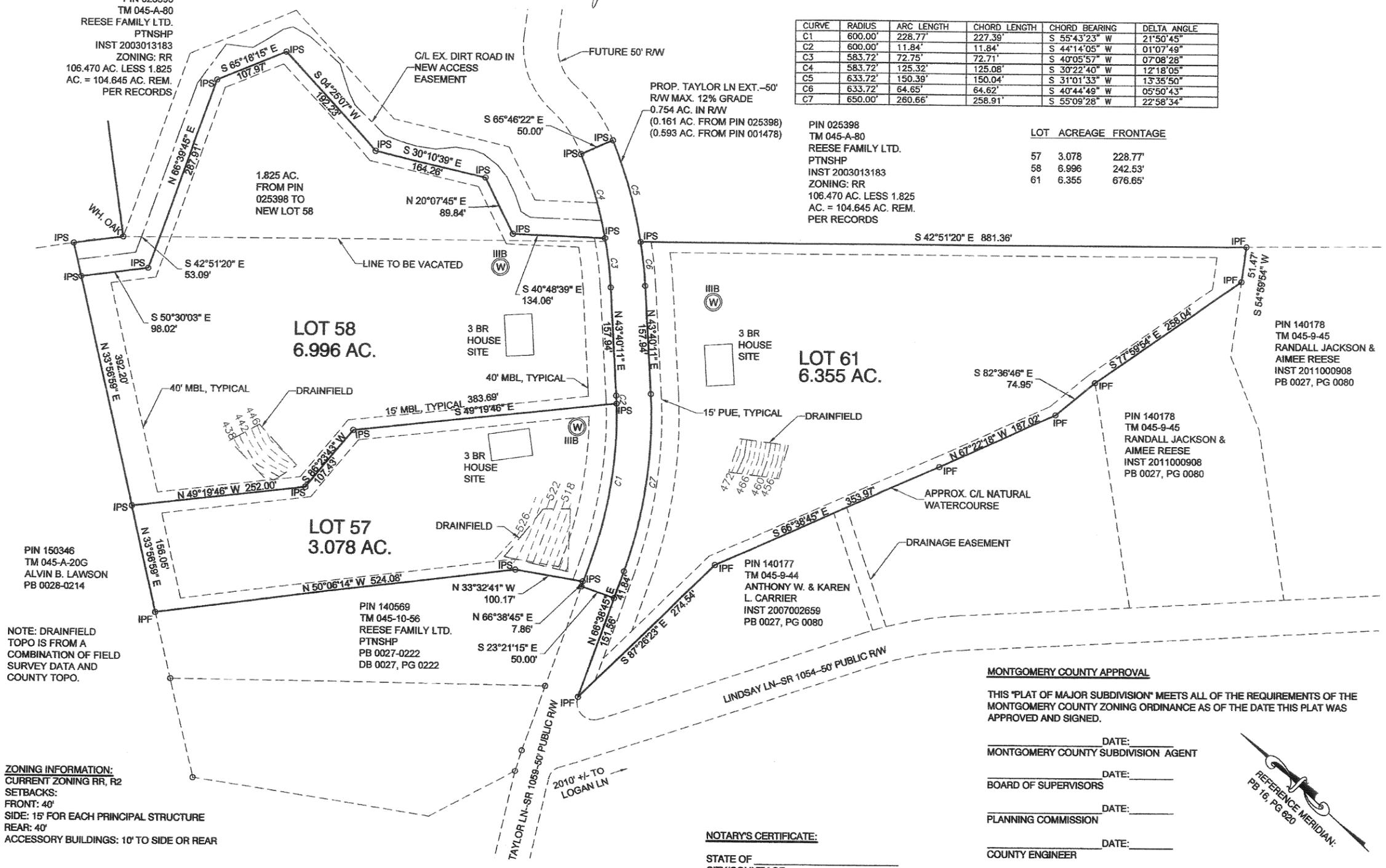
**NOTES:**  
1. THIS PLAT MAY BE SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY A TITLE REPORT BY A LICENSED ATTORNEY.  
2. THE SUBJECT PROPERTY IS WITHIN THE LIMITS OF ZONE X AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP PANEL 51121C0160C, DATED 9-25-09. THIS DETERMINATION IS BASED ON SAID MAP AND HAS NOT BEEN VERIFIED BY ACTUAL FIELD ELEVATIONS.  
3. NO EVIDENCE OF PLACES OF BURIAL OR CEMETERY WERE FOUND BY THIS SURVEY.  
4. A 15 FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT IS PROVIDED ALONG FRONT LOT LINES. PUBLIC UTILITY INCLUDES ELECTRIC, TELEPHONE, CABLE TV, POWER LINES, TELEPHONE LINES AND OTHER PUBLIC UTILITIES SHALL BE PLACED UNDERGROUND AND SHALL SATISFY THE REQUIREMENT FOR UNDERGROUND UTILITIES.

**CONFORMING STATEMENT:**  
THIS IS TO CERTIFY THAT THIS PLAT OF MAJOR SUBDIVISION IS ESTABLISHED TO CONFORM TO ALL OF THE REQUIREMENTS AND PROVISIONS OF THE SUBDIVISION AND ZONING ORDINANCES FOR THE COUNTY OF MONTGOMERY, VIRGINIA.  
SIGNED: *John D. Abbott* DATE: 7-1-11  
JOHN D. ABBOTT, CLS

I, JOHN D. ABBOTT, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.  
SIGNED: *John D. Abbott* DATE: 7-1-11

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	600.00'	228.77'	227.39'	S 55°43'23" W	21°50'45"
C2	600.00'	11.84'	11.84'	S 44°14'05" W	01°07'49"
C3	583.72'	72.75'	72.71'	S 40°05'57" W	07°08'28"
C4	583.72'	125.32'	125.08'	S 30°22'40" W	12°18'05"
C5	633.72'	150.39'	150.04'	S 31°01'33" W	13°35'50"
C6	633.72'	64.65'	64.62'	S 40°44'49" W	05°50'43"
C7	650.00'	260.66'	258.91'	S 55°09'28" W	22°58'34"

PIN	ACREAGE	FRONTAGE
PIN 025398	3.078	228.77'
TM 045-A-80	6.996	242.53'
REESE FAMILY LTD.	6.355	676.65'
PTNSHP		
INST 2003013183		
ZONING: RR		
106.470 AC. LESS 1.825 AC. = 104.645 AC. REM. PER RECORDS		



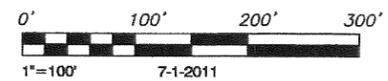
**ZONING INFORMATION:**  
CURRENT ZONING RR, R2  
SETBACKS:  
FRONT: 40'  
SIDE: 15' FOR EACH PRINCIPAL STRUCTURE  
REAR: 40'  
ACCESSORY BUILDINGS: 10' TO SIDE OR REAR

**SOURCE OF TITLE:**  
THIS IS TO CERTIFY THAT THE PROPERTIES AS SHOWN ON THIS "PLAT OF MAJOR SUBDIVISION" IS REPRESENTED BY INSTRUMENT # 200313183, RECORDED IN THE CLERK'S OFFICE OF MONTGOMERY COUNTY, VIRGINIA, WHICH INSTRUMENT IS THE LAST RECORD IN THE CHAIN OF TITLE TO THE SAID PROPERTIES.  
SIGNED: *John D. Abbott* DATE: 7-1-11  
JOHN D. ABBOTT, CLS

**OWNER'S CONSENT STATEMENT:**  
THE HEREON SHOWN "PLAT OF MAJOR SUBDIVISION", HAS BEEN PREPARED WITH THE FREE CONSENT AND IN STRICT ACCORDANCE WITH THE UNDERSIGNED OWNERS WISHES.  
NAME & SIGNATURES:  
LYNN J. REESE \_\_\_\_\_ DATE \_\_\_\_\_  
MARY LOIS REESE \_\_\_\_\_ DATE \_\_\_\_\_

**NOTARY'S CERTIFICATE:**  
STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_  
NOTARY PUBLIC  
I, \_\_\_\_\_, A NOTARY PUBLIC IN AND FOR THE STATE AND CITY/COUNTY AFORESAID, DO HEREBY CERTIFY THAT LYNN J. REESE AND MARY LOIS REESE, WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING, BEARING THE DATE OF \_\_\_\_\_, 2011 HAVE PERSONALLY APPEARED BEFORE ME IN MY CITY/COUNTY AFORESAID, AND ACKNOWLEDGED THE SAME GIVEN UNDER MY HAND THIS DAY OF \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC

**MONTGOMERY COUNTY APPROVAL**  
THIS "PLAT OF MAJOR SUBDIVISION" MEETS ALL OF THE REQUIREMENTS OF THE MONTGOMERY COUNTY ZONING ORDINANCE AS OF THE DATE THIS PLAT WAS APPROVED AND SIGNED.  
DATE: \_\_\_\_\_  
MONTGOMERY COUNTY SUBDIVISION AGENT  
DATE: \_\_\_\_\_  
BOARD OF SUPERVISORS  
DATE: \_\_\_\_\_  
PLANNING COMMISSION  
DATE: \_\_\_\_\_  
COUNTY ENGINEER



NOTES:

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LYNN J. REESE \_\_\_\_\_ DATE \_\_\_\_\_

MARY LOIS REESE \_\_\_\_\_ DATE \_\_\_\_\_

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CITY/COUNTY OF \_\_\_\_\_  
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MY COMMISSION EXPIRES \_\_\_\_\_  
NOTARY PUBLIC

MONTGOMERY COUNTY APPROVAL

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DATE: \_\_\_\_\_  
MONTGOMERY COUNTY SUBDIVISION AGENT

DATE: \_\_\_\_\_  
BOARD OF SUPERVISORS

DATE: \_\_\_\_\_  
PLANNING COMMISSION

DATE: \_\_\_\_\_  
COUNTY ENGINEER

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SIGNED John D. Abbott DATE: 7-1-11  
JOHN D. ABBOTT, CLS

THIS SUBDIVISION IS APPROVED FOR INDIVIDUAL ONSITE SEWAGE SYSTEMS IN ACCORDANCE WITH THE PROVISIONS OF THE CODE OF VIRGINIA, AND THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (12 VAC 5-610-10 ET SEQ., THE "REGULATIONS"), (AND LOCAL ORDINANCES IF THE LOCALITY HAS AUTHORIZED THE LOCAL HEALTH DEPARTMENT TO ACCEPT PRIVATE EVALUATIONS FOR COMPLIANCE WITH LOCAL ORDINANCES.) THIS SUBDIVISION WAS SUBMITTED TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO SECTION 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM AN AUTHORIZED ONSITE SOIL EVALUATOR (ASOE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN ASOE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO PERFORM A FIELD CHECK OF SUCH EVALUATIONS. THIS SUBDIVISION WAS CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY: AOSE DAVID HALL CERTIFICATION #122, PHONE # (540) 381-0309. PURSUANT TO ARTICLE 360 OF THE REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF APPROVAL. NO VEHICULAR TRAFFIC IS PERMITTED ON THE DRAINFIELD SITES. TREATMENT LEVEL 3 INTO A DRIP IRRIGATION DRAINFIELD IS REQUIRED FOR THE PRIMARY AND SECONDARY DRAINFIELDS. DRAINFIELDS ARE SIZED FOR (3) BEDROOMS.

APPROVED BY HEALTH DEPARTMENT OFFICIAL: \_\_\_\_\_ DATE \_\_\_\_\_

I, JOHN D. ABBOTT, HEREBY CERTIFY THAT THIS IS A TRUE AND ACCURATE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNED John D. Abbott DATE: 7-1-11

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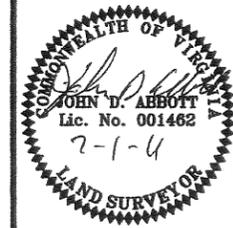
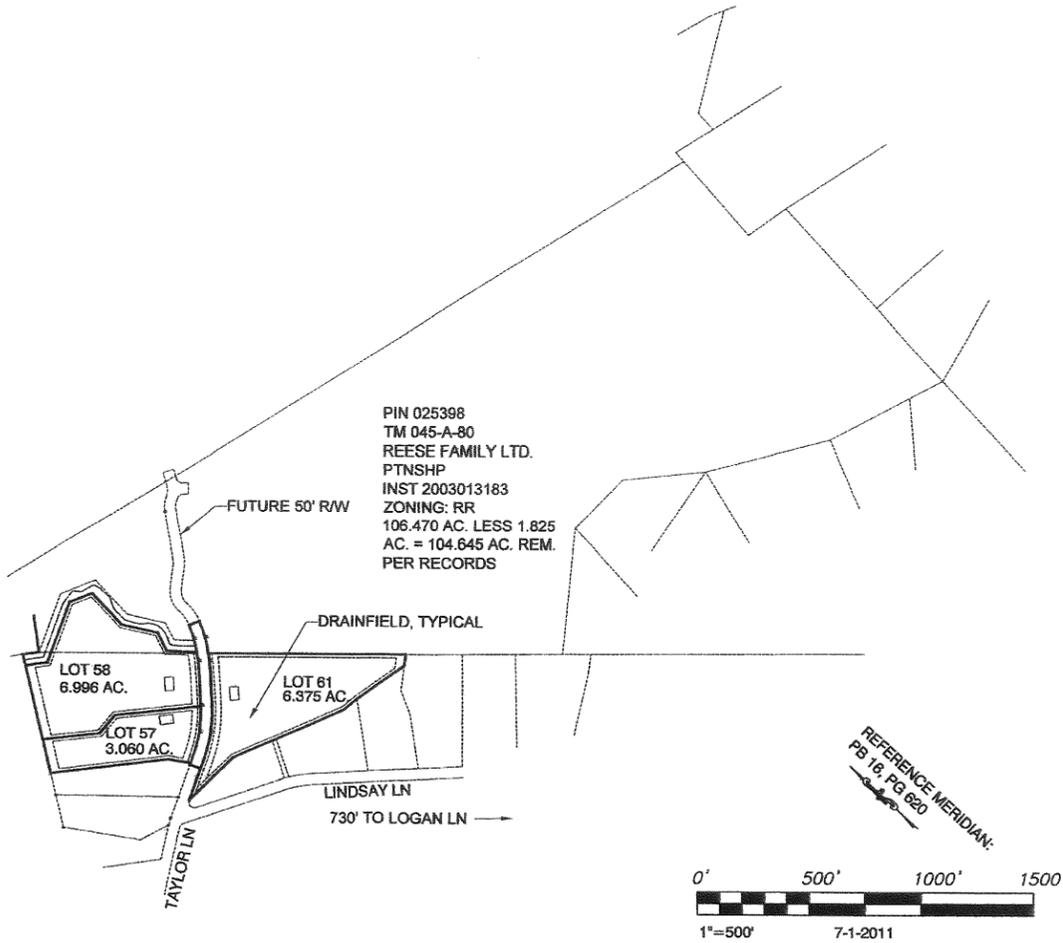
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JOHN D. ABBOTT, CLS

ZONING INFORMATION:

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ENGINEERING & SURVEYING  
5997 Upper Craig Creek Rd.  
Catawba Va 24070  
(540) 864-5271 (540) 864-6702fax

MAJOR SUBDIVISION  
THE RIDGES LOTS 57, 58, & 61  
MOUNT TABOR MAGISTERIAL DISTRICT  
Montgomery County, VA

REESE FAMILY LIMITED  
PARTNERSHIP  
AGENT: LYNN J. REESE  
PRINCIPAL OFFICE ADDRESS:  
4289 North Fork Rd Elliston, VA 24067

Job # 11-028  
DATE 7-1-2011  
REVISIONS:

**Montgomery County, Virginia**  
**SUBDIVISION APPLICATION REPORT**

07/06/2011

**Subdivision Application Number:** MAJ-2011-00600

**Applicant Name:** ABBOTT ENGINEERING

**Applicant Address:** ROUTE 1 CATAWBAVA24070

**Subdivision Name:** MAJOR SUBDIVISION THE RIDGES LOTS 57, 58, AND 61

**Job ID:** 11-028

**Parcel ID:** 001478 **Tax Map Number:** 045- A 59

**Parcel ID:** 025398 **Tax Map Number:** 045- A 80

We have reviewed your subdivision plat and find that the following corrections need to be made to satisfy the requirements of the Montgomery County Subdivision Ordinance.

**Plat Features:**

Checklist Item	Comments
Note identifying name and address of legal owner	PLEASE PROVIDE NOTATION.
Note giving total area subdivided and area dedicated for right-of-ways	PLEASE PROVIDE NOTATION.
Digital version provided meeting departmental guidelines	PLEASE PROVIDE WITH FINAL PLAT.

**Sewer:**

Checklist Item	Comments
Approval for each individual lot (unless exempted by 8-153b)	
Private soil evaluations for each individual lot (unless exempted by 8-153b)	PLEASE PROVIDE SOILS INFORMATION.
VDH Subdivision Approval Letter (documentation) for private soil evaluations	

**Streets:**

Checklist Item	Comments
VDOT Subdivision Approval Letter for road construction and drainage plans (documentation)	PLEASE PROVIDE.

**Storm Water:**

Checklist Item	Comments
County Engineer Approval Letter for erosion and sediment control plans (documentation)	PLEASE PROVIDE.
Stormwater detention facilities meet state standards (County Engineer)	
----- Easements for detention facilities shown	
----- Note stating Homeowner's Association responsible for future maintenance and liability	
----- County Attorney Approval Letter of Homeowner's Association Bylaws for future maintenance and liability (documentation)	PLEASE PROVIDE.

**Additional Comments:**

AS SHOWN ON THE PRELIMINARY PLAT IT APPEARS THAT 1.825 AC OF LOT 58 ARE ZONED RR AND THE REMAINING 5.171 AC ARE ZONED R-2. THEREFORE, IF APPROVED THIS LOT WOULD BE A SPLIT ZONED PARCEL. PLEASE CLARIFY IF THIS IS THE INTENT.  
PLEASE SUBMIT SUBDIVISION REVIEW FEE IN THE AMOUNT OF \$260.00.

Please contact us at (540) 394-2148 if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Jamie MacLean". The signature is written in a cursive, flowing style.

Jamie MacLean  
Subdivision Agent

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF MONTGOMERY COUNTY,  
VIRGINIA, HELD ON THE 14TH DAY OF APRIL 1986, AT 7:00 P.M., IN THE BOARD  
CHAMBERS, COUNTY COURTHOUSE, CHRISTIANSBURG, VIRGINIA:

On a motion by Ann L. Hess, seconded by Henry F. Jablonski and carried  
unanimously,

ORDINANCE 1986-4

An ordinance amending or changing the  
zoning classification of 193 acres of  
land from the zoning classification of  
Agricultural (A-1), to the zoning  
classification of Residential (R-2).

BE IT ORDAINED, by the Board of Supervisors of  
Montgomery County, Virginia, that the zoning classification of  
that certain tract or parcel of land consisting of 193 acres is  
hereby changed, amended, and rezoned from the zoning  
classification of Agricultural (A-1) to the zoning  
classification of Residential (R-2).

This action was commenced upon the application of Lynn  
J. Reese.

This tract or parcel of land is identified as being a  
portion of the property as shown on Tax Map parcel No. 45-A-59,  
and is located on the north side of State Route 603,  
approximately 1/10 mile west of its intersection with State  
Route 629 in the Flatwood's/Hall's Church area. Mt. Tabor  
Magisterial District.

The provisions of this Ordinance shall take effect upon  
its adoption.

ATTEST

  
COUNTY ADMINISTRATOR

Scanned



MONTGOMERY COUNTY DEPARTMENT OF  
PLANNING & GIS SERVICES

PLANNING  
GIS & MAPPING

755 ROANOKE STREET, SUITE 2A, CHRISTIANSBURG, VIRGINIA 24073-3177

**MEMORANDUM**

July 7, 2011

**TO:** Planning Commission Members  
**FROM:** Steven Sandy, Planning Director *Steve*  
**RE:** Possible ordinance(s) to address Wind Energy

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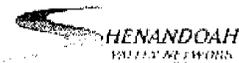
In response to a request from the Board of Supervisors, staff has been researching information related wind energy and wind turbine regulations.

Enclosed is a copy of a report prepared in 2009 by the Shenandoah Valley Network entitled, "Local Ordinances to Regulate Wind Energy". As you will see in the report, several Virginia localities have enacted ordinances to address wind energy. Some have allowed small scale wind turbines only and some have addressed large to utility scale wind projects. A decision needs to be made concerning what level of regulations Montgomery County wants in regard to wind energy. It appears that Montgomery County has very limited potential to accommodate large or utility scale wind projects due to low wind speeds in most of the county (see enclosed map) as well as limited acreage tracts within those areas where there may be acceptable wind speeds.

Once a consensus is reached on the level of regulation desired, staff will prepare and propose ordinance amendments for consideration. Upon consensus of the planning commission the amendments will be advertised for public hearings.

Please contact me should you need any additional information regarding this matter.

Attachments: Shenandoah Valley Network Report  
Wind Resources Map



## Local Ordinances to Regulate Wind Energy Projects

*Report prepared February, 2009 for the Shenandoah Valley Network and Rockingham Community Alliance for Preservation by John D. Hutchinson V, AICP, of the Jennings Gap Partnership.*

The following report reviews the options available to local governments in the Shenandoah Valley to regulate wind energy systems. It revises and updates a similar review prepared in 2008. It includes a review of proposed wind projects, zoning options adopted by some localities, and a model ordinance to address the siting and scale of diverse wind energy systems.

Substantial wind resources have been identified in the Shenandoah Valley, although they pale in comparison to wind power off Virginia's coasts. The strongest wind resources in the Valley are located on the ridge lines of the Blue Ridge. These resources have attracted the attention of large scale wind investors since 2001 and have raised concerns about impacts of industrial wind development on forests, water quality, wildlife, historic resources, and scenic vistas.

There also is enough wind power at lower elevations in the Valley to support the development of small wind projects to power individual homes, businesses, and farms. These more modest wind resources provide opportunities for private landowners, farms, businesses, and other energy users. Most smaller scale projects on open lands have not generated the impacts or opposition of larger wind power projects.

"Wind power accounted for nearly 30 percent of all new electricity generating capacity added nationally in 2007, up from less than 1 percent in 2002," according to the American Wind Energy Association.<sup>1</sup> As the technologies that harness wind power become more efficient and the cost of other sources of energy rise, localities in the Valley are likely to be presented with increasing numbers of proposals for wind energy systems in the future.

### **Proposed Wind Projects in Virginia**

Counties in the Shenandoah Valley and southwest Virginia have been subject to proposals from wind farm developers since at least 2001, when an unidentified company expressed interest in placing a wind farm on mountain land in Pulaski.<sup>2</sup>

Highland New Wind Development LLC proposed in 2004 to construct and operate a wind energy power generating system in Highland County near the West Virginia border on Allegheny Mountain. The project will use utility scale wind turbines to produce approximately 39 megawatts (MW) of electricity. It will consist of up to 20 turbines of 2.0 MW nominal

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<sup>1</sup> American Wind Energy Association. 2008. "Wind Power: Carving Out Market Share." Wind Power Outlook 2008. [http://www.awea.org/pubs/documents/Outlook\\_2008.pdf](http://www.awea.org/pubs/documents/Outlook_2008.pdf).

<sup>2</sup> Raboteau, Albert. 2006. "Wind power comes blowing into Dublin: Volvo, New River Community College are interested in wind-generated power." *Roanoke Times*, [www.roanoke.com/news/nrv/cram/feature/wb/86460](http://www.roanoke.com/news/nrv/cram/feature/wb/86460). October 11. Cited hereafter as Raboteau.

capacity each. A conditional use permit was issued for the project pursuant to the Highland County Zoning Ordinance's provisions for electric generation and substations in 2005.<sup>3</sup>

In 2006, 20 turbines were proposed on leased private mountain land in Patrick County.<sup>4</sup> About the same time, Roanoke County was the subject of preliminary studies by Chicago-based Invenergy Wind LLC. The proposal was for a project to generate up to 81 megawatts of electricity, requiring more than 50 turbines stretched along mountain ridges for several miles.<sup>5</sup>

In 2007, Western EcoSystems Technology Inc. (WEST Inc.) asked the US Fish and Wildlife Service's West Virginia Field Office to comment on a proposed wind farm site on Shenandoah Mountain in Rockingham, Pendleton, and Hardy counties. The exact location of this proposed project has not been made public.<sup>6</sup>

In March 2008, Freedom Works LLC asked the Federal Aviation Administration (FAA) to study the impact of installing 130 wind turbines, each 440-foot tall, along the western ridgelines of Shenandoah and Rockingham counties in the George Washington National Forest.<sup>7</sup>

Landowners on Shenandoah Mountain in the Fulks Run area of Rockingham County were approached by representatives wind energy developers on numerous occasions during the spring and summer of 2008. At least one landowner signed a letter of intent expressing interest in participating in a wind development project.<sup>8</sup> In December, the Woburn, Massachusetts-based firm Solaya, Inc. was granted a special use permit to erect a temporary meteorological tower to gather data in the area.<sup>9</sup>

Most recently, Dominion and BP Wind Energy North America Inc. announced in January that they are evaluating wind energy projects in Tazewell and Wise counties in southwest Virginia. The two companies have entered into an agreement to jointly own, operate, and develop wind energy projects in Virginia. The exact size of each project has not been determined. In 2008, they purchased about 2,560 acres of mountain land in Tazewell.<sup>10</sup>

Other localities that have received inquiries about wind farm development include Amherst, Bath, Bland, Caroline, Clarke, Giles, and Halifax counties, the Town of Rocky Mount, and the City of Suffolk.<sup>11</sup>

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<sup>3</sup> Supreme Court of Virginia. 2007. *Miller v. Highland County Va.* Record Nos. 062111, 062489. September 14. Cited hereafter as Miller.

<sup>4</sup> Adams, Mason. 2006. Wind may be asset in Patrick County: A company is looking at possible sites to erect wind turbines to generate electricity." *The Roanoke Times*. [www.roanoke.com/news/roanoke/wb/xp-60907](http://www.roanoke.com/news/roanoke/wb/xp-60907). April 14.

<sup>5</sup> Cramer, John. 2006. "Wind farm company eyes Roanoke Valley: A Chicago company is looking into building a wind farm on Bent and Poor mountains." *Roanoke Times*, [www.roanoke.com/news/roanoke/wb/xp-63903](http://www.roanoke.com/news/roanoke/wb/xp-63903). May 06.

<sup>6</sup> Ashley, Joan. 2008. "Company Considering Wind Farm on Shenandoah Mountain in Pendleton and Hardy Counties." *The Elkins Inter-Mountain*. <http://thecintermountain.com>, January 15.

<sup>7</sup> Federal Aviation Administration. 2008. Form 7460-1 for ASN: 2008-AEA-1462-OE. <https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp?action=displayOECASE&oeCaseID=566897>, March 18.

<sup>8</sup> Bolgiano, Chris. 2008. Email to Shenandoah Valley Network, August 6.

<sup>9</sup> Rockingham County. 2008. *Minutes of the Regular Meeting of the Rockingham County Board of Supervisors*. Harrisonburg, Virginia: 2008. December 10.

<sup>10</sup> Dominion. 2009. *Dominion, BP Announce Plans To Evaluate Potential Wind Farms In Tazewell County, Wise County, Va.* <http://www.dom.com/news/elec2009/pr0122.jsp>, January 22.

<sup>11</sup> Bowman, Rex. 2008. "Regulations crafted for wind-power turbines: Localities are developing land-use rules to control where, or if, they're built." *Richmond Times-Dispatch*. March 9.

## **Local Response to Wind Projects in Virginia**

A number of Virginia localities have amended their zoning ordinances to accommodate wind energy development after receiving proposals from developers. Beginning in 2004, local response has ranged from an ordinance enacted to prohibit all but the smallest of wind projects in Patrick County to zoning ordinance changes in Highland that opened the way for the only large scale wind project to date to receive approval from local government and the State Corporation Commission.

### **Pulaski County**

In 2004 Pulaski began its regulation of wind energy by allowing “windmills,” defined as “a mill or machine installed at a height of no greater than 60 feet operated by the wind” in all of its zoning districts under a special use permit.

Two years later Pulaski updated its ordinance to permit “small wind energy systems” in its industrial zoning district under a special use permit. A small wind energy system is defined as a “wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which will be used primarily to reduce on-site consumption of utility power.” Pulaski places no height limitation on these small wind systems.<sup>12</sup> Subsequently, the county issued a special use permit to Volvo Trucks North America to erect a single 80-foot-high turbine at its Dublin plant.<sup>13</sup>

### **Rockingham County**

Rockingham County also amended its zoning ordinance to deal with small wind energy in 2004. The ordinance regulates “small wind energy systems” using the same definition as did Pulaski.

However, where Pulaski only restricts the height of windmills, Rockingham also restricts the height of small wind energy systems. The ordinance stipulates any wind turbines up to 65 feet tall are permitted as a special use on parcels of an acre or more. Turbines up to 80 feet high are permitted as a special use on properties of five acres or more in the Conservation (C-1) and General Agriculture (A-2) zoning districts. Towers over 80 feet high are not permitted, effectively banning commercial wind farms.<sup>14</sup>

Caroline, Clarke, Halifax, and Rockbridge counties have passed similar ordinances permitting small wind energy systems but none of these ordinances permit or regulate larger (taller) systems thereby prohibiting utility scale projects.

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<sup>12</sup> Pulaski County, Virginia. *Zoning Ordinance*. [www.pulaskicounty.org/Zoning/zoning\\_ordinance.pdf](http://www.pulaskicounty.org/Zoning/zoning_ordinance.pdf).

<sup>13</sup> Raboteau.

<sup>14</sup> Rockingham County. *Zoning Ordinance*. [www.municode.com/resources/gateway.asp?pid=12196&sid=46](http://www.municode.com/resources/gateway.asp?pid=12196&sid=46).

## **Highland County**

In 2005, in response to Highland New Wind's proposed development, Highland County officials amended the zoning ordinance to authorize the Board of Supervisors to issue conditional use permits allowing structures that exceed the maximum heights (ranging from 35 to 60 feet) allowed by right in the underlying zoning district.

The board then granted Highland New Wind a conditional use permit to construct its project, defined as an "electric generation substation" after determining that the proposed use "is compatible with surrounding uses, is consistent with the intent of this ordinance and of the Land Use Element of the Comprehensive Plan, is in the public interest, and will comply with all other provisions of law and ordinances of Highland County or the Town of Monterey."<sup>15</sup>

## **Patrick County**

Faced in 2006 with a proposal to place 20 wind turbines on leased private mountain land, Patrick County took an approach opposite from that of Highland. While Patrick does not have a zoning ordinance, it passed an amendment to the county code effectively prohibiting all commercial wind facilities everywhere in the county, as follows.

"No structure shall be permitted to be constructed anywhere in Patrick County which exceeds one hundred (100) feet in height, excepting structures that are to be erected and used exclusively for the purposes of telecommunications and also excepting towers, spires or, steeples to be constructed exclusively for places of religious worship. This prohibition shall be without any other exception and there shall be no variances, nor conditional, nor special use permits granted from this ordinance."<sup>16</sup>

## **City of Suffolk**

The City of Suffolk enacted zoning regulations for wind energy systems in November 2008. The regulations allow small wind energy systems, those that produce 25 kilowatts (kW) or less, as a by-right use in some zoning districts. Larger systems require a conditional use permit. The use regulations and application submission requirements are nearly identical to those adopted by Rockingham and Pulaski counties.

However, Suffolk adopted a three-tiered approach to the permitting process that is similar to many ordinances adopted in regions of the country where wind projects are much more prevalent than in Virginia.<sup>17</sup>

Restrictions, including lot size, set backs, and height, are based on the amount of energy a system might produce. (Please see the table below.)

Small wind facilities (not more than 25 kW) are permitted by right in the agricultural, rural residential, rural estates, general commercial, commerce park, and industrial zoning districts.

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<sup>15</sup> Miller.

<sup>16</sup> Patrick County, Virginia. 2007. *Minutes of the Board of Supervisors of the County of Patrick*. 12 February.

<sup>17</sup> City of Suffolk. 2008. *UDO Amendment – Wind Energy*. November 5.

Large wind (less than 1 megawatt (MW)) and utility scale wind (1 MW or greater), facilities are conditional uses in distinct zoning districts. Large wind systems are conditional uses in the same zoning districts where small wind systems are permitted. Utility-scale systems are conditional uses in the industrial and agricultural districts.<sup>18</sup>

Wind Energy System Dimensional Requirements, City of Suffolk, Virginia

System Type	Minimum Setback Requirements <sup>1</sup>						Max. Height (feet)
	Min. Lot Size (acres)	Occupied Buildings Subject Property <sup>2</sup>	Adjacent Property <sup>2,3</sup>	Property Lines <sup>2</sup>	Right of Way <sup>2</sup>	Major Highways <sup>2</sup>	
Small ( $\leq$ 25 kW)	1	0.0	1.5	1.0	1.5	2.5	120
Large (<1 MW)	5	1.0	2.0	1.0	1.5	2.5	250
Utility (>/+ 1 MW)	25	1.5	2.5	1.5	1.5	2.5	500

Notes:

1. Measured from the center of the wind turbine base to the property line, right-of-way, or nearest point on the foundation of an occupied building.
2. Calculated by multiplying the required setback number by the wind turbine height.
3. This setback proposes to reduce noise and shadow flicker impacts to any existing occupied buildings on adjacent properties. Setbacks are expressed as a factor of the total turbine height.

<sup>18</sup> Taylor, Cynthia S. 2008. City of Suffolk Planning Department. Email communication with SVN. August 6.

**Planning and Zoning for Wind Projects in Virginia**

Localities can review and allow for wind energy facilities in appropriate locations in various ways, including:

- Through the comprehensive plan which can be used to identify a locality’s objectives for wind power and areas where it is an appropriate use.
- As a permitted use that is allowed “by right,” usually with a building permit.
- As an accessory use that is allowed “by right” if it is accessory to a permitted use. For instance a locality might allow wind energy systems in agricultural areas if they are part of a farm operation, usually with a building permit.
- As a special or conditional use that is allowed on a specific property only after a special or conditional permit is approved by the governing body.
- Through the creation of an overlay zoning district that overlies and encompasses one or more underlying districts and that imposes additional requirements above that required by the underlying district. An overlay district would require a greater level of scrutiny by the planning commission and governing body because it would entail amendment of the zoning ordinance and map.<sup>19</sup>

**Scale of Wind Energy Systems**

Across the country, many localities that use zoning to regulate wind energy systems apply different regulatory schemes to wind projects depending on the size of the project, usually based upon the amount of energy produced. As described above, such an approach was recently adopted by the City of Suffolk. Rules that are appropriate for a small system that generates all or part of the energy needed by a home may not be appropriate for a larger system that powers an intensive farming operation or other industry or a school or office building. Likewise a utility scale project that uses multiple turbines to produce and sell energy off site requires greater scrutiny than a larger on-site system.

Scale of Wind Energy Systems.		
Category	Capacity	Description
Small	≤ 10 kW residential ≤ 100 kW other on-site uses	Small systems are used primarily to generate energy for on-site use. Small systems are appropriate “by-right” uses in most areas where setbacks can be met, subject to a building permit.
Large	> 100 kW < 1 MW	Large systems are used primarily to generate energy for on-site use and are limited to a single tower and turbine. Because of the size of system, large systems are appropriate special uses in most areas where setbacks can be met.
Utility	≥ 1 MW	Utility scale systems will usually be used to generate energy for sale to off-site users and require more than one tower and turbine. Because of the higher likelihood of significant impacts, they should require a zoning amendment into an overlay zoning district specifically for wind facilities.

<sup>19</sup> Minnesota Association of County Planning and Zoning Administrators. 2005. *Wind Energy Conversion System Model Ordinance*. Saint Paul, Minnesota, June 14.  
<http://www.inncounties3.org/maepza/OrdinanceLinks/Dist%20D%20modelwindordinancefinal.pdf>

The scale above has been adapted from the Virginia Renewables Siting Scoring System under development by James Madison University for the Commonwealth of Virginia and from model wind ordinances and local laws reviewed for this project.<sup>20</sup>

The table below shows the total height and power rating of various wind energy systems for illustrative purposes. While the heights and ratings are of actual systems, the height at which a given system will yield a specific amount of energy varies because winds blow harder at greater heights.

Power Rating and Height of some Wind Energy Systems

Rating (kilowatts)	Total Height (feet) (feet)
10	111.5
50	127.92
100	148.5
225	179
250	212
500	164
660	200
750	213
1,650	328
3,000	394
3,600	492
5,000	807

Sources:

Windflow Technology Ltd. 2008. Wind turbines height comparison." Christ Church, New Zealand. <http://www.windflow.co.nz/products/wind-turbines-height-comparison>.

Loeser, Mark. 2008. "New Jersey's Clean Energy Program Municipal Technical Training Wind and Biopower Resource Assessment." Trenton, New Jersey: New Jersey Office of Public Utilities, June 11. [http://www.njcleanenergy.com/files/file/Renewable\\_Programs/MunicipalTraining/MuniTrainingWindBiopowerAssess.pdf](http://www.njcleanenergy.com/files/file/Renewable_Programs/MunicipalTraining/MuniTrainingWindBiopowerAssess.pdf).

Papadakis, Maria. 2008. Virginia Renewables Siting Scoring System (VRS3) Workshop. Harrisonburg, Virginia: James Madison University, June 18. <http://vwec.cisat.jmu.edu/conf/presentations/VRS3%20VWEC%20Symposium%20June%2008.pdf>.

**Power Usage**

The amount of energy produced by a wind energy system is usually expressed in kilowatts (kW) or megawatts (MW). The following comparisons between kW, MWs, and usage are provided to give the reader a sense of scale.<sup>21</sup>

- A 10 kW wind turbine can generate about 10,000 kW hours annually at a site with wind speeds averaging 12 miles per hour, or about enough to power a typical household.

<sup>20</sup> Papadakis, Maria. 2008. *Virginia Renewables Siting Scoring System (VRS3) Workshop*. Harrisonburg, Virginia: James Madison University, June 18. <http://vwec.cisat.jmu.edu/conf/presentations/VRS3%20VWEC%20Symposium%20June%2008.pdf>.

<sup>21</sup> American Wind Energy Association. 2008. *Wind Energy Basics*. [http://www.awea.org/faq/wwt\\_basics.html#How%20many%20homes%20can%20one%20megawatt%20of%20wind%20energy%20supply](http://www.awea.org/faq/wwt_basics.html#How%20many%20homes%20can%20one%20megawatt%20of%20wind%20energy%20supply).

- A 250 kW turbine installed at a 53,000-square-foot elementary school provides more energy than is used by the school. Excess electricity is sold into the local utility system earning the school \$25,000 over five years of operation.
- One MW of wind generates enough electricity to supply 225 to 300 households.
- A 5 MW turbine can produce enough energy to power more than 1,400 households.

### **The Comprehensive Plan**

Like other good planning practices, planning for wind energy development should be rooted in a locality's comprehensive plan.<sup>22</sup> This can be done by adding wind to the many resources that are considered in the plan just like agriculture, historic sites, transportation facilities, and other natural and man made resources are considered in most plans today. Comprehensive planning for wind can include the following steps.<sup>23</sup>

**Inventory:** If a locality considers wind to be a potentially valuable resource, it should conduct an inventory of that resource and map where wind is able to support various uses (i.e. commercial or utility scale wind, large wind, or small wind). Geographic information system (GIS) layers for mapping wind in Virginia may be obtained from the Virginia Department of Mines, Minerals, and Energy.

**Context:** Before identifying areas that are appropriate for various wind uses, a locality should analyze the context in which its wind resources are located. Strong wind resources may exist in locations where utility scale development would conflict with other resources that the community values.

For instance, the strongest winds may coincide with scenic vistas of mountain ridges such as the Shenandoah National Park or historic resources such as a Civil War battlefield. Some localities do not consider utility scale wind to be compatible with residential development. In some areas, impacts on wildlife might be too high.

On the other hand, utility scale wind can compliment agricultural uses since most utility scale operations lease wind rights, providing a substantial source of income to farm landowners. On-site wind projects can also provide substantial cost savings to farm operators and other intensive electricity users such as dairy and poultry farms, schools and small industry.

James Madison University is under contract to develop a scoring system for the siting of wind development projects, a project mandated by the General Assembly and known as the Virginia Renewables Siting Scoring System. The system will be available to Virginia localities. A description of the system may be found at <http://vwec.cisat.jmu.edu/conf/presentations/VRS3%20VWEC%20Symposium%20June%202008.pdf>.

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<sup>22</sup> Lindabury, Shawn, and Todd M. Schmit, Rod Howe, and Tania Schusler. 2007. *Municipal Approaches to Energy Conservation and Renewable Energy Production: A Resource for Community Energy Initiatives*. Cornell Community and Rural Development Institute. CaRDI Reports ISSUE NUMBER 3/NOVEMBER 2007. <http://devsoc.cals.cornell.edu/cals/devsoc/outreach/cardi/publications/upload/11-2007-Reports.pdf>.

<sup>23</sup> Daniels, Katherine. 2005. *Wind Energy Development and the Comprehensive Plan*. NYS Energy Research & Development Authority. October. [http://www.powernaturally.org/Programs/Wind/toolkit/1\\_windenergydevplan.pdf](http://www.powernaturally.org/Programs/Wind/toolkit/1_windenergydevplan.pdf).

**Goals and Strategy:** The plan should include the community’s goals regarding wind energy development, a map showing areas that are and are not appropriate for such development, and strategies for achieving the stated goals. Goals might include “fostering wind energy development on appropriate sites” or “fostering distributed generation including on-site wind facilities to help meet the electricity needs of farmers, businessmen and residents” while strategies might include “enactment of a wind energy system zoning ordinance.”

### **Model Wind Energy Zoning Ordinance**

There are many considerations that may be raised when permitting a wind energy system depending on its scale, location, and impact. The following model ordinance is intended to assist localities in the Shenandoah Valley in designing wind energy zoning ordinances that meet the particular needs and circumstances of the community.

The options listed were drawn from a wide range of sources from around the country, including model ordinances, existing ordinances, and other documents, all of which are listed in the bibliography.

Sample language for a model ordinance follows.

### **Purpose and Intent**

The purpose of this ordinance is to provide for the construction and operation of wind energy systems and to provide standards for the placement, design, construction, monitoring, modification, and removal of wind facilities; address public safety, minimize impacts on scenic, natural, and historic resources of LOCALITY; and provide adequate financial assurance for decommissioning. The provisions set forth in this section shall take precedence over all other sections when considering applications related to the construction, operation, and/or repair of wind energy systems.

### **Applicability**

This section applies to all wind energy systems, proposed to be constructed after the effective date of this section including micro wind systems, and physical modifications to existing wind facilities that materially alter the type, configuration, or size of such facilities or other equipment.

### **Definitions**

*Fall Zone:* The area, defined as the furthest distance from the tower base, in which a guyed tower will collapse in the event of a structural failure. This area is less than the total height of the structure.

*Micro Wind System:* A building-mounted wind system that has a manufacture’s rating of 10 kW or less and projects no more than fifteen (15) feet above the highest point of the roof and shall not be considered a small wind energy system in terms of area and setback requirements.

*Net Energy Metering:* Measuring the difference between:

1. electricity supplied to an eligible customer-generator from the electric grid and
2. the electricity generated and fed back to the electric grid by the eligible customer-generator.

If electricity generated by an eligible customer-generator exceeds the electricity consumed by the customer-generator, the customer-generator shall be compensated for the excess electricity.

"Eligible customer-generators" include customers that own and operate an electrical generating facility that:

1. has a capacity of not more than 10 kilowatts for residential customers and 500 kilowatts for nonresidential customers;
2. uses as its total source of fuel renewable energy,
3. is located on the customer's premises and is connected to the customer's wiring on the customer's side of its interconnection with the distributor;
4. is interconnected and operated in parallel with an electric company's transmission and distribution facilities; and
5. is intended primarily to offset all or part of the customer's own electricity requirements.

*Overlay Zoning District:* A district that encompasses one or more underlying districts and that imposes additional requirements above that required by the underlying district.

*Rated Nameplate Capacity:* The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a "nameplate" on the equipment.

*Rotor diameter:* The diameter of the circle described by the moving rotor blades.

*Sensitive Receptor:* Structures that have occupants on a routine basis and whose occupants could be negatively affected by noise, vibration, shadow, or flicker, including those structures intended for four season human habitation (whether inhabited or not), public parks, state designated wildlife areas, the manicured areas of private recreational establishments such as golf courses or the campsites in a state approved campground, schools, daycare centers, elderly care facilities, hospitals, places of seated assemblage, businesses. Any parcel of land having a valid building or sanitary permit on file on the date of the issue of the Wind Energy Facility Permit shall be treated the same as any existing sensitive receptor.

*Shadow Flicker:* The visible flicker effect when rotating turbine blades cast shadows on the ground and nearby structures causing the repeating pattern of light and shadow.

*Substation:* Any electrical system designed to convert electricity produced by wind turbines to a voltage greater than 35,000 (35,000 KV) for interconnection with high voltage transmission lines.

*Temporary Meteorological Towers (Met Towers):* For the purposes of this ordinance, meteorological towers are those temporary towers which are erected primarily to measure wind speed and directions plus other data relevant to siting wind energy systems, used to determine how much wind power a site can be expected to generate.

*Total height:* The highest point, above ground level, reached by a rotor tip or any other part of the wind energy system.

*Tower:* Towers include vertical structures that support the electrical generator, rotor blades, or meteorological equipment.

*Tower height:* The total height of the wind energy system exclusive of the rotor blades.

*Transmission Line:* Those electrical power lines that carry voltages of at least 69,000 volts (69 KV) and are primarily used to carry electric energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

*Wind Energy System:* All equipment, machinery, and structures utilized in connection with the conversion of wind to electricity. This includes, but is not limited to, transmission, storage, collection, and supply equipment, substations, transformers, service, and access roads, and one or more wind turbines.

*Wind Energy System, Building Integrated:* A wind energy system shall be considered to be building integrated if it is designed to be permanently mounted on a building or other inhabitable structure. This definition applies to wind turbines of any capacity that are designed to be operated in direct contact with a building. This definition also covers, for the purposes of this zoning provision, other wind energy facilities primarily used for land-based applications which may be permanently mounted and operated on a building.

*Wind Energy System, Large:* A wind energy system with a rated output of electrical power production equipment of greater than 100kW but less than 1 MW.

The minimum lot size for a large wind energy system shall be five (5) acres.

Large wind turbines shall be no higher than two hundred and fifty (250) feet above the current grade of the land, as measured at the uppermost point of the rotor's swept area. A large wind turbine may exceed two hundred and fifty (250) feet only if it meets the requirements provided below under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.

*Wind Energy System On-site:* A wind energy system that will generate electricity on-site primarily for use on-site and /or through net metering.

*Wind Energy System, Small:* A wind energy system with a rated output of electrical power production equipment of not more than 10kW for residential uses and not more than 100kW for other uses.

Small wind turbines shall be no higher than 65 feet on a parcel of less than 5 acres, or 120 feet on a parcel of five (5) acres or more. A small wind turbine may exceed these height restrictions only if it meets the requirements provided below under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.

*Wind Energy System, Utility-scale:* A wind energy system with a rated output of electrical power production equipment of 1 MW or greater.

The minimum lot size for a utility-scale wind energy system shall be five (5) acres per turbine if installed in a line or twenty five (25) acres per turbine if installed in a grid pattern.

Utility-scale wind turbines shall be no higher than five hundred (500) feet above the current grade of the land, as measured at the uppermost point of the rotor's swept area. A utility-scale wind turbine may exceed five hundred (500) feet only if it meets the

requirements provided below under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.

*Wind turbine:* A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle body, and a rotor with two or more blades.

### **General Requirements for all Wind Energy Systems**

The following requirements are common to all wind energy facilities.

1. *Application:* Any owner or operator of a wind energy system proposed to be constructed after the effective date of this ordinance, including building integrated wind systems and physical modifications to existing wind energy systems that materially alter the type, configuration, or size of such systems or other equipment, must apply to the zoning administrator for a wind energy system permit.

(a) *Permitted uses:* A small wind energy system as defined herein shall be a permitted use and when it is in accordance with other regulations herein, the use shall be permitted by the zoning administrator without a public hearing. A micro wind system shall be considered a small wind system for the purposes of this ordinance.

A permit shall be granted unless the zoning administrator finds in writing that there is substantial evidence that:

- (i) development of a wind energy facility at the specific site is contrary to specific provisions of the comprehensive plan;
- (ii) there is expected to be any serious hazard from the use;
- (iii) a nuisance is expected to be created by the use; and
- (iv) adequate and appropriate facilities will not be provided for the proper operation and maintenance of the use.

(b) *Special uses:* A large wind energy system as defined herein shall be a special use. It may be allowed when the board of supervisors, after review of the application and hearing thereon, finds as a fact that the proposed use or uses are consistent with the comprehensive plan and the policies of the county, the regulations of this chapter, and are in the public interest. A special use permit will be issued by the zoning administrator after such special use has been approved by the board of supervisors.

(c) *Met Towers:* Met towers shall be permitted under the same standards as a large wind system, except that the requirements apply to a temporary structure. A permit for a temporary met tower shall be valid for a maximum of three (3) years after which an extension may be granted. Small anemometers installed directly on buildings shall not require a building or special permit.

(d) *Wind Energy Overlay Zoning District:* A utility-scale wind energy system is not specifically permitted or by special use. However when an application is made by a property owner to the zoning administrator for a utility-scale wind energy system, the administrator shall refer the application to the planning commission for consideration of an amendment to the zoning ordinance to create a wind energy system overlay zoning

district. Such an application shall follow the stipulations for zoning chapter and map amendments found elsewhere in this ordinance. The zoning administrator shall issue a wind energy system permit for the utility scale system only after the applicable wind energy system overlay zoning district is created and all other requirements of this ordinance are met.

2. *Site Plan*: The application will include a site plan that will show the locations and dimensions of turbines on a site, the locations of above and below ground utility lines, rights of way, electrical substations, access and service roads, excavation and fill areas, sediment and erosion control structures,, and property lot lines.

4. *Siting Requirements*: The requirements for siting and construction of all wind energy systems shall include the following.

(a) Wind energy towers shall maintain a galvanized steel finish, unless Federal Aviation Administration (FAA) standards require otherwise, or if the owner is attempting to conform the tower to the surrounding environment and architecture, in which case it may be painted to reduce visual obtrusiveness.

(b) Wind energy systems shall not be artificially lighted unless required by the FAA or appropriate authority.

(c) No tower should have any sign, writing, or picture that may be construed as advertising.

(d) Noise from a wind energy system shall not exceed sixty (60) decibels, as measured at or beyond the closest property line.

(f) The applicant shall provide evidence that the proposed height of the wind energy system tower does not exceed the height recommended by the manufacturer or distributor of the system.

(e) The minimum distance between the ground and any protruding blades utilized on a wind energy system shall be fifteen (15) feet, as measured at the lowest point of the arc of the blades. The lowest point of the arc of the blade shall also be ten (10) feet above the height of any structure within one hundred fifty (150) feet of the base. The supporting tower shall also be enclosed with a six-foot tall fence or the base of the tower shall not be climbable for a distance of twelve (12) feet.

(f) Any on site transmission or power lines shall, to the maximum extent possible, be placed underground.

5. *Federal and state requirements*:

(a) *Compliance with Uniform Statewide Building Code*: Building permit applications for wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base, and footings. An engineering analysis of the tower showing compliance with the Uniform Statewide Building Code and certified by a licensed professional engineer shall also be submitted.

(b) *Compliance with FAA Regulations*: Wind energy systems must comply with applicable FAA regulations, including any necessary approvals for installations close to airports.

(c) *Compliance with National Electric Code:* Building permit applications for wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code.

(d) *Compliance with regulations governing energy net metering:* Wind energy systems connected to the utility grid must comply with the Virginia Administrative Code 20 VAC 5-315: Regulations Governing Energy Net Metering.

(e) *Environmental and cultural permits.* The applicant shall demonstrate that they have received all require state and federal permits for the protection of wildlife and other natural resources and cultural resources.

6. *Building Permit:* No wind energy system shall be erected, constructed, installed or modified as provided in this section without first obtaining a building permit. All such wind energy systems shall be constructed and operated in a manner that minimizes adverse visual, safety, and environmental impacts.

7. *Turbine Height:* Turbine height restrictions are provided below for three classes of wind energy systems: small, large, and utility scale. A wind energy system may have turbines higher than the height restrictions provided for its class only if:

(a) the applicant demonstrates by substantial evidence that such height reflects industry standards for a similarly sited wind system;

(b) such excess height is necessary to prevent financial hardship to the applicant; and

(c) the system satisfies all other criteria of this section.

8. *Setbacks:* Setback requirements are provided below for three classes of wind energy systems: small, large, and utility scale. These setbacks may be reduced only if

(a) the owner of the property on which the requested wind energy system is to be erected and the adjacent landowner whose property line or dwelling falls within the specified distance provide notarized consent that they approve of the reduced setbacks and

(b) such adjacent landowner executes a deed of easement for the benefit of the property on which the wind energy system is to be erected prohibiting construction of any new structure on such adjacent property within the specified easement.

Wind energy systems shall meet all setback requirements for the zoning district in which the wind energy system is located in addition to the requirements set forth above.

9. *Fish, Wildlife, and Native Plant Protection:* The proposed wind energy system must be designed, constructed, and operated without significant adverse impact to fish, wildlife, or native plant resources, including fish and wildlife habitat, migratory routes, and state or federally-listed threatened or endangered fish, wildlife, or plant species. The applicant agrees to implement operational monitoring and mitigation actions that the planning commission determines appropriate to demonstrate compliance with this provision after consultation with the Virginia Department of Conservation and Recreation – Division of Natural Heritage and the Virginia Department of Game and Inland Fisheries.

### **Small Wind Energy System Requirements**

In addition to the requirements applying to all wind energy systems stated in the section above, small wind energy systems shall meet the following requirements.

1. *Energy Capacity:* No small wind energy system shall have a rated output of electrical power production equipment of more than 10kW for residential uses and more than 100kW for other uses.
2. *Lot or Parcel size:* No small wind energy system shall be located on a lot or parcel smaller than one (1) acre in size.
3. *Turbine Height:* No small wind energy system shall have turbines higher than sixty-five (65) feet on a parcel of less than five (5) acres or one hundred twenty (120) feet on a parcel of five (5) acres or more. A small wind turbine may exceed these height restrictions only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.
4. *Setbacks:* Small wind energy systems shall be set back a distance at least equal to one hundred and ten (110) percent of its total height from all adjacent property lines and a distance equal at least to one hundred and fifty (150) percent of its total height from sensitive receptor on neighboring property.

A small wind turbine may exceed these setback requirements only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 8. Setbacks.

### **Large Wind Energy System Requirements**

In addition to the requirements applying to all wind energy systems and to small wind energy systems stated in the sections above, large wind energy systems shall meet the following requirements.

1. *Energy Capacity:* A large wind energy system shall have a rated output of electrical power production equipment of greater than 100kW but less than 1 MW.
2. *Lot or Parcel size:* No large wind energy system shall be located on a lot or parcel smaller than five (5) acres in size.
3. *Turbine Height:* No large wind energy system shall have turbines higher than two hundred and fifty (250) feet above the current grade of the land, as measured at the uppermost point of the rotor's swept area. A large wind turbine may exceed two hundred and fifty (250) feet only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.
4. *Setbacks:* Large wind energy systems shall be set back a distance at least equal to one hundred and ten (110) percent of its total height from all adjacent property lines and a distance equal at least to one hundred and fifty (150) percent of its total height from any sensitive receptor on neighboring property.

A large wind turbine may exceed these setback requirements only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 8. Setbacks.

5. *Flicker or Shadow Flicker*: The owner of a wind energy system must take steps as are necessary to prevent, mitigate, or eliminate shadow flicker. There can be a maximum of ninety (90) seconds per day, or ten (10) hours per year of shadow/flicker effects within a one hundred (100) foot radius of a sensitive receptor. Turbines must be shut down at certain times of day or times of the year if shadow/flicker is a problem with any sensitive receptor.

6. *Required Application Documents*: The wind energy system permit application for large wind systems shall be accompanied by deliverables including the following.

(a) A site plan showing:

- (i) property lines and physical dimensions of the subject property;
- (ii) location, dimensions, and types of existing major structures on the property;
- (iii) location of the proposed wind system towers, foundations, guy anchors, and associated equipment; above and below ground utility lines, electrical substations, access and service roads, rights of way, excavation and fill areas, and sediment and erosion control structures,
- (iv) the right-of-way of any public road that is contiguous with the property; and
- (v) location and approximate height of tree cover.

(b) Wind system specifications, including manufacturer and model, rotor diameter, tower height, tower type (freestanding or guyed).

(c) One or three line electrical diagram detailing wind turbine, associated components, and electrical interconnection methods, with all National Electric Code (NEC) compliant disconnect and overcurrent devices.

(d) Foundations for towers greater than one hundred and sixty (160) feet must have blueprints or drawings signed by a professional engineer.

(e) A plan for maintenance of the wind energy system.

(f) Environmental inventory and impact statement: the inventory and impact statement shall cover the area of proposed wind energy system and areas within five hundred (500) feet of the nearest boundary of the proposed wind energy system. Included in the inventory and impact statement shall be the following:

(i) Inventory: Existing characteristics and conditions of the natural and cultural environment shall be addressed in the statement, including, but not limited to, the topics listed below.

a. The applicant shall be responsible for contacting the agencies or resources where listed for each topic and provide written documentation to the Planning Commission of the existence (or lack) of these characteristics and conditions.

i. Endangered and Avian Species or Habitats: Virginia Department of Conservation and Recreation – Division of Natural Heritage (DNH): A site map shall be provided to DNH in order that it may compare the location to existing data regarding threatened or endangered species or habitat.

ii. Avian and Bat Species: Virginia Department of Game and Inland Fisheries: Provide an inventory of avian and bat species that includes an indication of the type and number of birds and bats that are known or suspected to use the project site and the area surrounding that site.

iii. Historic/Archeological Resources: Virginia Department of Historic Resources: Identification of archaeological and historic resources more than 50 years old, including resources on, or determined eligible for, the Virginia Landmarks Register and/or the National Register of Historic Places.

iv. Conservation Easements: Virginia Outdoors Foundation, Virginia Department of Historic Resources, Shenandoah Valley Battlefields Foundation, Valley Conservation Council, The Nature Conservancy, Potomac Conservancy. Easements held by the above referenced entities and other public or private conservation agencies shall be identified.

b. On-site research shall identify and locate the following features

i. Sinkholes and Water features including springs, intermittent streams, perennial streams, sinkholes, wetlands, and ponds.

ii. Ridgelines: Prominent ridgelines (watershed divides or slopes exceeding 15 percent over 800 feet elevation) shall be identified.

iii. Slopes: Slopes (in categories of 15 percent up to 25 percent and 25 percent and greater) shall be identified.

iv. Pollution Sources: Known pollution sources (including without limitation dump sites, drain fields, buried fuel tanks, solid and liquid disposal sites, etc.) shall be identified.

v. Man Made Facilities and Activities: Structures, transportation network including movement and access, utility networks, waste disposal, barriers, corridors.

(ii) Impact: Applicant shall show how the proposed wind energy system will impact any items identified in (i) Inventory above and how any negative impacts will be remediated so as to reduce or eliminate the impact.

(g) A shadow flicker model to include a description of the zones where shadow flicker will likely be present within the project boundary and a one-half mile radius beyond the project boundary, the expected durations of the flicker at these locations and the calculation of the total number of hours per year of flicker at all locations.

(h) Design / Engineering Plan: The application will include a design and engineering plan that will show drawings of the various structural components of the turbine construction, a mapped location and description of any proposed maintenance and storage facilities, and the manufacturer's dimensional drawings and installation/operation guidelines. The Design / Engineering Plan should be certified by a registered professional engineer to show that the design meets all applicable building codes.

7. Failure to show how the negative impacts from a wind energy system on any of the items identified in section (f) (i) Inventory above will be reduced or eliminated will be grounds for the denial of the application for a permit for that wind energy system.

8. After a permit for a wind energy system is granted, failure to continue to mitigate the negative impacts from the wind energy system on any of the items identified in section (f) (i) Inventory above will be grounds for revocation of the permit for that wind energy system.

9. *Abandonment, Decommissioning, and Expiration:*

(a) *Removal Requirements:* Any wind energy system which has reached the end of its useful life or has been abandoned shall be removed. When the wind energy system is scheduled to be decommissioned, the applicant shall notify the **LOCALITY** by certified mail of the proposed date of discontinued operations and plans for removal. The owner/operator shall physically remove the wind system no more than one hundred and fifty (150) days after the date of discontinued operations. At the time of removal, the wind system site shall be restored to the state it was in before the system was constructed or any other legally authorized use. More specifically, decommissioning shall consist of:

(i) physical removal of all wind turbines, turbine foundations, structures, equipment, security barriers, , electrical components, roads, cabling, transmission lines, and any other associated facilities from the site down to 36 inches below grade..

(ii) disposal of all solid and hazardous waste in accordance with local and state waste disposal regulations.

(iii) stabilization or re-vegetation of the site as necessary to minimize erosion.

(b) *Abandonment:* Absent notice of a proposed date of decommissioning, the system shall be considered abandoned when the system fails to operate for more than one year without the written consent of the zoning administrator. The **LOCALITY** shall determine in its decision what proportion of the system is inoperable for the system to be considered abandoned. If the applicant fails to remove the wind energy system in accordance with the requirements of this section within one hundred and fifty (150) days of abandonment or the proposed date of decommissioning, the **LOCALITY** shall have the authority to enter the property and physically remove the system.

(c) The zoning official shall require the applicant for a wind energy system to provide a form of surety, either through escrow account, bond, or otherwise, to cover the cost of removal in the event the **LOCALITY** must remove the system, of an amount and form determined to be reasonable by the zoning official, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the applicant. The applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for Cost of Living Adjustment.

(d) *Expiration:* A permit issued pursuant to this ordinance shall expire if:

(i) the wind energy system is not installed and functioning within forty eight (48) months from the date the permit is issued; or,

(ii) the wind energy system is abandoned.

## Utility scale Wind Energy System Requirements

In addition to all of the requirements stated in the sections above, utility scale wind energy systems shall meet the following requirements.

1. *Energy Capacity:* Utility scale wind energy system shall include all such systems that have a rated output of electrical power production equipment of 1 MW or greater.
2. *Lot or Parcel size:* The minimum lot size for a utility scale wind energy system shall be five (5) acres per turbine if installed in a line or twenty five (25) acres per turbine if installed in a grid pattern.
3. *Turbine Height:* No utility scale wind energy system shall have turbines higher than five hundred (500) feet above the current grade of the land, as measured at the uppermost point of the rotor's swept area. A large wind turbine may exceed five hundred (500) feet only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 7. Turbine Height.
4. *Setbacks:* Utility scale wind energy systems shall be set back a distance at least equal to one hundred and fifty (150) percent of its total height from all adjacent property lines and a distance equal at least to two hundred (200) percent of its total height from any sensitive receptor on neighboring property.

A utility scale wind turbine may exceed these setback requirements only if it meets the requirements provided above under the section General Requirements for all Wind Energy Systems, 8. Setbacks.

5. *Required Application Documents:* The wind energy system permit application for utility-scale wind systems shall be accompanied by deliverables including the following.

(a) *Location Map:* The applicant shall submit to the zoning administrator a copy of a portion of the most recent USGS Quadrangle Map, at a scale of 1:25,000, showing the proposed system site, including turbine sites, and the area within at least two miles from the system. Zoning district designation for the subject parcel should be included; however a copy of a zoning map with the parcel identified is suitable.

(b) *Site Plan:* A one inch equals two hundred (200) feet plan of the proposed wind system site, with contour intervals of no more than ten (10) feet, showing the following:

- (i) Property lines for the site parcel and adjacent parcels within three hundred (300) feet.
- (ii) Outline of all existing buildings, including purpose (e.g. residence, garage, etc.) on site parcel and all adjacent parcels within the setback distance of two hundred (200) percent of the total height of any component of the wind energy system. Include distances from the wind system to each building shown.
- (iii) Location of all roads, public and private on the site parcel and adjacent parcels within the setback distance of two hundred (200) percent of the total height of any component of the wind energy system.
- (iv) Existing areas of tree cover, including average height of trees, on the site parcel and adjacent parcels within the setback distance of one hundred (120) percent the total height of any component of the wind energy system.

(v) Proposed location and design of the wind energy system, including all turbines, ground equipment, appurtenant structures, transmission infrastructure, access, fencing, exterior lighting, etc.

(vi) Location of viewpoints referenced below in visualization paragraph of this section.

(b) *Visualizations*: The zoning administrator may select up to four (4) sight lines, including from the nearest building with a view of the wind system, for pre- and post-construction view representations. Sites for the view representations shall be selected from populated areas or public ways within a two (2)-mile radius of the proposed wind energy system. View representations shall have the following characteristics:

(i) View representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the wind system (e.g. superimpositions of the wind system onto photographs of existing views).

(ii) All view representations will include existing, or proposed, buildings or tree coverage.

(iii) Include description of the technical procedures followed in producing the visualization (distances, angles, lens, etc.).

(c) *Landscape Plan*: A plan indicating all proposed changes to the landscape of the site, including temporary or permanent roads or driveways, grading, vegetation clearing and planting, exterior lighting, other than FAA lights, screening vegetation, or structures. Lighting shall be designed to minimize glare on abutting properties and except as required by the FAA be directed downward with full cut-off fixtures to reduce light pollution.

(d) *Independent Consultants*: Upon submission of an application for a zoning amendment, the **LOCALITY** will be authorized to hire outside consultants. The applicant will be required to pay all of the consultant's costs.

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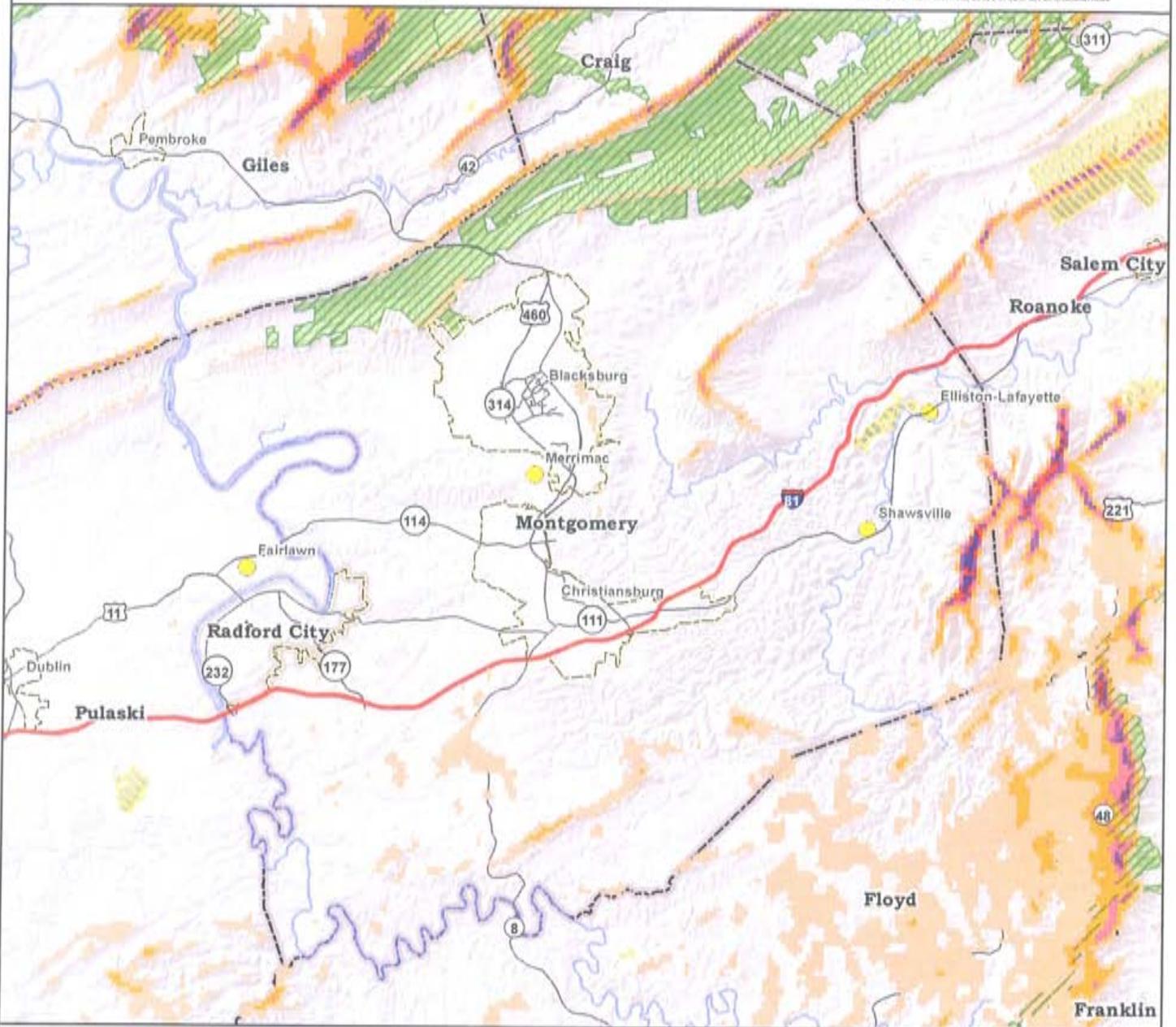
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# Wind Resources - Montgomery County

This map was prepared and produced at the Central Shenandoah Planning District Commission and is to be used for planning purposes only. While all attempts are made to ensure the accuracy and completeness of the GIS data contained on this map, accuracy is in no way guaranteed.  
 (April 2009)  
 Date Sources: ADW Truwind, LLC, DCR, USFS, VQR, National Atlas



## Average Wind Speed (50m)

- <12.5 mph
- 12.5 - 14.3 mph
- 14.3 - 15.7 mph
- 15.7 - 16.8 mph
- 16.8 - 17.9 mph
- 17.9 - 19.7 mph
- >19.7 mph



## Localities and Boundaries

- Town
- City
- County Boundary
- Census Designated Place

## Transportation

- Interstate
- US and State Roads

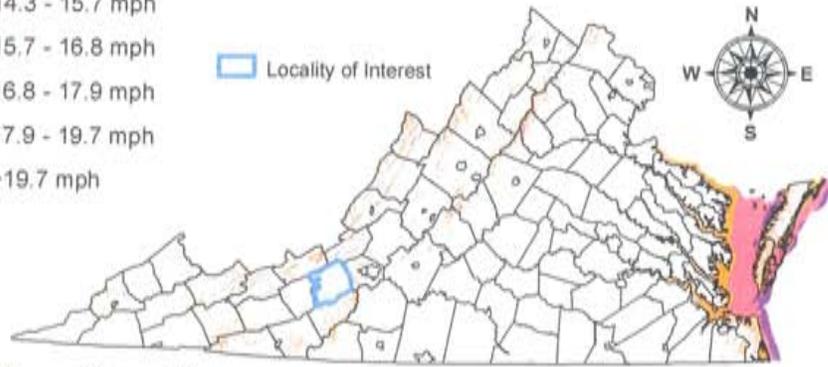
## Government Land

- Federal Land
- State Land

## Hydrology

- Major Bodies of Water

Locality of Interest



**MONTGOMERY COUNTY, VIRGINIA**  
**PLANNING COMMISSION and PLANNING & GIS SERVICES**  
**DEPARTMENT**  
**2011 WORK PROGRAM**

(Major projects in priority order)

**1. LAND DEVELOPMENT OFFICE (LDO) IMPLEMENTATION**

PLANNING & GIS SERVICES DEPARTMENTS

- Work with LDO vendor consultants in enhancing and modifying the software to better serve the needs of Planning, Zoning, E & S, and Permitting and Inspections for sign permits, site plans, field use and GIS integration. (Have contracted with ACS for Field Integration Application. Awaiting consultant services mobilization to customize for Building Inspections, E&S, Zoning.)
- Work with General Services and IT to extend LDO to the Web to create a citizen access portal. (Not funded for FY2011-12)
- Further extend benefits and training of LDO end users for county departments, constitutional offices and where possible to the general public. (See above)
- Develop a process and client side LDO interface with Virginia Utility Protection Service (VUPS) to identify future development impact on underground utilities and/or an encroachment on a utilities ROW using LDO parcel, building permit, and subdivision information. (Our cost to meet their export/import format was not funded by VUPS. Project has stopped & is waiting funding or review.)

**2. COMPREHENSIVE PLAN IMPLEMENTATION**

PLANNING COMMISSION

- Conduct semi-annual review (February and August) of any requests to amend the Planning Policy Areas map. February completed. August review forthcoming
- ✓ Review and discuss ordinance amendments (zoning, subdivision) being developed to implement specific Comprehensive Plan strategies. Proposed sign ordinance amendments underway
- Participate in the ongoing plan implementation process along with other boards and commissions.

PLANNING DEPARTMENT

- ✓ Work with consultants to develop amendments to comprehensive plan to address state requirement for Urban Development Areas (UDA) Adopted by BOS 6.27.2011
- ✓ Research and develop ordinance amendments (zoning, subdivision) necessary to implement specific Comprehensive Plan strategies including:
  - Develop new TND (Traditional Neighborhood Development) special district and/or update Planned Unit Development Ordinances for use in Villages Adopted by BOS 6.27.2011
  - Develop zoning approach for Villages Adopted by BOS 6.27.2011
  - Develop/enhance clustering provisions for single family dwellings to comply with state code requirements Adopted by BOS 6.27.2011

GIS AND MAPPING SERVICES

- Provide mapping support for Planning staff and Commission Ongoing

PLANNING CONSULTANT

- Assist with the development of ordinance and comprehensive plan amendments as well as planning studies related to Urban Development Areas Grant. Adopted by BOS 6.27.2011  
Lafayette Area Plan to be completed 9.30.2011

### 3. GEOGRAPHIC INFORMATION SERVICES (GIS)

#### GIS AND MAPPING SERVICES

- ✓ Provide GIS support to NRV 911 Consolidation and Public Safety/Fire Rescue Radio system project for countywide radio propagation study and tower placement. (Modeled VHF/UHF RF propagation data from RCC Consultants and prepared maps for Director. Updating cellular sectors to alleviate misrouting of wireless calls coming into to Public Safety Answering Points. Working with NRV Regional 911 members to create a uniform mapping display for call takers. )
- Assist Planning and Zoning staff in reviewing, organizing, and scanning legacy rezoning and special permits for entry or correction in LDO (SUP/Rezoning being completed by Planning Interns. Have started reviewing and correcting subdivisions)
- ✓ Work with county departments and constitutional offices to deploy, enhance, train and use the updated Pictometry aerial imagery in office as well as field situations including public safety and fire/rescue vehicles. (Implemented new 2011 oblique imagery and organized training completed by Pictometry trainer. Working with IT to upgrade EFS application on end user PCs.)
- Review, organize, and scan all legacy rezoning and special permits for entry or correction in LDO (See above)
- Work with county departments and constitutional offices to deploy, enhance, train and use of Pictometry aerial imagery in office as well as field situations including public safety and fire/rescue vehicles. (See above)
- E911 addressing of mobile home parks (Ongoing. Currently working on Massie's)
- Publish a specialty road atlas for cemeteries (Not started)
- Investigate migration of iGIS to new ArcGIS Server platform. (Investigating with IT)

### 4. U.S. CENSUS

#### PLANNING DEPARTMENT

- ✓ Work with Census Bureau and registrar to complete re-districting of County voting districts Completed. Adopted by BOS 4.25.2011. Approved by DOJ 6.9.2011

#### GIS AND MAPPING SERVICES

- ✓ Prepare mapping for biennial redistricting with 2010 population data Completed

### 5. COUNTY GENERAL REASSESSMENT

#### PLANNING DEPARTMENT

- ✓ Continue to serve on Reassessment Team to help manage process Completed
- Conduct follow-up meeting to evaluate process and identify successes and changes needed for next re-assessment process Needed

#### GIS AND MAPPING SERVICES

- ✓ Provide mapping assistance as needed Completed

### 6. SUBDIVISION AND ZONING ORDINANCE AMENDMENTS

#### PLANNING DEPARTMENT

- Prepare subdivision and zoning ordinance amendments to address state code changes
- Prepare zoning amendments for signs and landscaping sections  
Sign amendments to be approved 7.11.11 Landscaping pending
- ✓ Prepare subdivision and zoning amendments for UDA grant Completed

#### PLANNING COMMISSION

- ✓ Conduct public hearings and gather public input regarding proposed ordinance amendments Completed

**Ongoing Project: ZONING ORDINANCE ADMINISTRATION**

PLANNING COMMISSION

- Review and recommend rezoning requests and special use permit requests.
- Review and recommend amendments to the Zoning Ordinance.

BOARD OF ZONING APPEALS (BZA)

- Review and decide variance requests and appeals of Zoning Administrator decisions
- Review and decide special use permits (as applicable).

PLANNING DEPARTMENT

- Provide staff support to the Planning Commission and the Board of Zoning Appeals.
- Prepare draft Zoning Ordinance amendments for Commission consideration
- Provide information and answer questions concerning the Zoning Ordinance for developers and the general public.
- Enforce the Zoning Ordinance including review of building permit applications, review of site plans, complaint investigation and follow-up, legal enforcement actions, etc.
- Assist CPEAV & VAZO with regional training sessions for Planning Commission and BZA members/alternates.

**Ongoing Project: SUBDIVISION ORDINANCE ADMINISTRATION**

PLANNING COMMISSION

- Review and recommend plats for major subdivisions.
- Review and recommend amendments to the Subdivision Ordinance.

PLANNING DEPARTMENT

- Provide staff support to the Planning Commission in the review of major subdivisions
- Review and approve plats for family subdivisions and minor subdivisions.
- Prepare draft Subdivision Ordinance amendments for Commission consideration.
- Provide information and answer questions concerning the Subdivision Ordinance for developers and the general public.

**Ongoing Project: COMPREHENSIVE PLAN IMPLEMENTATION**

PLANNING COMMISSION

- Review implementation priorities and projects.

PLANNING DEPARTMENT

- Prepare legislative priorities for land use matters.
- Prepare Indicators Report

GIS AND MAPPING SERVICES

- Prepare supporting maps and modify GIS layers

**Ongoing Project: METROPOLITAN PLANNING ORGANIZATION (MPO)**

PLANNING DEPARTMENT

- Provide County representative to the MPO Technical Advisory Committee.

GIS AND MAPPING SERVICES

- Review and support services.

**Ongoing Project: GEOGRAPHIC INFORMATION SERVICES (GIS) (Ongoing)**

GIS AND MAPPING SERVICES

- Provide staff support to County Administration and Economic Development with property acquisitions and other projects.
- Provide citizens, taxpayers, realtors, appraisers, interested parties GIS data, maps, and E911 site addresses.
- Continue to market/leverage the County's investment in LIDAR, orthophoto and GIS data in order to maximize cost recovery, effectiveness and efficiency to the benefit of the taxpayers.
- Continue to assign E911 addresses
- ✓ Continue support for Voter Registrar – Precinct boundary and polling places (Providing direct support and as needed to Voter Registrar staff as they update VERIS)
- Continue cemetery inventory for land development and subdivision requirements
- Continue to inventory billboards and signs for inclusion into LDO and GIS.
- Continue cellular tower, review, mapping and updates.
- Continue GIS and mapping support for MC Gypsy Moth Program. (N/A for 2011)
- Continue GIS and mapping support for the Sheriff's Office for monthly crime incidents, special events, task force, and PSAP dispatch GIS data updates.
- ✓ Continue to provide GIS, mapping, and training support to the MC Public Schools. (Corrected site addresses in transportation and student databases)
- Continue to provide local GIS support for Virginia Game and Inland Fisheries Officers & US Marshals Office
- Continue to work with IT to migrate data to new ArcGIS Server application
- ✓ Continue to determine Landuse Soils Capability Classification for designated agriculture parcels and provide mapping and data sheets to Commissioner of Revenue's Office Completed
- ✓ Continue to review and enter elevation certificates, LOMR's, LOMA's into GIS database and mapping layers (Updated database)

**Ongoing Project: AGRICULTURAL & FORESTAL DISTRICT DISTRICTS**

AGRICULTURAL AND FORESTAL DISTRICT ADVISORY COMMITTEE

- Review requests and recommend additions, deletions and withdrawals to agricultural and forestal districts within the County.
- Process district renewals for districts #1, 2 and 15. Underway

PLANNING DEPARTMENT

- Provide staff support to the Agricultural and Forestal District Advisory Committee.

GIS AND MAPPING SERVICES

- Prepare supporting maps and modify GIS layers.

**Ongoing Project: 15.2-2232 REVIEW REQUIREMENT**

PLANNING COMMISSION

- ✓ Review streets, parks or other public areas, public buildings or public structures, public utility facilities, etc. for compliance with the Comprehensive Plan. Hold public hearings per Board of Supervisors policy.

**Ongoing Project: RURAL ADDITION PROGRAM**

PLANNING DEPARTMENT

- Work with landowners and VDOT to complete rural additions to the state secondary road system in accordance with the Supervisors priority list.

GIS AND MAPPING SERVICES

- Prepare supporting maps and modify GIS layers

**Ongoing Project: PUBLIC INFORMATION**

PLANNING DEPARTMENT

- Prepare and distribute Annual Report.
- Support Public Information Office with development of county survey. *In process*

GIS AND MAPPING SERVICES

- Maintain iGIS website for external (general public) and internal inquiries

**Ongoing Project: NEW RIVER VALLEY PLANNING DISTRICT COMMISSION (NRVPDC)**

PLANNING DEPARTMENT

- Provide County representative to the Rural Transportation Advisory Committee (TAC).
- Provide County representative to the Bikeway/Walkway Committee.
- Support NRVPDC efforts to develop a regional green infrastructure approach and regional water supply plan for the New River Valley.
- Support NRVPDC efforts (in partnership with MPO) to prepare a regional Transit Organizational Model.
- Support NRVPDC efforts on Sustainable Communities Grant.
- Support NRVPDC efforts to develop Route 11/460 Corridor Special Study (Shawsville).

**Ongoing Project: NRV HOME CONSORTIUM**

PLANNING DEPARTMENT

- Provide County representative to the New River Valley HOME Consortium

**Ongoing Project: CAPITAL IMPROVEMENTS PROGRAM (CIP) (if applicable)**

PLANNING COMMISSION

- Review and recommend draft CIP with respect to Comprehensive Plan. Hold public hearing if deemed necessary.