

MINUTES
PAGE COUNTY PLANNING COMMISSION
February 25, 2020

Members Present

Bernie Miller, Vice Chairman, District 1
Steve Atkins, District 2
Jared Burner, District 3
William Turner, District 5

Catherine Grech, District 1
Donnie Middleton, District 2
James Holsinger, Secretary, District 4

Members Absent

Keith Weakley, Chairman, District 3
David Dean, District 4

Jonathan Comer, District 5

Staff Present

Tracy Clatterbuck

Call to Order

Mr. Miller called the February 25, 2020 Page County Planning Commission Work Session to order in the Board of Supervisors Room located at the Page County Government Center, 103 S Court Street, Luray, Virginia at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*.

Mr. Miller welcomed Ms. Catherine Grech to the commission as she was recently appointed to the commission by Mr. Keith Guzy.

Adoption of Agenda

Mr. Holsinger stated that if they were going to discuss the sub-committees recommendation tonight, which he thought was a good idea, then he thought if they were going to expand he suggested taking a look at Mr. Robert Janney's comments, then they should think about who is about to be made chairman because that person should be able to control their meetings. Everyone should realize we are about to have a new chairman.

Mr. Atkins made a motion to accept the agenda as presented. The motion was seconded by Mr. Holsinger. The motion passed unanimously.

New Business

A. Review and adoption of 2019 Annual Planning Report

Ms. Clatterbuck presented the 2019 Annual Planning Report draft to the full commission. A copy of the report was provided to all commissioners and was made available to the public.

Mr. Holsinger made a motion to accept the 2019 Annual Planning Report as presented and recommended it be forwarded to the Board of Supervisors. Mr. Turner seconded the motion. The motion passed unanimously.

B. Review and discussion of Zoning Ordinance Sub-Committee comments regarding solar facilities

Mr. Miller stated that since the sub-committee had recommended the draft from the Berkley Group be submitted to the full commission, he thought at this point it was best to go through the entire document line-by-line item. He suggested they review the material no longer than one hour tonight. If there are thoughts, changes, etc. they can discuss it then or send it back to the sub-committee if needed. He stated he hoped that the commissioners had reviewed the document and were prepared to comment.

Mr. Miller began by reviewing the draft definitions document provided by The Berkley Group. He proceeded to read each definition along with sub-committee recommendations listed on the document.

Ms. Grech suggested on the definition of "owner" it be amended to read as follows: ****proposed changes in red****

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

Mr. Miller asked if legal had reviewed the draft. Ms. Clatterbuck replied that the draft would not go to legal until we had a nearly completed document as she expected many changes from the commission at this point. Mr. Holsinger noted that it was thought that the commission would be making changes to the document. After those changes are made, the document should go back to the consultant, staff, and legal for review. In some instances, there were lots of suggestions which have to be worked out by legal. In the end, we will probably accept the recommendations from staff and legal as we generally do.

Mr. Holsinger noted there were many people that submitted suggestions in writing. One of the suggestions was that we not use acreage but only power. The sub-committee reviewed that and felt the acreage was a little bit easier to understand especially when you have such vast differences. For example, it was easy to understand anything over two acres was going to require a special use permit. It was harder to understand a measure of power (what a millivolt, kilowatt, etc.) so for clarity the sub-committee recommends you use both. The draft from the Berkley Group uses both measures so they are in agreement with the consultant on using both measures.

Mr. Holsinger further explained "the subcommittee's recommends that the full commission consider the utility scale requirements if the acreage or power measure is exceeded by an all, (100%) on roof solar collector application." What if we have a roof in the county which is large enough to meet the acreage requirement and they were covered with panels. Are we comfortable saying they will be required to have a special use permit even though the panels are going on the roof? That was just a suggestion that the full commission consider whether or not they want to cover so carefully since it is on a roof versus on the ground. It is something that needs to be considered by the full commission. As written now, if they exceed the two acres, even though the panels are on the roof, they would still need a special use permit. Mr. Miller asked the poultry owners on the commission how large their poultry houses were. Mr. Turner noted that he had two of them and each one was 1.25 acres. Mr. Holsinger pointed out that he would need a special use permit based on the definition as currently drafted. Mr. Miller asked how the commission felt about that. Mr. Burner stated he was going to bring this up as they got further into the document where it only mentions commercial and industrial solar. In this county, we are predominately agriculture, and it sort of leaves that out. The primary roof top solar applications probably would be agriculture buildings. Mr. Holsinger suggested that the commission make this a question for the consultant to see if they could make it possible to change this a bit to have roof top applications not meeting the full requirements of the definitions/chapter, in which Mr. Miller agreed. Mr. Holsinger stated that was a good question for the consultants. Mr. Turner pointed out that the roof was already there so it made sense to exclude them. Mr. Atkins asked if they would not want to limit the farmer if he wanted to produce it as long as it stayed on his property (the energy) vs. if it goes off the property. Mr. Miller stated there was an agreement with SVEC. If they don't use it, it goes to waste. Mr. Holsinger said the utility company would always be the battery. Excess power production is always going to flow out onto the line and the power you need is going to come into the line. Ms. Grech pointed out that looking at the proposed definition of utility scale it says "which will be used to provide electricity to a utility provider." If the farmer is not providing electricity to provider but is providing electricity to his property then it doesn't qualify for utility scale. Mr. Atkins asked why you wouldn't allow the farmer to sell it back to the utility. Mr. Turner pointed out that the power company will not buy it but will give you credits for it. Mr. Holsinger noted that is why the Campbell's were installing a charger for electric cars

because they were not using enough of the power they were generating. Mr. Holsinger concluded on that section by stating once the commission received feedback on the rooftop, the commission could resume this discussion.

Section 125-70- Mr. Miller proceeded to read the section.

Ms. Grech suggested the following changes: ****proposed changes in red****

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

Section 125-71- Mr. Miller proceeded to read the section.

No changes were suggested from the commission.

Section 125-72- Mr. Miller proceeded to read the section.

Mr. Holsinger questioned if we had an A-1 zoning district? Ms. Clatterbuck explained that we had only one Agriculture zoning district that was identified in the county code as Agriculture (A-1).

Mr. Burner stated he felt this was the section they needed to differentiate between land and roof top applications. If you are putting it on your roof he didn't feel it should require a special use; however, if it's on the land it should require a special use permit. Mr. Holsinger stated that if they kept the acreage at 2 acres as currently drafted, they could think about increasing the acreage but he didn't know if that was the wise thing to do. He agreed that this was the appropriate section to address it in. Again, after feedback from the consultant, the topic will be revisited.

Mr. Holsinger stated the committee felt it was good for utility scale facilities to be located on or near existing brownfields but there is no or little land that meets that criteria; therefore, the committee felt it was best to delete (e). The commission agreed. The following changes were made:

~~(e) Utility scale solar facilities should locate on brownfields or near existing industrial uses, where feasible.~~

Ms. Grech suggested the following changes: ****proposed changes in red****

(d) Utility-scale solar facilities shall be permitted by Special Use Permit (SUP) only, and in the A-1 zoning district.

Mr. Holsinger noted we have some industrial zoned property in Stanley that is very close to the Technical Center, if we make this suggested change, would that make that property ineligible for industrial solar? Mr. Miller stated with the change, he believed it would but the county could rezone it to A-1. Mr. Holsinger cautioned the commissioners to think about that and make sure that is what we want. Mr. Middleton asked what about vacant chicken houses? What if someone wanted to put solar on those vacant buildings but it wasn't an A-1 use? Ms. Clatterbuck cautioned the commission to think very carefully about his question as it was a very good question. Mr. Holsinger noted the concept of the land use tax program could possibly help with this discussion. He suggested staff get feedback from The Berkley Group and then the commission could continue this discussion.

Section 125-73- Mr. Miller proceeded to read the section.

Ms. Grech suggested the following changes to 125-73(d)2: ****proposed changes in red****

Property lines and setback lines. A land survey by a licensed Virginia surveyor is required.

Mr. Miller requested the following change to 125-78.8: ****proposed changes in red****
(8) Any third party assessment shall be paid for by the applicant but the third party assessor must be selected by Page County.

Ms. Grech asked why we were requiring a concept plan instead of a site plan. Concept plans are so vague. Mr. Holsinger noted site plans are very similar to the concept plan. There is not a measurable difference between the two in his opinion.

Ms. Grech asked if we were considering requiring a separate special use permit for substations. Mr. Holsinger noted the sub-committee had discussed substations. Substations need to be covered as they are not addressed in the draft. Substations are discussed on page 5.

Mr. Miller requested the following change to 125-73(f)7:
7. It is the applicant's responsibility to provide the decommissioning plan and they shall be responsible for any fees associated with the expense of the plan.

Ms. Grech questioned the requirement under 125-73(f) which required the cost estimate be recalculated every 5 years. She felt with all that it takes for these types of facilities, she felt every five years was not enough and that it should be done every two-three years. Mr. Miller recommended the commission come back to this question at the next meeting when Mr. Comer was present since he was a banker and had a MBA.

Mr. Miller suggested that 125-73(h) be discussed by the commission when Mr. Weakley is present at the next meeting. He requested the following change: ****proposed changes in red****
(h) Traffic study submitted with application modelling the construction and decommissioning processes. VDOT will be responsible for reviewing the study.

There was discussion amongst the commission about economic impact statements. After much discussion, Ms. Grech requested the following change: ****proposed changes in red****
Add new bullet under 125-73 that reads as follows: Community impact assessment including economic impact shall be required.

Mr. Burner questioned if the county would determine if there were any minimum setbacks from wetlands, waterways, and floodplains. After further debate, the commission agreed to revisit this topic at another meeting.

The commission agreed to stop and continue the line-by-line item review at the next meeting beginning with 125-74.

Unfinished Business

A. Election of Officers

Nominations were as follows:

Chairman- Bernie Miller

Vice Chairman- William Turner

Secretary- Jamie Holsinger

The above listed officers were approved by a roll call vote of 7-0.

Chairman's Report

Mr. Miller reminded the commissioners that The Berkley Group would be present at the April 14, 2020 regular meeting to review the solar draft. He questioned if the commissioners were willing to have a special

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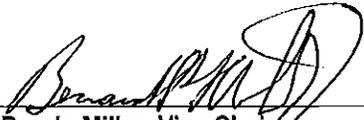
meeting on March 5, 2020 at 7 p.m. to continue review of the solar ordinance draft. The commissioners agreed and Mr. Miller directed staff to publish notice of the meeting as required by code.

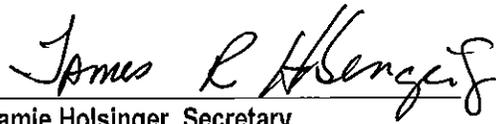
Clerk's Report

No Report

Adjourn

Mr. Miller adjourned the meeting at 9:12 p.m.


Bernie Miller, Vice Chairman


Jamie Holsinger, Secretary

