



**BOARD OF SUPERVISORS  
JOINT MEETING WITH BZA AND PLANNING COMMISSION  
Tuesday, October 18, 2022 – 2:00 PM**

**Board Meeting Room  
39 Bank Street, SE,  
Chatham, Virginia 24531**

**AGENDA**

- 1. CALL TO ORDER (2:00 PM)**
- 2. ROLL CALL**
- 3. AGENDA ITEMS TO BE ADDED**
- 4. APPROVAL OF AGENDA**
- 5. PRESENTATIONS**
  - a. Zoning Ordinance Update Presentation (Staff Contact: Emily S. Ragsdale);  
(Presenter: The Berkley Group)
- 6. ADJOURNMENT**



**Board of Supervisors**  
**EXECUTIVE SUMMARY**

**ACTION ITEM**

<b>Agenda Title:</b>	Zoning Ordinance Update Presentation		
<b>Staff Contact(s):</b>	Emily S. Ragsdale		
<b>Agenda Date:</b>	October 18, 2022	<b>Item Number:</b>	5.a
<b>Attachment(s):</b>	Worksession 1 Agenda Attachment A - Project Schedule and Progress Attachment B - Pittsylvania County Zoning Ordinance Evaluation Attachment C - Public Engagement Summary Attachment D - Proposed Ordinance Structure AgricultureRuralPreservationGuideCompressed ZoningGuide		
<b>Reviewed By:</b>			

**SUMMARY:**

Berkley Group representatives will review the attached items with the Board of Zoning Appeals, Planning Commission, and Board of Supervisors regarding the ongoing mass Zoning Ordinance revision.

Pittsylvania County Zoning Ordinance Update  
 Joint Worksession #1 | Agenda  
 October 18, 2022



Project Overview

Pittsylvania County has enlisted the support of the Berkley Group to update, modernize, and restructure the Zoning Ordinance. The revised Zoning Ordinance will:

- Provide streamlined and user-friendly regulations;
- Incorporate best planning practices and current *Code of Virginia* requirements;
- Address the goals and strategies identified in the Comprehensive Plan; and
- Consider citizen needs and issues identified through the public engagement process.

This process will be guided by County staff, the Planning Commission, and the Board of Supervisors and includes opportunities for input from stakeholders and County residents. Today's meeting is intended to review findings and receive feedback from the Board of Supervisors and Planning Commission regarding the Zoning Ordinance diagnostic, the public engagement results, and a high-level review of the proposed structure of the new Zoning Ordinance.

Agenda

1. Berkley Group Presentation:
  - a. Project Schedule and Progress (Attachment A)
  - b. Diagnostic Findings (Attachment B)
  - c. Public Engagement Findings (Attachment C)
  - d. Proposed Ordinance Structure (Attachment D)
  - e. Next Steps
2. Questions & Closing

Project Schedule & Progress

Progress to date includes:

- Staff Kickoff – Held on June 8, 2022. The Berkley Group conducted a kickoff meeting with Pittsylvania County staff to review the scope of work and deliverable items. This meeting gave Berkley Group's team insight into current issues and areas of focus.
- Board of Supervisors Kickoff – Held on July 19, 2022. During this meeting, the Berkley Group gave a presentation on the scope of work and schedule.
- Public Engagement – Public engagement offered opportunities to collect community feedback on priorities for the ordinance update. A public survey was conducted from August 1 through September 2, 2022; stakeholder interviews and a public workshop were held on August 16, 2022.

**Pittsylvania County Zoning Ordinance Update  
Joint Worksession #1 | Agenda  
October 18, 2022**



**Diagnostic**

The Berkley Group has completed a diagnostic evaluation of the Zoning Ordinance for compliance with the Code of Virginia, alignment with the Comprehensive Plan, and use of best planning practices. Board and Commission members are encouraged to review this evaluation and come prepared with questions and feedback on the recommendations.

**See Attachment B** for the Zoning Ordinance Evaluation.

**Public Engagement**

Community input will underpin the Berkley Group's recommendations for ordinance revisions to zoning districts, use performance standards, and community design standards. Board and Commission members are encouraged to review the public engagement summary and share any additional guidance or insight on these results.

**See Attachment C** for the summary of input from each stakeholder group and each workshop, as well as a public survey report.

**Proposed Ordinance Structure**

**See Attachment D** for the proposed structure of the Zoning Ordinance.

Reorganization of the Ordinance is recommended to provide a streamlined, more user-friendly document that offers predictability and transparency. The recommended ordinance structure reorganization would:

- Aid staff with administration and enforcement;
- Improve the general interpretation and use by the community;
- Provide enhanced standards for design elements such as signage, noise, buffering, and lighting;
- Provide further detail and clarity regarding permitted uses and use standards; and,
- Consolidate definitions into an adopted ordinance article.

**Next Steps**

The Berkley Group will review recommendations and begin drafting ordinance articles. Topics to be discussed at the next meeting include:

- General and Administrative
- Permits and Applications
- Nonconformities
- Related Definitions

**Berkley Group Guides**

Included as part of the packet are Berkley Group guides to rural preservation and zoning. These guides are intended to serve as a supplement to the diagnostic and public engagement findings and provide a high-level overview of zoning and the Ordinance update process, as well as key preservation tools for rural and agricultural lands.



Pittsylvania County Zoning Ordinance Update  
Attachment A: Project Schedule and Progress



The project schedule below indicates major tasks and the target month of completion.

		PROJECT TIMELINE																								
Phase	#	Task Description	2023												2024											
			June	July	August	September	October	November	December	January	February	March	April	May	June	July	August	September	October	November	December	January	February	March	April	May
Investigation	A1	Project Management																								
	A2	Kick-off Meeting with Staff	V																							
	A3	Document Review & Diagnostic																								
	A4	Public Survey																								
	A5	Joint Public Officials Meeting		X																						
	A6	Public Input Workshop (Up to 1)			X																					
	A7	Stakeholder Listening Sessions (up to 4)			X																					
Development	B1	Joint Work Sessions (up to 7)					X		X		X		X		X		X		X							
	B2-10	Drafting																								
	B2	TOC					*																			
	B3	Definitions																								
	B4	General, Admin, Nonconformity						*																		
	B5	Permits & Application Provisions							*																	
	B6	Districts Standards									*															
	B7	Overlay & Special Districts									*															
	B8	Use Matrix										*														
	B9	Use Performance Standards											*													
	B10	Community Design Standards												*												
	B10	Compiled Draft Ordinance Review													*											
	Adoption	B11	Example Development Plans																							
B12		Changes Matrix																								
B13		Basic Supporting Graphics																								
C1		Public Review & Open House																		X						
C2		Pre-Adoption Work Session																			X					
C3		Incorporate Final Revisions																				X				
C4		PC Public Hearing																					X			
C5	BOS Public Hearing																						X			
C6	Post-Adoption Materials																									

X = Anticipated In-person Attendance; V = Virtual Attendance

Attachment: Attachment A - Project Schedule and Progress (3415 : Zoning Ordinance Update Presentation)

# Pittsylvania County, Virginia

*Zoning Ordinance Evaluation | October 18, 2022*



Attachment B - Pittsylvania County Zoning Ordinance Evaluation (3415 : Zoning Ordinance





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**This diagnostic report recommends actions that will improve the ability of all stakeholders and staff to more easily understand, administer, and use Pittsylvania County's Zoning Ordinance - one of its key land use tools.**

**Specific recommendations are included in Appendix A and Appendix B and summarized throughout this report.**

## Purpose and Scope

The Zoning Ordinance is one of the key tools localities use to regulate the use and development of land. As part of Pittsylvania County's full review and update of the Zoning Ordinance, the County commissioned a diagnostic study to examine the Ordinance for compliance with the Code of Virginia and other land use and development best practices.

The Berkley Group, a Virginia-based local government consulting firm, completed this assessment, which included the following tasks:

- Analyze the Zoning Ordinance, Chapter 35, found in the Code of Ordinances for Pittsylvania County, Virginia.
- Provide best practice recommendations, along with recommendations for alignment with applicable County policy documents, including the Comprehensive Plan.
- Incorporate known ordinance strengths and weaknesses as provided by County staff knowledgeable with zoning regulations.

## Process

The Zoning Ordinance update began in June 2022 with a kick-off meeting with County staff to discuss broad community goals and specific issues with the County's ordinances. A public engagement period, held in August 2022, also provided insight into concerns, goals, and priorities related to the Zoning Ordinance and land use. These two components in the process were considered in tandem with a comprehensive review of Pittsylvania County's Zoning Ordinance to assess how the regulations provided for in this Ordinance comply with the requirements of the Code of Virginia.

The Pittsylvania County Zoning Ordinance was assessed for compliance with each pertinent section of the Code of Virginia Chapter 22: Planning, Subdivision of Land and Zoning and analyzed for potential improvements to structure and content.

Additionally, a broad review of Pittsylvania County's current Comprehensive Plan identified opportunities to implement policies and strategies through the Zoning Ordinance update. The diagnostic matrices are included in the appendices of this report for easy reference and examination. This report identifies actions Pittsylvania County should take that will strengthen the ordinance and ensure complete compliance with the Code of Virginia requirements. Specific actions are recommended to improve the consistency, clarity, and completeness of the Zoning Ordinance. The recommended changes will improve the ability of public officials, citizens, and other stakeholders to better understand, administer, and use the ordinance in practice.





Zoning Ordinance



Diagnostic Matrix

+

Comprehensive Plan



Diagnostic Matrix

+

County and Public Input

=

**FINAL REPORT  
&  
ANALYSIS**

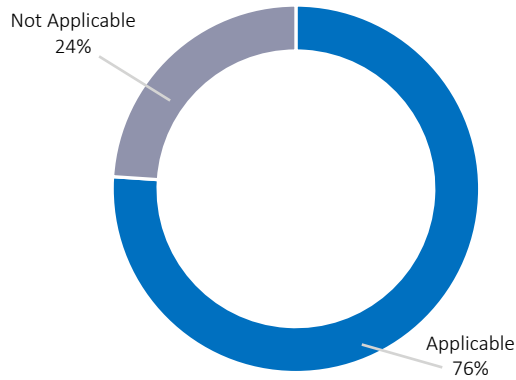
**Pittsylvania County's Zoning Ordinance should be revised to reflect current best practices in zoning and land use; to strengthen and enhance the ability to implement the strategies and priority items of the current Comprehensive Plan; and to improve clarity and ease of use with the following actions:**

## Pittsylvania County Zoning Ordinance Evaluation

### Zoning Ordinance Key Findings

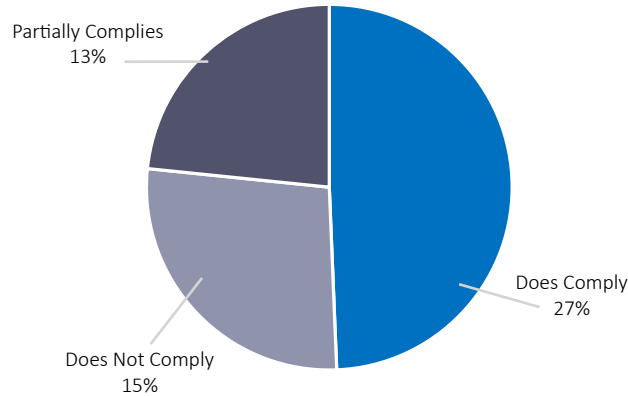
- The Zoning Ordinance should introduce new provisions to meet the objectives of the County's current Comprehensive Plan, including providing a full range of housing choice options, preserving agricultural lands, and providing enhanced standards for design elements such as signage, noise, landscaping, buffering, and lighting.
- The Zoning Ordinance should be organized and streamlined into a user-friendly, clearly written document. This is to aid staff with administration and enforcement and the community with general interpretation and use.
- The Zoning Ordinance should be updated to achieve full compliance with the Code of Virginia, detailed in the recommendations of the Zoning Diagnostic Matrix and summarized in the compliance analysis charts on page 5.
- Uses and definitions within the Zoning Ordinance should be updated to include modern uses, while omitting outdated uses and definitions that may no longer comply with the Code of Virginia.
- An article containing a use matrix to clearly detail the permitted uses in each zoning district should be introduced, along with a separate article providing detailed and appropriate use standards. Existing use standards should undergo a thorough review and be updated as needed to comply with the Code of Virginia and planning and zoning best practices.
- The Zoning Ordinance should be reviewed and updated annually with the Planning Commission and Board of Supervisors. This is a best practice technique which ensures that the Ordinance remains compliant with the Code of Virginia and relevant and responsive to community needs.

**Chart 1**  
**Applicability of Code of Virginia Sections**



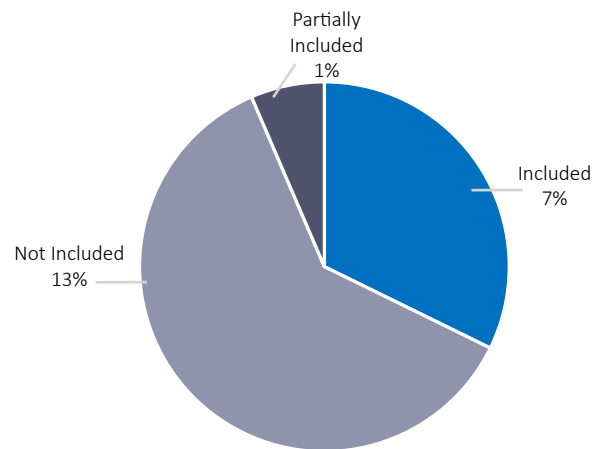
**Chart 2**  
**Compliance with Applicable\* Sections**

\* Chart does not include Optional or Non-Applicable percentages  
Total Optional Provisions: 21%  
Total Non-Applicable Provisions: 24%



**Chart 3**  
**Optional\* Provisions Usage**

\* Total Optional Provisions: 21% of all provisions



This set of diagrams showcases the Zoning Ordinance’s overall applicability and compliance with the Code of Virginia’s zoning regulations. A detailed analysis of each code section is provided in Appendix A; these charts offer a broad look at Pittsylvania County’s standing.

Chart 1 highlights the percentages of the Code of Virginia regulations that are and are not applicable to the Zoning Ordinance. The applicable percentage includes both mandatory and optional provisions.

Chart 2 highlights the collective percentage of the Zoning Ordinance that fully complies, does not comply, or partially complies with the Code of Virginia. These figures do not include optional provision percentages.

Chart 3 highlights the percentage of optional provisions that are included, not included, or partially included in the Zoning Ordinance.



**The Zoning Ordinance is the local code that provides regulations and requirements for the use and development of land. Zoning divides a locality into specific districts and establishes regulations concerning the use, placement, spacing, and size of land and buildings within the respective districts. The Zoning Ordinance is the primary instrument used by localities to implement the long-range vision found in the Comprehensive Plan. Pittsylvania County's Zoning Ordinance can be updated and improved to better manage land development activities, enhance clarity, and ensure compliance with the Code of Virginia.**

### ***Federal and State Compliance***

Any Zoning Ordinance update should incorporate current Code of Virginia references and address recent amendments to the Code of Virginia. The current Zoning Ordinance contains many footnotes and references to outdated sections of the Code of Virginia; careful attention should be given to update all references with the most up-to-date section numbers. Several provisions related to review and application timeframes also do not align with what is permissible by the Code. The Zoning Ordinance diagnostic (Appendix A) itemizes each Code of Virginia section that must be addressed.

### ***Ordinance Organization and Structure***

The current Zoning Ordinance is disorganized due to numerous text amendments over the course of multiple decades, which is common of older ordinances. The Ordinance would therefore benefit from a restructuring to ensure a more organized and user-friendly document. The Berkley Group typically recommends the following structure for zoning ordinances: Administration, Permits and Applications, Zoning Districts, Use Matrix, Use Standards, Community Design, Nonconformities, Definitions.

### ***Administration***

The Zoning Ordinance should clearly articulate ordinance administration, application, and notice procedures and responsibilities. An administrative article should detail all application processes and procedures in one location, including those for text amendments, map amendments (i.e., rezonings),

variances, special use permits, site plans, appeals, and boundary interpretations. While the Zoning Ordinance does include sections establishing the authority of the County to regulate land use, the Ordinance is lacking several other administrative requirements from the Code of Virginia, including clearly written provisions regarding advertisement and public notice and procedures for joint public hearings. The included timeframes for Planning Commission and Board of Supervisors' review are also more stringent than what is required by the Code of Virginia. All administrative procedures within the Zoning Ordinance should be aligned with the Code of Virginia and restructured to feature consolidated and comprehensive administrative articles.

### ***Civil Penalties***

Pittsylvania County currently does not provide procedures for civil penalties for zoning violations. Misdemeanor penalties for violations of the Zoning Ordinance are utilized; however, as a best practice the County should introduce civil penalties and use such penalties as a first line of defense, moving misdemeanors as appropriate. A uniform schedule and summons procedure should be applied for civil penalties as detailed in the Code of Virginia.

### ***Fees and Taxes***

The Zoning Ordinance currently includes fees for applications and permits. It is recommended to include these fees in a comprehensive fee schedule that ideally incorporates all County fees and operates as a standalone ordinance outside of the Zoning Ordinance. This facilitates



amending fees, as well as annual review procedures during budgeting.

As a best practice, it is recommended that the County implement the optional provision within Code of Virginia §15.2-2286, which requires any delinquent taxes to be paid prior to submission of a zoning application. This is a tool that many Virginia localities have found useful in obtaining payment of delinquent taxes.

**District Standards**

The Zoning Ordinance provides district standards that address height, area, setbacks, and lot coverage. These standards should be evaluated to ensure they are promoting the desired type of development, with changes being made where necessary.

**Setbacks**

While setback standards are included in the Zoning Ordinance for all districts, they should be reviewed, revised, and reorganized for consistency. Both County staff and the public highlighted current setback regulations as a major challenge in interpreting and applying the Zoning Ordinance. For example, in some cases, side setbacks are determined as a percentage of the lot frontage on a public road; and front setbacks are measured from the centerline or the edge of the right-of-way, whichever is greater. The placement of accessory structures in rear setbacks, as well as all rear setbacks for parcels adjoining Smith Mountain Lake, are both unclear. Additionally, several districts allow uses to be built right up to the property

line, which can lead to challenges for utility placement and negative impacts on neighboring properties. The Berkley Group recommends closely reviewing setback requirements to ensure ease of administration, adequate siting of structures, and consistency in how setbacks are determined and applied. All dimensional standards should be reviewed to ensure consistency and that standards remain appropriate for modern uses.

**Minimum Lot Size**

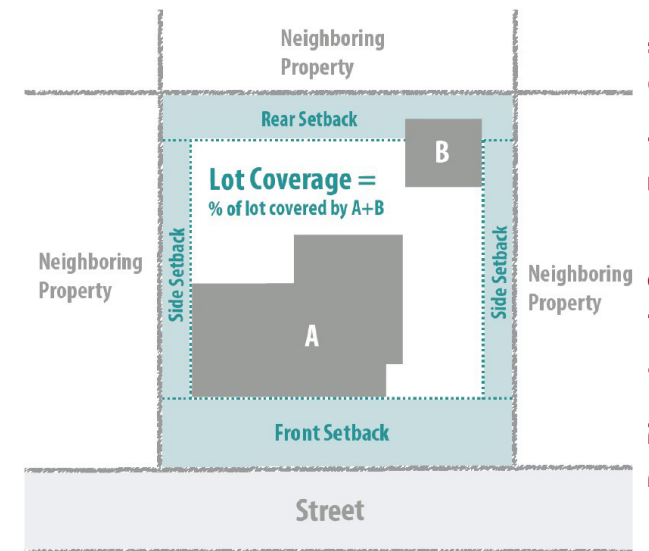
Minimum lot size standards are provided in the Zoning Ordinance for all districts; however, these standards should be reevaluated to ensure that the densities being facilitated by these minimum lot sizes correspond to the purpose and permitted uses within each zoning district. In particular, the minimum lot size in the A-1 district is less than a half-acre, which is not large enough for most types of agricultural activity. One implication of small minimum agricultural lot sizes is complications with establishing well and septic systems. However, increasing minimum lot size alone could potentially cause the deterioration of rural character due to the loss of productive farmland. Two potential solutions the County can explore are the addition of density or sliding scale requirements; these would still allow smaller agricultural lot sizes, but limit the proliferation of subdivisions where inappropriate.

**Dimensional Standards**

All other dimensional standards addressed in the Zoning Ordinance – such as maximum height, lot coverage requirements, and open space requirements – should be reviewed to ensure

consistency and that standards remain appropriate for modern uses. The Zoning Ordinance could also incorporate a “Setback and Site Dimensional Chart” that can include height limits, lot coverage setbacks, etc. This provides one place for each district’s dimensional regulations and increases readability.

Exhibit 1 on the following page shows some of the current district regulations of the Zoning Ordinance in chart form.



*This graphic depicts the locations of setbacks on a property, as well as how lot coverage is calculated. Dimensional standards including setback and lot coverage requirements can be reviewed and amended for consistency and to ensure compatibility between uses.*

EXHIBIT 1												
District Standards (Current)												
STANDARD	DISTRICT											
	A-1	RE	R-1	RC-1	R-MF	RPD	MHP	B-1	B-2	M-1	M-2	C-1
Minimum Lot Size												
Area	20,000 sq. ft.	5 acres	N/A			5 contiguous acres	6,000 sq. ft.	Subject to VDH Approval	Subject to VDH Approval	Subject to VDH Approval	Subject to VDH Approval	20,000 sq. ft.
With Public Water <b>AND</b> Sewer	N/A		10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft. per duplex; 3,000 sq. ft. for each additional unit	N/A						
With Public Water <b>OR</b> Sewer			15,000 sq. ft.	15,000 sq. ft.	21,000 sq. ft. per duplex; 6,000 sq. ft. for each additional unit							
<b>NO</b> Public Water or Sewer			20,000 sq. ft.	20,000 sq. ft.	26,250 sq. ft. per duplex; 7,500 sq. ft. for each additional unit							
Road Frontage												
Minimum road frontage, not in cul-de-sac	N/A	150 ft.	75 ft.	75 ft.	N/A							
Minimum road frontage in cul-de-sac		50 ft.	30 ft.	30 ft.								
Lot Width												
Lot Width	N/A	150 ft.	N/A		Cul-de-sac 30 ft., all others 100 ft.	N/A	50 ft. per lot	N/A				
With Public Water <b>AND</b> Sewer	N/A		75 ft.	75 ft.	N/A							
With Public Water <b>OR</b> Sewer			100 ft.	100 ft.								
<b>NO</b> Public Water or Sewer			100 ft.	100 ft.								
Minimum distance between side lot line at the building line	N/A	100 ft.	Equal to mean width as shown in lot width above	Equal to mean width as shown in lot width above								

**Definitions and Uses**

The definitions section of the Zoning Ordinance should be reviewed and updated to ensure consistency, clarity, and ease of interpretation. The County should ensure that every land use permitted in the Ordinance has an accompanying definition, and that all definitions are clear to avoid interpretation issues. Currently, definitions are included as a supplementary document to the Ordinance, with the majority of definitions not formally integrated as a numbered section. It is recommended that the definitions section be expanded as noted above and fully and formally adopted as an article within the Zoning Ordinance.

The current Zoning Ordinance contains several terms with definitions that are outdated and should be updated to reflect recent revisions to the Code of Virginia as well as general modern best practices. Further, the Zoning Ordinance lacks the terms “amateur radio towers” and “family day home”; these should be added to comply with the Code of Virginia, along with several other terms that are required by the Code of Virginia but not currently incorporated in the Zoning Ordinance. Appendix A includes additional terms that are required by and should be included from the Code of Virginia.

**Uses**

The Zoning Ordinance contains an expansive and highly-specific use list that is inflexible and overly complex. It is recommended to closely review permitted uses to identify opportunities to consolidate similar uses under more general categories for easier administration, interpretation,

and flexibility. Where appropriate, uses should be streamlined to combine specific terms into broad categories; examples include “candy shops,” “antique shops,” and “craft shops” being combined into “Store, specialty,” and “paper manufacturing,” “plastics manufacturing,” and “concrete mixing” being combined into “Manufacturing, heavy.” This creates a more organized and flexible use list, reducing the amount of future text amendments for new uses.

Additionally, uses should be modernized to align with today’s economy and provide flexibility to adapt to new uses. This eases administration and development while also reducing requests for zoning text amendments. Examples of outdated uses include “dance halls” and “phonograph sales/service/repair.” An example of a modern use that is seen in many localities and should be introduced is “mini-storage unit.” Public engagement reflected support for modernizing the Zoning Ordinance with new uses that reflect diversification of the local economy, including but not limited to breweries, short-term rentals, and food trucks.

Residential uses were another type of use discussed at length during the public engagement phase. Public engagement reflected a concern for adequate type and quantity of housing, with several community stakeholders stating that more multi-family housing and housing for older adults in particular are needed to keep up with demand. Housing types should be reviewed, and where applicable, a greater variety of housing should be permitted by-right.

**Definition Recommendations**

**Addition or Revision for Compliance with the Code of Virginia**

- Group home
- Small cell facility
- Energy storage

**Recommended Uses for Consolidation**

- Manufacturing, light
- Manufacturing, heavy
- Store, specialty

**Recommended New Uses for Code Modernization**

- Short-term rental
- Restaurant, mobile
- Agritourism
- Mixed-use structure

This list highlights examples, and is not inclusive of all possible recommendations.

### Use Regulations

Currently, use regulations are provided in district-by-district ordinance sections. As a foundational improvement, the Berkley Group typically recommends compiling use regulations into a composite use matrix or matrices. This allows a user to easily identify where a specific use is permitted either by-right or through a Special Use Permit without having to browse several sections of the Zoning Ordinance. This is particularly useful for potential businesses considering expanding or locating in the County. Additionally, the Zoning Ordinance uses “Special Use Permit” and Special “Exception Permit” interchangeably; recommend using the term “Special Use Permit” exclusively as a best practice and to reduce potential confusion.

### Performance Standards

Performance standards for specific uses are provided in Article I, Division 3 and Article II, Division 4, with some additional standards interspersed in specific zoning district regulations and the Supplementary Definitions to the Pittsylvania County Zoning Ordinance. Use performance standards should be consolidated in a single article and expanded to include additional standards where desirable and appropriate. Occasionally, use performance standards can be used in lieu of special use permit requirements. This means that a use requested frequently for a special use permit can be changed to a by-right use, and customary conditions of the permits would be inserted as regulations within the use performance standards article. Public engagement identified large events,

such as music festivals, as one use in need of updated performance standards.

### Accessory Dwelling Units

Accessory dwelling units (ADUs) can be an easy tool to gain affordable housing – and increase general housing availability. Accessory dwelling units are referenced in the Zoning Ordinance as “homes, single-family dwelling with apartments on premises”. Currently, they are only permitted within the Agricultural District. The Berkley Group recommends updating the ordinance to include “accessory dwelling unit” as a use with a definition and use standards. Tailored use standards can regulate items such as minimum and maximum floor area or size, parking, location, and number of ADUs per parcel, among other standards.

### Solar Energy Facilities

Solar energy facilities, especially utility-scale facilities, are becoming an increasingly common use in Pittsylvania County and throughout Southside Virginia. Therefore, the County should ensure that its solar ordinance remains up to date with both Code of Virginia requirements and planning best practices.

The solar ordinance does not supply powers of the host locality, siting agreement regulations, or application/review procedures with the appropriate Code of Virginia language and references. Additionally, the solar ordinance is lacking several key definitions or parts of definitions, including “energy storage projects.”

Currently, the solar ordinance requires a siting

agreement prior to application. While the County permitted to require siting agreement negotiations per the Code of Virginia – and is encouraged to continue doing so as a general best practice, the County cannot deny an application for a solar energy facility based on the financial stipulations of a siting agreement. Language regarding siting agreement negotiations should be further detailed and streamlined to align with the Code of Virginia. It is also recommended that requirements for setbacks, landscape buffering, decommissioning, and environmental considerations be closely reviewed and strengthened, both as a planning best practice and in response to community concerns.





### Telecommunications

The Zoning Ordinance’s provisions for telecommunications and wireless facilities are currently limited. Currently, all telecommunications and wireless applications are evaluated under the “radio and TV towers” use, which is permitted through a Special Use Permit in most zoning districts and is a materially different use than most telecommunications uses. The Zoning Ordinance should include the appropriate terms for telecommunications uses as required by the Code of Virginia; these include “administrative-review eligible projects” and “small cell facilities”. Appropriate procedures for application, review, and associated fees should also be incorporated into the Zoning Ordinance.

Additionally, Pittsylvania County should consider including a hierarchy of preferred projects and design preferences – including structure type, camouflaging, and landscaping. The ordinance should provide a balance of regulation without being overly burdensome to new telecommunications development. The Zoning Ordinance should be regularly monitored for compliance with new legislation due to the continuously changing nature of the telecommunications industry.

### Landscaping

Landscaping requirements are one of the tools Virginia localities have available to them to enhance community character, protect environmental resources, and reduce the impact of potentially incompatible uses. Local ordinances often require landscaping and screening as part of development

or land disturbing activities. These requirements are typically reviewed through an application that includes a landscape plan submitted as a part of any development approval. Specific requirements focus on site design, transitional areas, and screening. However, the Pittsylvania County Zoning Ordinance does not currently require landscaping, screening, or buffers in most cases. Currently, these requirements may be required by the Zoning Administrator as a condition of a Special Use Permit. The lack of other landscaping requirements leaves landscaping determinations to County staff, which could lead to challenges of being arbitrary and capricious. During the public engagement phase, stakeholders discussed their surprise with the County’s lack of landscaping standards for roadway buffers and parking lot landscaping when compared to other localities in the region, and suggested that baseline requirements be adopted at a minimum. As a best practice, the Berkley Group recommends requiring landscaping and/or physical screening for business and industrial uses adjacent to non-business/industrial uses.

In addition to serving as a protective measure between uses, landscape requirements are an important aspect of community design, and were supported during public engagement. Effective landscaping can help create a sense of place and help maintain the rural community character. Consideration can be given to adopting a thorough set of landscape design requirements that would help improve the appearance of large commercial and industrial uses, major corridors, and areas around Danville and the three Towns.

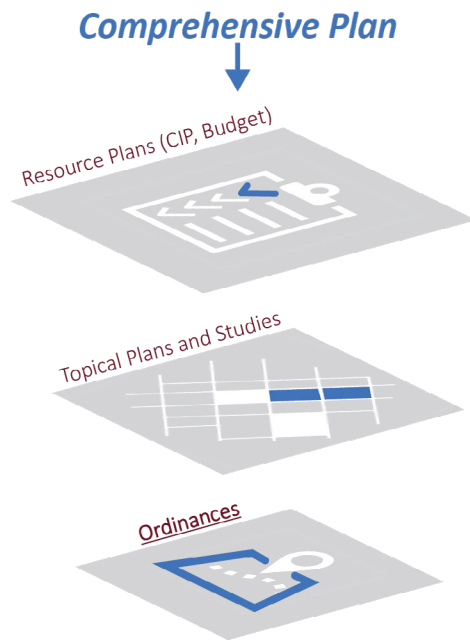
### Lighting

The current Zoning Ordinance does not include lighting requirements. Lighting requirements regulate the use of exterior lighting necessary for nighttime utility, productivity, enjoyment, and commerce; address compatibility and aesthetic concerns; ensure exterior lighting does not adversely impact land uses on adjacent lots; reduce light pollution; and enhance safety and security of property.

Lighting standards should be introduced in the Zoning Ordinance and could include items such as applicable districts or areas; exemption compliance and enforcement; and the specific regulations that address light arrangement, glare direction, maximum height, maximum intensity. To ensure compliance and longevity of lighting requirements, all standards should be measurable.

### Signs

Pittsylvania County’s current sign regulations are not content neutral as required under the findings of U.S. Supreme Court case *Reed v. Town of Gilbert*. Any future sign regulations should pay respect to the physical characteristics – for example, height or square footage – and not its supplied content to comply with the aforementioned court case. There are many community benefits of regulating the physical qualities of signs, including reducing clutter, minimizing distractions to drivers, and enhancing community aesthetics. Public engagement indicated a preference for coordinated and orderly signage throughout the County.



## Comprehensive Plan Findings

The Pittsylvania County 2010 Comprehensive Plan includes objectives, goals, and strategies across several general plan elements including Natural and Cultural Environment, Housing, Economic Development, Transportation, and Land Use and Growth Management. Notable goals and implementation strategies include reducing conflicts between residential and agricultural uses; amending the Zoning Ordinance to provide enhanced standards for signage, noise, landscaping, buffering, and lighting; and creating a strong commercial and industrial base compatible with surrounding development.

As one of the County's primary land use tools, the Zoning Ordinance can be the means of implementing the goals, objectives, and implementation strategies of the Comprehensive Plan. Amendments will therefore allow the Zoning Ordinance to be a responsive document, increasing implementation of the Comprehensive Plan. Objectives and strategies for the various plan elements are organized by type: residential land use, commercial and industrial land use, and agricultural land use – among other distinctions such as access management and community design standards. A detailed list of the objectives and strategies are listed in Appendix B. However, it should be noted that the provided appendix is a comprehensive look at all objectives and strategies provided within the Comprehensive Plan; so objectives and strategies are shared among differing plan elements or simply not relevant to the Zoning Ordinance. The included objectives and strategies were chosen to highlight the key themes and strategies most relevant to the Zoning Ordinance.

It is worth noting that the Comprehensive Plan will be undergoing a review and update as required by the Code of Virginia during the same timeframe as the Zoning Ordinance update. This provides an additional opportunity for the County to ensure that its vision and goals for land use over the next twenty years are reflected and codified in the Zoning Ordinance. It is important to acknowledge that the upcoming Comprehensive Plan update process may shift the County's existing priorities, objectives, and strategies. Therefore, the Zoning Ordinance will likely have to be reassessed and amended in the short term to align with any new Comprehensive Plan objectives and priorities.

Appendix B documents key Comprehensive Plan strategies related to the Zoning Ordinance.

### Next Steps

1. A public engagement phase consisting of a community survey, stakeholder sessions, and a public workshop provided feedback on the content of the Zoning Ordinance. Along with feedback from County staff, the input was considered during the diagnostic review and will continue to be considered throughout the drafting process.
2. Pittsylvania County's Board of Supervisors and Planning Commission should consider providing feedback on the diagnostic reports at the October 18, 2022 Joint Worksession Meeting.
3. Bi-monthly joint worksessions between the Board of Supervisors and Planning Commission to review draft ordinance content will begin in December 2022 and continue until October 2023.
4. The public will be presented with a full draft ordinance to review and provide comment in late 2023.
5. Following incorporation of comments and revisions, the ordinance will be finalized and be reviewed in final public hearings for adoption in early 2024.

**Feedback and continued engagement from the Board of Supervisors and Planning Commission will be vital to the successful drafting of the new Zoning Ordinance.**







## Conclusions

Pittsylvania's County desire to ensure an effective, efficient, and Code-compliant Zoning Ordinance should be commended. As noted in this report, the County's Zoning Ordinance requires revision and restructuring for conformity with the Code of Virginia requirements, as well as best practices related to planning and zoning.

The recommendations outlined in this report constitute a detailed analysis of the County's Zoning Ordinance. Revising the County's zoning regulations according to these recommendations will ensure that the ordinance is legally defensible, eases administrative burden for staff, facilitates the protection of rural character, and reduces impact from differing or incompatible uses. An updated Zoning Ordinance will also ensure modernity with new uses and aid in realizing the future envisioned in Pittsylvania County's Comprehensive Plan. Keeping this land use tool up-to-date and in compliance with the Code of Virginia should be a commitment the County upholds on an ongoing basis, including periodic reviews and amendments.





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# Appendix A: Zoning Ordinance Diagnostic Matrix

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
1.	2200	Declaration of legislative intent	Partial	35-2 35-3	<p>This section of the Code of Virginia provides the purpose of Chapter 22 of the Code of Virginia.</p> <p>Section 35-2 contains the statement of intent for the County’s Zoning Ordinance, with Section 35-3 further detailing the statement of intent. The Zoning Ordinance complies with this section of the Code of Virginia. <b>However, the existing reference to the Code of Virginia is outdated and should be updated to reflect the current Code. Recommend also including all rationale listed in the Code of Virginia for local zoning ordinances – only some of this is included currently.</b></p>
2.	2201	Definitions	Partial	35-40 Supplementary Definitions to the Pittsylvania County Zoning Ordinance	<p>This section of the Code of Virginia provides foundational definitions for terms used throughout the Chapter 22 regulations of the Code of Virginia.</p> <p>The Zoning Ordinance provides definitions for general uses, several of which are stated verbatim from the Code of Virginia. However, most definitions are provided in a supplementary section, not integrated as a formal code section within the Zoning Ordinance.</p> <p><b>Pittsylvania County should compare their definitions to those provided in this section of the Code of Virginia and add and/or update accordingly to match that which is provided in §15.2-2201. Examples of definitions that can be added or updated in the Zoning Ordinance include “affordable housing”, “historic area”, and “planned unit development”. Additionally, recommend integrating supplementary definitions into a combined definitions section of the Zoning Ordinance, placed at the end of the ordinance as a standalone article.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
3.	2202	Duties of state agencies; electric utilities	N/A	N/A	<p>This section of the Code of Virginia states that any department, board, bureau, commission, or other agency of the Commonwealth that proposes a project in any locality shall, upon the request of the local planning commission, furnish reasonable information requested by the local planning commission relative to the proposed plans.</p> <p>This section does not apply to Pittsylvania County and therefore is not required to be included in the Zoning Ordinance. However, the Zoning Administrator and Planning Commission should be aware of the requirements outlined in this section.</p>
4.	2203	Existing planning commissions and boards of zoning appeals; validation of plans previously adopted	Yes	Article V, Division 7  Chapter 13 (outside of Zoning Ordinance)	<p>This section of the Code of Virginia states that upon adoption of Chapter 22 of the Code of Virginia, already established planning commissions and boards of zoning appeals would continue to operate as if they were created under the terms of Chapter 22.</p> <p>Article V, Division 7 of the Zoning Ordinance outlines the powers, duties, and procedures of the Board of Zoning Appeals and Planning Commission. Chapter 13 of the Pittsylvania County Code outlines the creation of the Planning Commission. The Zoning Ordinance complies with this section of the Code of Virginia.</p>
5.	2204	Advertisement of plans, ordinances, etc.; joint public hearings; written notice of certain amendments	Partial	35-807	<p>The Zoning Ordinance incorporates this section of the Code of Virginia by reference.</p> <p>Section 35-807 of the Zoning Ordinance adds an additional requirement that the Planning Commission shall present its recommendation to the Board of Supervisors within 60 days of the first meeting of the Commission. However, this timeline is not within the Code of Virginia; the Code permits up to 12 months for a decision on a proposed zoning amendment. Additionally, this section contains a reference to an outdated section of the Code of Virginia.</p> <p><b>Recommend explicitly outlining Code of Virginia advertising requirements for clarity. Recommend aligning Planning Commission review time to the Code of Virginia and removing outdated references.</b></p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
6.	2205	Additional notice of planning or zoning matters	Optional, Included	35-816	<p>This section of the Code of Virginia allows a locality, in addition to specific notice required by law, to provide notice by any method on any planning or zoning matter that it deems appropriate for notice.</p> <p>Section 35-816 establishes that additional notice of a rezoning shall be provided by means of signs posted on the property proposed for a rezoning. <b>This section can be further strengthened through inclusion of a reference to §15.2-2205.</b></p>
7.	2206	When locality may require applicant to give notice; how given	Optional, Not Included	N/A	<p>This section of the Code of Virginia allows for a locality to require the applicant of any application to the local governing body, local planning commission, or board of zoning appeals be responsible for all required notices.</p> <p>The Zoning Ordinance requires the locality to provide public notice but references an outdated section of the Code of Virginia.</p> <p><b>Pittsylvania County can consider whether it wants to bill the applicant for associated costs of required public notices as provided for in §15.2-2206.</b></p>
8.	2207	Public notice of juvenile residential care facilities in certain localities	Optional, N/A	N/A	<p>This section of the Code of Virginia allows any locality without an applicable Zoning Ordinance to require public notice and hearing for any applicant who wishes to establish a public or private detention home, group home, or other residential care facility for children in need of services or for delinquent youth.</p> <p>This section does not apply to Pittsylvania County, as the County has an existing Zoning Ordinance that addresses use requirements and public notices for rezoning matters.</p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
9.	2208	Restraining violations of the chapter [Chapter 22 of the Code of Virginia]	Optional, Included	35-873 35-874 35-875 35-876	<p>This section of the Code of Virginia allows that any violation or attempted violation of the Pittsylvania County Zoning Ordinance may be restrained, corrected, or abated by injunction or other appropriate proceeding. Further, at any time after the filing of an injunction or other appropriate proceeding, the zoning administrator or governing body may issue a memorandum of lis pendens, or a public notice that a suit concerning a title to property is pending.</p> <p>Sections 35-873 through 35-876 establish violations of the Zoning Ordinance, and procedures for the Zoning Administrator to provide notice of and remedy such violations. <b>Consideration can be given to updating this section to include a reference to §15.2-2208.</b></p>
10.	2208.1	Damages for unconstitutional grant or denial by locality of certain permits and approvals	Yes	Not Included	<p>The Code of Virginia §15.2-2208.1 states that any applicant aggrieved by a grant or denial of any zoning-related approval or permit – when such grant or denial was unconstitutional pursuant to either federal or state law – shall be entitled to compensatory damages.</p> <p>The Zoning Ordinance does not include language addressing damages for an unconstitutional grant or denial; however, these determinations are likely occurring in practice based on litigation.</p> <p><b>Recommend adding direct reference to this section of the Code of Virginia.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
11.	2209	Civil penalties for violations of Zoning Ordinance	Optional, Not Included	N/A	<p>Section 35-877 establishes misdemeanor penalties for violations of the Zoning Ordinance, but civil penalties are not established. The Zoning Ordinance includes neither summons procedures nor a uniform schedule for civil penalties.</p> <p><b>As a best practice, consider introducing the use of civil penalties for zoning violations, and consolidating civil penalties and misdemeanor penalties into a single section and including a reference to the applicable Code of Virginia sections. Recommend using civil penalties as a first line of defense, and then moving to misdemeanors as appropriate. See line item 50 for additional analysis and recommendations.</b></p>
12.	2209.1	Extension of approvals to address housing crisis	N/A	N/A	The Code of Virginia §15.2-2209.1.1 extends the approval of final site plans, special exceptions, special use permits, and rezoning to assist in addressing the housing crisis to July 1, 2020, and allows further extension of approval by locality. The extension period has expired; therefore, no change is required.
13.	2209.1:1	Extension of approvals to address COVID-19 pandemic	N/A	N/A	<p>The Code of Virginia §15.2-2209.1.1 extends the approval of final site plans, special exceptions, special use permits, and rezoning to July 1, 2023, and allows further extension of approval by locality.</p> <p>A text amendment is not necessary to comply with this section of the Code of Virginia, but Pittsylvania County should be implementing this in practice.</p>
14.	2209.2	Public infrastructure maintenance bonds	N/A	N/A	This section of the Code of Virginia applies only to the City of Charlottesville; it is not applicable to Pittsylvania County.

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
15.	2210 – 2222.1	Local Planning Commissions	Yes	Chapter 13, Planning Commission (outside of Zoning Ordinance)  35-700 35-713 35-807 35-812 35-813 35-854	Chapter 13 of the Pittsylvania County Code establishes the creation of the Pittsylvania County Zoning Ordinance, the number of Commissioners, and the establishment of terms of office. Several sections of the Zoning Ordinance outline procedures and responsibilities of the Planning Commission in reviewing land use matters. However, provisions related to Planning Commission powers, duties, roles, and responsibilities are limited and should be further detailed.  <b>Recommend consolidating sections applicable to the Planning Commission into a singular administrative section. Recommend incorporating additional language outlining Planning Commission powers, duties, roles, and responsibilities, and either referencing the applicable sections of the Code of Virginia or incorporating language verbatim to strengthen the section.</b>
16.	2223 – 2232	The Comprehensive Plan	N/A	N/A	§15.2-2223 et. seq. regulates the requirements and provisions for comprehensive plans only. These Code of Virginia sections are not relevant to this diagnostic but are included here for transparency – and to highlight a full list of sections provided in Chapter 22 of the Code of Virginia.
17.	2233 – 2238	The Official Map	N/A	N/A	§15.2-2233 et. seq. regulates the requirements for a locality’s Official Map. These sections grant planning commissions the authority to request a map be made that shows streets, waterways, and public spaces. These sections apply to localities that do not have a Zoning Ordinance, thus no zoning maps.  This section does not apply to Pittsylvania County and therefore inclusion is not required.
18.	2239	Capital Improvement Plan	N/A	N/A	§15.2-2239 authorizes a planning commission to prepare a CIP based on a locality’s Comprehensive Plan. Inclusion of this section is not applicable to the Zoning Ordinance; however, it is listed here as it is another important land use tool for the County to utilize.

Attachment: Attachment B - Pittsylvania County Zoning Ordinance Evaluation (3415 : Zoning Ordinance



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
19.	2240 – 2279	Land Subdivision and Development	N/A	N/A	<p>§15.2-2240 et. seq. of the Code of Virginia regulates the orderly subdivision of land. Every locality must have a subdivision ordinance and ensure the orderly subdivision of land.</p> <p>Several of these Code of Virginia sections are also relevant to the Zoning Ordinance and are assessed below. All other Code Sections of the Land Subdivision and Development section of the Code of Virginia are related to the County’s Subdivision Ordinance, which is a standalone ordinance outside of the Zoning Ordinance.</p>
20.	2246	Site plans submitted in accordance with Zoning Ordinance	Partial	Article V, Division 4, Site Development Plans 35-741	<p>Article V, Division 4, Site Development Plans addresses requirements for site development plans. While a purpose statement is included, the statement is broad in nature and does not explicitly state that the purpose of site development plan requirements is to ensure full compliance with the Zoning Ordinance.</p> <p><b>Recommend amending the existing purpose statement to reference compliance with the Zoning Ordinance and include reference to §15.2-2246.</b></p>
21.	2258	Site plan requirements for submission for approval	No	No reference	<p>The Code of Virginia §15.2-2258 requires that a site plan include the locations of drainage districts, dam break zones, graves/burial sites, and areas of joint locality control.</p> <p><b>Recommend including these provisions as required components of any Site Development Plan.</b></p>
22.	2259	Local planning commission or other agent to act on plat, site plan, or plan of development	Yes	35-751 35-854	<p>The Code of Virginia §15.2-2259 establishes a required timeline – 60 days – for the review and approval or disapproval of site plans.</p> <p>Section 35-751 and Section 35-854 give the Planning Commission the responsibility of reviewing a site development plan and issuing either approval or disapproval within 45 days of receipt. The Zoning Ordinance is more stringent than the Code of Virginia.</p> <p><b>Recommend amending the ordinance to allow review and issuance of either approval or disapproval within 60 days of receipt, which is the maximum timeframe permitted by the Code of Virginia.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
23.	2261	Recorded plats or final site plans to be valid for not less than five years	No	35-769 35-780	<p>The Code of Virginia requires that final site plans be valid for not less than five years. One or more reasonable extensions may be granted by the Planning Commission or another agent.</p> <p>Section 35-769 and 35-780 state that approval of a site development plan expires after eighteen months of approval unless actual construction has commenced. The Zoning Ordinance therefore does not comply with this section of the Code of Virginia.</p> <p><b>Recommend amending the Zoning Ordinance to allow final site development plans to be valid for up to five years, or longer as determined to be reasonable by the Zoning Administrator, and include reference to §15.2-2261.</b></p>
24.	2261.1	Recorded plat or final site plans; conflicting zoning conditions	No	No reference	<p>This section of the Code of Virginia provides that if approval is granted for a plan that is not in accordance with the rezoning, the final site plan/plat governs. Thus, it is imperative that localities review the final site plan/plat for compliance with the rezoning in addition to the Zoning Ordinance.</p> <p><b>Recommend including a statement referencing this section of the Code of Virginia.</b></p>
25.	2270	Vacation of interests granted to a locality as a condition of site plan approval	No	No reference	<p>This section of the Code of Virginia provides two methods that allow a locality to vacate any interest in streets, alleys, easements for public rights of passage, easements for drainage, and easements for a public utility that were granted as a condition of the approval of a site plan.</p> <p><b>Recommend including in the Zoning Ordinance one of the methods listed in this section of the Code of Virginia for the vacation of interests.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
26.	2280	Zoning general description	Yes	35-1	<p>This section of the Code of Virginia allows for localities to regulate items such as the use of structures, buildings, and land; size, height, area, etc. of buildings; and the area of land, water, and air space.</p> <p>Section 35-1 establishes the authority of the County to establish zoning, using language verbatim from §15.2-2280.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
27.	2281	Zoning jurisdiction of county and incorporation	Yes	35-45 35-46	<p>This section of the Code of Virginia states that the governing body of a county shall have jurisdiction over any unincorporated areas.</p> <p>Section 35-45 and Section 35-46 state that the entire unincorporated areas of all County magisterial districts – including geographic features such as rivers and lakes – be governed by the Zoning Ordinance and be included in the zoning districts established within the Ordinance.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
28.	2282	Uniformity of regulations	Yes	35-15	<p>Section 35-15 explicitly states that the regulations set by the Zoning Ordinance within each district shall apply uniformly to each class or kind of structure or land.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
29.	2283	Purpose of zoning, mandatory provisions: <i>(Line items 30 – 41)</i>	Partial	35-3	<p>Section 35-3 lists the purpose of zoning and mandatory provisions and incorporates some of its language verbatim from the Code of Virginia. However, several items listed in the Code of Virginia are omitted, therefore only achieving partial compliance with the Code of Virginia.</p> <p><b>Recommend updating this section as outlined in line items 30 through 41. Recommend including reference to §15.2-2283 as a best practice.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
30.	i.	Light, air, convenience of access, fire, flood, impounding structure failure, crime	Partial	35-3	Impounding structure failure and crime are omitted from the list included in the Zoning Ordinance.  <b>Recommend updating to include references to impounding structure failure and crime as stated in §15.2-2283.i.</b>
31.	ii.	Reduction of street congestion	Yes	35-3	Incorporated through use of verbatim language.
32.	iii.	Convenient, attractive, harmonious community	Yes	35-3	Incorporated through use of verbatim language.
33.	iv.	Adequate police & fire protection, evacuation, defense, transportation, water, sewage, flood protection, schools, parks, forests, playgrounds, recreation facilities, airports	Yes	35-3	Incorporated through use of verbatim language.
34.	v.	Protection of historic areas and working waterfront development areas	Partial	35-3	Working waterfront development areas is omitted from this list, although these areas may be found around Smith Mountain Lake and Leesville Lake.  <b>Recommend updating to include references to working waterfront development areas as stated in §15.2-2283.v, if the County has areas they desire to designate as working waterfront development areas.</b>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
35.	vi	Protect against overcrowding, undue density, light and air obstruction, danger in transportation, public safety	Yes	35-3	Incorporated through use of verbatim language.
36.	vii.	Economic development, employment, tax base	Yes	35-3	Incorporated through use of verbatim language.
37.	viii.	Ag/Forestral and natural environment protection	Yes	35-3	Incorporated through use of verbatim language.
38.	ix.	Protect airports, U.S. government and military facilities	Partial	35-3	U.S. government and military facilities are omitted from this list, although Pittsylvania County currently does not have federal or military facilities.  <b>Pittsylvania County does not currently have a military base or installation; therefore, this language is not necessary to include in the Zoning Ordinance. However, the Zoning Administrator should remain aware of this provision and update accordingly, should a military base or installation ever be established within the County. See line item 40.</b>
39.	x.	Create and preserve affordable housing	Yes	35-3	Incorporated; language is slightly modified from that of §15.2-2283.x.
40.	xi.	Provide against encroachment on military bases	No	No reference	The Zoning Ordinance does not incorporate this section.  <b>Pittsylvania County does not currently have a military base or installation, this language is not necessary to include in the Zoning Ordinance. However, the Zoning Administrator should remain aware of this provision and update accordingly, should a military base or installation be established within or adjacent to the County. See line item 38.</b>

	VA Code Section	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
41.	xii.	Reasonable modifications in accordance with the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.) or state and federal fair housing laws, as applicable	No	No reference	In 2018, this provision was added to the Code of Virginia and requires the locality to consider the need for reasonable modifications in accordance with the Americans with Disabilities Act or state and federal fair housing laws when preparing a Zoning Ordinance.  The Zoning Ordinance does not reference the American Disabilities Act of 1990.  <b>Recommend updating to include language as stated in §15.2-2283.xii.</b>
42.	2283.1	Sexual offender treatment services prohibition in residential area	Yes	No reference	This use is not listed in the Pittsylvania County Zoning Ordinance; therefore, it is not permitted.  The Zoning Ordinance complies with this section of the Code of Virginia.
43.	2284	Matters to be considered when drawing zoning maps and ordinances	Yes	35-4	Section 35-4 achieves compliance with the Code of Virginia through incorporating direct language from §15.2-2284.  <b>Consideration can be given to including a citation to §15.2-2284 as a best practice and means of further strengthening the section.</b>
44.	2285	Ordinance and map development, adoption - process	Yes	35-803 35-804 35-807 35-810 35-812 35-813	This section of the Code of Virginia provides the general process for the creation of, and amendments to, Zoning Ordinances.  Sections 35-803, 35-804, 35-807, 35-810, 35-812, and 35-813 of the Pittsylvania County Zoning Ordinance provide for amendments to the Zoning Ordinance, as well as procedures for rezonings and zoning map amendments. However, several references to the Code of Virginia included in this section are outdated and should be updated. The Zoning Ordinance complies with this section of the Code of Virginia.  <b>Recommend removing any outdated references to the Code of Virginia and updating accordingly. Recommend updating timeframes to match those identified in this section of the Code of Virginia.</b>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
45.	2286 (A)	Permitted provisions in Zoning Ordinances. <i>(Line items 46 – 61)</i>	-	-	This section of the Code of Virginia provides <b>optional</b> provisions. Pittsylvania County should consider the provisions listed below for inclusion in the updated ordinance, if not included already. See lines 46 through 61 for further detail.
46.	1.	Variances and special exceptions	Optional, Included	35-700 35-712 35-713 35-714 35-849 35-851 35-852	Sections 35-700 through 35-714 outline procedures for application and review of special use permits. Sections 35-849, 35-851, and 35-852 outline procedures for application and review of variances. Both processes are reviewed and decided upon by the Pittsylvania County Board of Zoning Appeals.  The Pittsylvania County Zoning Ordinance uses “special use permit” and “special exception permit” interchangeably; this could cause confusion for applicants who are unfamiliar with land use processes and is not considered to be a best practice. <b>Recommend choosing “special use permit” for usage in the ordinance – as this is used more frequently – and amending accordingly. Recommend ensuring that the Board of Zoning Appeals is reviewing proposed changes to the Zoning Ordinance and remaining involved in the process.</b>
47.	2.	Annexation or boundary adjustment provision	Optional, Not Included	N/A	The Zoning Ordinance does not include a statement that relates to this provision.  <b>Recommend including this provision to allow the temporary application of the ordinance to any property coming into the territorial jurisdiction of Pittsylvania County – by annexation or otherwise.</b>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
48.	3.	Governing body special exception permits; affordable housing special exception provisions	Optional, Included	35-849 35-854 Various	<p>Section 35-854 grant the power of reviewing and recommending a decision on special use permits to the Pittsylvania County Planning Commission. Section 35-849 grants the power to hear and issue a final decision upon special use permits to the Pittsylvania County Board of Zoning Appeals. Regulations for each zoning district provide a list of uses that shall only be permitted through issuance of a special use permit.</p> <p>While affordable housing special exception provisions are not required to be included in the Zoning Ordinance, Pittsylvania County should be aware of this Code section and carefully evaluate the potential impacts of any conditions associated with any proposed affordable housing development. If desired by the County, language from this section of the Code of Virginia could be incorporated into the Zoning Ordinance.</p>
49.	4.	Zoning administrator authorities, provisions, processes	Optional, Partially Included	35-685 35-686 35-689	<p>Sections 35-685, 35-686, and 35-689 address the responsibilities of the Zoning Administrator – outlining appointment, enforcement powers, and interpretation and determination responsibilities.</p> <p>The Zoning Ordinance currently does not authorize the Zoning Administrator to grant a modification and reserves this to variance review by the Board of Zoning Appeals. The Zoning Ordinance also does not provide a period in which notices of violation can be appealed (30 days is required with exceptions as outlined under this section).</p> <p><b>Pittsylvania County should incorporate appropriate appeal periods for notices of violation. The County should also consider whether there are any zoning ordinance modifications that should be issued administratively rather than by variance.</b></p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
50.	5.	Imposition of penalties - misdemeanor fines	Optional, Included	35-877	<p>The Zoning Ordinance provides for misdemeanor fines for all zoning violations.</p> <p><b>As a best practice, consider introducing the use of civil penalties for zoning violations, and consolidating civil penalties and misdemeanor penalties into a single section and including a reference to the Code of Virginia sections. Recommend using civil penalties as a first line of defense, and then moving to misdemeanors as appropriate (see also line item 11). Additionally, the minimum penalty for misdemeanors is currently only \$10.00 and can be increased. Recommend increasing the minimum penalty for misdemeanor violations to \$1,000.00 on the initial offense and increasing over time as outlined in this section of the Code of Virginia. Language regarding monetary amounts for fines can be included verbatim if desired.</b></p>
51.	6.	Collection of fees	Optional, Included	35-866	<p>Section 35-866 includes an administrative fee structure. Fees are required to cover costs incurred incidental to the reporting and processing of land use applications. Fees for rezonings, variances, various types of plan review, special use permits, appeals, and airport safety zoning clearance are included.</p> <p><b>Recommend removing the existing administrative fee structure from the Zoning Ordinance and adopting a separate ordinance stating all County fees, including those associated with zoning. This allows ease of review and facilitation of public hearings during annual budgeting processes.</b></p>
52.	7.	Zoning Ordinance amendment timelines and process	Optional, Included	35-806 35-807	<p>Sections 35-806 and 35-807 outline the process of amendments to the Zoning Ordinance as well as who can initiate an amendment. Section 35-807 states that the Board of Supervisors has 60 days from the time of public hearing to make a decision on the proposed zoning amendment. The Code of Virginia permits up to 12 months to make a decision on a proposed zoning amendment.</p> <p><b>The Zoning Ordinance incorporates this section of the Code of Virginia. However, recommend amending to permit the Board of Supervisors up to 12 months from the time of public hearing to make a decision on a proposed zoning amendment, in accordance with the timeframe established in the Code of Virginia.</b></p>

Attachment: Attachment B - Pittsylvania County Zoning Ordinance Evaluation (3415 : Zoning Ordinance

VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
53. 8.	Plan of development submission and approval prior to issuance of building permits	Optional, Included	35-701 35-741 through 35-753	<p>Section 35-701 states that no building permit or zoning permit shall be issued without a site development plan approved by the Planning Commission. Additionally, sections 35-741 through 35-753 detail the requirements of site development plans. Section 35-752 outlines approval of plans without the Planning Commission, but Zoning Administrator approval.</p> <p>The Zoning Ordinance incorporates this section of the Code of Virginia.</p> <p><b>Recommend editing text for consistency and clarity of processes and approvals.</b></p>
54. 9.	Mixed use or PUD developments	Optional, Included	Article III, Division 7, Residential Planned Unit Development District	<p>Residential Planned Unit Developments are provided for in Article III, Division 7. Mixed-use developments are not included as a zoning district.</p> <p>The Zoning Ordinance partially incorporates this section of the Code of Virginia.</p> <p><b>Consider establishing a Mixed Use District that permits a mix of residential and low-intensity commercial uses. This helps further incentivize different types of Planned Unit Developments, helping ensure services for vibrant neighborhoods.</b></p>
55. 10.	Incentive zoning administration	Optional, Not Included	No reference	<p>The Zoning Ordinance does not incorporate this section of the Code of Virginia.</p> <p><b>Pittsylvania County should determine whether the introduction of incentive zoning would be an appropriate means of promoting affordable housing development within the County.</b></p>
56. 11.	Downzoning tax credit	Optional, Not Included	No reference	<p>The Zoning Ordinance does not incorporate this section of the Code of Virginia.</p> <p><b>Pittsylvania County should consider whether it would be appropriate to introduce provisions allowing the County to enter into a voluntary agreement that would provide the owner of property being downzoned with tax credits, although this is not a common best practice.</b></p>

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	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
57.	12.	Environmental site assessments and review	Optional, Not Included	No reference	The Zoning Ordinance does not incorporate this section of the Code of Virginia.  <b>As a best practice, recommend introducing requirements for site assessments in areas where current or historic operations are known or suspected to have used hazardous substances or petroleum products during onsite operations.</b>
58.	13.	Safety standards for solar panels and battery technologies	Optional, Included	35-141(F)	All large and utility scale solar energy facilities are required to have components with a UL safety listing or equivalent, as well as comply with all applicable state and federal regulatory laws.  The Zoning Ordinance incorporates this section of the Code of Virginia.
59.	14.	Environmental disclosure and remediation	Optional, Not Included	No reference	This requirement is typically applicable for industrial redevelopment projects.  <b>If Pittsylvania County has any brownfield sites, Pittsylvania County may wish to consider incorporating this optional provision.</b>
60.	15.	Single-family residential occupancy regulations	Optional, Partially Included	35-40	A single-family dwelling is defined by the Zoning Ordinance as a dwelling arranged or designed to be occupied by one family. However, the Zoning Ordinance does not include a definition of family.  <b>Recommend introducing a definition of "family".</b>
61.	16.	Zoning inspection warrants	Optional, Not Included	No reference	It is a best practice to include this provision, as it allows a locality to acquire a warrant if there is a suspected Zoning Ordinance violation.  <b>Recommend adopting this provision as permitted in the Code of Virginia.</b>
62.	2286 (B)	Payment of outstanding debt, taxes, fees	Optional, Not Included	No reference	The Zoning Ordinance does not include language requiring a property owner to provide satisfactory evidence that any delinquent charges or fees have been paid in full.  <b>Recommend adopting this provision as provided for in the Code of Virginia.</b>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
63.	2286.1	Open space provision, cluster dwellings	N/A	N/A	This Code of Virginia section only applies to localities with growth rates of 10%, but not to localities with population densities greater than 2,000 per square mile. According to data from the 2020 U.S. Census, Pittsylvania County’s population was 60,501 – a decline from the 2010 population of 63,506. Therefore, this section of the Code of Virginia does not apply to Pittsylvania County. However, the County should be aware of this section of the Code of Virginia and be prepared to adopt provisions for cluster dwellings, should a growth rate exceed 10% in future years.
64.	2287	Optional requirement regarding property interest of local officials	Optional, Not Included	No Reference	The Zoning Ordinance does not include language about conflicts of interest for any local officials or governing body.  <b>Consider adopting this optional provision as outlined in the Code of Virginia to clarify and to increase transparency in the application and review process.</b>
65.	2287.1	Disclosures in land use proceedings	N/A	N/A	This section of the Code of Virginia only applies to Loudoun County.
66.	2288	Localities may not require special exception permits for certain agriculture activities	Yes	35-179	This section of the Code of Virginia requires any production, agriculture, or silviculture activity not be regulated through a conditional use or special exception in an area that is zoned as an agricultural district or classification.  The Zoning Ordinance complies with this section of the Code of Virginia.
67.	2288.01	Localities may not require special exception permits for small biomass conversion	Yes	No reference	The Zoning Ordinance does not include references to “biomass” or “small biomass conversion”. The Zoning Ordinance therefore complies with this section of the Code of Virginia.  <b>Recommend including small biomass conversion as a by-right use in agricultural (A-1) with appropriate use standards.</b>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
68.	2288.1	Localities may not require special exception permits for permitted residential use	Yes	No reference	<p>This section of the Code of Virginia states that the County cannot require a residential development adhering to the use, density, and height permitted by right under the Zoning Ordinance to obtain a special use permit as a condition of approval.</p> <p>The Zoning Ordinance does not require special use permits for residential uses as a condition to site plan, plan of development, or building permit approval. The Zoning Ordinance complies with this section of the Code of Virginia.</p>
69.	2288.2	Localities may not require special exception permits for certain temporary structures (tents)	Yes	No reference	<p>This section of the Code of Virginia states that localities may not require a special use permit for a tent on private property that is either intended to be used as a temporary structure for three days or less or intended to be used for a private event such as a wedding or estate sale.</p> <p>The Zoning Ordinance includes temporary uses as uses permitted with a special use permit in all zoning districts. However, these uses are referenced to include temporary buildings and construction activity. Tents are not specifically referenced. Additionally, the Zoning Ordinance does not require special exceptions or conditional / special use permits for temporary structures; temporary structures are not mentioned directly as a permitted use.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
70.	2288.3	Localities may not unduly regulate farm wineries	Yes	No reference	<p>The Zoning Ordinance does not provide regulations or standards for farm wineries; thus, it is an implied agricultural use and the Ordinance therefore does not unduly regulate them. It should be noted that while the Zoning Ordinance complies with this section of the Code of Virginia, the Zoning Ordinance can still offer farm winery as a use.</p> <p><b>Recommend adding farm winery as a permitted use.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
71.	2288.3:1	Limited brewery license; local regulation of certain activities.	Yes	No reference	The Zoning Ordinance does not provide regulations or standards for breweries; thus, it does not unduly regulate them. While the Zoning Ordinance complies with this section of the Code of Virginia, brewery and associated uses such as a microbrewery can still be offered as uses in the Zoning Ordinance.  <b>Recommend adding brewery and microbrewery as permitted uses.</b>
72.	2288.3:2	Limited distiller's license; local regulation of certain activities.	Yes	No reference	This section of the Code of Virginia states that local restrictions upon activities of legally licensed distilleries to market and sell their products shall be reasonable and shall consider the economic impact on such activities. The Zoning Ordinance does not provide regulations or standards for distilleries; thus, it does not unduly regulate them. It should be noted that while the Zoning Ordinance complies with this section of the Code of Virginia, the Zoning Ordinance can still offer micro-distilleries and/or distilleries as a use.  <b>Recommend adding micro-distilleries as permitted uses.</b>
73.	2288.4	Extension of expiration dates for special use permits	N/A	N/A	This section of the Code of Virginia expired in 2011 and therefore does not apply to the Pittsylvania County Zoning Ordinance.
74.	2288.5	Definition and uses of cemetery	Partial	35-178 35-365 35-383 35-530 35-531	The Zoning Ordinance permits cemeteries through Special Use Permits in the Conservation District and permits cemeteries by-right in four districts. However, the Zoning Ordinance does not provide a definition of "cemetery".  <b>Recommend including a definition of "cemetery."</b>

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	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
75.	2288.6	Agricultural operations; local regulation of certain activities.	Partial	35-178 35-189	<p>The Zoning Ordinance does not regulate or provide use standards for most agricultural activities. Section 35-189 provides requirements for intensive livestock, dairy and poultry facilities. However, the Zoning Ordinance states that the intent of additional regulations is to encourage orderly growth and economic development within the agriculture industry, and regulations seem reasonable as they seek to limit adverse impacts of more intensive, large-scale agricultural production. The Zoning Ordinance complies with this section of the Code of Virginia.</p> <p>Agritourism is not included in the Zoning Ordinance. Agritourism uses are becoming increasingly common throughout Virginia and the Code of Virginia states that the use must be allowed in agricultural districts. <b>Recommend including a definition of “agritourism” and permitting agritourism as a by-right use. Certain aspects can be regulated through standards based on health, safety, and welfare.</b></p>
76.	2288.7	Solar facilities; local regulation	Yes	35-141	<p>This section of the Code of Virginia speaks to allowing small-scale solar facilities, which are typically mounted over a building, parking lot, or other previously disturbed areas and have a disturbance of less than two acres.</p> <p>Section 35-141 permits roof mounted small solar energy facilities as permitted uses in all zoning districts, provided that the small solar energy facility does not exceed the setback and height requirements of the underlying zoning district.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
77.	2288.8	Special exceptions for solar photovoltaic projects	Yes	35-141(C)	<p>This section of the Code of Virginia permits localities to issue special exception permits for solar energy facilities or energy storage projects with the inclusion of reasonable regulations and provisions. The Code of Virginia also permits localities to grant a condition including either substantial cash payments for construction of substantial public improvements or dedication of real property of substantial value, provided that the conditions are reasonably related to the project.</p> <p>Section 35-141(C) of the Zoning Ordinance allows utility scale solar energy facilities through a special use permit process. The Zoning Ordinance does not address energy storage facilities or conditions related to either the dedication of real property. Cash proffers are not accepted by Pittsylvania County.</p> <p><b>Recommend adding language relating to energy storage facilities. See line item 127.</b></p>
78.	2289	Optional requirement of disclosure of real parties in interest for special exception permits	Optional, Not included	No reference	<p>The Zoning Ordinance does not include regulations that require disclosure of interest or equity for use permits, re-zoning, or variances.</p> <p><b>This is a recommended best practice that Pittsylvania County may wish to consider adding into the Zoning Ordinance.</b></p>
79.	2290	Manufactured housing uniformity (by-right in Ag areas)	Yes	35-178	<p>This section of the Code of Virginia requires that the placement of manufactured houses on a permanent foundation and on individual lots shall be permitted in all agricultural districts, subject to development standards.</p> <p>The Zoning Ordinance permits manufactured housing and mobile homes by-right in agriculture, provided that the lot size is 20,000 square feet or greater. As the minimum lot size requirement applies to all other uses in the agricultural district, the requirement is compliant with the Code of Virginia. The Zoning Ordinance complies with this section of the Code of Virginia.</p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
80.	2291	Assisted living and group homes of 8 or fewer residents	No	35-267 Supplementary Definitions to the Pittsylvania County Zoning Ordinance	<p>This section of the Code of Virginia requires that group homes and assisted living facilities of eight or fewer residents be permitted the same as single family dwellings. The Zoning Ordinance only permits group homes in the Residential Combined zoning district and includes a reference to this section of the Code of Virginia. However, apart from the Residential Combined zoning district, the included references to and definition of “group home” do not align with the term as used and defined in the Code of Virginia, referencing a form of child foster care rather than a residential facility with those with mental illness or developmental disabilities, as the Code of Virginia defines “group home”. The Zoning Ordinance does not comply with this section of the Code of Virginia.</p> <p><b>Recommend updating the Zoning Ordinance to permit group homes of eight or fewer residents by-right where residential uses are permitted. Recommend updating the existing definition of “group home” to match the Code of Virginia definition of the term.</b></p>
81.	2292	Zoning provision/definition family day home	No	No reference	<p>This section of the Code of Virginia requires that a family day home serving 1-4 children be permitted the same as a single family dwelling. The Zoning Ordinance neither includes a definition for “family day home” nor does it include family day homes as permitted uses in zoning districts.</p> <p>The Zoning Ordinance includes “day nursery” and “home occupation, Class 2” as permitted uses in some districts. These uses could be interpreted to include the type of use defined as a “family day home” in the Code of Virginia. However, neither “day nursery” or “home occupation, class 2” are defined in the Zoning Ordinance; therefore, there is insufficient information to conclude full compliance with the Code of Virginia.</p> <p><b>Recommend adding a definition of “family day home” to the Zoning Ordinance and including family day homes as a permitted where residential uses are permitted. Optionally, the County could also consider administrative provisions for family day homes serving 5-12 children as permitted under this section.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
82.	2292.1	Provision for temporary family health care structure	No	No reference	<p>This section of the Code of Virginia requires that temporary family health care structures be permitted by-right on lots zoned for single family detached dwellings. The Zoning Ordinance neither includes a definition for “temporary family health care structure” nor does it include temporary family health care structures as permitted uses in zoning districts.</p> <p><b>Recommend adding a definition of “temporary family health care structure” to the Zoning Ordinance and including temporary family health care structures as a permitted use in zoning districts that permit single family detached dwellings.</b></p>
83.	2293	Airspace subject to Zoning Ordinance	No	No reference	<p>The Zoning Ordinance does not include language that subjects the airspace to the regulations of the ordinance, though this may be occurring in practice and is implied in the provisions of the Airport Overlay Zoning District.</p> <p><b>Recommend incorporating language explicitly stating that airspace in the entirety of Pittsylvania County is subject to the regulations of the Zoning Ordinance.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
84.	2293.1	Amateur radio antenna placement	Partial	35-181 35-283 35-297 35-347 35-349 35-366 35-368 35-384 35-387 35-403 35-406 35-531	<p>The Zoning Ordinance neither includes specific language that provides for amateur radios as a use nor provides standards. "Radio aerials" are exempt from maximum building height calculations, and "radio and television towers" / "radio and television transmitters" are permitted with a special use permit in Conservation, Limited Business, Light Industry, Heavy Industry, and General Business.</p> <p>This section of the Code of Virginia states that localities that had a population density of 120 persons or less per square mile according to the 1990 United States Census shall not restrict amateur radio antenna height to less than 200 feet above ground level as permitted by the Federal Communications Commission or restrict the number of support structures. At the time of the 1990 U.S. Census, Pittsylvania County had approximately 57 people per square mile. Therefore, the County should include language in the Zoning Ordinance addressing tower height. Partial compliance is currently achieved.</p> <p><b>Recommend updating in which districts, and what areas, amateur radio towers are to be placed or expanding "radio aerials" exception to include "amateur radio antennas and support structures" to be consistent with Code of Virginia, and include a definition. Include a reference to §15.2-2293.1. Recommend including language that explicitly allows amateur radio towers up to 200 ft. in height for consistency with the Code of Virginia.</b></p>
85.	2293.2	Regulation of helicopter use	Yes	35-179 35-366 35-383 35-402	<p>The Zoning Ordinance allows heliports as a by-right use in two zoning districts, and allows heliports through a special use permit in two zoning districts. Additionally, the Zoning Ordinance bans neither departures or landings for helicopters.</p> <p>The Zoning Ordinance therefore complies with this section of the Code of Virginia.</p>

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	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
86.	2294	Airport safety restrictions	Yes	Article IV, Division 4	<p>This section of the Code of Virginia requires that any locality that hosts a licensed airport or United States government or military air facility, or approach slopes and other safety zones of a licensed airport shall provide for the regulation of the height of structures and natural growth. The Code of Virginia allows this to be a standalone ordinance, or through an overlay district/zone within the Zoning Ordinance.</p> <p>Article IV, Division 4 of the Pittsylvania County Zoning Ordinance outlines an Airport Overlay Zoning District for the purposes of regulating and restricting land development and the use of property in the vicinity of the Danville Regional Airport. The overlay is intended to protect the airport and associated aviation activities.</p> <p>The Zoning Ordinance therefore complies with this section of the Code of Virginia.</p>
87.	2295	Optional aircraft noise attenuation ordinances	Optional, Not Included	No reference	<p>This section of the Code of Virginia provides that a locality may enforce building regulations relating to the provision and installation of acoustical treatment measures. Additionally, this section of the Code of Virginia allows a locality to adopt a noise overlay zone that regulates noise and sounds differently than base districts.</p> <p>The Zoning Ordinance does not have any aircraft noise attenuation ordinances, or any overall regulations for noise. The Zoning Ordinance does make several references to Chapter 41. Noise Control, stating that compliance with all provisions of this ordinance must be met.</p> <p><b>If the airport is experiencing encroachment and noise complaints from residential uses, Pittsylvania County may consider whether additional noise regulations are needed as a component of the Airport Overlay Zoning District.</b></p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
88.	2295.1	Optional mountain ridge construction ordinances	Optional, Not Included	No reference	<p>Pittsylvania County does not include regulations for protected mountain ridges. However, portions of Smith Mountain likely meet the Code of Virginia definition of a protected mountain ridge, which is a ridge with (i) an elevation of 2,000 feet or more and (ii) an elevation of 500 feet or more above the elevation of an adjacent valley floor.</p> <p><b>If Pittsylvania County does have protected mountain ridges as defined by the Code of Virginia, it should consider whether it would like to adopt regulations for a mountain ridge construction ordinance.</b></p>
89.	2295.2	Optional authority to create zoning modification in dam break inundation zones	Optional, Not Included	No reference	<p>This section of the Code of Virginia allows a locality to, by ordinance, require modification of an application for zoning, a conditional use permit, or a special exception for the area of a development that is proposed within a mapped dam break inundation zone.</p> <p><b>Recommend adoption of provisions in the Zoning Ordinance that require additional provisions of applications for a zoning map amendment or special use permits for the area of a development proposed within a mapped dam break inundation zone. At a minimum, recommend that applicants be required to note in applications if they are proposing development in an inundation zone and the hazard status of the dam.</b></p>
90.	2296	Conditional zoning - legislative policy	Yes	35-40 35-808	<p>The Zoning Ordinance provides for conditional zoning at the time of rezoning.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
91.	2297	Conditional zoning - rezoning/map amendments	Partial	35-808 35-809	<p>The Zoning Ordinance supplies language that provides the option for property owners to voluntarily proffer conditions with a rezoning application. Section 35-809 of the Zoning Ordinance includes language that mirrors the language of §15.2-2297 of the Code of Virginia. The section also attempts compliance through including a direct language to the Code of Virginia; however, the referenced code section is incorrect. <b>Recommend including verbatim, or closely following, the language included in §15.2-2297.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
92.	2298	Conditional zoning - high- growth amendments	N/A	N/A	<p>This section of the Code of Virginia applies to (i) any locality which has had population growth of 5% or more from the next-to-latest to latest decennial census year, based on population reported by the U.S. Census Bureau; (ii) any city adjoining such city or county; (iii) any towns located within such county; and (iv) any county contiguous with at least three such counties, and any town located in that county.</p> <p>Pittsylvania County does not fall under any of these criteria; therefore, this section of the Code of Virginia is not required for inclusion in the Zoning Ordinance. However, the Zoning Administrator and Planning Commission need to be aware of the provisions in this section in the event that it becomes applicable to Pittsylvania County in future years.</p>
93.	2299	Conditional zoning - enforcement	Yes	35-811	<p>Section 35-811 of the Zoning Ordinance grants the Zoning Administrator all necessary authority to administer and enforce conditions attached to a rezoning.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>
94.	2300	Conditional zoning - records	Yes	35-810	<p>Section 35-810 of the Zoning Ordinance states that each rezoning shall be designated on the zoning map by an appropriate symbol designed by the Zoning Administrator, and that the Zoning Administrator will keep and maintain any required zoning index showing conditions, in addition to the section of the ordinance creating those conditions.</p> <p>The Code of Virginia requires that the index shall provide ready access to all proffered cash payments and expenditures disclosure reports. However, since Pittsylvania County does not accept cash proffers, this section is not applicable.</p> <p><b>Recommend adding language that states the index will be updated annually by the Zoning Administrator. Recommend including a reference to §15.2-2300. Recommend strengthening language to clearly state that the index will be updated annually at minimum.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
95.	2301	Conditional zoning - petitions for review of decision	Partial	35-849 35-850	Sections 35-849 and 35-850 of the Zoning Ordinance partially address appeals and states that the Board of Zoning Appeals has the authority to hear and decide appeals from the decision of the Zoning Administrator, as well as the authority to hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of the Zoning Ordinance or any other pursuant regulation. Full compliance with the Code of Virginia can be achieved by strengthening and clarifying this language, as well as including a direct reference to §15.2-2301.  <b>Recommend including the language provided in, and a reference to, §15.2-2301 of the Code of Virginia.</b>
96.	2302	Conditional zoning - amendments and variations	No	No reference	The Zoning Ordinance does not include the process for amending or proposing variations to proffered conditions.  <b>Recommend including the language provided in, and a reference to, §15.2-2302 of the Code of Virginia.</b>
97.	2303	Conditional zoning - certain localities	N/A	N/A	This section of the Code of Virginia does not apply to Pittsylvania County. The County does not utilize an urban county executive form of government nor is it adjacent to a county that utilizes the urban county executive form of government.
98.	2303.1	Binding development agreements - certain localities	N/A	N/A	This section of the Code of Virginia only applies to the County of New Kent.
99.	2303.1:1	Cash proffer option - process	N/A	N/A	This section of the Code of Virginia provides that cash proffers cannot be accepted until after final inspection and prior to certificate of occupancy.  Pittsylvania County does not accept cash proffers; therefore, this section of the Code of Virginia does not apply.

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
100.	2303.2	Proffer cash payments and expenditures - process	N/A	N/A	Pittsylvania County does not accept cash proffers; therefore, this section of the Code of Virginia does not apply.
101.	2303.3	Cash proffer requested or accepted conditions - process	N/A	N/A	Pittsylvania County does not accept cash proffers; therefore, this section of the Code of Virginia does not apply.
102.	2303.4	Provisions applicable to certain proffers	No	No reference	<p>This section of the Code of Virginia provides that no locality can require an unreasonable proffer for residential development or uses, but allows onsite and offsite proffers that the applicant deems reasonable.</p> <p><b>While this is a procedural requirement, the section of the Code of Virginia should be included and referenced in the Zoning Ordinance as a best practice.</b></p>
103.	2304	Affordable dwelling ordinances - certain localities	N/A	N/A	This section of the Code of Virginia is only applicable to the Counties of Albemarle and Loudoun, and the Cities of Alexandria and Fairfax.
104.	2305	Affordable dwelling ordinances	Optional, Not Included	No reference	<p>The Pittsylvania County Zoning Ordinance does not include an affordable dwelling unit ordinance.</p> <p><b>This section of the Code of Virginia is an optional provision that may be considered.</b></p>
105.	2306	Optional historical site preservation	Optional, Not Included	No reference	<p>Section 35-141D requires that large scale and utility scale solar facilities have minimal impacts on any historic properties listed on the Virginia Landmarks Register, or the National Register of Historic Places. Section 35-762 requires that site development plans include more specific consideration for any historic preservation. However, beyond this language, the County does not have a formal ordinance regulating the protection of historic structures and areas.</p> <p><b>Pittsylvania County may wish to consider the establishment of a historic overlay district for the protection of historic areas or entrance corridors. This would be a separate effort from the comprehensive ordinance update, as it requires additional historic surveys and architectural review guidelines.</b></p>

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	VA Code Section	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
106.	2306.1	Establishment of working waterfront development areas	Optional, Not Included	No reference	<p>The Pittsylvania County Zoning Ordinance does not designate any working waterfront development areas. Working waterfront development areas may grant incentives and provide some regulatory flexibility to encourage water dependent industries and activities.</p> <p><b>Pittsylvania County may wish to consider whether any areas around Smith Mountain Lake or Leesville Lake should be designated as working waterfront development areas, and Zoning Ordinance regulations adopted accordingly. Map amendments for additional districts would be a separate effort from the comprehensive ordinance update.</b></p>
107.	2307	Protection of vested rights for non-conforming uses	Yes	35-166	<p>Section 15.2-2307 of the Code of Virginia allows that a nonconforming structure can be rebuilt as it was, without a special exception, if the structure was destroyed by a fire, disaster, or an Act of God.</p> <p>Section 35-166 of the Zoning Ordinance permits a nonconforming structure to be rebuilt or repaired if it is damaged because of factors beyond the control of the owner and/or occupant. The repair must commence within 12 months of the initial destruction and be completed within 24 months of the initial destruction, which complies with the time limitations stated within the Code of Virginia.</p> <p><b>Recommend including the language provided in, and a reference to, §15.2-2307 of the Code of Virginia, both as a best practice and to streamline the existing language of this section.</b></p>
108.	2307.1	Commercial fishing	N/A	N/A	<p>This section requires commercial fishermen to register locally. Due to the lack of a fishing industry in the locality, this section of the Code of Virginia does not apply.</p>
109.	2308	Zoning appeal board	Yes	35-844 35-845	<p>The Zoning Ordinance provides for the enactment of a Board of Zoning Appeals. It incorporates some language verbatim from this section of the Code of Virginia and has also achieved compliance through direct reference to the Code of Virginia.</p> <p><b>The Zoning Ordinance complies with this section of the Code of Virginia.</b></p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
110.	2308.1	Boards of zoning appeals, ex parte communications, proceedings.	No	No reference	The Zoning Ordinance does not address ex parte communications.  <b>Recommend adding language addressing ex parte communications and a reference to §15.2-2308.1 of the Code of Virginia.</b>
111.	2309	Zoning appeal board powers and duties	Partial	35-849	Section 35-849 provides an extensive list of powers and duties of the Pittsylvania County Board of Zoning Appeals, some of which are listed verbatim from the Code of Virginia. Partial compliance is also achieved through direct reference to this section of the Code of Virginia. However, the Zoning Ordinance does not address variances considering persons with a disability, revocation of Special Use Permits, or fixing a schedule of regular meetings through a resolution.  <b>Recommend updating language addressing variances to better align with this section of the Code of Virginia as currently written. Recommend adding language to address variances considering persons with a disability and revocation of Special Use Permits. While included as an optional provision of the Code of Virginia and may be occurring in practice, recommend fixing a schedule of regular meetings through resolution as a best practice.</b>
112.	2310	Application for special exceptions and variance	Partial	35-713 35-851	While the Zoning Ordinance includes procedures for applications for variances almost verbatim from the Code of Virginia, procedures for applications for special use permits do not address who may apply for a special use permit.  <b>Recommend updating Section 35-713 for additional specificity.</b>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
113.	2311	Optional appeals to Board of Zoning Appeals - process	Partial	35-850	<p>Section 35-850 outlines the process for appeals to the Board of Zoning Appeals, incorporating some language verbatim from the Code of Virginia. However, full compliance could be achieved through additional specificity. Specifically, language could be added that reflects procedures for administrative handling of the appeal prior to the board decision, the 60-day limitation period, and procedures in the event of the tie vote, all outlined in this section of the Code of Virginia.</p> <p><b>Recommend adding language that is taken from, or closely aligns with, §15.2-2311.B, C, and D of the Code of Virginia. As a best practice, recommend adding a reference to §15.2-2311.</b></p>
114.	2312	Appeals to Board procedure - process	Partial	35-852	<p>This section of the Code of Virginia allows a Board of Zoning Appeals ninety days to make its decision on a matter. The Zoning Ordinance allows a 60-day review period.</p> <p><b>To comply with this section of the Code of Virginia, recommend increasing the timeframe for BZA decision from sixty to ninety days.</b></p>
115.	2313	Prevention of construction not in accordance with ordinance - process	No	No reference	<p>Section 35-701 of the Zoning Ordinance outlines requirements for building permits to comply with regulations stated in the Zoning Ordinance. However, the Zoning Ordinance does not include language that addresses the prevention of construction not in accordance with the ordinance, which mainly relates to the right of an individual to appeal construction through a court of law.</p> <p>The Zoning Ordinance does not comply with this section of the Code of Virginia.</p> <p><b>Recommend adding language to address appeal proceedings via a court of law to prevent construction of a building in violation of the Zoning Ordinance, including a reference to §15.2-2313.</b></p>
116.	2314	Writ of Certiorari to review Board's decision	Yes	35-853	<p>The Zoning Ordinance achieves compliance with this section of the Code of Virginia through language that closely mirrors the language used in the Code of Virginia, as well as through direct reference to §15.2-2314.</p> <p>The Zoning Ordinance complies with this section of the Code of Virginia.</p>

Attachment: Attachment B - Pittsylvania County Zoning Ordinance Evaluation (3415 : Zoning Ordinance

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
117.	2315	Conflict of state and local ordinance	Yes	35-23	<p>Section 35-23 states that whenever any provisions of the Zoning Ordinance conflict with any state statute or regulation, the more stringent regulation shall govern. The Zoning Ordinance therefore complies with this section of the Code of Virginia. However, this section could be further strengthened by including a direct reference to this section of the Code of Virginia.</p> <p><b>Recommend updating to include direct reference to §15.2-2315.</b></p>
118.	2316	Validation of ordinances prior to 1971	N/A	N/A	The Pittsylvania County Zoning Ordinance was adopted in January 1991; therefore, this section of the Code of Virginia does not apply.
119.	2316.1	Definitions regarding transfer of development rights (TDRs)	Optional, Not included	No reference	<p>This section of the Code of Virginia provides definitions for Transfer of Development Rights programs. Pittsylvania County does not have a transfer of development rights program.</p> <p><b>See line item 120 for recommendation.</b></p>
120.	2316.2	Optional provisions for transfer of development rights	Optional, Not included	No reference	<p>This section of the Code of Virginia allows localities the option to establish transfer of development rights (TDR) programs, in which a locality may designate receiving areas/properties that shall receive development rights <u>only</u> from certain sending areas/properties. This is typically used by counties as a rural area preservation tool.</p> <p>The Zoning Ordinance does not include TDR standards or procedures. Pittsylvania County may wish to include provisions for a TDR program; however, sending and receiving areas should be identified in the Comprehensive Plan. It is recommended to explore TDR in the next Comprehensive Plan update. If incorporated, language as outlined in §15.2-2316.2 of the Code of Virginia should be included in the Zoning Ordinance.</p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
121.	2316.3	Definitions regarding small cell facilities	No	No reference	<p>This section of the Code of Virginia establishes the definitions for telecommunications facilities. The Zoning Ordinance does not include any of the listed definitions for telecommunications facilities.</p> <p><b>Recommend updating the Zoning Ordinance to include the applicable telecommunications definitions of § 15.2-2316.3 of the Code of Virginia. Recommend adoption of telecommunications standards for application, review, and fees, as provided for in the Code of Virginia.</b></p>
122.	2316.4	Permitting and review of small cell facilities	No	No reference	<p>The Code of Virginia §15.2-2316.4 outlines application, review, and fee requirements for small cell facilities. The Zoning Ordinance does not include regulations or language for small cell facilities.</p> <p><b>Regulations should be added to comply with § 15.2-2316.3 - § 15.2-2316.4:3 of the Code of Virginia.</b></p>
123.	2316.4:1	Zoning; Other wireless facilities	No	No reference	<p>The Code of Virginia §15.2-2316.4:1 requires that localities cannot require a special use permit, special exception, or a variance for “administrative-review eligible projects”. The Zoning Ordinance does not define “administrative review eligible projects”.</p> <p><b>Recommend updating the Zoning Ordinance’s definitions section to include all relevant definitions included in §15.2-2316.3 of the Code of Virginia and to amend the Zoning Ordinance to establish “administrative review eligible projects” as a by right use.</b></p>
124.	2316.4:2	Application reviews for small cell facilities	No	No reference	<p>The Code of Virginia §15.2-2316.4:2 establishes the guidelines for review applications for small cell facilities. It explicitly prevents applications from being denied for various reasons and states the type of requirements that localities cannot require in their applications. The Zoning Ordinance does not include regulations or language for small cell facilities.</p> <p><b>See lines 121 and 122 for recommendation.</b></p>

	VA Code Section	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
125.	2316.4:3	Additional provisions for zoning applications of telecommunications facilities	No	No reference	<p>§15.2-2316.4:3 of the Code of Virginia establishes that localities cannot require zoning approval for routine maintenance or for the replacement of existing wireless facilities.</p> <p><b>Recommend including a statement to the “telecommunication facility” standards that states, “A locality shall not require zoning approval for (i) routine maintenance or (ii) the replacement of wireless facilities or wireless support structures within a six-foot perimeter with wireless facilities or wireless support structures that are substantially similar or the same size or smaller” and a reference to § 15.2-2316.4:3 of the Code of Virginia.</b></p>
126.	2316.5	Moratorium on zoning applications from wireless service providers prohibited	Yes	No reference	Pittsylvania County does not currently have a moratorium on zoning applications from wireless service providers. The Zoning Ordinance complies with this section of the Code of Virginia.
127.	2316.6	Siting of solar projects and energy storage projects – definitions	Partial	35-141	<p>This section of the Code of Virginia provides definitions that pertain to energy storage facilities and solar facilities.</p> <p>Section 35-141 is Pittsylvania County’s solar ordinance. The purpose of regulations pertaining to solar energy as stated in the Zoning Ordinance is to “promote and regulate the development of solar energy facilities in Pittsylvania County while protecting the public health, safety and general welfare of the community.”</p> <p>Use standards and application requirements for small scale, large scale, and utility scale solar energy facilities respectively are provided for in Section 35-141. The Zoning Ordinance does not define each type of solar energy facility. Consideration can be given to including general definitions, as in §15.2-2316.6 for consistency and to streamline application and review processes.</p>



	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
128.	2316.7	Negotiations; siting agreement	Yes	35-141(C)	<p>This section of the Code of Virginia requires that any applicant for a solar project or an energy storage project give written notice to the locality and request a meeting, where applicant and locality shall discuss and negotiate a siting agreement. This section of the Code of Virginia also provides language for siting agreements contents.</p> <p>Section 35-141(C) states that no rezoning or Special Use Permit application for a utility scale solar energy facility may be initiated until the applicant has first initiated negotiations with the County for a Siting Agreement as authorized by the Code of Virginia. This section could be strengthened by including a reference to §15.2-2316.7 and including the list of possible terms and conditions for a siting agreement as stated in the Code of Virginia. It is important to note, however, that the County cannot mandate a siting agreement as a requirement of approval of an application. See line 130 for additional information.</p> <p><b>Recommend including reference to §15.2-2316.7 and including potential terms and conditions of a siting agreement between an applicant and Pittsylvania County, as provided for in the Code of Virginia.</b></p>
129.	2316.8	Powers of host localities	No	No reference	<p>This section of the Code of Virginia states the powers of localities regarding the siting of solar facilities. Powers include: i) hiring consultants, ii) discussing a siting agreement with an applicant, iii) entering into a binding siting agreement; and iv) presenting the agreement at a public hearing. The Zoning Ordinance states that negotiations for a siting agreement shall occur but does not state the powers of the governing body of Pittsylvania County.</p> <p><b>Recommend including this list of powers that a locality has for the siting of solar projects following the outline of the provisions of § 15.2-2316.8 et. seq. of the Code of Virginia.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
130.	2316.9	Effect of executed siting agreement; land use approval	No	35-141(C)	<p>This section of the Code of Virginia states that all land use approvals shall be necessary for a solar facility, a siting agreement shall deem the project in accordance with a Comprehensive Plan, but other land use approvals will be required; and that a governing body cannot deny approval solely based on the absence of a siting agreement.</p> <p>Pittsylvania County requires that an applicant must initiate a siting agreement prior to the formal submittal of an application. However, it does not specify that failure to enter into a siting agreement will not be a sole reason for denial of such application. Additionally, the Zoning Ordinance does not include explicit language stating that approval of a siting agreement by the local governing body deems a project in substantial accord with the Comprehensive Plan or that all land use approvals shall be necessary for a solar facility.</p> <p><b>Recommend including a section to provide regulations specifically for siting agreements, adhering to the provisions of § 15.2-2316.9 et. seq. of the Code of Virginia. Recommend making the existing requirement for siting agreement negotiations an optional item, including the language listed in §15.2-2316.7 (See line item 128).</b></p>
131.	2317	Article 8 – Road Impact Fees - Applicable to 20k persons+5% growth, or 15% growth	Optional, Not Included	N/A (See lines 132 – 141)	<p>This section of the Code of Virginia addresses road impact fees. This section of the Code of Virginia does not apply to Pittsylvania County. Pittsylvania County has neither adopted regulations for road impact fees nor undergone a 5% population growth rate between 2010 and 2020, as determined by the U.S. Census.</p> <p><b>See line items 132 – 141 for additional information and analysis.</b></p>

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
132.	2318	Definitions	<i>Required if Road Impact Fees Ordinance Adopted,</i>  Not Applicable/ Not included		This section of the Code of Virginia includes definitions for terms relating to road impact fees.  Pittsylvania County has not adopted regulations for road impact fees.
133.	2319	Impact fee authority			This section of the Code of Virginia allows a locality to adopt an ordinance that serves to assess and impose impact fees on new development to pay all or a part of the cost of reasonable road improvements that benefit the new development. If an ordinance is adopted, an impact fee advisory committee must be established.  Pittsylvania County has not adopted regulations for road impact fees.
134.	2320	Impact fee service area establishment			This section of the Code of Virginia requires that impact fee service areas to be delineated in a locality's comprehensive plan.  Pittsylvania County has not adopted regulations for road impact fees.
135.	2321	Adoption of road improvement program (must be done prior to impact fee adoption)			This section of the Code of Virginia requires that prior to adopting any system of impact fees, road improvements needs must be assessed – and adopt a road improvements plan after a public hearing.  Pittsylvania County has not adopted regulations for road impact fees.
136.	2322	Adoption of impact fee, schedule			This section of the Code of Virginia requires that an adopted ordinance or regulation for impact fees contain a schedule of fees.  Pittsylvania County has not adopted regulations for road impact fees.
137.	2323	Applicability of fees			This section of the Code of Virginia requires that an adopted ordinance or regulation for impact fees contain a schedule of fees.  Pittsylvania County has not adopted regulations for road impact fees.

	VA Code Section 15.2-	Intent	Compliance	Existing ZO Section	Consultant Comments/Recommendations
138.	2324	Credit against fees	<i>Required if                      Road Impact                      Fees Ordinance                      Adopted,</i>  Not included		This section of the Code of Virginia requires that the value of any dedication, contribution, or construction from the developer for off-site road or other transportation improvements benefiting the impact fee service area shall be treated as a credit against the impact fees project.  Pittsylvania County has not adopted regulations for road impact fees.
139.	2325	Updating plan of impact fee			This section of the Code of Virginia requires that the road improvement plan, that is the basis of the impact fees, be updated every two years; with amendments to impact fee schedule, as appropriate.  Pittsylvania County has not adopted regulations for road impact fees.
140.	2326	Proceeds use			This section of the Code of Virginia requires that a road improvement account be established for the impact fee service area and all funds collected through impact fees shall be deposited in an interest-bearing account. Interest earned on deposits become funds of the account. The use of the funds shall be for road improvements benefiting the impact fee service area.  Pittsylvania County has not adopted regulations for road impact fees.
141.	2327	Refund of impact fee			This section of the Code of Virginia requires that a locality refund any impact fee for which construction of a project is not completed within a reasonable time period, not to exceed fifteen years.  Pittsylvania County has not adopted regulations for road impact fees.
142.	2328	Applicability of impact fees	N/A	N/A	Pittsylvania County does not have an established urban transportation service district. This section of the Code of Virginia applies to “urban counties” – which is a county with a population of greater than 90,000, according to the United States Census of 2000. Therefore, this section (Chapter 22, Article 9) of the Code of Virginia does not apply to Pittsylvania County.
143.	2329	Imposition of impact fees	N/A	N/A	§15.2-2329 of the Code of Virginia (Chapter 22, Article 9) does not apply to Pittsylvania County. (See above)

Additional / Explanatory Comments	Consultant Recommendations
1. Organization	<p>The Zoning Ordinance mostly complies with the Code of Virginia. However, some references and language are outdated. The Zoning Ordinance could also benefit from a reorganization of various sections and content. Improvements should include consolidation of all application and notice procedures into a revised article. This article should include the language for all application processes and procedures, including the procedure for advertisement and notification of public hearings discussing appeals, variances, special use permits, conditional rezoning, site plans, and zoning permits.</p> <p>The Berkley Group typically recommends the following organization for Zoning Ordinances: General ordinance provisions (effective date, severability, applicability, jurisdiction, conflict, etc.); Permits &amp; Applications; Districts (including dimensional standards); District Use Matrix; Use Performance Standards; Community Design Standards; Nonconformities; and Definitions. This may be modified with consideration to the specific administrative needs identified by County staff.</p>
2. Permitting, Review, and Approval Processes	<p>Pittsylvania County's timeframes for review are more stringent than those established in the Code of Virginia. The Planning Commission, by ordinance, has 45 days to review a site development plan and issue either approval or disapproval, while the Code of Virginia allows for up to 60 days. Additionally, the Zoning Ordinance states that the Planning Commission shall present its recommendation to the Board of Supervisors within 60 days of the first meeting of the Commission. This timeline is not within the Code of Virginia; the Code permits up to 12 months for a decision on a proposed zoning amendment. Consideration should be given to amending the review periods to align with the review and approval timelines permitted in various sections of the Code of Virginia.</p> <p>The Zoning Ordinance uses "special exception" and "special use permit" interchangeably. While both terms are referring to the same process, as a best practice, it is recommended that the County choose one term to refer to the process. "Special use permit" is used most frequently in the Zoning Ordinance and is the term being used in practice; recommend using this term consistently.</p>
3. Fees / fee schedule	<p>The Code of Virginia requires that zoning and land use fees are adopted by ordinance. The Pittsylvania County Zoning Ordinance does so in its administrative section. Recommend removing the existing administrative fee structure from the Zoning Ordinance and adopting a separate ordinance which ideally would include all County fees, including those associated with zoning. This allows ease of review, editing, and facilitation of public hearings during annual budgeting processes.</p>
4. Cash Proffers	<p>Pittsylvania County does not accept cash proffers. The County should evaluate the effectiveness of this policy and if it should be continued.</p>
5. Civil Penalties	<p>Pittsylvania County currently does not provide procedures for civil penalties for zoning violations. Misdemeanor penalties for violations of the Zoning Ordinance are utilized; however, it is recommended that civil penalties should be introduced and used as first line of defense, moving to misdemeanors as appropriate. A uniform schedule and summons procedure should be applied for civil penalties as detailed in the Code of Virginia.</p>



Additional / Explanatory Comments	Consultant Recommendations
<p>6. Setbacks and Site Dimensions Chart /Matrix.</p>	<p>Zoning district dimensional standards should be reviewed, revised, and reorganized for simplicity. For example, in some cases, side setbacks are determined as a percentage of the lot frontage on a public road and front setbacks are measured from the centerline of the edge of the right-of-way, whichever is greater. The placement of accessory structures in rear setbacks, as well as rear setbacks for parcels adjoining Smith Mountain Lake, are both unclear. Additionally, several districts allow uses to be built right up to the property line, which can lead to challenges for utility placement and negative impacts on neighboring properties. Recommend close reviewing setback requirements to ensure ease of administration, adequate siting of structures, and consistency in how setbacks are determined and applied. All dimensional standards can be reviewed to ensure consistency and that standards remain appropriate for modern uses.</p> <p>The Zoning Ordinance can also incorporate a “Setback and Site Dimensions Chart” that can include height limits, lot coverage setbacks, etc. This provides ease for the reader and provides one place for each district’s dimensional regulations.</p>
<p>7. Use Matrix / Uses</p>	<p>Uses for each district should be comprehensively updated and streamlined for all permitted uses and uses allowed by special use permit. Terms should be streamlined to combine specific terms into broad categories (e.g.: paper manufacturing, plastic manufacturing, concrete mixing can all be combined into “heavy manufacturing”). The Zoning Ordinance should be updated to remove outdated terms (e.g. phonograph sales/service/repair, dance halls) and include modern terms (e.g.: brewery, food truck, short-term rental). Staff has identified the need to remove outdated uses and has identified storage facilities / mini-storage as one particular use needed for inclusion. All uses should also be clearly defined in the definitions section of the Zoning Ordinance.</p>
<p>8. Use Standards</p>	<p>The use standards will be evaluated throughout the revision process to identify additional standards and to remove any provisions that are too restrictive or have proven burdensome. Use standards for additional uses may be necessary to mitigate impacts of new by-right uses. Staff has indicated intensive livestock/agriculture and storage facilities/mini-storage as two uses in need of updated or new use standards.</p> <p>Use standards for uses should be consolidated in one article. Recommend relocating any use standards included in the definitions section scattered throughout the ordinance into a new, formalized section for use standards.</p> <p>More specific recommendations for use standards (and uses) will evolve as the project progresses based on input from community input, staff, Planning Commission, and the Board.</p>

Additional / Explanatory Comments	Consultant Recommendations
9. Telecommunications	<p>The Zoning Ordinance provisions for telecommunications and wireless facilities are currently limited. The Zoning Ordinance would benefit from updates to comply with the Code of Virginia. Recommend developing clearly detailed telecommunications standards including definitions, use standards, application procedures, and review procedures, as addressed in the Code of Virginia.</p> <p>See lines 121-126 for more specific recommendations.</p>
10. Solar Facilities	<p>Pittsylvania County’s solar ordinance is relatively robust; however, it is missing several regulations and processes for application review outlined in the Code of Virginia. The County also requires the initiation of negotiations for a siting agreement prior to applying for a large-scale or utility-scale solar facility. While the Code of Virginia permits localities to enter into a siting agreement, it does not permit localities to make the approval of an application conditional to an approved siting agreement.</p> <p>Recommend supplying powers of the host locality, siting agreement regulations, and application/review procedures, with the appropriate Code of Virginia language and references. Recommend amending the solar ordinance to add additional standards based on community feedback and planning best practices.</p>
11. Accessory Dwelling Units (ADU)	<p>Accessory dwelling units are referenced in the Zoning Ordinance as “homes, single-family dwelling with apartments on premises”. They are only permitted within the Agricultural District. Accessory uses are permitted by right in all districts, but it is unclear as to whether or not an accessory use could entail a dwelling unit. Recommend updating the ordinance to include “accessory dwelling unit” as a use with a definition and use standards. Tailored use standards can regulate items such as minimum and maximum floor area or size, parking, location, and number of ADUs per parcel, among other standards. Consideration should be given to allowing accessory dwelling units by right or with a special use permit in residential zoning districts.</p>
12. Definitions	<p>Recommend formally integrating the existing supplementary definitions section as a codified section of the Zoning Ordinance and placing it at the end of the Zoning Ordinance. The Zoning Ordinance incorporates several of the definitions required by the Code of Virginia; recommend including <u>all</u> definitions required by the Code of Virginia including, but not limited to, “historic area”, “family cemetery”, “amateur radio towers”, and “family day home”.</p> <p>Recommend reviewing the list of definitions to remove outdated uses and definitions and add and define new uses to reflect recent changes in land use patterns, for example, “storage facility”, “short-term rental”, “microbrewery”, and “affordable dwelling unit”. Every permitted use should have a corresponding definition. Pittsylvania County Community Development and Economic Development staff may have insight on uses and definitions for potential inclusion. Recommendations for uses and definitions will also evolve over time as community input is considered.</p>

Additional / Explanatory Comments	Consultant Recommendations
13. Signs	<p>Regulations for signs are usually supplied in the community design standards article with other community design elements like landscaping, lighting, and parking.</p> <p>It was observed that the current sign regulations are not content neutral as required under the findings of Supreme Court case <i>Ree v. Town of Gilbert</i>. Any future sign regulations should pay respect only to the physical sign type and not its supplied content for compliance with the aforementioned court case.</p>
14. Landscaping, Screening, and Buffers	<p>In most cases, landscaping, screening, and buffer requirements are either optional or noted that they <i>may</i> be required by the Zoning Administrator as a condition of a special use permit or zoning permit. The only two uses for which buffers are specifically required are sawmills and solar energy facilities. As a best practice for mitigating adverse impacts, recommend strengthening the existing language to require landscaping or screening between all business and industrial uses and non-business/industrial uses. The language in screening and buffer requirements for large-scale and utility-scale solar energy facilities could also be strengthened. The County should also consider addition of landscaping requirements for parking lots and other large impermeable surfaces.</p>
15. Off-Street Parking	<p>The Zoning Ordinance addresses off-street parking in detail, including individual dimensions for individual parking spaces, requiring off-street parking spaces to be on the same lot as the use to be served, and requiring all off-street parking – with the exception of off-street parking for single family residences or duplexes – to be paved and adequately drained with proper lighting. Parking space requirements are also included for many uses. Recommend reviewing parking minimums to ensure they remain appropriate in light of modern best practices and amend accordingly. Recommend expanding the provided list of uses; all uses should be considered in parking regulations. A matrix or other table may be a useful tool to consider including in this section.</p>
16. Ordinance Review	<p>Recommend instituting an annual Zoning Ordinance review process with the Planning Commission and Board of Supervisors. The maintenance technique is a best practice to keep Pittsylvania County’s land use tools relevant and responsive to the needs of the community.</p>

Source: <https://law.lis.virginia.gov/vacode/title15.2/chapter22/>

# Appendix B: Comprehensive Plan Diagnostic Matrix

A Comprehensive Plan is the policy tool that lays the groundwork for how a community would like to develop over time. As the primary tool to implement the Comprehensive Plan, the zoning ordinance should align to the Comprehensive Plan to the extent possible.

The following chart outlines the goals, objectives, and implementation strategies in the Pittsylvania County 2010 Comprehensive Plan that are most relevant to zoning regulations<sup>1</sup>. The chart also details specific regulatory changes that would implement each strategy.

It is important to note that Pittsylvania County’s Comprehensive Plan is slated to be updated during the same timeframe as the Zoning Ordinance update. This provides an opportunity to facilitate stronger alignment between the community’s long-term goals and the regulations within the Zoning Ordinance. However, it is important to acknowledge that the upcoming Comprehensive Plan update process may shift the County’s existing priorities, objectives, and strategies. Therefore, the Zoning Ordinance may have to be reassessed and amended in the short term to align with any new Comprehensive Plan objectives and priorities.

<u>Plan Element:</u>	<u>Policy Type:</u>	<u>Corresponding Goal, Objective, or Implementation Strategy:</u>	<u>Action to be Taken in ZO Update:</u>
<b>Natural and Cultural Environment</b>	Environmental Preservation	Review and revise ordinances as necessary to provide adequate area for septic systems and to protect ground and surface waters from sewage contamination.	<ul style="list-style-type: none"> <li>Review existing residential lot minimums – with a focus on areas that are not serviced by public utilities – to ensure they are adequate to properly accommodate private wells and septic system.</li> </ul>
		Promote reasonable landscaping requirements for new development projects.	<ul style="list-style-type: none"> <li>Introduce landscape and screening requirements for new development projects.</li> </ul>
	Historic Preservation	Require that all known historic sites be identified on all subdivision plats, site development plans and rezoning and special use permit applications and evaluate any impacts or mitigation efforts.	<ul style="list-style-type: none"> <li>Require any historic resources listed on the National Register of Historic Places or the Virginia Landmarks Register visible from a proposed development to be marked on a site development plan or rezoning or special use permit application.</li> </ul>
		Preserve and protect local historic resources during the development of County industrial and commercial economic development projects.	
<b>Housing</b>	Residential Land Use	Evaluate, and amend the zoning ordinance as necessary, to allow a full range of housing choice options in the County including multi-family, patio homes, town houses and condominiums.	<ul style="list-style-type: none"> <li>Allow accessory dwelling units in residential districts.</li> <li>Allow townhouses in the RC-1 zoning district.</li> </ul>

<sup>1</sup> This assessment does not include *all* goals and strategies provided within the Comprehensive Plan; some goals, objectives, and strategies are shared among differing plan elements while others may be longer-term *or* not relevant to the Zoning Ordinance.



Plan Element:	Policy Type:	Corresponding Goal, Objective, or Implementation Strategy:	Action to be Taken in ZO Update:
Housing, <i>cont.</i>	Residential Land Use, <i>cont.</i>	Promote affordable housing through zoning ordinance amendments including density bonuses in exchange for providing affordable units.	<ul style="list-style-type: none"> <li>Consider whether density bonuses remain an appropriate incentive to promote affordable housing in the County. If deemed appropriate, include the incentive within the district standards.</li> </ul>
		Allow specialized housing for a variety of senior living needs.	<ul style="list-style-type: none"> <li>Add assisted living facilities as by-right uses in residential zoning districts.</li> <li>Allow accessory dwelling units (ADUs) with appropriate use standards in residential districts.</li> </ul>
		Revise ordinances to allow cluster housing projects in residential and agricultural districts.	<ul style="list-style-type: none"> <li>Introduce a residential cluster development option within the zoning districts.</li> </ul>
	Community Design Standards	Promote and encourage well designed manufactured home communities that are functional, aesthetic, and taxed as real estate.	<ul style="list-style-type: none"> <li>Introduce standards addressing landscaping, lighting, and materiality for manufactured home park districts.</li> </ul>
		Amend Zoning and subdivision ordinances to allow New Urbanism and Traditional Neighborhood Design housing developments in appropriate areas.	<ul style="list-style-type: none"> <li>Consider the introduction of additional design standards for the Residential Planned Development district.</li> <li>Consider the creation of a mixed use Planned Unit Development district.</li> </ul>
	Community Facilities	Take full advantage of enabling legislation pertaining to the use of proffers including the use of a cash proffer program to help finance utility infrastructure improvements	<ul style="list-style-type: none"> <li>Consider accepting cash proffers as part of zoning permit applications to the extent permissible by the Code of Virginia.</li> </ul>
Economic Development	Telecommunications	Support the development of state-of-the-art telecommunications facilities in appropriate locations in the County.	<ul style="list-style-type: none"> <li>Update the Zoning Ordinance to include modern telecommunications uses, definitions, application and review procedures, and appropriate use standards.</li> </ul>
	Development Quality	Require landscaping and, to the extent practical, the preservation of existing trees and vegetation in all new economic development and redevelopment.	<ul style="list-style-type: none"> <li>Introduce landscape and screening requirements for commercial and industrial uses.</li> </ul>
		Provide opportunities for the mixing and integration of different types of uses – both business and residential – within a single development under a coherent overall master plan.	<ul style="list-style-type: none"> <li>Expand the types of business uses permitted by-right in the Residential Planned Development district.</li> <li>Consider the creation of a mixed use district.</li> </ul>

<u>Plan Element:</u>	<u>Policy Type:</u>	<u>Corresponding Goal, Objective, or Implementation Strategy:</u>	<u>Action to be Taken in ZO Update:</u>
Transportation	Access Management	Adopt new zoning and subdivision ordinances that contain standards and requirements for access management, traffic calming, and rights of way dedication.	<ul style="list-style-type: none"> <li>• Ensure that access and road standards in the Zoning Ordinance are adequate.</li> </ul>
		Continue to consider road adequacy and safety as criteria when evaluating development requests. Require applicants to provide formal traffic impact studies in accordance with state legislation.	<ul style="list-style-type: none"> <li>• Include traffic impact studies as a site plan requirement for large developments.</li> </ul>
	Level of Service	Evaluate all rezoning and special exception requests partially on the basis of the proposed land use impact on the County’s transportation system.	<ul style="list-style-type: none"> <li>• Include traffic impact studies as a site plan requirement for large developments.</li> </ul>
	Alternative Transportation	Encourage and require bike lanes and bike paths within new residential developments.	<ul style="list-style-type: none"> <li>• Provide bicycle parking requirements for the RMF and B-1 zoning districts.</li> <li>• Require the inclusion of sidewalks and bike lanes for new development within planned development and multi-family residential districts.</li> </ul>
Land Use and Growth Management	Commercial and Industrial Land Use	Promote a strong and diversified industrial and commercial base which does not create significant impacts on residential areas, prime agricultural lands or public facilities.	<ul style="list-style-type: none"> <li>• Introduce standards for landscaping and screening between commercial/industrial uses adjacent to non-commercial/industrial uses.</li> <li>• Do not allow businesses or industrial uses by-right in the agricultural district.</li> <li>• Increase side and rear setback distances for commercial and industrial uses.</li> <li>• Update and provide additional use standards for commercial and industrial uses.</li> </ul>
	Agricultural Land Use	Through zoning and subdivision ordinance amendments consider limiting by right, small lot subdivision activity in agriculture zoning districts.	<ul style="list-style-type: none"> <li>• Consider modifying dimensional and density standards in the A-1 zoning district.</li> <li>• Update and provide additional use standards for agricultural and residential uses.</li> </ul>

<u>Plan Element:</u>	<u>Policy Type:</u>	<u>Corresponding Goal, Objective, or Implementation Strategy:</u>	<u>Action to be Taken in ZO Update:</u>
<p><b>Land Use and Growth Management, <i>cont.</i></b></p>	<p>Agricultural Land Use, <i>cont.</i></p>	<p>Investigate ways to reduce residential/agricultural conflicts by creating a new Rural Residential zoning designation and increasing minimum lot sizes in the Agricultural zoning district.</p>	<ul style="list-style-type: none"> <li>• Increase the minimum lot size in the A-1 zoning district.</li> <li>• Increase side and rear setbacks in the A-1 zoning district.</li> <li>• Consider including additional provisions in the ordinances for agriculture preservation (cluster regulations, large lot zoning, sliding scale densities, etc.) See Berkley Group’s <i>Agriculture and Rural Preservation Guide</i>.</li> </ul>
		<p>Amend the County’s zoning and subdivision ordinances to provide density bonuses for developments that demonstrate conservation site design principles and/or incorporate low impact development techniques.</p>	<ul style="list-style-type: none"> <li>• Consider whether density bonuses remain an appropriate incentive for conservation and low-impact development.</li> <li>• Establish other regulations intended to support conservation, such as tree canopy cover and open space requirements in higher-density residential districts.</li> </ul>
		<p>Enhance the rural and environmental character of the County through the preservation of agricultural and forestal lands, wetlands, flood hazard areas, and steep slopes.</p>	<ul style="list-style-type: none"> <li>• Require wetlands, flood hazard areas, and steep slopes to be clearly marked on a site development plan or concept plan.</li> <li>• Consider including open space requirements for large development to preserve environmentally sensitive areas</li> </ul>
	<p>Community Design Standards</p>	<p>Amend the County zoning ordinance to provide enhanced standards for signage, noise, landscaping, buffering, and lighting.</p>	<ul style="list-style-type: none"> <li>• Establish a community design standards article, applicable to all zoning districts with regulations for signs, lighting, and landscaping.</li> </ul>

Pittsylvania County, Virginia

Zoning Ordinance Update | October 18, 2022

# ***Public Engagement Summary and Community Survey Results***



Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

## Overview

This document summarizes the suggestions, concerns, and comments from four (4) stakeholder interviews, one (1) public workshop, and a community survey.

**Stakeholder interviews** were held on August 18, 2022, with a total of 10 attendees. Stakeholders were representative of four groups:

1. Business owners, economic development representatives, and representatives from Danville and the three Towns;
2. Bankers, attorneys, and real estate professionals;
3. The agricultural community and other special interest groups; and
4. Surveyors, engineers, developers, and contractors.

Each stakeholder group discussed the current Zoning Ordinance and opportunities for improvement.

**The public workshop** was held on August 18, 2022, and consisted of approximately 20 participants. The public workshop exercises resulted in the discussion of current assets within the County, priorities the County should focus on during the Zoning Ordinance update, and general comments of concern.

The **public survey** received a total of 208 responses, with all responses being online submissions. Paper surveys were made available in County offices for submission but none were received by County staff. The full survey results are included at the end of this attachment – *Attachment B, Public Engagement Summary and Community Survey Results*.

The public engagement feedback is summarized below.





**Stakeholder Interview Summary**

Group 1	Group 2	Group 3	Group 4
Business owners, economic development representatives, representatives from Danville and the three Towns	Bankers, attorneys, and real estate professionals	Agricultural community and other special interest groups	Surveyors, engineers, developers, contractors, etc.

Overarching Themes

The following concerns and comments were the most common across all stakeholder groups:

- The Zoning Ordinance can be confusing to understand and apply, especially for members of the community who are not referring to it regularly. The Zoning Ordinance does not address complexity or “gray areas” well and is often contradictory.
- Housing choices are limited in Pittsylvania County. While single-family residential dwellings are the most common in the County, all types of housing, including duplexes, apartments, and manufactured housing are needed to address affordability challenges and prepare for projected population growth in the region. Housing is especially limited for adults aged 55 and over, who are increasingly seeking options for active lifestyle communities.
- Newer uses such as food trucks, breweries, wineries, and short-term rentals are favorable and appropriate within the context of the County. The Zoning Ordinance should allow these uses and provide flexible regulations. Ultimately, the Zoning Ordinance should be amended to be more business friendly for all types of commercial uses.
- Large event uses such as festivals, concerts, and entertainment venues need stricter regulations to prevent adverse impacts on neighboring properties and to avoid their siting in agricultural or residential areas.
- The minimum lot size in agricultural zoning could be increased to better facilitate the installation of private wells and septic facilities as well as to preserve traditional farming practices and agricultural activity.
- Community design standards should be improved. In particular, landscape design standards should be regulated by the Zoning Ordinance, especially for large commercial and industrial parking lots and for corridor areas around Danville and the incorporated towns.

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)



Individual Stakeholder Group Comments

*Stakeholder Group 1*

- Pittsylvania County is very business friendly and held in high regard in the region.
- Anticipated development opportunities for a 3,500-acre industrial site could significantly increase the population; some projections expect the regional population to double. Amendments to the Zoning Ordinance should therefore be proactive in addressing the current housing shortage by incorporating flexible residential district standards. Single-family homes are needed for the workforce, and patio homes – a one-story cottage residence – townhomes, and condominiums are needed for retirees.
- New residential development should have plenty of green space.
- A recent hospitality study cited the need for more hotels and restaurants. An increase in hospitality-related businesses would be beneficial in increasing the overall quality of life in the County.
- Subdivision of agricultural lots into smaller residential properties could place a strain on infrastructure if not properly monitored. The County should consider density requirements for the A-1 district – i.e., you can have x number of homes on x amount of acres.
- Solar energy facilities need more screening, regardless of when they were approved and constructed. Appropriate viewsheds from major highways, especially Route 29, should be preserved.

*Stakeholder Group 2*

- While permitting processes are not complicated in and of themselves, many community members feel overwhelmed and need assistance with the process.
- There is a housing shortage – all housing is needed, including multi-family residential units. A participant noted that the region is an estimated 2,000 housing units behind where it should be; this estimate does not incorporate job generation and population growth from recently announced development such as Caesar’s Virginia Resort Casino.
- There is interest in more vertical mixed-use development and its feasibility in the County. This type of development could be beneficial from both a tax perspective and for meeting housing needs.
- Uses within Zoning Ordinance need revision; the A-1 district has uses that are too broad for that district; new uses and use standards should be introduced. Zoning regulations should be amended to be more business friendly, especially for small businesses.
- Setbacks in the A-1 district should either be kept the same or increased.

### *Stakeholder Group 3*

- The Zoning Ordinance is a cumbersome document to read through. It can be difficult to find certain keywords. Additionally, the Zoning Ordinance does not address complexity or “gray areas” well.
- The County should identify its long-term land use goals and ensure that the Zoning Ordinance properly implements these goals.
- The County has experienced a rapid loss of productive agricultural land to development of residential subdivisions and solar energy facilities in recent years.
- When agricultural lots are subdivided for residential use, wells are often placed close to the property lines, which inhibits farmers from being able to apply fertilizers and pesticides in areas near a property boundary. Setbacks, and/or minimum lot size should be increased in the A-1 district to remedy this problem.
- Agritourism uses are a good fit for the County, and a very good fit for certain property owners. Close consideration should be given to what uses are considered “agritourism.”
- Food trucks, wineries, and breweries are uses that fit well within the context of the County. Short-term rentals are another rapidly growing use, especially around Danville and Smith Mountain Lake.
- Regulations for solar energy facilities are critical, especially regarding setbacks and viewshed impact.

### *Stakeholder Group 4*

- Pittsylvania County is a good place to work, as the Zoning Ordinance is less restrictive than those of nearby counties, and review times are relatively quick. The zoning is simple, and staff is accessible and helpful in explaining the Zoning Ordinance.
- Solar energy facilities remain a problem. However, recent amendments have seemed adequate in addressing the problem.
- More housing is needed due to new commercial and industrial development in the pipeline. The primary need is for single-family housing; mixed-use development is most appropriate near or within Town limits.
- There is not a problem with a 20,000 square foot minimum lot size in the A-1 district. However, this minimum lot size could increase, as very few lots within the A-1 district are the bare minimum lot size. Most lots in the A-1 district are also unable to connect to public water and/or sewer.
- The current minimum lot sizes for the R-1 and RC-1 districts are working, although they are very small and can pose problems when designing septic systems.
- The current community design standards are lacking. Some simple standards for landscaping and lighting would be beneficial. For commercial parking lots, a requirement

for one tree per x number of parking spaces could be adopted. Landscape standards should include an approved tree or plantings list or include language encouraging the use of plants native to Virginia.

- The Zoning Ordinance should be open, not restrictive, to newer, more modern uses such as food trucks, breweries, and Airbnbs.
- Tighter regulations are needed for festivals and other special event uses to limit adverse impacts on residential areas.
- Paved parking lots should not be required for every use, especially for agritourism and agricultural uses, as these typically site in more rural areas of the County. A paving requirement can also be cost prohibitive for the property owner. Paved parking lots could be required for commercial and industrial uses; further restrictions could be applied depending on the specific use.
- The lack of setbacks for commercial and industrial uses are not currently causing issues.

## Public Workshop Summary

### General Comments and Concerns:

- The County's rural character and agricultural economy should be preserved and protected in perpetuity.
- The Zoning Ordinance should appropriately balance regulations for commercial and industrial uses without deterring these types of uses from expanding or locating in the County.
- Additional regulations for solar energy facilities are needed, especially those pertaining to environmental protection and decommissioning of panels.
- Consistency between the Zoning and Subdivision Ordinances should be ensured. For example, subdivision regulations in the A-1 district should be clarified and made consistent with the County's Subdivision Ordinance.
- Small businesses – especially those in residential and agricultural areas – should be protected.
- There are several new uses that should be included and addressed appropriately in the Zoning Ordinance, including tiny homes, agritourism, and affordable housing. All of these uses are favorable and compatible within the context of the County.
- Current industrial lots are, in general, poorly maintained. Vacant industrial lots, rundown buildings, and overgrowth are a problem.
- The size and number of billboards along Routes 29 and 58 is concerning for community members.
- The Zoning Ordinance should ensure a balance between protecting open space and ensuring that farming remains available and accessible to the next generation.

### Uses:

- Housing of all types is needed and generally favorable. New development should integrate adequate green space, as well as civic uses such as libraries and community centers.
- Short-term rentals (i.e., Airbnb) are generally favorable.
- New uses such as food trucks, breweries, and tasting rooms are also very favorable, with some saying that incentives should be offered to property owners or operators. Event venues are also a favorable use; however, additional regulations are needed, such as those pertaining to vehicular access and location.
- Home-based businesses are very favorable and should be protected. Larger home-based businesses may need greater regulations.
- Agritourism uses are very favorable, and the Zoning Ordinance should incorporate flexibility into standards for these uses.

- Industrial uses are very favorable and the County needs more of these types of uses.
- Solar energy facilities should be considered industrial, not agricultural, in nature. In general, solar energy facilities pose too much of a problem in agricultural areas.
- Mini-storage and self-storage facilities are needed in the County; however, buffering of some type should be required. Parking requirements for this use should also be evaluated to ensure that there is not too much parking.

Community Character and Design:

- Greater consideration should be given to additional architectural design standards for residential and commercial uses in the County.
- Additional buffers between commercial and industrial uses and residential and agricultural uses are a top priority for residents. Screening and landscaping for parking lots, dumpsters, loading areas, and mechanical equipment was also noted as a great need, although regulations should vary depending on location.
- Signage should be moderately restricted, with height requirements and aesthetic requirements in place.
- Landscaping along roadways is greatly needed, especially along corridors into the Towns or Danville.
- Lighting restrictions should address brightness and wattage, with more leniency in residential areas.
- Regulations regarding fence style and height are generally appropriate, although a height maximum in residential areas may be necessary. There should not be a height maximum in commercial areas.
- Building height should be restricted in residential areas.
- Parking is inadequate in some instances and too much of a burden in others.

## Public Survey Summary

### Key Takeaways:

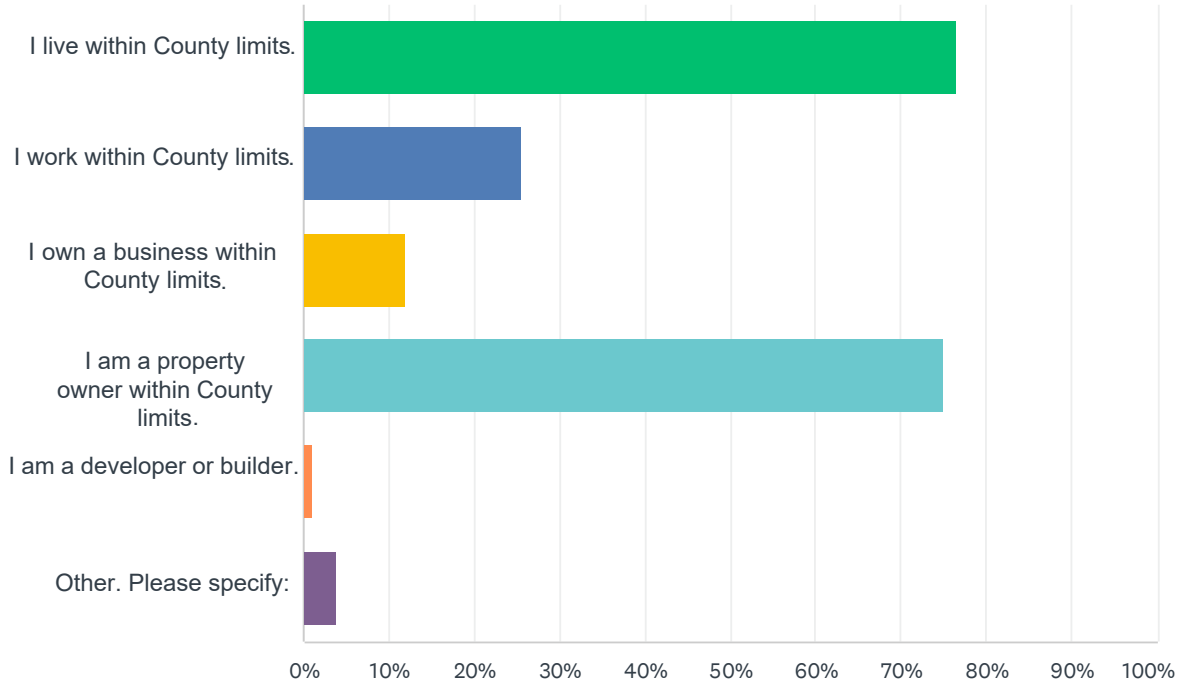
- The top three zoning and land use priorities were: Preserving agricultural and rural character (63.49%), Protecting existing residential uses from other uses (43.39%) and Conserving sensitive environmental areas (29.63%).
- The top implementation tools for maintaining agricultural character were identified as offering tax incentives to promote agriculture (52.05%), limiting the number of divisions on large agricultural lots (38.6%), and voluntary farm preservation districts (35.67%).
- Single family dwellings were identified as the most desirable type of residential use; tiny homes and attached accessory dwelling units (i.e., basement apartments) also had strong community support.
- Agritourism (75.64%), outdoor recreation/tourism (73.72%), home occupations without onsite employees (58.97%), and wineries/breweries/distilleries (51.28%) were identified as the most desirable types of non-residential use.
- There was strong support for implementing use standards for both residential and non-residential uses.
- There was strong support for design standards to improve community character, although respondents were split on whether fence height in business and residential areas should be limited. Respondents were particularly in favor of landscaping and minimal sign clutter.



# *Community Survey Results*

Q1 General: Which of the following best describes your association with Pittsylvania County?  
(Select all that apply):

Answered: 208 Skipped: 0



ANSWER CHOICES	RESPONSES	
I live within County limits.	76.44%	159
I work within County limits.	25.48%	53
I own a business within County limits.	12.02%	25
I am a property owner within County limits.	75.00%	156
I am a developer/builder.	0.96%	2
Other. Please Specify:	3.85%	8
Total Respondents: 208		

#	OTHER. PLEASE SPECIFY:	DATE
1	i rent out homes in the county.	9/1/2022 7:36 PM
2	Town of Gretna	9/1/2022 7:32 PM
3	I am a farmer	8/20/2022 10:15 AM
4	Own a farm, real estate investor	8/8/2022 10:17 AM
5	Rental Property owner	8/2/2022 4:10 PM
6	We have endangered species on our 5.39 acrs. and are planting to sustain them- property tax break needed!	8/2/2022 12:33 PM

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

Pittsylvania County Zoning Ordinance Update  
Attachment C | Community Survey Results

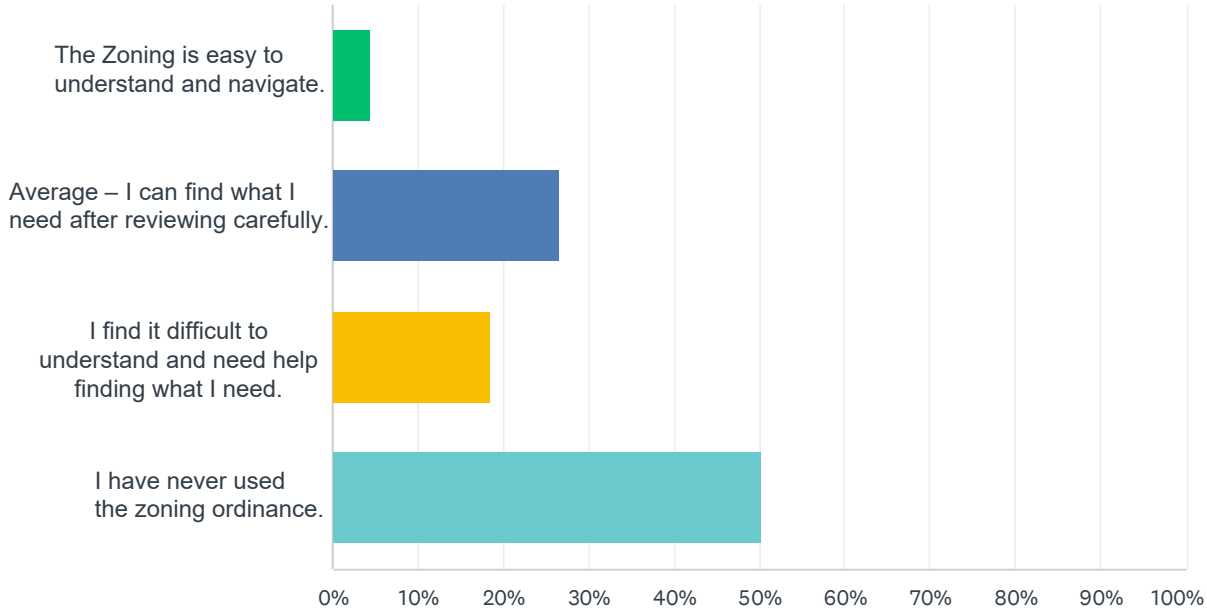
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7	I rent commercial property	8/2/2022 10:51 AM
8	Have land in the county	8/1/2022 4:36 PM

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

Q2 General: Which of the following best describes your experience with the Pittsylvania County Zoning Ordinance? (Choose one):

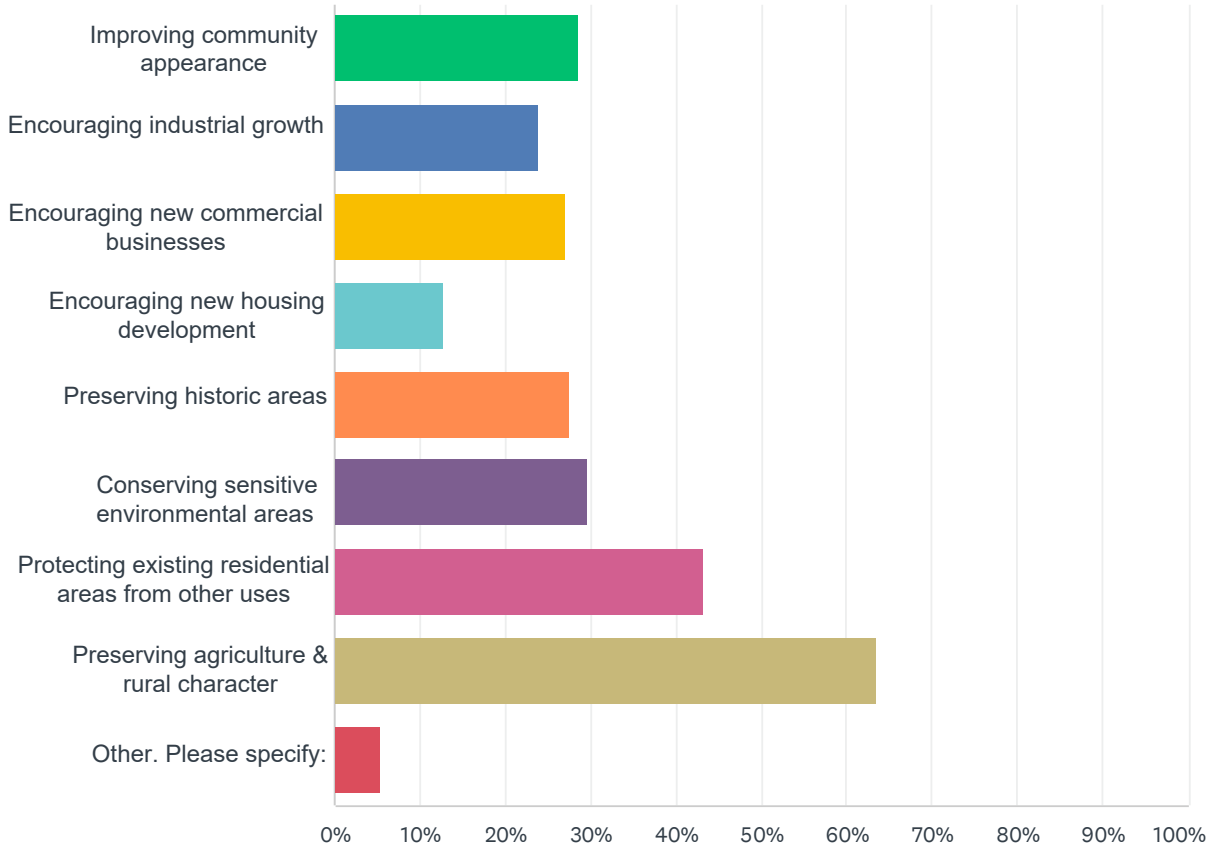
Answered: 99 Skipped: 9



ANSWER CHOICES	RESPONSES	
The Zoning Ordinance is easy to understand and navigate.	4.52%	9
Average – I can find what I need after reviewing carefully.	26.63%	53
I find it difficult to understand and need help finding what I need.	18.59%	37
I have never used the Zoning Ordinance.	50.25%	100
Total Respondents: 199		

Q3 General: What are your top three zoning and land use priorities for Pittsylvania County?  
(Choose up to three):

Answered: 189 Skipped: 19



ANSWER CHOICES	RESPONSES	
Improving community appearance	28.57%	54
Encouraging industrial growth	23.81%	45
Encouraging new commercial businesses (retail, restaurants, etc.)	26.98%	51
Encouraging new housing development	12.70%	24
Preserving historic areas	27.51%	52
Conserving sensitive environmental areas	29.63%	56
Protecting existing residential areas from other uses	43.39%	82
Preserving agriculture & rural character	63.49%	120
Other. Please Specify:	5.29%	10
Total Respondents: 189		

#	OTHER. PLEASE SPECIFY:	DATE
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Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

Pittsylvania County Zoning Ordinance Update  
Attachment C | Community Survey Results

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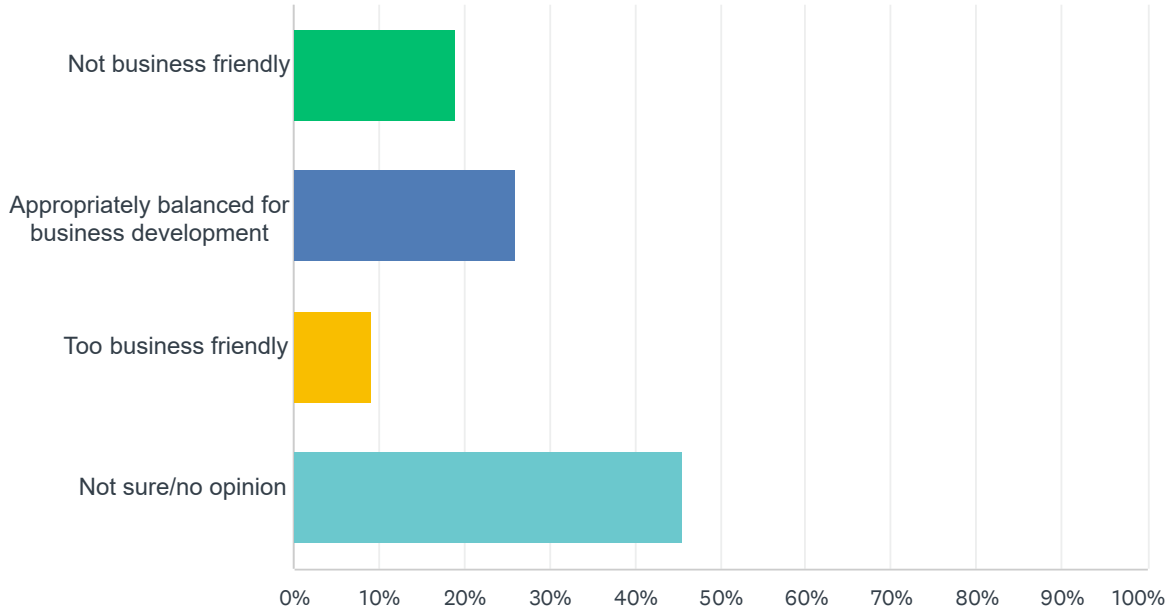
1	Don't be so strict on things , let the people choose what they want to do with there land.	9/1/2022 8:48 PM
2	Need a park like waid recreation park in Franklin Co with everything that is in their park	9/1/2022 8:10 PM
3	Preserving agricultural land	8/17/2022 2:00 PM
4	Encourage tourism of our abundance of lakes and rivers	8/8/2022 10:21 AM
5	Improving ability for community to become self-sufficient (livestock ordinances, solar panel laws, tax breaks for community members who use their property to homestead)	8/5/2022 11:50 AM
6	Protecting property owners rights as to the uses of their land and building rights thereon without infringement.	8/3/2022 12:45 PM
7	NOT allowing Pittsylvania County to become one big solar farm. It's an eye sore and who knows what will happen once all the money has been made and the solar cells are no longer productive.	8/3/2022 11:18 AM
8	Protecting neighborhoods from being a farm	8/3/2022 6:58 AM
9	Re use of previous industrial buildings for new businesses	8/2/2022 10:22 PM
10	I think when someone owns property in the county, there shouldn't be so many restrictions. It's like living in the city!	8/1/2022 8:50 PM

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)



Q4 General: Regarding economic development, which of the following do you think best describes Pittsylvania County's development regulations? (Choose one):

Answered: 184 Skipped: 24

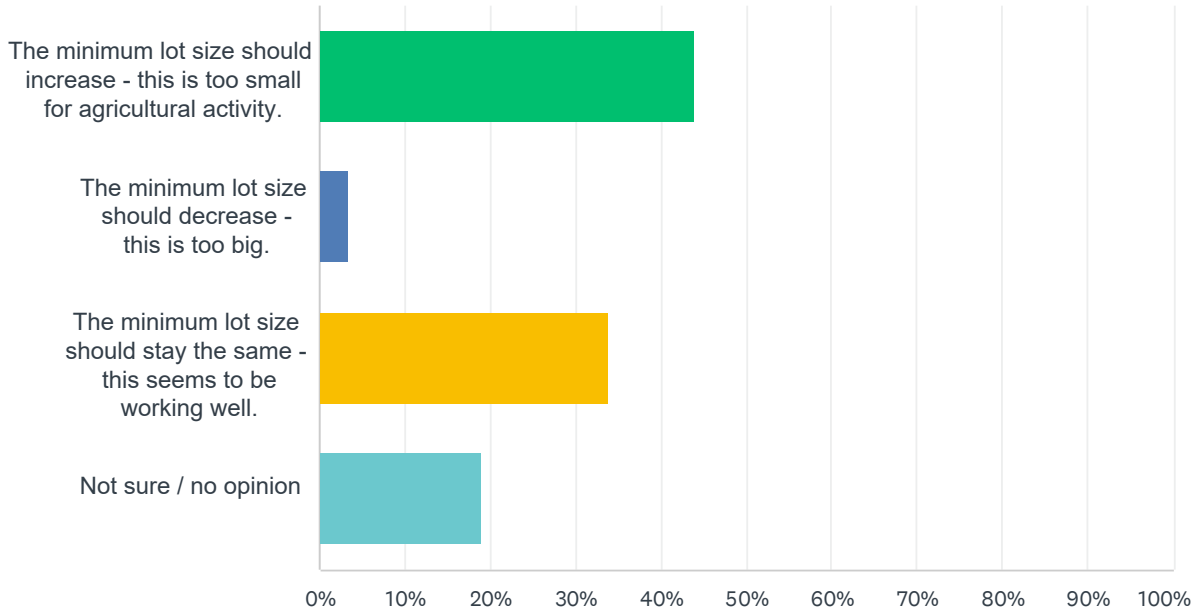


ANSWER CHOICES	RESPONSES	
Not business friendly	19.02%	35
Appropriately balanced for business development	26.09%	48
Too business friendly	9.24%	17
Not sure/no opinion	45.65%	84
Total Respondents: 184		

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

Q5 District Standards: The current minimum lot size in the County’s agricultural zoning district (A-1 is 20,000 square feet, or 0.46 acres. Should this minimum lot size increase, decrease, or stay the same? (Choose one):

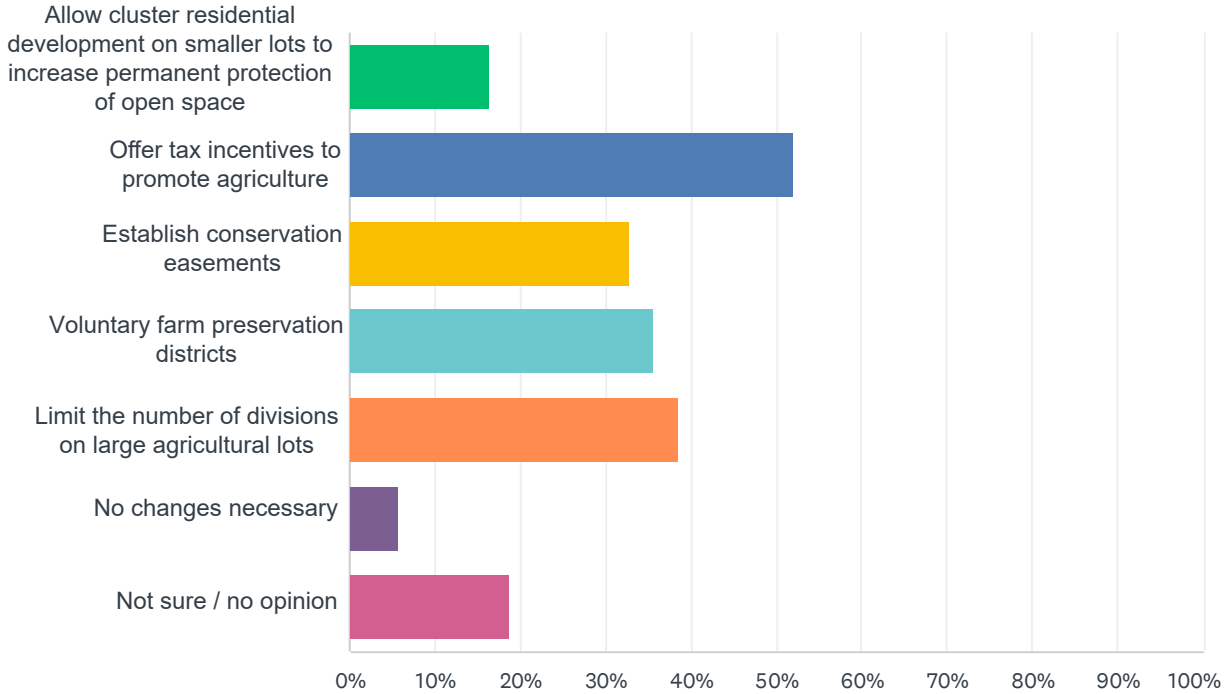
Answered: 180 Skipped: 28



ANSWER CHOICES	RESPONSES	
The minimum lot size should increase – this is too small for agricultural activity.	43.89%	79
The minimum lot size should decrease – this is too big.	3.33%	6
The minimum lot size should stay the same – this seems to be working well.	33.89%	61
Not sure / no opinion	18.89%	34
Total Respondents: 180		

**Q6 District Standards: Which of the following options would you support to maintain the character of rural and agricultural areas within Pittsylvania County? (Select all that apply):**

Answered: 171 Skipped: 37

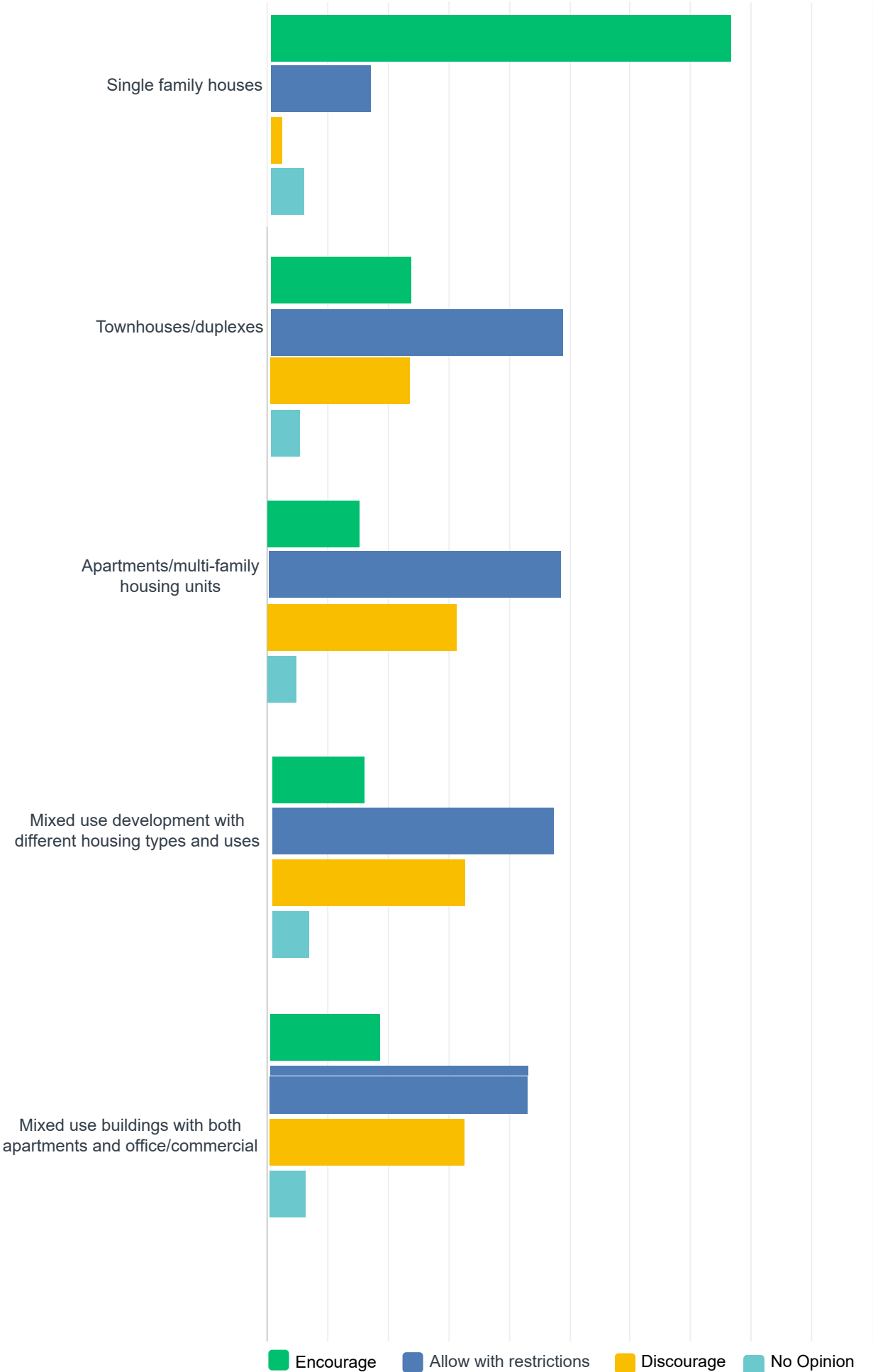


ANSWER CHOICES	RESPONSES	
Allow cluster residential development on smaller lots to increase permanent protection of open space	16.37%	28
Offer tax incentives to promote agriculture	52.05%	89
Establish conservation easements	32.75%	56
Voluntary farm preservation districts	35.67%	61
Limit the number of divisions on large agricultural lots	38.60%	66
No changes necessary	5.85%	10
Not sure / no opinion	18.71%	32
Total Respondents: 171		

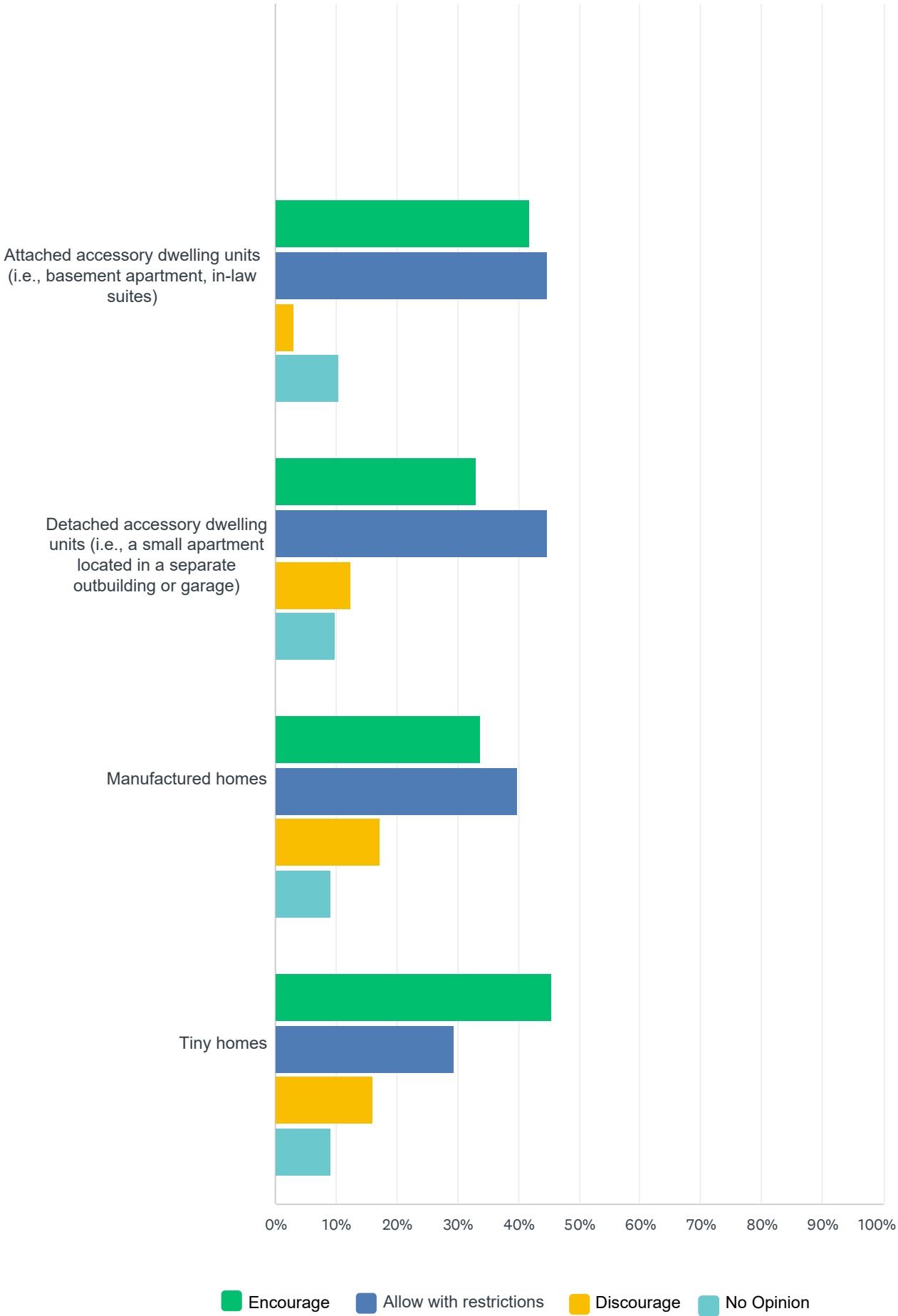
**Q7 Land Use: Would you encourage or discourage the following residential land uses in Pittsylvania County? Please explain any specific concerns in the comment section. (Check one for each):**

Answered: 163 Skipped: 45

# Pittsylvania County Zoning Ordinance Update Attachment C | Community Survey Results



Pittsylvania County Zoning Ordinance Update  
Attachment C | Community Survey Results



Pittsylvania County Zoning Ordinance Update  
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	ENCOURAGE	ALLOW WITH RESTRICTIONS	DISCOURAGE	NO OPINION	TOTAL
Single family houses	76.07% 124	16.56% 27	1.84% 3	5.52% 9	163
Townhouses / duplexes	23.31% 38	48.47% 79	23.31% 38	4.91% 8	163
Apartments / multi-family housing units	15.34% 25	48.47% 79	31.29% 51	4.91% 8	163
Mixed use development with different housing types and uses	15.34% 25	46.63% 76	31.90% 52	6.13% 10	163
Mixed use buildings with both apartments and office/commercial	18.40% 30	42.94% 70	32.52% 53	6.13% 10	163
Attached accessory dwelling units (i.e., basement apartment, in-law suites)	41.72% 68	44.79% 73	3.07% 5	10.43% 17	163
Detached accessory dwelling units (i.e., a small apartment located in a separate outbuilding or garage)	33.13% 54	44.79% 73	12.27% 20	9.82% 16	163
Manufactured homes	33.74% 55	39.88% 65	17.18% 28	9.20% 15	163
Tiny homes	45.40% 74	29.45% 48	15.95% 26	9.20% 15	163

#	COMMENTS:	DATE
1	Let people use the land as best suites their needs. Stay in your own lane.	9/2/2022 10:00 PM
2	Small number of similar dwellings grouped together would be acceptable; auxiliary add-on units may allow seniors to remain in their homes.	9/2/2022 1:49 PM
3	Sr housing needs to be encouraged due to increase of baby boomers. There is a huge need for this age group to,age in place with affordable housing options	9/2/2022 12:42 PM
4	Promote more single family dwellings.	9/2/2022 12:33 PM
5	The continued development of the solar farms are gastly, noisy and downright miserable. We need to preserve our farms and discourage their destruction.	9/2/2022 2:11 AM
6	Safety, security, & environmental issues should be of the utmost importance.	9/1/2022 10:52 PM
7	Let's keep it simple, use the land in the county to benefit the county's ecosystems. Do not use the land to benefit some boomers inherited wealth.	9/1/2022 10:03 PM
8	All housing should be available but with some restrictions	9/1/2022 9:51 PM
9	Campers, you should have the right to live in a camper if you have the proper amenities on site	9/1/2022 9:50 PM
10	As our parents age having the ability for a detached ADU in the "yard" could mean the difference in their quality of life and our quality of life.	9/1/2022 9:42 PM
11	Pittsylvania is a large county with many different areas, closer to Danville will have more need for all residential areas, towns will have different needs and the rural areas will be different all together.	8/20/2022 10:24 AM
12	Limiting the number of Townhomes & Apartments will help to keep crime and tax burdens down. Developers and investors tend to purchase the majority of these types of dwellings. Their interest is usually driven by rental income and not maintaining quality family atmosphere that Pittsylvania county is known for presently.	8/18/2022 2:13 PM
13	Pittsylvania County needs to be a welcoming county to various residential options due to the lack of available, affordable housing.	8/17/2022 3:29 PM
14	Residential is just that residential. There needs to be smart growth in these areas. There	8/17/2022 2:07 PM

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Pittsylvania County Zoning Ordinance Update  
Attachment C | Community Survey Results

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seems to be quite a bit of these types of dwellings on land zoned A1

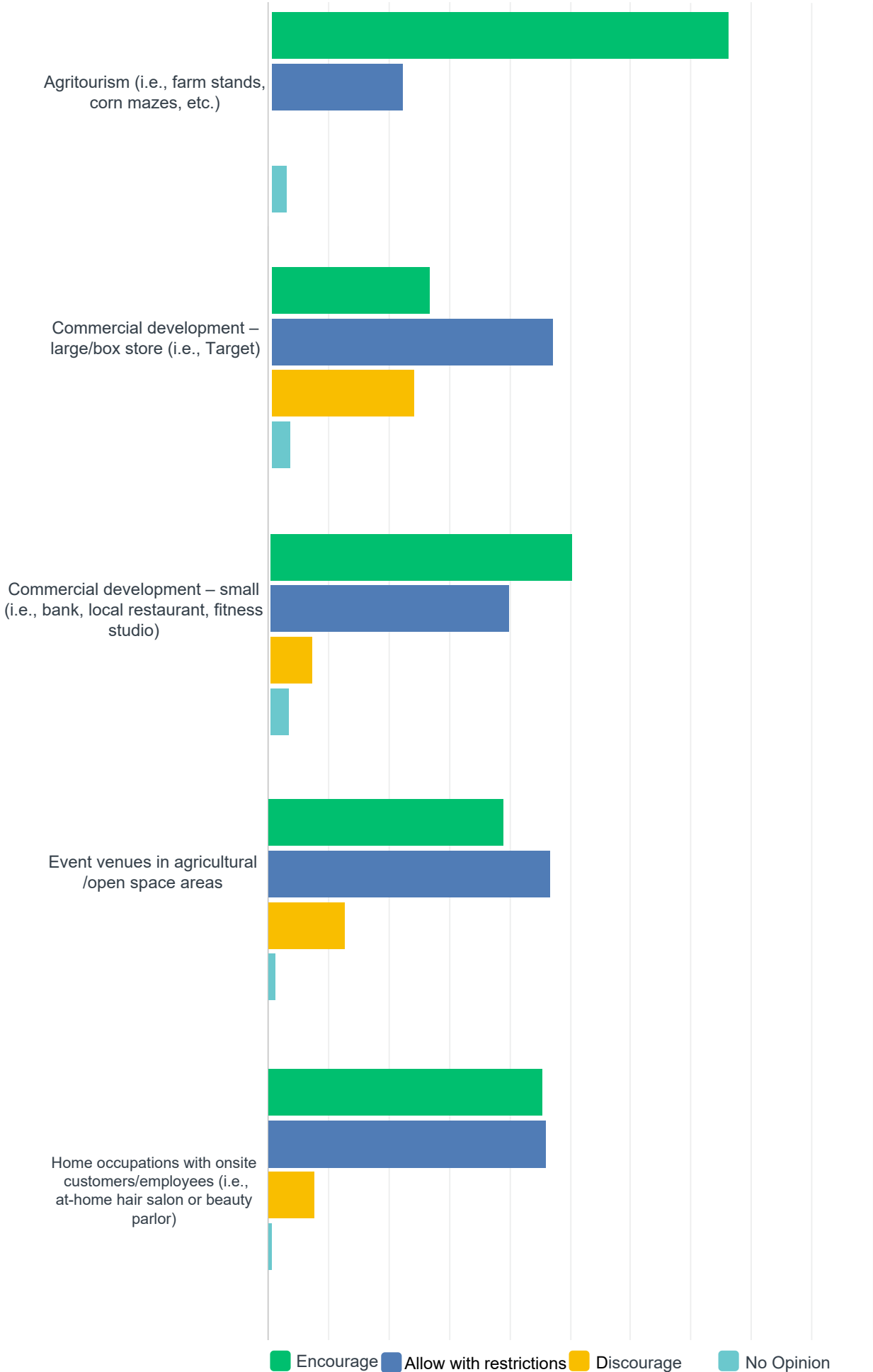
15	apartments, duplexes, etc encourage section 8. section 8 has ruined rental properties and priced 'little' individuals out of the rental market	8/10/2022 6:46 PM
16	I live in the country with no neighbors and it is wonderful. I do not want an apartment complex, duplex or anything along those lines anywhere near me. I do not want to go from 0 neighbors to 100. That's the whole point of living in the country! No neighbors and peace/quiet!	8/10/2022 9:02 AM
17	In today's environment if a person owns land and is trying to place a structure for living it should be allowed - some with restrictions - but person should not be denied the right to place an affordable structure on their property	8/10/2022 8:25 AM
18	My husband and I worked hard to have a nice house in a single family neighborhood. We do not support rezoning that would allow for multi family use or have an apartment building stuck in between houses. Concern would be traffic, noise and possible crime.	8/7/2022 4:35 PM
19	I would support development with townhouses/apartments IF there was a standard that a reasonable amount of undeveloped square footage be available per household for them to establish self-sufficiency through livestock or garden.	8/5/2022 11:53 AM
20	Balance per district, minimize restrictions as possible	8/5/2022 6:15 AM
21	The roadways in Pittsylvania County were fine when it was mainly farms but with additional building they've become more unsafe -especially true in areas near apartments, schools, industrial complexes & other areas with higher traffic. Single home dwellings are preferable to apartments as it helps retain the property values, the rural feel of the Count, improve the landscape & has less crime than in areas with large apartment buildings or complexes. While we need to encourage businesses & industry, we also need to improve our roads.	8/3/2022 1:02 PM
22	We need to discourage burning trash and debris in residential neighborhoods	8/3/2022 7:01 AM
23	Future population growth must allow more growth for dwellings, especially as the economy declines. low income housing facilities must be allowed. Slow growth of housing has caused a greater need for housing restrictions to be more accommodating to lower income population- to provide more housing. Everyone needs a place to live, not just those who are wealthy.	8/2/2022 4:32 PM
24	Encourage & reward those who protect our rural environment., e.g., homeowners with 1-5+ acres planting plants for endangered species and rare trees of VA should be encouraged & rewarded with property tax breaks - we do not want to lose what's left of our rural environment!	8/2/2022 12:52 PM
25	I think it's important to keep the rural character of the county while gradually increasing business development and investment. We have a huge amount of cheap, open land ripe for overdevelopment and abuse by exterior parties (to the county). While profit potential is the integral part of attracting investment, there are too many parties who will jump at the chance to make a buck here without any care or consideration for the county's culture or well-being.	8/2/2022 9:35 AM
26	Encourage rental properties to be built for tiny home use. Release restrictions on sheds for tiny homes! These make sense environmentally, as rentals, as a business or fully time residence!	8/1/2022 8:56 PM
27	Restrict residential areas from operating a business out of a home. Krysta Milam of Country Drive lets her cousin Michael Milam operate a fourwheeler shop out of her garage which is ridiculous. In our bylaws of when we bought our land and built our houses, their was a restriction where you are not supposed to operate a business our of our neighborhood. It makes it hard when you spent good money on a piece of land and house and you have noise from next door and trash that accumulates on your fence and their property rezoned so the garage is ",legal" but still so close to your property.	8/1/2022 7:36 PM
28	There needs to be more senior apartment housing. And more 55and over housing areas	8/1/2022 6:37 PM
29	I don't think there should be any restrictions regarding rv use on personal property	8/1/2022 4:41 PM

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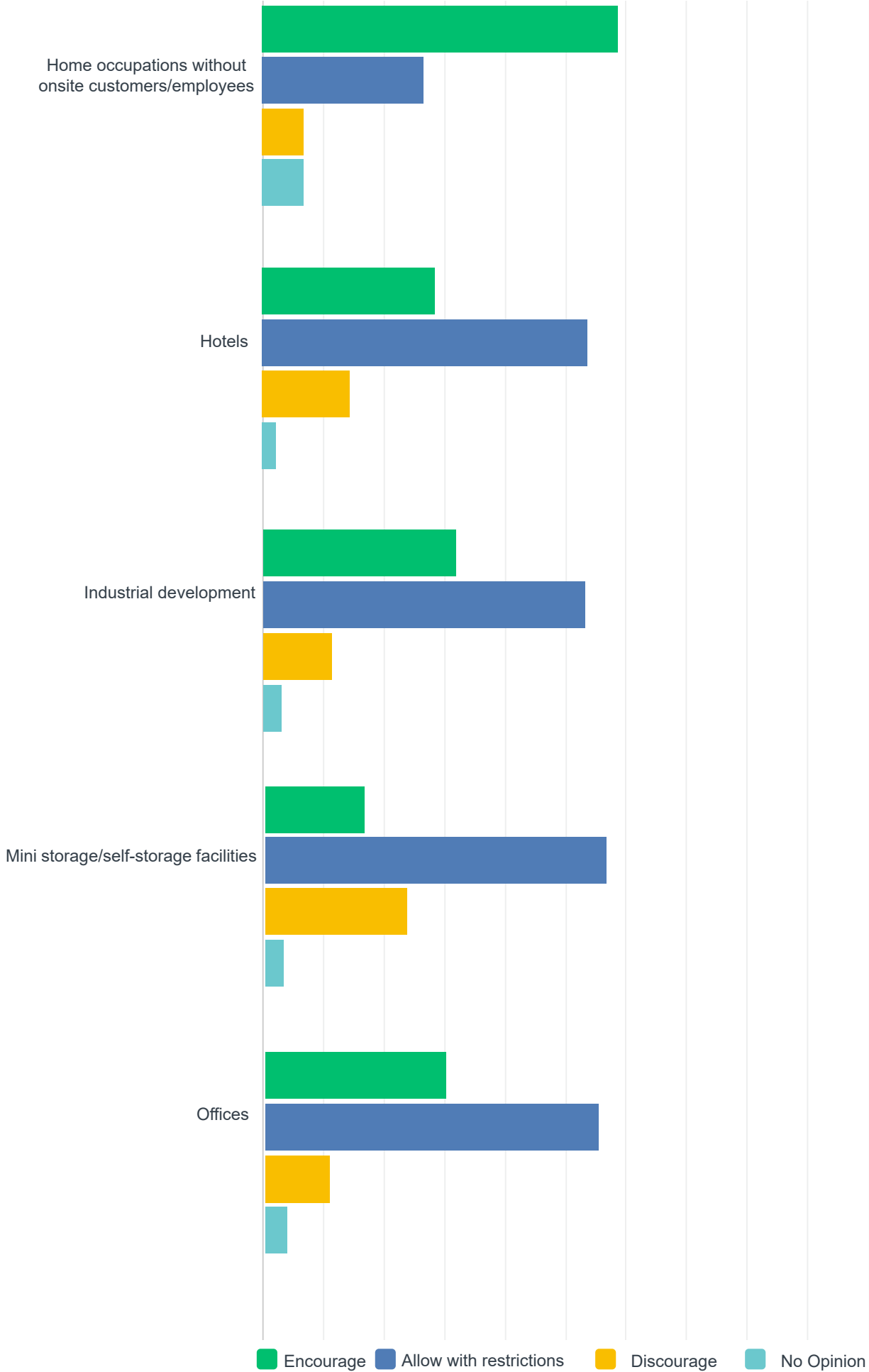
**Q8 Land Use: Would you encourage or discourage the following non-residential land uses in Pittsylvania County? Please explain any specific concerns in the comment section. (Check one for each):**

Answered: 156 Skipped: 52

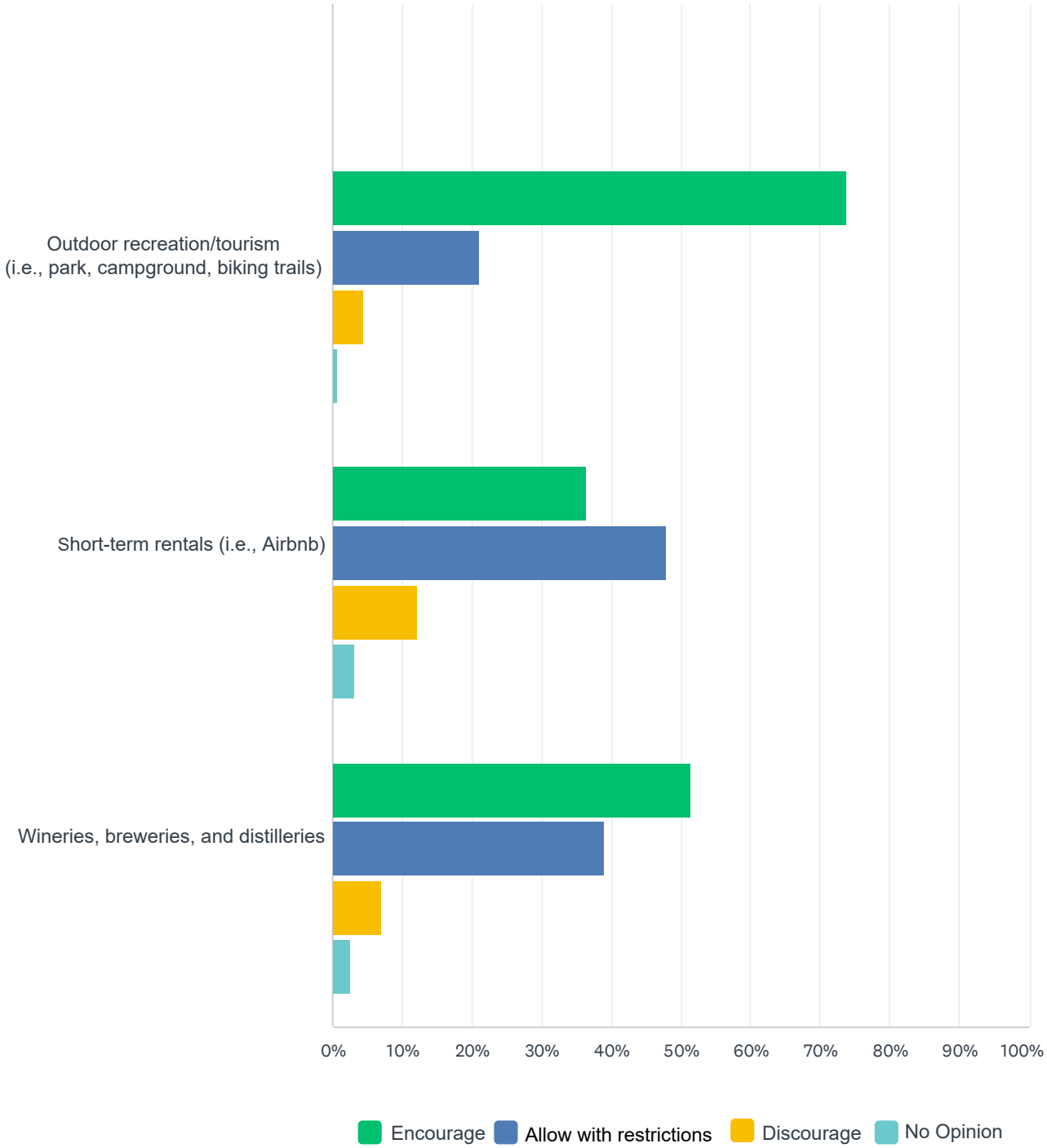
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	ENCOURAGE	ALLOW WITH RESTRICTIONS	DISCOURAGE	NO OPINION	TOTAL
Agritourism (i.e., farm stands, corn mazes, etc.)	75.64% 118	21.79% 34	0.00% 0	2.56% 4	156
Commercial development – large/box store (i.e., Target)	26.28% 41	46.79% 73	23.72% 37	3.21% 5	156
Commercial development – small (i.e., bank, local restaurant, fitness studio)	50.00% 78	39.74% 62	7.05% 11	3.21% 5	156
Event venues in agricultural/open space areas	39.10% 61	46.79% 73	12.82% 20	1.28% 2	156
Home occupations with onsite customers/employees (i.e., at-home hair salon or beauty parlor)	45.51% 71	46.15% 72	7.69% 12	0.64% 1	156
Home occupations without onsite customers/employees	58.97% 92	26.92% 42	7.05% 11	7.05% 11	156
Hotels	28.85% 45	53.85% 84	14.74% 23	2.56% 4	156
Industrial development	32.05% 50	53.21% 83	11.54% 18	3.21% 5	156
Mini storage / self-storage facilities	16.67% 26	56.41% 88	23.72% 37	3.21% 5	156
Offices	30.13% 47	55.13% 86	10.90% 17	3.85% 6	156
Outdoor recreation / tourism (i.e., park, campground, biking trails)	73.72% 115	21.15% 33	4.49% 7	0.64% 1	156
Short-term rentals (i.e., Airbnb)	36.54% 57	48.08% 75	12.18% 19	3.21% 5	156
Wineries, breweries, and distilleries	51.28% 80	39.10% 61	7.05% 11	2.56% 4	156

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#	COMMENTS:	DATE
1	Let people help support their lifestyle. If you want too live with HOA thats your choice.	9/2/2022 10:04 PM
2	Allow with restrictions - on main thoroughfares (i.e. 29, 58) or within town limits.	9/2/2022 1:55 PM
3	None	9/2/2022 12:35 PM
4	Individuals and companies need to take full responsibilities for their environmental impact as well as the safety and security of their site. Tax payers should NOT pay for these ventures.	9/1/2022 10:58 PM
5	I believe the county should grow economically, but not to the point where the county is overrun by Dollar Generals, Family Dollars etc. Let's grow as a county, but in ways that keep the county beautiful for its residents and tourist.	9/1/2022 10:06 PM
6	Need a Dispensary for Cannabis	9/1/2022 8:09 PM
7	Stop granting approvals for solar farms	9/1/2022 8:00 PM
8	Again I think different areas of the county will require and need different zoning planning	8/20/2022 10:26 AM
9	Be pro-business !!	8/17/2022 3:31 PM
10	keep the county (and the countryside) free of a large amount of commercial activity	8/10/2022 6:53 PM
11	More businesses in the County would increase tax revenue through sales tax, etc. We need this desperately in the County because now ALL the burden falls taxpayers.	8/10/2022 9:04 AM
12	No public garages in residential areas	8/10/2022 8:42 AM

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13	The county needs to encourage businesses that will bring revenue such as restaurants from people passing through - hotels basically do not exist in county.	8/10/2022 8:28 AM
14	Concern would be traffic with customers going in and out of home and commercial trucks parked everywhere.	8/7/2022 4:38 PM
15	Ensure the air quality and quality of living in our County isn't negatively affected by developers, businesses or industries—such as large scale pig farms, paper mills, etc which produces smelly gases/byproducts. Solar or wind farms without a plan to remove them at the end of their lifespan & renew the land they were built upon.	8/3/2022 1:12 PM
16	It's ashame we gave up on the Blue ridge rock festival. If Halifax county can make it work why couldn't we	8/3/2022 11:29 AM
17	Due to Covid and other diseases, home businesses are essential. The county doesn't need to make it difficult to operate by adding further ordinances or restrictions. Instead many restrictions and ordinances already in place should be relaxed or discontinued all together.	8/2/2022 4:51 PM
18	How about some descent bus service to/from Danville & its shopping areas & colleges? We desperately need to/from commuter rail service all the way to Washington DC, i.e., Danville to Gretna to Altavista to Lynchburg/DC and back! We DON'T need a casino! Gambling ushers in criminality and only encourages the weak-minded and those whose only aim is to take advantage of them; ultimately, it only adds to our welfare rolls; before long the county will be turned into a s__t hole. People love living rurally because it's quiet and beautiful, and a great place to raise kids -please don't pave over paradise with unthought thru junk. Encourage small businesses, HOME offices, not more vaping stores!	8/2/2022 1:32 PM
19	Outdoor Advertising should be allowed in commercial zones with reasonable restrictions to promote small businesses and events in and around the county.	8/2/2022 10:57 AM
20	There's already too much alcohol. Please consider allowing tiny homes, shed homes and the like! There are so many restrictions that we cannot use our property as we planned for income! That's why you move out of the city limits !	8/1/2022 8:59 PM
21	You can have whatever you want on non residential land. When you go against the bylaws in a restricted area as such as " Place in the Country" out in Ringgold , it is ridiculous. People trying out fourwheelers they have worked on in a resident's garage, is aggravating. Having to dodge people and put up with shop noise is ridiculous in the country.	8/1/2022 7:42 PM
22	Areas that are developed need to fit in with surrounding area with a uniform kind of style with parking, entrance on frontage roads, and landscaping	8/1/2022 6:41 PM

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Q9 Community Character: Below are four images of different parking lots. Rank the below images from least appropriate for Pittsylvania County to most appropriate for Pittsylvania County: (Select one ranking for each image):

Answered: 152 Skipped: 56

Parking Lot A



Parking Lot B



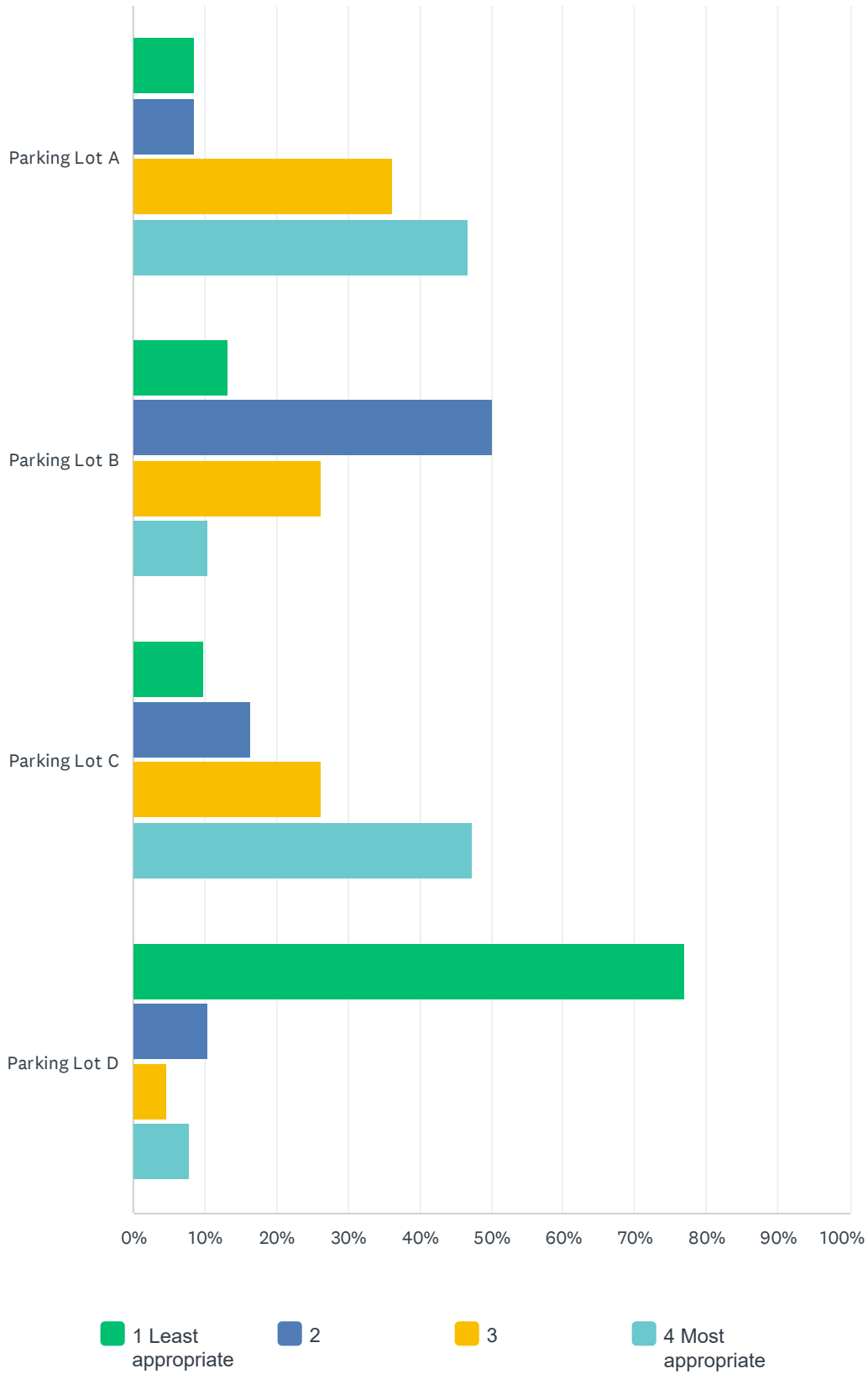
Parking Lot C



Parking Lot D



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	1 (LEAST APPROPRIATE)	2	3	4 (MOST APPROPRIATE)	TOTAL
Parking Lot A	8.55% 13	8.55% 13	36.18% 55	46.71% 71	152
Parking Lot B	13.16% 20	50.00% 76	26.32% 40	10.53% 16	152
Parking Lot C	9.87% 15	16.45% 25	26.32% 40	47.37% 72	152
Parking Lot D	76.97% 117	10.53% 16	4.61% 7	7.89% 12	152

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Q10 Community Character: Please explain why you ranked the parking lot images in the way you did.

Answered: 109 Skipped: 99

#	RESPONSES	DATE
1	Gravel lots are best for environment. Rain water can get into the ground and prevent flooding.	9/2/2022 10:08 PM
2	I like to see more vegetation and natural landscape to keep with the character and beauty of Virginia.	9/2/2022 9:47 PM
3	Size and appearance	9/2/2022 8:58 PM
4	Lot A allows more parking yet simple and easy to maintain and keep nice looking	9/2/2022 8:35 PM
5	Visual appeal	9/2/2022 7:50 PM
6	Parking lot C is the most appealing. Parking lot D is least appealing.	9/2/2022 6:44 PM
7	(A)Trees within the parking area provide oxygen & shade and are visually appealing; (B)trees on perimeter are second best; (C)too difficult to maneuver through; (D)no shade, stark and unattractive.	9/2/2022 2:01 PM
8	Parking lots with the most soil near it because God ain't making anymore land	9/2/2022 1:16 PM
9	Maximizing solar shading with trees and solar power canopies reduces heat retention, increasing water retention in smaller basins and green setback areas helps cooling, and customer sales will increase with these welcoming features. Electric vehicle charging stations can easily be added to solar canopies.	9/2/2022 1:06 PM
10	Parking lot C employs the use of green space within the design parking lot D has no designated parking spaces and lacks and visual appeal.	9/2/2022 12:52 PM
11	I prefer more green spaces.	9/2/2022 12:48 PM
12	I liked the parking lots with landscaping	9/2/2022 12:40 PM
13	Ranked by appearance.	9/2/2022 12:37 PM
14	A and C are the nicer of the 4 images, easy to get around and pay attention. Less accidents likely to happen, safer overall.	9/2/2022 12:27 PM
15	D is junk, B is less junk, C is meh, and A has pretty trees :)	9/2/2022 11:48 AM
16	Clean, paved, pretty and lined spaces	9/2/2022 11:15 AM
17	General appearance is neat.	9/2/2022 8:46 AM
18	If there has to be extra paved spaces I think that we should take the time to incorporate plants, especially natives, into developed places to help our native animals. I would love to see natives from places like American Meadows that helps pollinators and birds.	9/2/2022 7:41 AM
19	The more land space adds character and is visually appealing.	9/2/2022 7:12 AM
20	Parking lot C is beautiful but takes up extra space that may not be available	9/2/2022 6:27 AM
21	Nature and trees are essential to maintaining a rural appearance and appreciation, as well as assisting with nature preservation. Any parking lots should adhere to such.	9/2/2022 2:09 AM
22	The look and ease of a parking lot is key.	9/1/2022 11:35 PM
23	Appearance	9/1/2022 11:19 PM
24	Virginia is one of the most naturally beautiful states in the US. To keep it that way we need to minimize industrial encroachment not by keeping it out but by making sure there are clear	9/1/2022 11:05 PM

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natural buffers between parking lots businesses and public roads. We all have a obligation to keep Virginia both beautiful and fruitful.

25	cost and use of available space	9/1/2022 11:01 PM
26	Greenery is better	9/1/2022 10:45 PM
27	Green space, aesthetics	9/1/2022 10:31 PM
28	Looks	9/1/2022 10:15 PM
29	Curb Appeal 100% influenced my decision. Green and full of plants, we'll marked lines and an overall clean appearance makes parking lot C the best. Unfortunately parking lot D is more common amongst the county, and keeps getting worse. Money should be spent converting our county's parking lots to resemble C !	9/1/2022 10:10 PM
30	All parking lots should have vegetation and trees to lessen heat	9/1/2022 9:54 PM
31	Areas of landscaping made the lot less commercial. Trees in the islands are GREAT to park near on our hot summer days. Centra in Danville has amazing landscaping..and plants are my thing.	9/1/2022 9:47 PM
32	Picture can not be seen to tell anything	9/1/2022 9:43 PM
33	I like the look of the parking lot with trees and not a lot of things to go around loke in c.	9/1/2022 9:32 PM
34	Putting visual or physical obstructions in parking lots causes confusion and inhibits traffic flow. Coleman marketplace and Danville mall parking lots are unsafe and cause unnecessary bottleneaking of traffic in areas where people are already distracted.	9/1/2022 9:16 PM
35	Green space breaks up the heat island created by pavement and is better for storm water runoff control and treatment	9/1/2022 9:14 PM
36	Modest expectations for our rural county. No business should go bankrupt trying to build an "acceptable" parking lot	9/1/2022 9:10 PM
37	The appearance and possible wear and tare from use and weather conditions.	9/1/2022 9:07 PM
38	It was the way it was lay out	9/1/2022 8:55 PM
39	A and C incorporate landscaping that lends to the rural and park like appeal. They also appear well kept.	9/1/2022 8:49 PM
40	Least amount of nature destruction to most	9/1/2022 8:47 PM
41	Seems the best and safest order	9/1/2022 8:43 PM
42	Clean well maintained lots are most desirable	9/1/2022 8:42 PM
43	Because Parking lot A is very pleasing to the eye and keeps the county Nice. Parking lot D isn't pleasing to the eye.	9/1/2022 8:21 PM
44	Shade	9/1/2022 8:19 PM
45	If you require this expensive landscaped properties many small businesses couldn't afford to come to Pittsylvania County.	9/1/2022 8:16 PM
46	Use of green spaces and variety of plants (trees, shrubs, flowering etc. for diversity and pollinators). Easy to navigate and visually attractive.	9/1/2022 8:15 PM
47	Cause its ugly, why not just have beautiful grass/fields	9/1/2022 8:11 PM
48	Some were very run down with no visual appeal	9/1/2022 8:09 PM
49	Well maintained, clean	9/1/2022 8:01 PM
50	I like pulling through on parking places to drive straight out without backing up. I like trees.	9/1/2022 7:57 PM
51	Rual character	9/1/2022 7:56 PM
52	Appearance	9/1/2022 7:54 PM
53	I ranked in order of professional appearance.	9/1/2022 7:50 PM

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54	All four work and are adequate for parking.	9/1/2022 7:50 PM
55	A has appropriate green space, lighting and parking space B has a commercial look C has too much green space and waste of land use D looks third world awful	8/24/2022 8:20 AM
56	More pleasant looking ranked higher.	8/21/2022 2:04 AM
57	Less clutter but yet still looks nice to the establishment.	8/20/2022 6:30 PM
58	Appearances	8/20/2022 3:17 PM
59	I think it the type of business, amount of traffic and type of traffic has some bearing on the parking lot not just the aesthetics	8/20/2022 10:30 AM
60	A and c look better	8/19/2022 11:28 PM
61	more use of landscaping	8/19/2022 8:06 AM
62	Ease of traffic flow, safety of persons walking through parking area, pleasing aesthetically from street view.	8/18/2022 2:33 PM
63	aesthetically pleasing	8/17/2022 9:41 PM
64	Landscaping	8/17/2022 9:27 PM
65	Most were appealing in appearance	8/17/2022 8:42 PM
66	Clearly defined parking spots look better and help to manage vehicles.	8/17/2022 4:43 PM
67	Due to purely aesthetic reasons, however, this may not always be practical	8/17/2022 2:13 PM
68	Maximum green space and trees	8/17/2022 12:57 PM
69	lighting and most parking for area	8/17/2022 12:48 PM
70	Aesthetics and practically for A and C. D is unacceptable.	8/17/2022 12:48 PM
71	Esthetics	8/17/2022 12:44 PM
72	Lots of green space with buffers.	8/15/2022 7:50 PM
73	I think option A gives the best look without wasting space.	8/15/2022 7:10 PM
74	I believe that different locations in the county have different needs to maintain their character. The two that I rated highest seemed to fit best.	8/15/2022 1:16 PM
75	c - most eye appealing; b - hate the concrete "stops" at each parking place - trip hazard for many people; a - love the option of pulling in, backing in, pulling straight out, etc d - too stark	8/10/2022 6:58 PM
76	Encourage Stormwater management without being too much of a burden on businesses	8/10/2022 3:24 PM
77	It strikes a Balance between appearance and ease of use.	8/10/2022 1:00 PM
78	Visual appearance, amount of parking spots and adequate lighting.	8/10/2022 9:06 AM
79	How they look	8/10/2022 8:44 AM
80	Overall appearance and curb appeal	8/10/2022 8:30 AM
81	Trees are nice that don't take space but give shade to cars and area and easy to maneuver. Grassy area of C takes too much space needed for parking spaces which would require more area to be required for needed spaces.	8/8/2022 10:37 AM
82	Lots A and C are much more pleasing to look at than B and D	8/7/2022 4:40 PM
83	High traffic areas are seen by the most visitors and residents and parking/busy road appearance should be as pleasant to the eye as possible while keeping nature in mind	8/6/2022 2:37 PM
84	Any parking lot should have an appropriate amount of vegetation to provide a balance in the local ecosystem and encourage pollination.	8/5/2022 11:56 AM
85	Wasted parking. Excessive Landscaping is expensive	8/5/2022 6:19 AM
86	Parking lots with greenery & trees inside & around it with appropriate lighting are much more	8/3/2022 1:17 PM

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suitable than vast concrete lots or unkempt large blacktop lots.

87	Appealing within reason	8/3/2022 11:32 AM
88	Just the visual appeal	8/3/2022 10:58 AM
89	Each one needed a rank	8/3/2022 7:03 AM
90	They just look nicer	8/3/2022 6:37 AM
91	Green space and trees make parking lots more inviting, provide shade, and habitat for wildlife. The other 2 are unattractive and look poorly maintained	8/2/2022 9:06 PM
92	A for Available parking and being able to pull through, especially when pulling a trailer or driving long vehicle. C is second due to landscaping if parking is sufficient for customers. B is third but blocks pull thoughts, etc. D, gravel and unsaved should only be approved for short term parking events, or overload for limited number of customers or visitors	8/2/2022 5:00 PM
93	More open and appears to be wider	8/2/2022 3:21 PM
94	Favored trees and landscaping, both for tree cover and climate benefits and for aesthetics.	8/2/2022 2:11 PM
95	Appearance and functionality	8/2/2022 1:52 PM
96	Ascetic appearance	8/2/2022 12:01 PM
97	They should be appealing to the eye and have areas of vegetation in a rural setting such as Pittsylvania County.	8/2/2022 11:30 AM
98	Appeal and traffic flow	8/2/2022 11:01 AM
99	Localities go overboard with trees and landscaping requirements putting a burden on property owners	8/2/2022 11:00 AM
100	Appearance, maintenance	8/2/2022 10:45 AM
101	C - Paved, with interior and exterior landscaping.	8/2/2022 10:31 AM
102	If you are going to require a larger parking lot, it looks much more appealing if it's broken up into sections with surrounding landscaping, rather than one giant aircraft carrier asphalt rectangle. However, there are also businesses and situations where a simple (well maintained) gravel lot may be appropriate. Maybe a mom-and-pop store or an agricultural business for example. Regardless, I would hope the county would like to avoid the appearance that we just "paved over" everything in the name of business investment. We live in Pittsylvania County and not Northern VA for a reason 😊	8/2/2022 9:45 AM
103	Attractiveness, aesthetic value, and functionality.	8/1/2022 9:47 PM
104	Plenty of parking is essential to successful businesses. The dirt path is now good. The rest of fine.	8/1/2022 9:01 PM
105	Uuuuuu	8/1/2022 7:43 PM
106	Trees and green scape	8/1/2022 6:55 PM
107	More plantings not just a bare dirt parking lot. Looks better	8/1/2022 6:43 PM
108	Trees, grass, more attractive	8/1/2022 5:22 PM
109	Clearly marked spaces and shaded areas are important	8/1/2022 4:46 PM

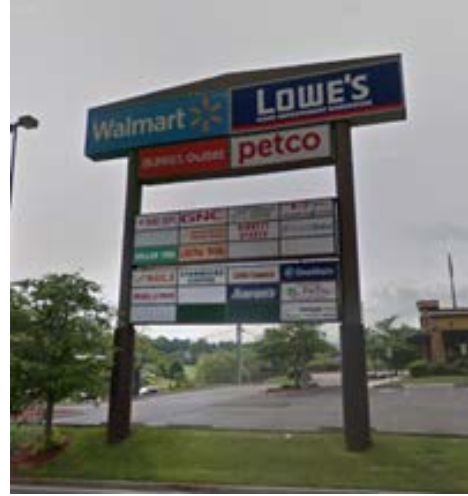
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Community Character: For Questions 11, 12 and 13 select the image from each pairing that looks the most appealing to you: (Select one image for each pairing):

Image 1

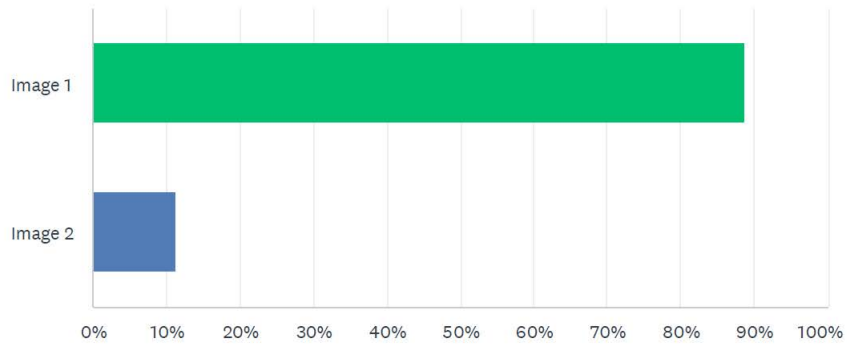


Image 2



Q11 PAIR #1

Answered: 151 Skipped: 57



ANSWER CHOICES	RESPONSES	
Image 1	88.74%	134
Image 2	11.26%	17
TOTAL		151

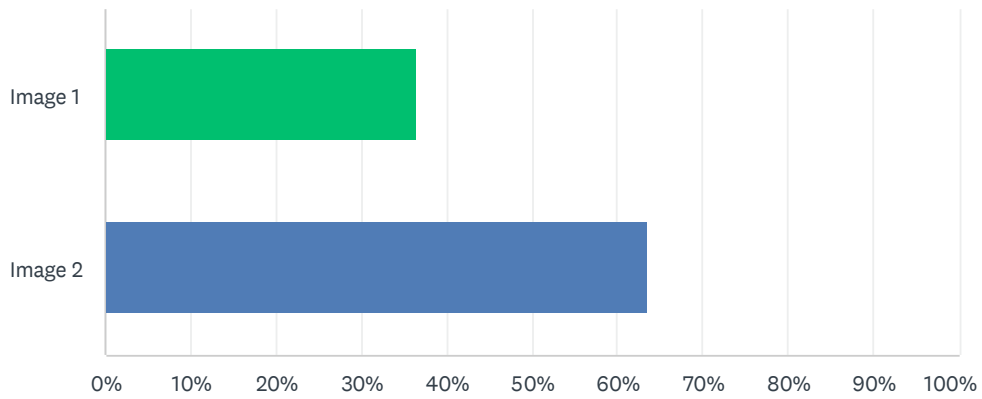
### Q12 PAIR #2

Answered: 151 Skipped: 57

Image 1



Image 2



ANSWER CHOICES	RESPONSES	
Image 1	36.42%	55
Image 2	63.58%	96
TOTAL		151

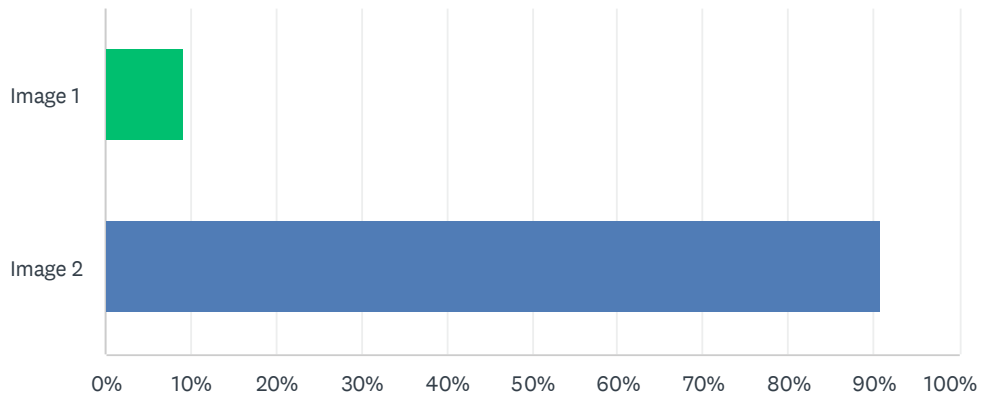
### Q13 PAIR #3

Answered: 151 Skipped: 57

Image 1



Image 2



ANSWER CHOICES	RESPONSES	
Image 1	9.27%	14
Image 2	90.73%	137
TOTAL		151

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Q14 Community Character: Please explain what appeals to you about the images you selected.

Answered: 113 Skipped: 95

#	RESPONSES	DATE
1	Sign are individually designed for each company let them draw the attention they need too promote their business. And out of voting signs.	9/2/2022 10:14 PM
2	Simple and low height, less city like	9/2/2022 9:48 PM
3	Overall size and clarity	9/2/2022 9:00 PM
4	Nicely spaced, visible sign that are neat and organized	9/2/2022 8:36 PM
5	Not trashy	9/2/2022 7:51 PM
6	They look more professional	9/2/2022 6:49 PM
7	Uncluttered	9/2/2022 2:02 PM
8	Brick signs look more tasteful and too many advertising signs look tacky	9/2/2022 1:17 PM
9	Quality signage and at lower heights keep eyes focused on traffic and pedestrians, and visual blight.	9/2/2022 1:16 PM
10	The signs are attractive and not distracting. A field full of political signs is distracting and normally remains long after an election is over.	9/2/2022 12:54 PM
11	Uncluttered appeals to me the most	9/2/2022 12:49 PM
12	Not too many signs but clear signs you can easily see while driving	9/2/2022 12:41 PM
13	Keep signage small and uncluttered.	9/2/2022 12:40 PM
14	Nice and clean look, able to read each	9/2/2022 12:27 PM
15	Looks classier to have things less cluttered. Sets us apart from others - reminds me of that pretty town outside of Greensboro: Oak Ridge has a classy vibe	9/2/2022 11:49 AM
16	Clean, not cluttered and not so in-your-face.	9/2/2022 11:16 AM
17	More orderly and residential appearance	9/2/2022 8:48 AM
18	I like the more modest and natural look.	9/2/2022 7:44 AM
19	Simple is better	9/2/2022 7:13 AM
20	Less clutter, easy to understand	9/2/2022 6:28 AM
21	Simplicity and class. The images I selected portray as close as the survey allowed for such.	9/2/2022 2:10 AM
22	The other images were too busy.	9/1/2022 11:37 PM
23	Appearance! Neatness cleanliness	9/1/2022 11:20 PM
24	Laws need to be in place to make the person or business responsible to remove all temporary signs as well as any harm that comes from them. I have seen far too many of those signs end up in road ways or tangled around lawnmowers.	9/1/2022 11:10 PM
25	Simple and clean	9/1/2022 10:45 PM
26	Aesthetics	9/1/2022 10:31 PM
27	Looks better	9/1/2022 10:17 PM
28	Once again Curb Appeal ! These images I selected give off the persona that the people in the	9/1/2022 10:12 PM

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area care about where they live.

29	Neater appearance	9/1/2022 10:01 PM
30	With internet the political signs are a thing of the past they should not be allowed anywhere	9/1/2022 9:57 PM
31	Signage was smaller and more tasteful preserving the rural feel of the county.	9/1/2022 9:49 PM
32	I like the low impact sinage for retail. I like all the political signs. People should have the right to have there sign out there, and not be limited.	9/1/2022 9:34 PM
33	Keep signage up high so sightlines aren't obstructed. Safer for traffic flow and better for people to be able to see businesses etc. Political campaign signs are ugly whether there are 1 or 1000.	9/1/2022 9:19 PM
34	The overall look of the sign for the shopping center, where you'll drive in to find the smaller stores, but the fast food type signs need to be more visible since they have individual entrances. I don't think candidate signs matter that much since they're temporary.	9/1/2022 9:18 PM
35	Visibility	9/1/2022 9:11 PM
36	The design	9/1/2022 9:08 PM
37	How they was low to the ground and easy to read	9/1/2022 8:56 PM
38	They are neat and tidy and not distracting .	9/1/2022 8:53 PM
39	Less intrusion is better	9/1/2022 8:48 PM
40	The neatness of the signs	9/1/2022 8:44 PM
41	Neatness and clean lines is best for signage. Political signs should be about education and everyone having a voice and a choice no limits.	9/1/2022 8:44 PM
42	Very clean look	9/1/2022 8:22 PM
43	Not cluttered	9/1/2022 8:21 PM
44	Easy to see but not too bold.	9/1/2022 8:19 PM
45	They look the cleanest and most presentable for a small town	9/1/2022 8:18 PM
46	Signage is tasteful and less obtrusive	9/1/2022 8:16 PM
47	They images i clicked look better	9/1/2022 8:12 PM
48	Less is more	9/1/2022 8:09 PM
49	Less commercial feel, has an aesthetic seen in more upscale areas	9/1/2022 8:02 PM
50	I like the less crowded look.	9/1/2022 7:58 PM
51	Personal preference	9/1/2022 7:57 PM
52	Less is more	9/1/2022 7:55 PM
53	I don't understand the question here. All are appropriate depending on the location.	9/1/2022 7:54 PM
54	Clear and simple to understand	8/24/2022 8:21 AM
55	Nicer looking without clutter	8/21/2022 2:06 AM
56	Organized and well maintained	8/20/2022 6:31 PM
57	Can see better.	8/20/2022 4:23 PM
58	Signs need to serve the purpose of letting the consumer know how to get to a business without being gawdy. Nothing is more frustrating than driving trough an area, Google says there is a certain place to eat and you can find it on the map but need a sign to get you to the parking lot and its a sign about the size of a hub cap	8/20/2022 10:35 AM
59	Less clutter, minimal, clean look.	8/19/2022 11:29 PM
60	signage in one central spot	8/19/2022 8:08 AM

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61	other communities have rules whereby signs have to be less obtrusive and combined in one area, we should do that	8/18/2022 3:35 PM
62	Gives businesses adequate signage without undo costs for an elaborate display that is not in line with area. Also the temporary signage should be limited in quantity because of looks and litter from blowing around not pickup as trash.	8/18/2022 2:47 PM
63	Pair A is less obtrusive, pair C is simply free speech	8/18/2022 8:40 AM
64	less clutter is best	8/17/2022 9:42 PM
65	Smaller and less busy look	8/17/2022 9:28 PM
66	to much clutter, hard to look for a business you are looking for	8/17/2022 8:44 PM
67	I chose the images most organized and readable.	8/17/2022 3:35 PM
68	purely aesthetic reasons, however, it may not be the most practical	8/17/2022 2:15 PM
69	Less clutter, lower signage, less light pollution	8/17/2022 1:00 PM
70	#1 most stores with less signage #2 easier to see when driving #3 less cluttered	8/17/2022 12:51 PM
71	no comment	8/17/2022 12:51 PM
72	Low signage No yard signs clustered	8/17/2022 12:45 PM
73	Neatest	8/17/2022 12:45 PM
74	Less is more.	8/15/2022 7:51 PM
75	I favor clean, usable signage without a lot of clutter.	8/15/2022 7:12 PM
76	I believe that the images that I choose would maintain the rural feel of the county.	8/15/2022 1:17 PM
77	#1 - less busy - easier to read #2 can see the business from a distance #3 looks messy, driver distraction	8/10/2022 7:01 PM
78	Signs should be orderly	8/10/2022 3:25 PM
79	None	8/10/2022 1:56 PM
80	Less clutter	8/10/2022 1:32 PM
81	Less clutter but sometimes all low store signs can dangerously block visibility	8/10/2022 1:02 PM
82	Easy to read. Some images are too "busy" and overwhelming.	8/10/2022 9:07 AM
83	Less cumbersome	8/10/2022 8:45 AM
84	Simple to see and understand	8/10/2022 8:32 AM
85	Signs should not be close to ground which obstructs traffic view. Campaign signs should be removed within 48 hours of election. One campaign sign per candidate.	8/8/2022 10:45 AM
86	11 and 12 are much neater to look at and 13 much less messy looking.	8/7/2022 4:42 PM
87	Clean and neat	8/6/2022 2:38 PM
88	There is no need for fancy signs at plazas, or restrictions for political marketing.	8/5/2022 11:58 AM
89	Zoning departments lean more Commie every day	8/5/2022 6:21 AM
90	Very tall or multiple varied signs are unsightly. The signs I selected were more visually appealing to me & would give a more upscale feel to businesses or areas yet still advertise their business, etc.	8/3/2022 1:20 PM
91	Less is more	8/3/2022 10:58 AM
92	Looks nicer	8/3/2022 6:38 AM
93	I selected images that looked more refined and up to date. Political signage is an eyesore and should be required to be removed within 48 after polls close, with a per sign, monetary penalty for the landowner AND all persons/organizations shown on the signage	8/2/2022 9:09 PM

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94	Loss clutter ans chaos	8/2/2022 5:11 PM
95	More information displayed, at accommodating height for fist two. Third pic is to busy.	8/2/2022 5:08 PM
96	looks neat	8/2/2022 3:22 PM
97	Simplicity. Easier on the eyes. Easier to take in information - not too much information. Less dangerous distraction.	8/2/2022 2:13 PM
98	Cleanliness and order	8/2/2022 1:53 PM
99	I hate McDonalds, but the simplicity of the sign works well; those who live in the community either have good taste or they do not - choices for selection are highly manipulative - the most repulsive or most expensive for taxpayers.	8/2/2022 1:47 PM
100	Less cluttered. The county doesn't need any eyesores.	8/2/2022 11:32 AM
101	Signs are meant to assist the driving public in located a business therefore should be seen easily. Localities that require a monument style signs then require trees and landscaping the developer has not choice but to block the sign. Less trees and landscaping is better	8/2/2022 11:03 AM
102	Less congestion	8/2/2022 11:02 AM
103	Appearance	8/2/2022 10:46 AM
104	Low profile.....shows what is available but does not disturb the overall landscape.	8/2/2022 10:32 AM
105	Avoids clutter and a "skyline" that is nothing but signs on poles. People have GPS now. If they want to go to Walmart, they don't need a house-sized sign 40 ft in the air to find it. I think Hilton Head has a similar good idea to avoid excessive signage, but admittedly, they take it too far to the extreme where you can't find some places WITHOUT a GPS maps.	8/2/2022 9:52 AM
106	neat, height restricted	8/1/2022 10:07 PM
107	They are neat with less clutter and chaos. More professional and higher curb appeal.	8/1/2022 9:48 PM
108	1. Looks just fine. People need clear signs to show directions. 2. as 1. People need signs. 3. Political signs are fine as Long as they're cleaned up quickly. 4. Fine to use signs- just clean them up quickly.	8/1/2022 9:06 PM
109	Less is better. Some were classier	8/1/2022 7:43 PM
110	Keep it it toned down !!!	8/1/2022 6:57 PM
111	Less is more. Not a hodgepoge. Political signs should be removed after elections. Many weeks are past last election and old signs still out on road ways. Looks bad with all the signs politicians and businesses put out that become projectile during storms.	8/1/2022 6:47 PM
112	Less obtrusive	8/1/2022 5:24 PM
113	Higher signs make it easier to see for drivers. Too many signs in 1 area is a distraction to divers.	8/1/2022 4:48 PM

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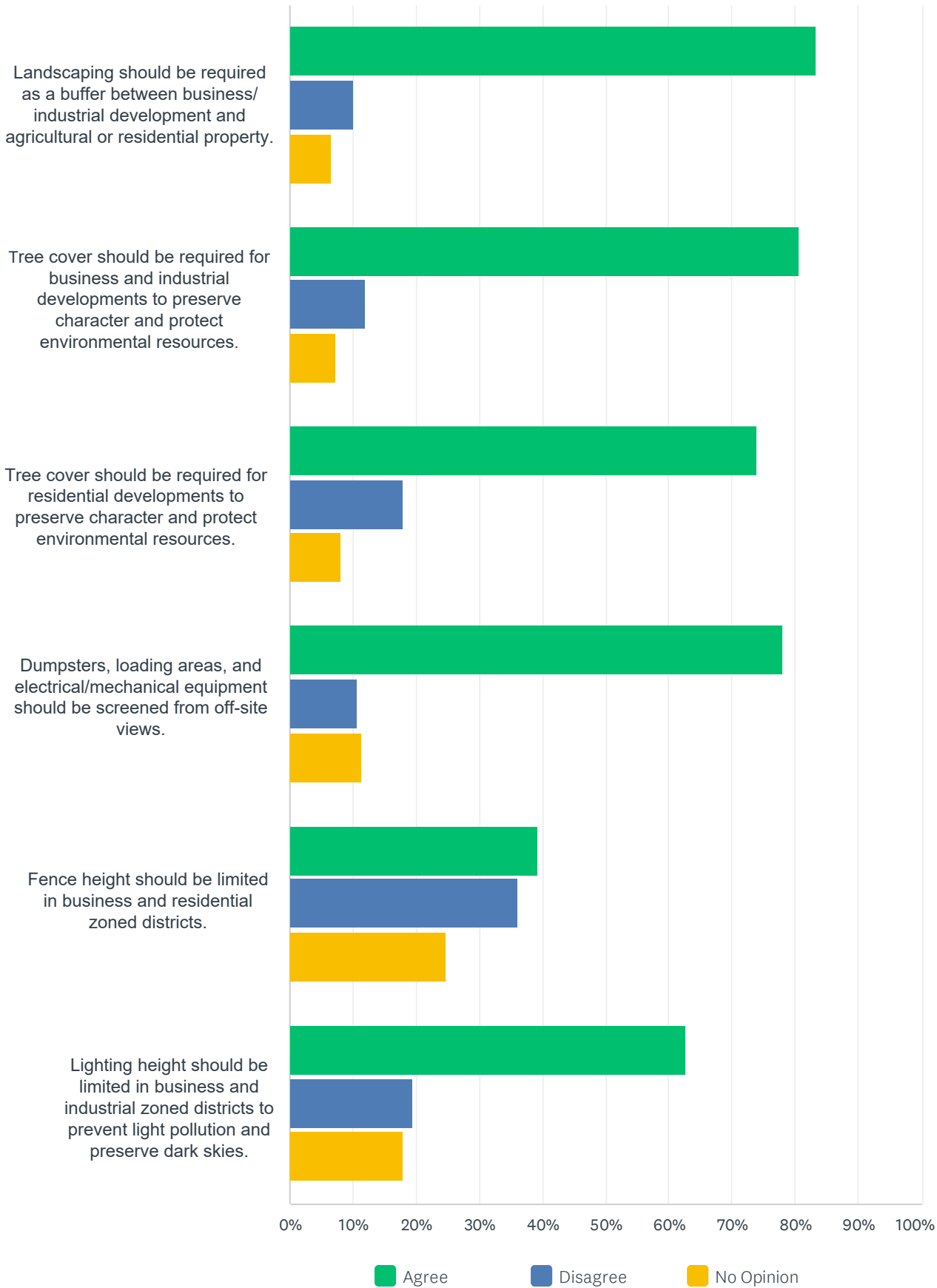
Q15 Community Character: Would you agree or disagree with the following design statements?  
(Check one for each):

Answered: 150 Skipped: 58

Please see next page

# Pittsylvania County Zoning Ordinance Update

## Attachment C | Community Survey Results



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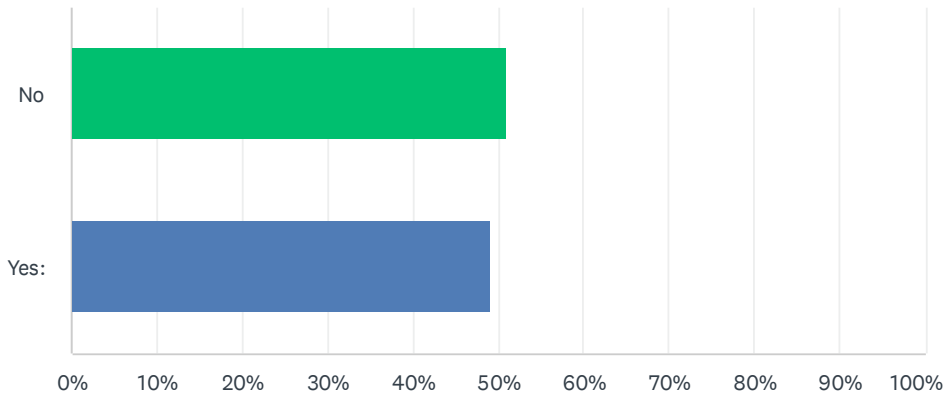
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	AGREE	DISAGREE	NO OPINION	TOTAL
Landscaping should be required as a buffer between business/industrial development and agricultural or residential property.	83.33% 125	10.00% 15	6.67% 10	150
Tree cover should be required for business and industrial developments to preserve character and protect environmental resources.	80.67% 121	12.00% 18	7.33% 11	150
Tree cover should be required for residential developments to preserve character and protect environmental resources.	74.00% 111	18.00% 27	8.00% 12	150
Dumpsters, loading areas, and electrical/mechanical equipment should be screened from off-site views.	78.00% 117	10.67% 16	11.33% 17	150
Fence height should be limited in business and residential zoned districts.	39.33% 59	36.00% 54	24.67% 37	150
Lighting height should be limited in business and industrial zoned districts to prevent light pollution and preserve dark skies.	62.67% 94	19.33% 29	18.00% 27	150

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Q16 Are there any other topics that have not been addressed that you would like to identify, or do you have any general comments or suggestions? If yes, please identify in the comments.

Answered: 149 Skipped: 59



ANSWER CHOICES	RESPONSES
No	51.01% 76
Yes:	48.99% 73
Total Respondents: 149	

#	YES:	DATE
1	I do not want to have a mobile home park or camper park in my area	9/2/2022 10:28 PM
2	Let people use their land as they see fit. Before you cause a burden or financial hardship. Be kind, it take a while for trees too grow too hide things.	9/2/2022 10:25 PM
3	Residential abandoned property or no yard maintenance	9/2/2022 9:06 PM
4	We as citizens moved to the county to have peace, space and enjoy our property without major restrictions, disruption, HOA etc. If we wanted to be in a busy, high traffic area we would've stayed in the city. With the last 15 years many residents have moved from the city limits for these reason and we do not want them bringing g the very situations they left with them to the county.	9/2/2022 8:40 PM
5	Listen to the residents before rubber stamping rezoning	9/2/2022 7:53 PM
6	We do not need any more solar farms.	9/2/2022 2:04 PM
7	Proposals that cause or result in spot zoning need to be stopped at an administrator level. Notifications to larger areas and distances to encourage public participation will result in less environmental impacts and better developments. Comprehensive planning and documentation must be accessible to all without restrictions, democracy and public participation suffers when FOIA requests are denied to out of state residents.	9/2/2022 1:38 PM
8	The county needs more safe places for residents to park and walk or ride bikes; parks and playgrounds for families to enjoy as well as encourage physical activity	9/2/2022 12:52 PM
9	Irrelevant but...the last question reminded me of the horrible lights at the middle school across the street at Tunstall Middle School. Light pollution and does not preserve the area - shut down the lights, put up a gate and keep the trespassers off the property after dark.	9/2/2022 11:52 AM

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10	I feel like it is a shame to have wasted so much usable farm land in Climax for a solar farm. No more land is being made, but plenty of people have room on their roof to have added enough solar panels to help out their individual households. Even if the solar farm is moved now that land can no longer be usable as farm land, and if someone attempts to farm it it will not produce to the level that it once had or it will have to undergo major work to add in the organic material that was stripped away. If solar is going to be the next big thing then individuals should be approached about putting them on their roof or somewhere in their yard as to not use up farm land, and there is the ability to plant things like natives around it so it would not be wasted space.	9/2/2022 7:52 AM
11	Improve water quality!!!!	9/2/2022 2:47 AM
12	The impact on Wildlife needs to be factored in as well. Barriers lighting and absolutely NO use of outside poisons.	9/1/2022 11:14 PM
13	I'm sure this isn't the first time you've heard this, but I will say my piece. Stop with the solar panels! Not only are they eye sores, but I along with many other county residents hate that the land is being used this way. Let's invest this land in ways that benefit residents of the county along with preserving the environment.	9/1/2022 10:16 PM
14	The number of animals Should limited based in acreage especially where houses are close together in a A-1 agricultural area	9/1/2022 10:04 PM
15	Our county needs to grow and develop of course, but often people move here BECAUSE our area feels like a "Mayberry". The county also needs to be mindful of the citizens that live on these family farms, barely getting by. That population needs to continue to be allowed to place singlewides or doublewides on a corner of the farm, it may be the only way the can live on their own. ADUs and tiny houses could also help keep younger populations from moving out of the county to live in apartments. We need to be better at the regulations re solar farms, they look awful, Climax is ruined. There should have been a larger setback and a landscape plan to try to preserve the natural beauty. That's goal with everything, allow growth but preserve natural beauty and the rural way of life.	9/1/2022 10:02 PM
16	Please bring in more family entertainment	9/1/2022 9:59 PM
17	Allow people to temporarily live in campers while building a house	9/1/2022 9:56 PM
18	Less regulation always leads to greater prosperity.	9/1/2022 9:22 PM
19	The dark night sky is very important. It's one of the reasons we chose to live in the northern part of the county. But even some agricultural uses are overlit and obscure the night sky. I would love to see some lighting controls on businesses as well as a guess.	9/1/2022 9:22 PM
20	The county road ways need to be addressed. The roads need widening to accommodate large vehicles that share the roads and better means to enhance the property.	9/1/2022 9:13 PM
21	Not necessarily related to zoning, but I would appreciate a leash law or something similar for domestic animals. Dogs running at large in the county is a particular issue. They approach us on our own land aggressively.	9/1/2022 8:20 PM
22	Need a Cannabis Dispensary, ABC stores are everywhere, Cannabis is safer than alcohol	9/1/2022 8:14 PM
23	No more solar farms	9/1/2022 8:03 PM
24	Junk should not be allowed in county residential areas. Our neighbor's yard looks like a junk yard.	9/1/2022 8:00 PM
25	There should be no limit on inoperable vehicles in residential areas	9/1/2022 7:59 PM
26	More trash sites or eliminate the trash fee.	9/1/2022 7:57 PM
27	Your zoning ordinance regarding staying overnight in a camper on private land is overly intrusive	9/1/2022 7:57 PM
28	mobile homes should be limited to one per acreage tract	8/24/2022 8:23 AM
29	If you are building a home on your property in the county and you own at least 10 acres or more, you should be able to live in a fully contained camper or RV for a set out of time on your property to get your house completed.	8/21/2022 2:13 AM
30	Residential areas should No be trashy looking	8/20/2022 4:26 PM

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31	Agriculture/farmers should be allowed to do what is needed to protect and ensure their livelihood is not impacted by new regulations and bureaucratic nonsense that keeps them from working their land. If they cannot turn a profit our green spaces will go away. Leave the farmers alone. Industrial development should not be allowed to expand into residential areas. Solar farms should not be seen by nearby residents. Increased buffers and more stringent regulations regarding sustainability and pollution. This county MUST require every panel to be recycled and not landfilled in our county! This includes BOTH landfills!! Put the residents health safety and well-being first. Stop putting the dollar first. Common sense ordinances. DO NOT BURDEN residents with lawn mowing ordinances! (As danville city does) county residents owning more than one lot would be mowing continuously. Rural residents are in the county for the enjoyment of nature. Do not turn it into a metropolitan area or continue to allow industrial sprawl ruining residents quiet communities with noise, air, water, and other polluting activities. This county has two mega dumps, there needs to be an ordinance stating there will be NO more expanding or establishment of landfills! We need more recycling and less landfilling! People don't want to live/raise a family next to these filthy dumps!	8/19/2022 11:55 PM
32	CPTED DESIGN REQUIREMENTS FOR GOVT AND SCHOOL BUILDINGS	8/19/2022 8:09 AM
33	The county should work on protecting the rural character, and natural, historic, and scenic resources of the county, and help the county's economy grow through tourism. Some of the historic themes that are specific to Pittsylvania County include Tobacco heritage, historic Mills, Prehistoric sites, African American History, Rural Churches, Railroad History, Revolutionary War, some Civil War history, 18th century structures, early Log homes and vernacular houses (Early Settlers), Courthouses, Rural stores, "Lost" towns, and Landscapes in general. Pittsylvania County has so many historic resources to offer, but few people (even locals) are aware of them because they have not been promoted and marketed in any official countywide way. The historical societies and museums do great jobs, but as volunteer organizations they can only do so much. We need an official survey of historic sites in the county. The county could have signage at sites and brochures that link them to a driving tour; the use of funding to stabilize buildings, Heritage training and workshops, Oral History Project, etc. Heritage tourism is a way to support, enhance and market a region's distinctive and authentic culture. Tourism studies show that heritage tourists travel more often, stay longer and spend more. It creates jobs and business opportunities. Heritage tourism has an additional benefit of helping to protect historic resources, which can in turn promote community pride and improve the quality of life for local residents. Tourism in general helps local communities develop a more sustainable economy. In a place like Virginia- a state with so much rich history- it is inconceivable to me that every locality does not have some type of tourism program with a big part dedicated to heritage tourism. Eco tourism, also geology-based tourism. Preservation VA/ VCU's Center for Urban and Regional Analysis on the benefits of heritage tourism: <a href="https://cura.vcu.edu/media/cura/pdfs/cura-documents/HeritageTourism_FINALE_02-16-17.pdf">https://cura.vcu.edu/media/cura/pdfs/cura-documents/HeritageTourism_FINALE_02-16-17.pdf</a>	8/18/2022 3:49 PM
34	If a property is actively in use for agricultural purposes will it remain in A-1 status or will it still be subject to the Zoning Ordinance changes? Changes will affect tax implications making it even more difficult to survive in farming in Pittsylvania County.	8/18/2022 3:03 PM
35	limitations on mobile home parks	8/18/2022 8:42 AM
36	Solar farms do not need to be woven throughout a residential area and need greater setbacks and foliage buffers.	8/17/2022 9:31 PM
37	Please consider getting rid of or greatly reducing parking minimums if they are currently in use. They waste valuable space for future development.	8/17/2022 4:46 PM
38	Detailed discussions on solar farms requirements.	8/17/2022 3:38 PM
39	I was not satisfied with a lot of my answers. It all depends on the situation. I think most private individuals, or at home businesses should be able to reasonably due what they want with the land they payed for. Businesses are a little different. There are exceptions to everything	8/17/2022 2:19 PM
40	Minimum lot size for well and septic should be one acre or more.	8/17/2022 1:09 PM
41	Solar farms are an eyesore and should be limited and not visible from residential areas. Not in most agricultural communities.	8/17/2022 12:55 PM
42	No section 8 housing	8/17/2022 12:46 PM

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43	Specific lots sizes where wells, septic systems, and setbacks encroaching on adjacent land owners needs addressing.	8/15/2022 7:55 PM
44	I think that zoning regulations should allow for more flexibility in land use related to residential and agricultural. Large residential lots should be (greater than two acres) should allow for detached Accessory Dwelling Units. I also believe that large residential properties (greater than 3 acres) should be more easily changed to agricultural.	8/15/2022 1:29 PM
45	Need to encourage more housing and mixture of affordable and workforce housing	8/10/2022 3:26 PM
46	Allowing these damn solar farms without proper notice to the public	8/10/2022 2:00 PM
47	My sub-division has rules. At the beginning you said all zoning rules would be rewritten. Does that mean out with all the old?	8/10/2022 11:04 AM
48	As stated before, this County desperately needs revenue from businesses! Hotels, car dealerships, Wal-Mart, restaurants, etc.	8/10/2022 9:10 AM
49	Solar farms are a hot topic right now- need to insure companies are made responsible for cleanups at time of decommissioning	8/10/2022 8:37 AM
50	No unreasonable setbacks. Farms should be exempt And farming should be encouraged in county no matter the size of acreage. Spreading of manure and biosolids should be permitted and discouraged near water sources, wells etc or before rain is predicted.	8/8/2022 10:58 AM
51	I feel the county should look at allowing a special use permit to allow people to live in a RV or camper during the construction or repair of a home. This permit should have time limits and the property would need to have water and a way to remove the waste. This could be done by the drain field or a tank. Currently you are not allowed to live in an RV or camper, this permit would only allow this during the construction or the repairs of your current home. After the occupancy permit is issued for the home under construction, the special use permit allowing you to live in the RV or Camper would expire. This type of special use permit would be good for one year and would require an inspection to make sure utilities, water, and wastewater are correct and meets code.	8/8/2022 8:20 AM
52	A rezoning law to not allow activity such as target shooting in neighborhoods where the houses are close together. No one should be allowed to target shoot 100 ft from an occupied dwelling.	8/7/2022 4:47 PM
53	The no sleeping in a camper/rv for any reason ordinance is excessively prohibitive. Full time living in an RV is against the law in most places and that's fine. It's a good law as the vehicles aren't designed for full time use. But not allowing someone to sleep in an rv while using their land as a weekend recreational/hunting property really makes zero sense. Especially when zoning states you can primitive camp all over the property anywhere you want. This needs to be addressed. It's economically prohibitive and reduces recreational land value compared to surrounding counties.	8/6/2022 2:47 PM
54	Specific development limitations on new jail locations and to prevent certain government development on private lands in rural areas.	8/5/2022 8:27 AM
55	Slow down on solar farms	8/4/2022 10:54 PM
56	Although I agree that restrictions must be made to preserve safety, air quality, etc-I think restrictions, especially on agricultural land or individual residential land must be limited so as to protect the homeowner's and land owner's rights as well. A delicate balance must be maintained. Also, consideration for safety on our secondary roads must be a priority when considering new industry, businesses or developments. Whereas I agree a business/apartment dumpsters should be protected from view—the County's dumpsters should be able to be viewed by traffic for safety considerations. Lighting in all areas must be sufficient for safety - more units if lower poles permitted due to light pollution, etc.	8/3/2022 1:31 PM
57	People in residential developments should not burn debris and trash	8/3/2022 7:06 AM
58	Solar farms are destroying our beautiful farm and natural areas. They are an eyesore	8/2/2022 5:13 PM
59	Address distinctions between types of industry. Address including subsidized residences in new developments. Address need for local regulations to protect county residents in areas proposed for state and federal approved projects. For example, the current ordinance says projects approved by the Federal Energy Regulatory Commission are exempt from the Pittsylvania County zoning ordinance - as if eminent domain authority overrides local	8/2/2022 2:26 PM

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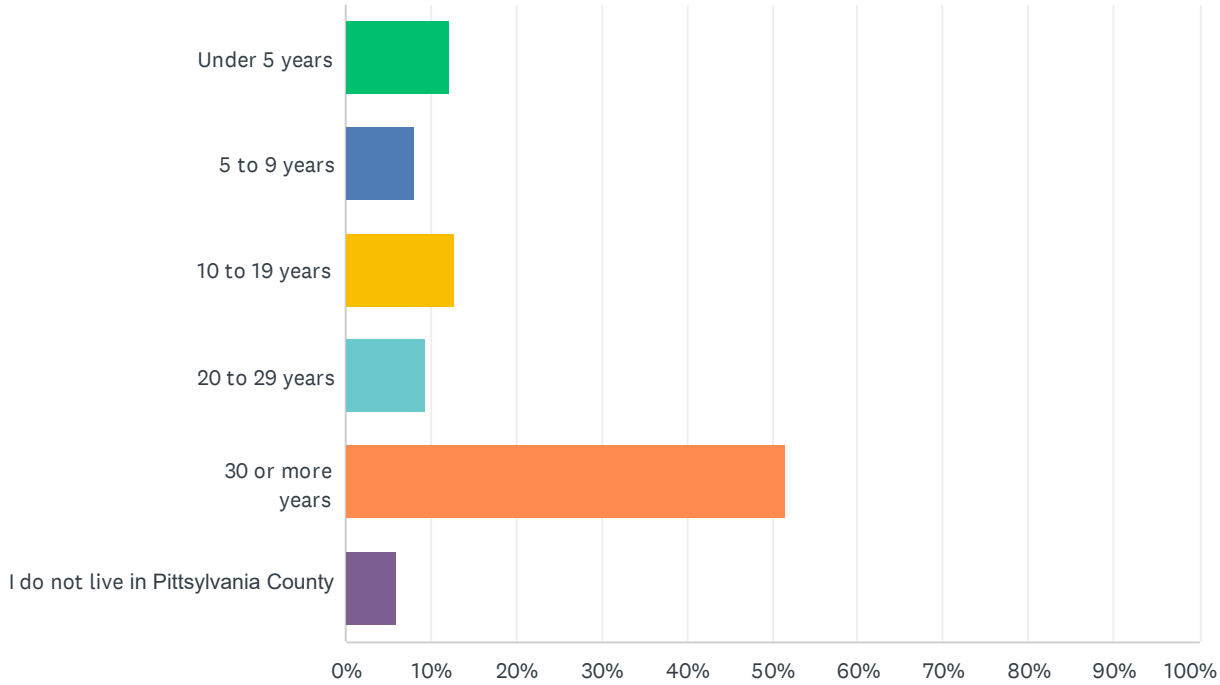
regulatory authority. State and federal project approvals often depend on compliance with local land use ordinances; they do not automatically override local government regulations.

60	The ugliness and obscenity of solar farms, and how rural areas are being destroyed.	8/2/2022 1:56 PM
61	Survey was not well thought out.	8/2/2022 1:50 PM
62	We need to slow down the solar farming a bit.	8/2/2022 12:53 PM
63	The county needs guidelines for special use permits. For growth as residential and commercial property owners the county needs restrictions in place to allow for positive growth. Small businesses drive our county and we need to support that.	8/2/2022 11:38 AM
64	For new addresses, property access shall be considered, for emergency services.	8/2/2022 11:10 AM
65	The less government interference !!!!!	8/2/2022 11:05 AM
66	In my experience Pittsylvania County at some time in the past wrongly zoned many areas of the County as residential when they are obviously agricultural.	8/2/2022 10:50 AM
67	Will this ordinance address the maintenance of private property (abandoned/non-registered vehicles, height of grass/weeds, etc) or will the County require an additional ordinance?	8/2/2022 10:35 AM
68	I feel that the primary reason people like living in Pittsylvania Co is the wide open feel and the removal from the "hustle and bustle". There does need to be future investment to make our communities more "vibrant" and apoealing. However, I feel that we need to develop in a controlled, restricted manner and in a smart and gradual way, with the focus always being on incremental improvements that maintain our rural amd close-knit community identity. We can become a better Pittsylvania County with more to offer both residents and visitors without selling out and eventually becoming a miniature NOVA☺ - Mark Johnston Dry Fork, VA	8/2/2022 9:59 AM
69	If box stores build and later go out of business or move, they should be required to demolish the old facility and return the land to a natural state if they cannot secure a tenant within 6-9 months. The same should apply to all major commercial development to include fast food franchises, supermarket chains, automobile dealerships, etc.	8/1/2022 9:52 PM
70	County property should automatically be agricultural! That's The whole point of living in the county.	8/1/2022 9:08 PM
71	Residential communities should be done as residential	8/1/2022 7:46 PM
72	We need our board to take a hard look at solar farms , we need to preserve our heritage as an agricultural county . The mentality that if you own it you should be able to do what you want with is not a legitimate argument . The truth is , your rights end , when you intrude on my rights . Thank you . John gibson	8/1/2022 7:02 PM
73	Danville and other towns are not appealing to me. Discourages me from shopping,eating or playing in these towns	8/1/2022 6:49 PM

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Q17 If you are a resident of Pittsylvania County, how long have you lived in the County? (Choose one):

Answered: 149 Skipped: 59



ANSWER CHOICES	RESPONSES	
Under 5 years	12.08%	18
5 to 9 years	8.05%	12
10 to 19 years	12.75%	19
20 to 29 years	9.40%	14
30 or more years	51.68%	77
I do not live in Pittsylvania County	6.04%	9
Total Respondents: 149		

Attachment: Attachment C - Public Engagement Summary (3415 : Zoning Ordinance Update Presentation)

## Proposed Table of Contents

The following general organization is proposed for the updated Zoning Ordinance:

### Article I – General Provisions

- Division 1. Enactment and Authority
- Division 2. Ordinance Conflicts and Interpretation
- Division 3. Zoning Districts Map
- Division 4. Transition of Regulations after Adoption

### Article II – Administration

- Division 1. Zoning Administrator
- Division 2. Planning Commission
- Division 3. Board of Zoning Appeals
- Division 4. Enforcement
- Division 5. Fees
- Division 6. Taxes and Expenses Paid

### Article III – Permits and Applications

- Division 1. In General
- Division 2. Zoning Text and Map Amendments
- Division 3. Conditional Zoning and Proffers
- Division 4. Special Use Permits
- Division 5. Variances
- Division 6. Site Plans
- Division 7. Zoning Permits
- Division 8. Certificates of Occupancy
- Division 9. Written Determinations
- Division 10. Appeals
- Division 11. Public Hearings and Notifications

### Article IV – Primary Zoning Districts

- Division 1. Establishment and Purpose
- Division 2. General District Standards
- Division 3. Exemptions and Encroachments
- Division 4. Agricultural Districts Dimensional Standards
- Division 5. Residential Districts Dimensional Standards
- Division 6. Commercial Districts Dimensional Standards
- Division 7. Industrial Districts Dimensional Standards
- Division 8. Planned Development Dimensional Standards
- Division 9. Conservation Districts Dimensional Standards

### Article V – Overlay Zoning Districts

- Division 1. Establishment and Purpose
- Division 2. Lake Surface Overlay District
- Division 3. Floodplain Overlay District
- Division 4. Airport Overlay District

### Article VI – Use Matrix

- Division 1. General
- Division 2. Use Table

### Article VII – Use Performance Standards

- Division 1. General
- Division 2. Agricultural Use Standards
- Division 3. Residential Use Standards
- Division 4. Public/Civic/Recreational Use Standards
- Division 5. Business Use Standards
- Division 6. Industrial Use Standards
- Division 7. Miscellaneous Use Standards

**Article VIII – Community Design Standards**

- Division 1. General
- Division 2. Lighting
- Division 3. Landscaping and Screening
- Division 4. Walls and Fences
- Division 5. Parking and Loading
- Division 6. Signs
- Division 7. Open Space

**Article IX – Nonconforming Uses, Lots, and Structures**

- Division 1. General
- Division 2. Nonconforming Uses
- Division 3. Nonconforming Lots of Record
- Division 4. Nonconforming Structures, Buildings, and Improvements
- Division 5. Repairs and Maintenance

**Article X – Definitions**

- Division 1. Word Usage
- Division 2. Definitions





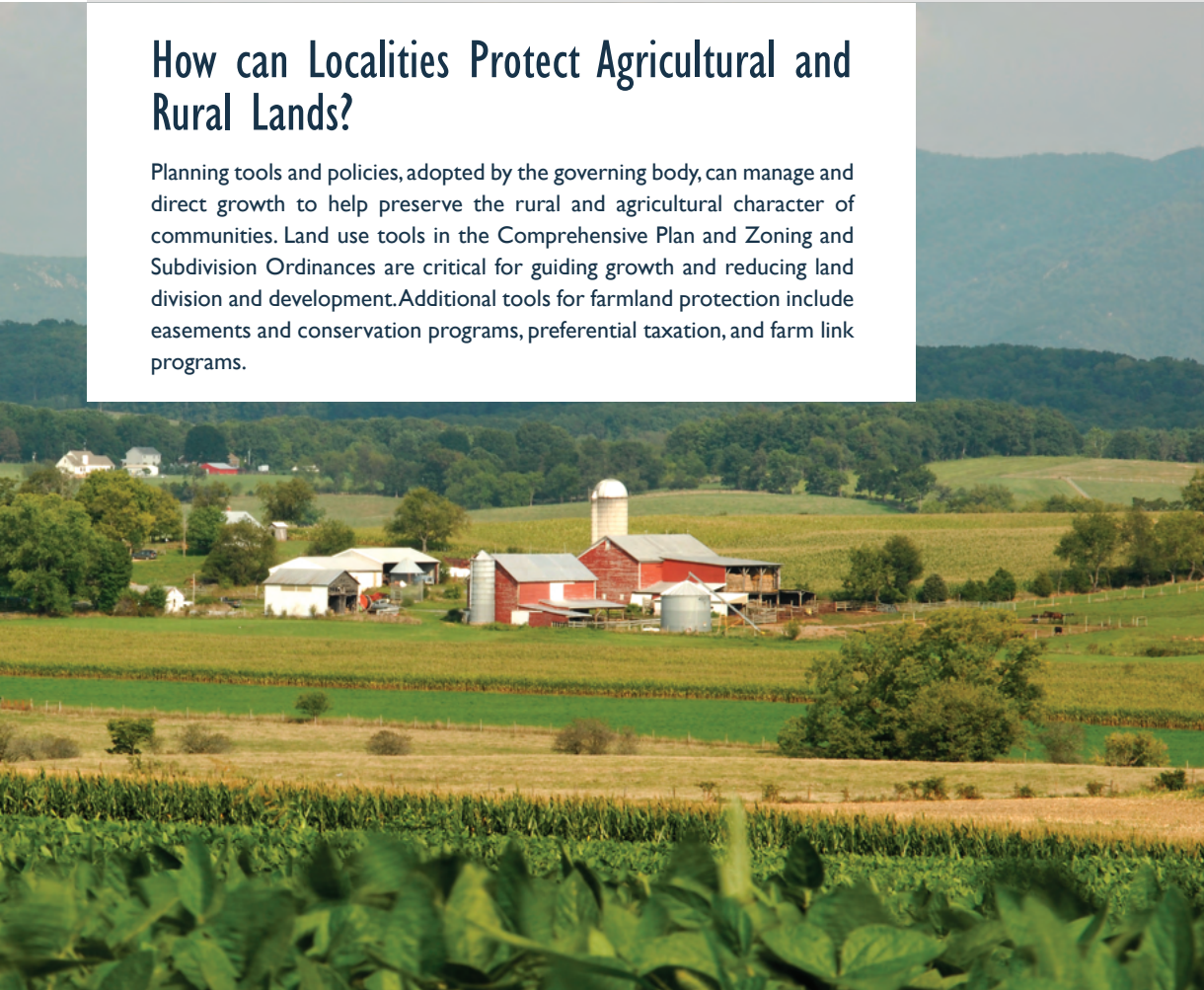
## Why Protect Agricultural and Rural Lands?

Communities have a significant interest in ensuring sustainable, productive agricultural and forestal lands. Productive working lands provide our nation's food supply and contribute to many public benefits, including environmental quality, wildlife habitat, open space, and community character. Yet, farm and forest lands face significant risk from development pressure, severe weather, and industry shifts. Virginia has one of the highest rates of agricultural land conversion in the US. According to the American Farmland Trust, 340,000 acres of agricultural land in Virginia were converted to urban/highly developed and low density residential land uses between 2001-2016<sup>1</sup>.

<sup>1</sup> <https://farmlandinfo.org/statistics/virginia-statistics/>

## How can Localities Protect Agricultural and Rural Lands?

Planning tools and policies, adopted by the governing body, can manage and direct growth to help preserve the rural and agricultural character of communities. Land use tools in the Comprehensive Plan and Zoning and Subdivision Ordinances are critical for guiding growth and reducing land division and development. Additional tools for farmland protection include easements and conservation programs, preferential taxation, and farm link programs.



### Solutions for Rural Preservation



Conservation Easements



Land Use Taxation



Farm Link Programs



Land Use Planning Tools

## Land Use Planning Tools For Rural Preservation

### Comprehensive Plan

Comprehensive Plans set the stage for regulations. Strategies that are included in a Comprehensive Plan can be the first steps in taking action for protecting farmland.

### Zoning Ordinance

Zoning Ordinances are a place to supply specific regulations that can prevent or promote development in specific ways. Regulatory measures used in zoning ordinances to preserve or retain farmland include district use limitations, density allowances, and development standards.

### Subdivision Ordinance

The regulations of Subdivision Ordinances vary from locality to locality, but the purpose is to assure orderly division with appropriate improvements.

Attachment: Agriculture Rural Preservation Guide Compressed (3415 : Zoning Ordinance Update Presentation)



## Solutions for Rural Preservation Beyond Land Use Tools

### Conservation Easements

Virginia Code § 10.1-1009 allows any locality or land trust to purchase, or accept donation of, development rights and hold a conservation easement for periods of five years to perpetuity. Whether purchased or donated, the landowner retains use of the land, and the easements and restrictions convey if the property is sold.

#### Purchase of Development Rights (PDR):

A PDR is a conservation easement purchased by a willing buyer from a willing seller (enabled under Virginia Code § 15.2-1800). Funding for PDR's are typically provided through a locality, state agencies such as DCR and USDA, and regional agencies such as electric cooperatives and environmental councils. Purchase price is established by appraisals or a local easement valuation system, typically based on the difference between the value of the land as restricted versus highest/best use. PDRs specific to agriculture are sometimes called Purchase of Agricultural Conservation Easements (PACE) and may consider soil quality, threat of development, and future agricultural viability.

#### Donation of Development Rights:

Property owners may also voluntarily place an easement on their property, without compensation. Some conservation easement donations can provide the landowner with tax incentives and tax breaks.

#### Other Programs:

Additional conservation easement programs like Agriculture Conservation Easement Program (ACEP), Agriculture Land Easements (ALE), Virginia Outdoor Foundation (VOF), and Ducks Unlimited (DU) are available; each is administered by different agencies or entities and have separate conditions and types of protection.

### Farm Link Program

Farm Link programs connect buyers with landowners who wish sell their property but want their land to stay in agriculture. Virginia, the Virginia Department of Agriculture and Consumer Services (VDACS) operates the program. Established by Virginia Code § 3.2-202, the program features a database that connects retiring farmers with emerging or expanding farmers who are seeking new properties for production.

### Land Use Taxation

Virginia Code § 58.1-3231 allows localities, by ordinance, to grant preferential tax treatment to agricultural and forest lands. A locality may choose to tax the following land uses on use value, rather than market value: agriculture, horticulture, forestal, and/or open space. Land Use Taxation reduces the tax burden for farmers to help encourage the economic viability of agriculture.

Taxpayers owning property that meets the qualifications may enter the program under one or more land use categories. Taxpayers must provide proof of the land status/eligibility and meet acreage requirements. Agricultural and horticultural use assessment requires 5+ acres; forestal use assessment requires 20+ acres; and open space use assessment is reserved for certain historical, recreational, or park lands.



## Solutions for Rural Preservation Through Land Use Tools

### Comprehensive Plan

The Comprehensive Plan is a long-range planning policy that guides a locality's development, zoning, and capital improvement decisions. The Comprehensive Plan should identify the desired location, type, and intensity of development, including areas where prime farmland and rural land uses will be preserved. The Plan can identify appropriate areas for utility extensions to guide growth and provide criteria for intensive land uses (e.g., solar), conservation easements, and transfer of development rights programs. The Plan can also be used to evaluate and prioritize other strategies in this guide.

### Subdivision Ordinance

Subdivision Ordinances ensure orderly division of land with appropriate improvements. In rural areas, subdivision ordinances typically include provisions for cluster development and farm divisions – which allow for deviations from traditional development standards under specific circumstances.

### Zoning Ordinance

Zoning Ordinances regulate the use and development of land. Zoning requirements to preserve farmland and rural character include district standards, use limitations, density allowances, and design standards.



## Zoning and Subdivision Tools for Rural Preservation

### District Standards

District standards can be used to further farmland and forest protection. The most common provisions include *minimum* lot standards (size, width, frontage, and building setbacks) and *maximum* lot coverage.

#### Large Lot Zoning:

Large lot agricultural zoning is commonly used to protect farmland from conversion to residential and commercial uses. Large lot zoning is simple to administer and helps slow growth and protect rural character. Minimum acreages vary by locality, often dependent on development pressures and community expectations. To be effective, research shows a minimum of 20+ acres is needed. Smaller lot sizes (5-10 acres) are more likely to yield low-density residential estates versus productive farms.

#### Density Allowances:

Area-based allowances assign development rights based on the size of the existing, or “parent,” tract. Two types of area-based allowances are Fixed Area and Sliding Scale.

- Fixed Area allowances set a specific number of dwellings that are allowed based on the size of the parent tract (e.g., one dwelling for every 25 acres of the original tract).
- Sliding Scale allowances determine the number of lots that may be subdivided from a parcel at a variable rate based on the size of the parent tract. As the size of a parcel increases, the number of dwellings allowed in relation to the total farm area decreases (e.g., a 10-acre parcel might be allowed development rights or one dwelling unit, while a 40-acre farm might be allowed development rights for three dwelling units).

Density allowances are more effective in preserving land for productive agriculture, while allowing smaller lot sizes for residential development. They also require additional administrative recordkeeping to determine when landowners reach their limit of permitted dwellings.

### Use and Performance Standards

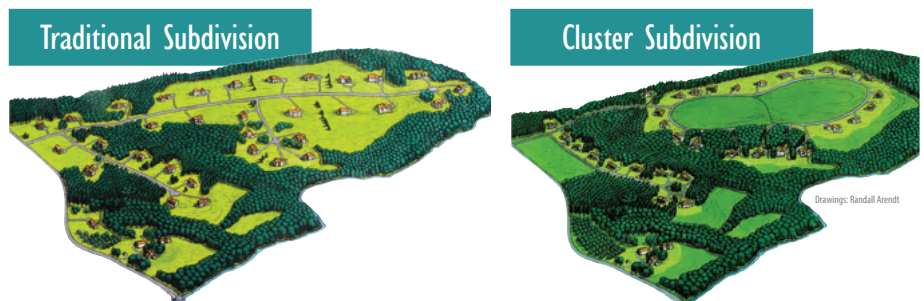
Restricting uses in agriculture or rural districts can help limit conversion of rural land nonagricultural uses. Agriculture districts should allow profitable agriculture operations, with becoming a “catch-all” district for miscellaneous uses. Conditional use permits and performance standards can be required for uses that would negatively impact rural character. Standards can limit the size and extent of non-ag uses; require additional setbacks, screening, a landscaping; and regulate lighting, noise, and signage – among other standards.



### Cluster Development

Cluster development, or conservation development, is designed with smaller lot sizes, group dwellings, and preserved open space. Rural character is maintained through buffers along property lines and preserved open vistas.

Cluster development is a required provision, per Virginia Code § 15.2-2286.1, for localities with a growth rate of 10%+ over the last ten years; all other localities may voluntarily include cluster provisions. Localities may dictate minimum open space requirements by ordinance. In Virginia, minimum open space is typically 40-70% of the total development. As an incentive, cluster provisions may allow for greater density than allowed by-right for traditional development.







## Zoning and Subdivision Tools for Rural Preservation

### Agricultural and Forestal Districts (AFDs)

Virginia Code § 15.2-4405 authorizes localities to create Agricultural and Forestal Districts (AFDs). AFDs are established at the request of a landowner who owns at least 200 acres of contiguous land. To establish an AFD, a locality's ordinance must include provisions to create AFD's, along with appointment of an advisory committee. Following the advisory committee's recommendation that the proposed district be created, the Planning Commission and local governing body hold public hearings prior to providing final approval.

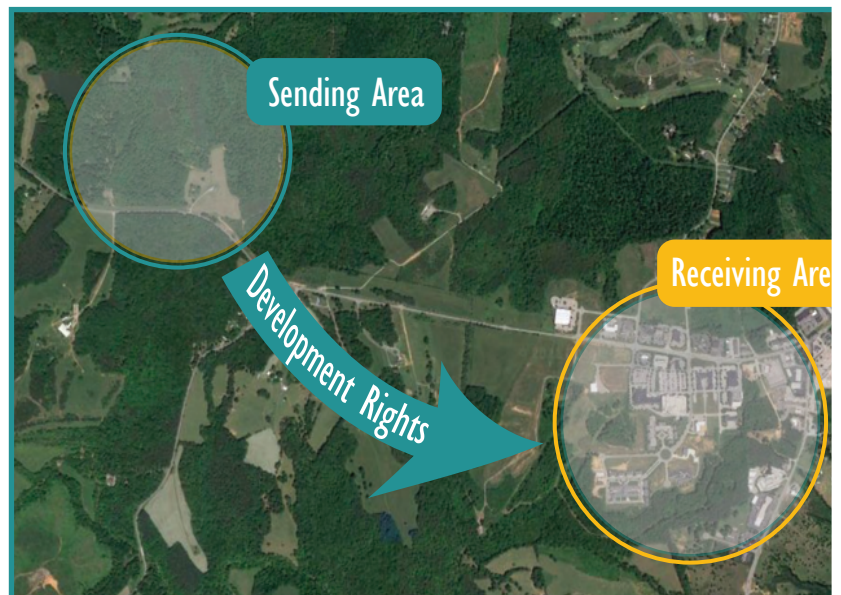
AFDs protect rural character as owners voluntarily agree to forgo non-agricultural or non-forestal development for a designated period, typically four to ten years, in exchange for incentives including Land Use Taxation eligibility. So long as a parcel remains in an AFD, a governing body may require, as a condition of the creation of the district, that any parcel in that AFD will not be developed to any more intensive use, other than more intensive agricultural or forestal uses.



### Transfer of Development Rights

Under Virginia Code § 15.2-2316.1-2, Virginia localities may adopt a Transfer of Development Rights (TDR) ordinance. TDRs are voluntary programs that allow landowners to sell or transfer development rights from one property to another. Development rights are transferred from a sending parcel to a receiving parcel – guiding growth to appropriate areas. While the seller of the development rights still owns their land and can continue using it, an easement is placed on the property that prevents further development. Sending and receiving areas must be designated in the Comprehensive Plan. A county and an adjacent city or town may enter into an agreement to permit the county to designate eligible receiving areas in the city or town.

Virginia Code does not dictate how development rights are determined. Typically, the number of development rights eligible for transfer is calculated based on the by-right density of the sending property. Some localities also consider existing units on receiving properties, floodplains, and previously transferred rights, among other considerations that reduce the number of total development rights.



# GUIDE TO ZONING



## What is Zoning?

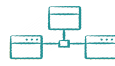
Zoning is a tool that localities use to govern the physical development of land and the kinds of uses allowed on individual property. Zoning may also regulate the dimensional requirements for lots, buildings, and structures; the density of development; and how development relates to its surroundings, including other buildings, open spaces, and the street. Zoning is regulated under **Virginia State Code §15 Chapter 22, Article 7.**

## Zoning Text vs. Zoning Map

A zoning ordinance has two parts: Zoning Text and a map, known as the Official Zoning Map. The Zoning Text serves two important functions. First, it explains the zoning rules that apply in each zoning district. These rules typically establish a list of land uses permitted in each district plus a set of specific standards governing lot size, building height, and required yard and setback provisions. Second, the text sets forth a series of procedures for administering and applying the zoning ordinance. The Official Zoning Map shows the location of the established zoning districts within a community. Zoning districts are applied directly to parcels and are legally binding.

### Typical Content of a Zoning Ordinance

- Purpose & Authority
- Administration
  - Permit & Application Procedures
  - Review Bodies Powers & Procedures
  - Enforcement & Appeals
- Zoning Districts
  - Establishment of Districts
  - Dimensional Standards
  - Allowable Uses (By-Right, Conditional, Temporary, Accessory)
- Design & Use Standards
  - Signs, Landscaping, Parking, Utilities
  - Supplemental Standards for Specific Uses
- Non-conforming Uses
- Definitions



### Relationship to the Comprehensive Plan

The zoning ordinance is the primary tool through which a locality implements its Comprehensive Plan. The Comprehensive Plan is a high-level policy document that is used as a decision-making guide for a locality. The plan contains a Future Land Use Map and policies that show the desired, future location, character, type, and density of development throughout a community. Zoning ordinances and development regulations directly control the location, form, and character of private projects. When a development or rezoning project comes before a locality's decision making body they must ensure the project meets the specific standards of the ordinance and the overarching vision of the Comprehensive Plan. Zoning ordinances and development regulations should be reviewed annually to ensure they achieve the goals of the plan and amended as needed.

### Comprehensive Plan ↔ Zoning Ordinance

Future Land Use Map	Official Zoning Map
Makes recommendations regarding physical, social, and economic development.	Primarily regulates physical development.
Broad — dealing with concepts and policies.	Specific — dealing with individual parcels and projects.
Looks to the future.	Deals with development happening now.
A policy guide.	Regulation.

## Zoning Can

- ✓ Divide land into districts for different uses, such as industrial, commercial, and residential.
- ✓ Regulate the size and type of building that can be constructed in each district.
- ✓ Require development standards, such as screening and setbacks, to minimize impacts on adjacent property.
- ✓ Protect sensitive resources from inconsistent or harmful use.
- ✓ Enhance community character with signage, parking, and landscaping standards.
- ✓ Support affordable housing and economic development goals.

## Zoning Cannot

- ✗ Change or correct land use or buildings already in existence.
- ✗ Guarantee that development will take place.
- ✗ Assure that land uses will be permanent.
- ✗ Treat similar uses differently within a district.
- ✗ Ensure property is maintained. (This is accomplished through other means, such as Virginia Maintenance Code and Blight Abatement.)
- ✗ Guide public or private investment in infrastructure.