



**Sussex County Planning Commission Meeting**  
**Monday, April 1, 2024 at 6:00 P.M.**  
**General District Courtroom at Sussex Judicial Center**  
**15098 Courthouse Road, Sussex, VA 23884**

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*Agenda*

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**A. CALL TO ORDER**

**B. ADOPTION OF AGENDA**

**C. APPROVAL OF MINUTES**

- a. None

**D. PUBLIC HEARING**

- a. None

**E. OLD BUSINESS**

- a. Evergreen Acres "South" Section 2 Subdivision Plat
- b. Blackwater Solar Rezoning Application – ZA-#2024-02
- c. Blackwater Solar Conditional Use Permit Application – CUP #2024-01

**F. NEW BUSINESS**

- a. Planning Commission 2023 Annual Report – (to be distributed for discussion at the meeting)
- b. Zoning Ordinance Amendments – (to be distributed for discussion at the meeting)

**G. ADJOURNMENT**

**DEPARTMENT OF PLANNING**  
Beverly Walkup, Director of Planning  
Phone (434) 246-1043  
Fax (434) 246-2175  
www.sussexcountyva.gov



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

## MEMORANDUM

DATE: March 27, 2024

TO: Planning Commission Members

FROM: Beverly Walkup, Director of Planning and Zoning

SUBJECT: Blackwater Solar Rezoning and Conditional Use Permit Applications

The Planning Commission held a joint public hearing with the Board of Supervisors on March 25, 2024 on the Blackwater Solar rezoning and conditional use permit (cup) applications. The Commission deferred action on the applications until the Commission's regular meeting on April 1, 2024.

Attached is the summary of public comments received during the March 25<sup>th</sup> public hearing, as well as written public comments received since the public hearing.

Should you have any questions, please do not hesitate to contact me at 434-246-1043 or [bwalkup@sussexcountyva.gov](mailto:bwalkup@sussexcountyva.gov).



Public Comments Received During March 25, 2024 Joint Public Hearing on Blackwater Solar Rezoning and Conditional Use Permit Applications

- 1) Kim Trimmer – Wanted to get out of VA Beach. Bought property across from 1200 acres on Brittle’s Mill Road. Was told she would always be a “come here” when she purchased the property from Stanley Travis. Soon after, she was diagnosed with cancer, her husband has PTSD. Having a solar farm across from her home would be disruptive while under construction and affect the resale of her property.
- 2) Susan Stone – Wakefield District – Opposed - Concerned about deforestation which results in more carbon dioxide due to fewer trees. Trees also help stop erosion and denuded property leads to more erosion. Herbicides cause soil compaction, over time soils will be impacted by substances left from the structures.
- 3) Leverette Pope – Opposed - Concerned with safety, the size and the battery storage. Volunteer fire fighters are going away so how will batteries be fought. Prisons haven’t help, solar panels will not help. Waverly Solar is an example of what happens when we receive 5 to 6 inches of water.
- 4) Mayor Brian Laine and Councilwoman Frances Chambers – The Town of Wakefield unanimously adopted a resolution in opposition to the project. The project is not in compliance with the Wakefield Small Area Plan, it is only ½ mile from the town limits, survey results showed residents are against solar. Why would the County consider an application this large? The solar industry has hazards, i.e. fire. Where will the water come from? The town provided 2 deputies to the Sheriff and there is no EMS on this side of the County. Who pays for damage to the roads, etc., \$250,000 is not enough. Solar energy does not lower costs and does not need to become revenue for Sussex for 13 miles of solar. It raises rates.
- 5) Lane Chambers – Decision will affect Sussex for generations to come.
- 6) Meade Fronfelter – Yale District – Concerned with devastating effects of existing solar. There are other alternatives. 3500 acres owned by County bringing no income.
- 7) Molly Dowless – Owns land in Wakefield. Still a massive project. She was offered \$2.5 mil. and said “no”. Will destroy thousands of acres of forest/farm land, bad for wildlife, does not conform to the Comp Plan, sighting agreement is a bribe, estimates 13 square miles of solar will be impacted, Clenera will be making money off the backs of the rural counties, 250 people stood in opposition.
- 8) Seth Adams – hunter and agricultural employee – Vote “no” on Blackwater and all other solar projects. Land is non-renewable, will never return to its original state. It affects soil, wetlands,

crops timber and causes runoff. What will happen in 50 years? The project does not benefit the County or citizens. Listen to taxpayers and voting citizens.

- 9) David Peck – Mostly concerned with battery storage being the most dangerous part and it being next to the town. More fires caused by batteries per statistics. 12-month construction is aggressive, \$250,000 is not enough. The company is owned by a company in Israel and is not in good financial condition.
- 10) Janet Barnette – Not present
- 11) B. J. Jackson – Lives 4 miles away, ran the VA Diner in 1994, landfill was supposed to be here 10-12 years, it's now 30 years.
- 12) Franklin Dowless – The Board of Supervisors elected to represent interest of citizens. The room is not divided, there is no other side that are all in favor.
- 13) Perry Bradshaw – Lifelong resident, loves and is interested in agricultural and residents. Solar is not the best renewable, nuclear is and would provide more jobs.
- 14) David Slaybaugh – 20-year resident and member of a hunt club. The County has a shrinking tax base. EMS has a fast response time. The project has willing participants.
- 15) David Shields – The hunt club was accommodated and project will be very helpful and not impactful.
- 16) David Steele – Not present
- 17) Margaret Drewry – Lived here 30 years, agrees with public comment. Has PTSD from 23 years in the army, Iraqi vet. Family in the lumber business in another state, she is a cancer survivor. Does not want to live next door to a solar farm. When the lumber company cut the forest, it brought bugs and there was a bear in her pasture because he had no where to go. The hunt club property was obliterated and they feed to the poor.
- 18) Blake Cox – A resident of Chesterfield County and co-founder of Energy Right, an organization that keeps its eye on property rights. The project is an economic growth opportunity that does not strain public services, can lower taxes and doesn't just benefit just 1 person. Urged to move forward with project.
- 19) Camille Kenatzski – Not present
- 20) Walter Lanier – Opposed - Population continues to shrink due to landfill, prisons and hog farms. The project will bring money in short term but decreases long term. It will impact to property values and not a good fit due to size and location. Hopes Board doesn't approve.

- 21) Buddy Faison – Opposed - Passaluka Hunt Club member, worked in local government for 20 years, handout distributed and referenced page 3. Swamp runs to 2 major water systems, land eliminated is actually wetlands and can't be developed. Where will wildlife go. Company doing a snow job and making lots promises, but it will be just the opposite. They are going to sell the project, who will verify that obligations are fulfilled.
- 22) Terrie Foster – Owns property in Waverly, lives in Surry County - Surry County has been ruined with solar. 12 jobs will be guards, others will be brought from North Carolina. Will disturb wetlands and cause stormwater erosion to properties. Where is energy going, is it coming to Sussex? The project will destroy wildlife and agricultural fields and will not help climate control.
- 23) David Tucker – Isle of Wight County – Professional engineer with solar experience, testified before the SCC. Solar farms are failing in performance, Dominion Energy has 21 solar facilities, PJM is losing solar capacity at other renewable energy sites, utility bills will increase. Solena is an Israeli company.
- 24) Lance Trgina – Opposed - Been in Wakefield since 1981, the project is not going to benefit the County, will bring no jobs, money will not last forever.
- 25) Craig Newten – Wildlife fencing will trap and injure deer, goats chew grass, posts are driven with concrete footers, galvanized pipe will affect wells. Sussex is being sold a bill of goods, not backed up.
- 26) Tim Casey – Not present
- 27) Kevin Johnson – Not present
- 28) Gene Rickmond – Has done solar construction for 10 years, supports solar farms and energy, has seen downfall with property in Surry next to solar. Encouraged Board to visit Surry site. PC needs to take 6 to 8 months to consider, panels have life expectancy of 10 years. Compared money to land value increases since 1989, 3 miles is minute, solar only absorbs 17 to 20% of sun's energy.
- 29) Mark Owen – Turkey Pen Road – Ancestors from here living off land, destroys huge section of land, concerned with water runoff. Penny wise and dollar foolish if approved.
- 30) Chester Carter – Lifelong resident of Stony Creek – Opposed - Voted for landfill 31 years ago, never met expectation. Board of Supervisors has sold out County for 30+ years, food tax should have been passed, has towed electrician cars, green energy is fine but not the gospel. U.S. is selling out to China. Temperature will go up 5 to 7 degrees, supports green energy but solar is not the answer.
- 31) Chris Thompson – Citizens Against Industrial Solar – Concerned with landowner rights. Questions the science and the ability to turn land back to original condition. Toxic chemicals leak from weak spots in the modules, tornado damage, need to protect well water. Farming and

timber industry is being left behind, citizens will leave and farm and timber land will decrease.  
Vote "no".

- 32) Darren Strong – Cabin Point Road – Quoted 1776 Declaration of Independence. When government does not represent the people, they should be unseated.

## Beverly Walkup

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**From:** Tom Weirich <tomandiamaboy@yahoo.com>  
**Sent:** Monday, March 25, 2024 10:05 PM  
**To:** Beverly Walkup  
**Subject:** Wakefield Blackwater solar power project

You don't often get email from tomandiamaboy@yahoo.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you know the content is safe.

Greetings,

My name is Thomas F. Weirich and live at 112 Wilson Ave Wakefield VA 23888. I agree with the Blackwater solar power project. The benefits to the community is immeasurable. I have many more neighbors that agree with the solar project that didn't show up on the 25th Mar meeting. I hope the Solar project goes forward.

V/r Thomas F. Weirich

[Yahoo Mail: Search, Organize, Conquer](#)



## Beverly Walkup

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**From:** Tom Weirich <tomandiamaboy@yahoo.com>  
**Sent:** Tuesday, March 26, 2024 2:54 PM  
**To:** Beverly Walkup  
**Subject:** Re: Wakefield Blackwater solar power project

You don't often get email from tomandiamaboy@yahoo.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the organization. Do not follow guidance, click links, or open attachments unless you know the content is safe.

Greetings again,

I was going over or reviewing what happened at the Blackwater solar power meeting last night, I am concerned that the representatives for the town of Wakefield (Mayor, and board members) were not honest with Sussex County. Before the meeting, the town of Wakefield gave numerous phone calls to residents of the importance of the 25th meeting. Not once before the meeting, the town of Wakefield didn't express clearly to residents an objection of Blackwater Solar power project. As with most residents, I didn't know. I was totally surprised by the amount of organized resistance there was. Can a investigation be brought to authorities? Thank you for your time.

V/r Thomas F Weirich

[Yahoo Mail: Search, Organize, Conquer](#)

On Mon, Mar 25, 2024 at 10:04 PM, Tom Weirich <tomandiamaboy@yahoo.com> wrote:

Greetings,

My name is Thomas F. Weirich and live at 112 Wilson Ave Wakefield VA 23888. I agree with the Blackwater solar power project. The benefits to the community is immeasurable. I have many more neighbors that agree with the solar project that didn't show up on the 25th Mar meeting. I hope the Solar project goes forward.

V/r Thomas F. Weirich

[Yahoo Mail: Search, Organize, Conquer](#)



## STAFF REPORT

### APPLICATION SUMMARY:

Applicant:	Robert E., Jr. and Linda M. Forehand
Location:	The property is located on the northeast side of Cabin Point Road (Rt. 602) approximately 1000 feet from the intersection of Railroad Bed Road (Rt. 637) The rear of the lots abuts Evergreen Acres "South" Section 1 having frontage on Railroad Bed Road.
Parcel Record Numbers:	T. P. #36-A-2
Proposal:	Plat of Evergreen Acres "South" Section 2

### ELECTION DISTRICT:

Courthouse Election District

### BACKGROUND:

According to minutes provided by the owner/developer, the Board of Supervisors adopted an Interim Real Estate Subdivision Development Resolution adopted October 19, 2006, recognizing that the County was undergoing unprecedented development pressures due to new residential subdivisions and that the Comprehensive Plan and Zoning and Subdivision Ordinances did not address the new residential subdivision development occurring in the County and the impact of these residential subdivision developments and incidental issues in a detailed or comprehensive manner.

It was further stated that the absence of clear direction in the Comprehensive Plan made it difficult to review and evaluate new residential development and could cause the County's policy on these issues be developed by a series of ad hoc decisions upon individual applications. The resolution resolved that the Board hereby pass and implement the interim development resolution and establish a temporary procedure regarding the receipt, process and approval of any application for new residential subdivision with the County commencing October 20, 2006. It was further resolved; however, that the resolution shall not apply, given that the following proposed residential subdivisions within the county, by and through its developers, have already submitted preliminary plans to the to the Sussex County Planning Office, which included Evergreen Acres, Phases II and III.

Evergreen Acres "South" Section 1 was recorded August 2019.

**STAFF RECOMMENDATION:**

Based upon the history of the project, and the Board minutes concerning the interim development resolution, Staff recommends approval of the plat and surety.

**ATTACHMENTS:**

- Proposed Plat of Evergreen Acres “South” Section 2
- Interim Development Resolution and Board meeting minutes of October 20, 2006
- Plat of Evergreen Acres “South” Section I
- GIS/Zoning Maps

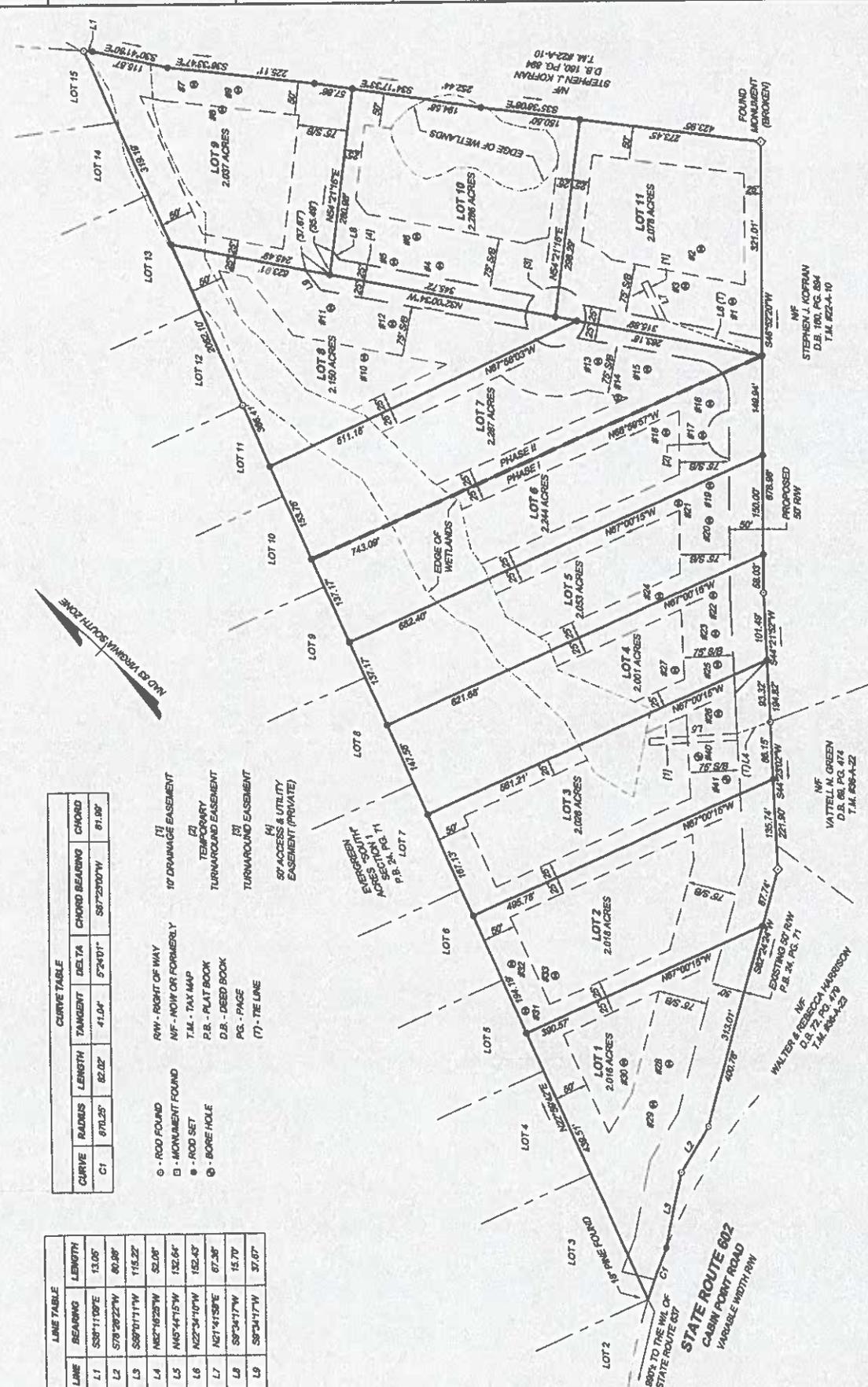


LINE	BEARING	LENGTH
L1	S89°11'09"E	13.09'
L2	S78°28'22"W	80.38'
L3	S89°01'11"W	116.22'
L4	N82°16'25"W	52.08'
L5	N85°44'15"W	132.64'
L6	N22°34'10"W	152.45'
L7	N21°41'59"E	67.38'
L8	S9°34'17"W	15.79'
L9	S9°24'17"W	37.07'

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	678.25'	82.02'	41.04'	5°24'01"	S87°25'00"W	81.80'

- - ROAD FOUND
- - MONUMENT FOUND
- - ROD SET
- ⊙ - BORE HOLE
- - ROAD FOUND
- - MONUMENT FOUND
- - ROD SET
- ⊙ - BORE HOLE
- - ROAD FOUND
- - MONUMENT FOUND
- - ROD SET
- ⊙ - BORE HOLE

- R/W - RIGHT OF WAY
- NF - NOW OR FORMERLY
- T.M. - TAX MAP
- P.B. - PLAT BOOK
- D.B. - DEED BOOK
- P.G. - PAGE
- (?) - THE LINE
- (1) - DRAINAGE EASEMENT
- (2) - TEMPORARY TURNAROUND EASEMENT
- (3) - TURNAROUND EASEMENT
- (4) - 50' ACCESS & UTILITY EASEMENT (PRIVATE)



**EVERGREEN ACRES "SOUTH" SECTION 2**  
 STONEY CREEK DISTRICT  
 SUSSEX COUNTY, VIRGINIA

DATE: August 18, 2022  
 SCALE: 1"=100'  
 SHEET 2 OF 2  
 J.L. #86201-903  
 DRAWN BY: J. Livingston  
 CHECK BY: C. Rudolph

REVISED  
 November 11, 2022  
 February 26, 2024



At a meeting of the Board of Supervisors of the County of Sussex  
held at the Courthouse thereof, on the 19<sup>th</sup> day of October 2006.

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**PRESENT:**

Charlie E. Caple, Jr.  
William J. Collins, Jr.  
Wayne M. Harrell  
Alice W. Jones  
Rufus E. Tyler, Sr.

**VOTE:**

aye  
aye  
aye  
aye  
aye

**ABSENT:**

C. Eric Fly

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**Interim Real Estate Subdivision Development Resolution**

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR TYLER and carried: RESOLVED WHEREAS, after the consideration of the information, statistical real estate subdivision and other socio-economic data and upon the supplemental oral report of the County Administrator and the Director of Planning to the Board of Supervisors on October 19, 2006, at a regular meeting of the Board of Supervisors (the "Board"), after due consideration and deliberation, the Board finds:

1. That currently Sussex County is undergoing unprecedented development pressures due to new residential subdivisions; and that
2. That the County's existing Comprehensive Plan and Zoning and Subdivision Ordinances do not address the new residential subdivision development occurring in the County and the impact of these residential subdivision development and incidental issues in a detailed or comprehensive manner; and that
3. The absence of clear direction in the Comprehensive Plan has made it difficult to review and evaluate new residential subdivision development in a manner which will lead to consistent results and could cause the County's policy on these issues being developed by a series of ad hoc decisions upon individual applications; and that

4. These factors, combined with the number, size and scope of proposed new residential subdivision projects in the County, make it possible that projects could be reviewed and approved or disapproved in a manner not consistent with Sussex County's long term needs and goals; and that
5. A temporary and interim cessation regarding the review and consideration of any preliminary and/or final subdivision plats and any new residential development and/or site plans and any new rezoning applications regarding any new residential subdivisions, would provide an opportunity for the citizens of Sussex County, acting through their elected and appointed officials, to evaluate and consider amendments to the County's Comprehensive Plan and Zoning Ordinance and to enact such amendments.
6. That the Board of Supervisors also finds that this temporary measure regarding new real estate subdivision development will leave owners of residentially zoned real estate parcels with a variety of permitted, conditional and other development uses available as development options which will be unaffected by the imposition of this temporary interim development measure regarding real estate sub divisions measure.

WHEREAS, the Sussex County Board of Supervisors (the "Board") has directed the Sussex County Planning Commission and the Director of Planning to undertake an examination of the impact of new residential development within the County's geographical borders, including, but not limited to, the impacts on public facilities and surrounding lands and improvements, and to present its findings and recommendations to the Board of Supervisors, and

WHEREAS, it is the desire of the Board to allow sufficient time to conduct an orderly examination of the impact of such new residential developments in order to develop proposals to adequately address any such impacts and to assure the ongoing legal and factual appropriateness of the County's existing land use regulations and the need, if any, for the amendment of its Zoning and Subdivision Ordinances.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF SUSSEX COUNTY, VIRGINIA, does hereby pass and implement this interim development Resolution and it is hereby established the following temporary procedure regarding the receipt, processing, and approval of any applications for any use permits, or amendments to use permits, for new residential subdivisions within the County of Sussex geographical boundaries which shall commence at 8:00 a.m. the 20<sup>th</sup> day of October 2006; and that:

Section 1:

(A) The Sussex County Planning Commission and the County's Director of Planning shall not accept, review or continue to review any preliminary and/or final subdivision plats and any new residential development and/or site plans and any new rezoning applications regarding any new residential subdivisions.

(B) The Sussex County Board of Supervisors and the Sussex County Planning Commission shall not hold any public hearings upon any residential subdivision development rezoning applications which incorporate in whole or in part proposals to construct any new residential subdivision excepting that residential subdivision as identified in subsection (C) of this Resolution.

(C) The provisions of this Resolution shall not apply, given that the following proposed residential subdivisions, within the County, by and through its developers, have already submitted preliminary plans to the Sussex County Planning Office, to-wit:

- (1) Sylvan Acres
- (2) Cabin Point East
- (3) Cabin Point West
- (4) Sussex Pines North
- (5) Sussex Pines South
- (6) Sebera-Phase III
- (7) Courthouse Estates
- (8) Cabin Point Pines
- (9) Scott's Estate
- (10) Oakridge Estates
- (11) Drumwright Estates-Phase One
- (12) Evergreen Acres-Phase II & Phase III
- (13) Pine Acres
- (14) Rowanty Creek Bluff
- (15) Spring Creek Estates

Further, pursuant to Virginia Code section 15.2-2244, family divisions of land pursuant to the previously stated statute and also single lot sub-divisions shall also be exempt from the provisions of this Resolution.

(D) The Sussex County Planning Commission and its Director of Planning shall institute such steps as it deems necessary to determine whether the Sussex County Comprehensive Plan, land use regulations, Zoning and Subdivision Ordinances and should be amended to address the issues raised by the growth of residential subdivision developments in Sussex County, Virginia and shall further review and devise an "impact study" for consideration by the Board of Supervisors. In addition, the Planning Commission and the County's Director of Planning shall submit one or more reports to the Board of

Page 4: Interim Real Estate Subdivision Development Resolution, adopted by  
Sussex County Board of Supervisors, October 19, 2006

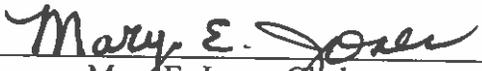
Supervisors, in writing, on or before the 19<sup>th</sup> day of April 2007, containing such recommendations as it deems appropriate, in all areas of review as stated in this Resolution.

(E) Absent further action by the Board of Supervisors, the provisions of this Resolution shall lapse and be of no further effect as of twelve months after the effective date of its adoption.

Section 2.

The County Administrator, or her designate, is directed to prepare a copy of this Resolution and cause the same to be forwarded to the Chairman and each member of the Sussex County Planning Commission and to the Director of Planning and the Sussex County Building Official and any other person or entity which it may be appropriate to forward said Resolution.

A COPY TESTE:

  
\_\_\_\_\_  
Mary E. Jones, Clerk

This resolution shall take effect immediately upon its adoption.

Voting aye: Supervisors Caple, Collins, Harrell, Jones, Tyler

Voting nay: none

Absent: Supervisor Fly

#### VACo Annual Conference

County Administrator Jones reported that there is information in the Board packet regarding the position of Secretary/Treasurer for the Board of Directors of the VA Association of Counties and also the voting credentials forms. Also included with that information is a copy of a letter from Isle of Wight Board Chairman, Thomas J. Wright in support of The Honorable Phillip A. Bradshaw, III for the Secretary/Treasurer position.

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Sussex County Board of Supervisors hereby supports The Honorable Phillip A. Bradshaw III's candidacy for the position of Secretary/Treasurer of the Virginia Association of Counties.

Voting aye: Supervisors Caple, Collins, Harrell, Jones, Tyler

Voting nay: none

Absent: Supervisor Fly

ON MOTION OF SUPERVISOR CAPLE, seconded by SUPERVISOR HARRELL and carried: RESOLVED that the Sussex County Board of Supervisors hereby approves of Mr. William J. Collins, Jr. as the voting delegate for Sussex County at the Virginia Association of Counties Annual Meeting to be held November 14, 2006 meeting.

Voting aye: Supervisors Caple, Collins, Harrell, Jones, Tyler

Voting nay: none

Absent: Supervisor Fly

Chairman Collins reported that Surry County Supervisor Judy Lyttle is running for the Region One seat.

#### Residential Development Moratorium

County Administrator Jones advised that staff is requesting that the Board of Supervisors adopt a resolution restricting residential land development in the County for a period not to exceed 12 months to allow staff time to properly review and amend the County's existing land use regulations (Zoning and Subdivision Ordinances) and to perform a fiscal impact analysis and cash proffer policy for adoption by the Board.

County Attorney Henry Thompson has prepared a draft resolution that prohibits staff from accepting any new preliminary and/or final subdivision plats and any new residential development/site plans.

However, staff requests that family divisions of land in accordance with Section 15.2-2244 of the Code of Virginia be exempt from any restrictions. Also, staff is requesting that the following proposed developments be exempt from the restrictions as preliminary plans have been submitted by developers to the Planning Office for review: **Sylvan Acres, Cabin Point East, Cabin Point West, Sussex Pines North, Sussex Pines South, Sebera-Phase III, Courthouse Estates, Cabin Point Pines, Scott's Estates, Oakridge Estates, Drumwright Mill Estates-Phase I, Evergreen Acres-Phase II and Phase III, Pine Acres, Rowanty Bluff and Spring Creek Estates.**

ON MOTION OF SUPERVISOR HARRELL, seconded by SUPERVISOR TYLER and carried: RESOLVED that after the consideration of the information, statistical real estate subdivision and other socio-economic data and upon the supplemental oral reports of the County Administrator and the Director of Planning to the Board of Supervisors on October 19, 2006, at a regular meeting of the Board of Supervisors (the "Board"), after due consideration and deliberation, the Board finds:

1. That currently Sussex County is undergoing unprecedented development pressures due to new residential subdivisions; and that
2. That the County's existing Comprehensive Plan and Zoning and Subdivision Ordinances do not address the new residential subdivision development occurring in the County and the impact of these residential subdivision development and incidental issues in a detailed or comprehensive manner; and that
3. The absence of clear direction in the Comprehensive Plan has made it difficult to review and evaluate new residential subdivision development in a manner which will lead to consistent results and could cause the County's policy on these issues being developed by a series of ad hoc decisions upon individual applications; and that
4. These factors, combined with the number, size and scope of proposed new residential subdivision projects in the County, make it possible that projects could be reviewed and approved or disapproved in a manner not consistent with Sussex County's long term needs and goals; and that
5. A temporary and interim cessation regarding the review and consideration of any preliminary and/or final subdivision plats and any new residential development and/or site plans and any new rezoning applications regarding any new residential subdivisions, would provide an opportunity for the citizens of Sussex County, acting through their elected and appointed officials, to evaluate and consider amendments to the County's Comprehensive Plan and Zoning Ordinance and to enact such amendments.

6. That the Board of Supervisors also finds that this temporary measure regarding new real estate subdivision development will leave owners of residentially zoned real estate parcels with a variety of permitted, conditional and other development uses available as development options which will be unaffected by the imposition of this temporary interim development measure regarding real estate subdivisions measure.

WHEREAS, the Sussex County Board of Supervisors (the "Board") has directed the Sussex County Planning Commission and the Director of Planning to undertake an examination of the impact of new residential development within the County's geographical borders, including, but not limited to, the impacts on public facilities and surrounding lands and improvements, and to present its findings and recommendations to the Board of Supervisors, and

WHEREAS, it is the desire of the Board to allow sufficient time to conduct an orderly examination of the impact of such new residential developments in order to develop proposals to adequately address any such impacts and to assure the ongoing legal and factual appropriateness of the County's existing land use regulations and the need, if any, for the amendment of its Zoning and Subdivision Ordinances.

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS OF SUSSEX COUNTY, VIRGINIA, does hereby pass and implement this interim development resolution and it is hereby established the following temporary procedure regarding the receipt, processing, and approval of any applications for any use permits, or amendments to use permits, for new residential subdivisions within the County of Sussex geographical boundaries which shall commence at 8:00 a.m. the 20<sup>th</sup> day of October 2006; and that:

Section 1:

(A) The Sussex County Planning Commission and the County's Director of Planning shall not accept, review or continue to review any preliminary and/or final subdivision plats and any new residential development and/or site plans and any new rezoning applications regarding any new residential subdivisions.

(B) The Sussex County Board of Supervisors and the Sussex County Planning Commission shall not hold any public hearings upon any residential subdivision development rezoning applications which incorporate in whole or in part proposals to construct any new residential subdivision excepting that residential subdivision as identified in subsection (C) of this Resolution.

(C) The provisions of this Resolution shall not apply, given that the following proposed residential subdivisions, within the County, by and through its developers, have already submitted preliminary plans to the Sussex County Planning Office, to-wit:

- (1) Sylvan Acres
- (2) Cabin Point East
- (3) Cabin Point West
- (4) Sussex Pines North
- (5) Sussex Pines South
- (6) Sebera-Phase III
- (7) Courthouse Estates
- (8) Cabin Point Pines
- (9) Scott's Estate
- (10) Oakridge Estates
- (11) Drumwright Estates-Phase I
- (12) Evergreen Acres-Phase II & Phase III
- (13) Pine Acres
- (14) Rowanty Creek Bluff
- (15) Spring Creek Estates

Further, pursuant to Virginia Code section 15.2-2244, family divisions of land pursuant to the previously stated statute and also single lot subdivisions shall also be exempt from the provisions of this resolution.

(D) The Sussex County Planning Commission and its Director of Planning shall institute such steps as it deems necessary to determine whether the Sussex County Comprehensive Plan, land use regulations, Zoning and Subdivision Ordinances and should be amended to address the issues raised by the growth of residential subdivision developments in Sussex County, Virginia and shall further review and devise an "impact study" for consideration by the Board of Supervisors. In addition, the Planning Commission and the County's Director of Planning shall submit one or more reports to the Board of Supervisors, in writing, on or before the 19<sup>th</sup> day of April, 2007, containing such recommendations as it deems appropriate, in all areas of review as stated in this resolution.

(E) Absent further action by the Board of Supervisors, the provisions of this resolution shall lapse and be of no further effect as of twelve months after the effective date of its adoption.

Section 2.

The County Administrator, or her designate, is directed to prepare a copy of this resolution and cause the same to be forwarded to the Chairman and each member of the Sussex County Planning Commission and to the Director of Planning and the Sussex County Building Official and any other person or entity which it may be appropriate to forward said resolution.

Voting aye: Supervisors Caple, Collins, Harrell, Jones, Tyler

Voting nay: none

Absent: Supervisor Fly





# ArcGIS Web Map



3/27/2024, 1:24:36 PM

- Roads
- Tax Parcels
- Address
- County Boundary
- Zoning: A-1

