





**Planning Commission\***

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Report Presented to the Planning Commission on February 2, 2021

\*As of December 31, 2019

## **INTRODUCTION**

The 2020 Planning Activity Report provides a high-level overview of actions taken by the Powhatan County Department of Community Development, the Planning Commission, and the Board of Supervisors that relate to growth and development. This report is intended to satisfy requirements set forth in § 15.2-2221 of the Code of Virginia, which states that the Planning Commission must compile an annual report concerning the status of planning within Powhatan County.

## **DEVELOPMENT AND COUNTY GOVERNMENT**

### **Planning Commission**

The Planning Commission is an appointed body charged with promoting the orderly development of the community. Every locality in Virginia is required to have its own Planning Commission [Code of Virginia § 15.2-2210]. Per state law, the Planning Commission is responsible for a variety of tasks:

- Preparing the local comprehensive plan;
- Preparing and reviewing amendments to the zoning and subdivision ordinances;
- Reviewing proposed changes to the zoning map; and
- Reviewing the local Capital Improvement Program (CIP).

The Planning Commission is not a legislative body, but an advisory committee. It makes recommendations to the Board of Supervisors on legislative matters, such as the adoption and amendment of the comprehensive plan, zoning ordinance, and subdivision ordinance.

The Planning Commission consists of five (5) voting members.

### **Department of Community Development**

Staff from the Department of Community Development provide technical support to the Planning Commission. The department's duties are described below.

#### *Current Planning (Development Administration)*

Staff members are responsible for the administration and enforcement of the zoning and subdivision ordinances. Tasks associated with the administration of these ordinances include the processing of subdivision proposals, site plans, rezoning applications, conditional use permit (CUP) applications, and variances. Staff members also respond to general inquiries and other requests. The department serves as the primary staff contact for the Planning Commission and Board of Zoning Appeals, and provides support to the Board of Supervisors.

#### *Long-Range Planning (Project/Policy Development and Management)*

Planning recommendations are routinely provided to the Planning Commission and the Board of Supervisors on a wide array of issues. Strategic and long-term planning begins with the preparation and implementation of the comprehensive plan; associated comprehensive plan or zoning text amendments; review of the Capital Improvements Plan (CIP) by the Planning Commission; and other local projects. These planning documents provide the foundation for many of the land use and budgetary decisions implemented by Powhatan County.

Staff members also work with regional and state agencies to address transportation issues and other matters of regional and/or statewide significance, including the Technical Advisory Committee (TAC) and other regional committees associated with PlanRVA. Staff members also coordinate with the Virginia Department of Transportation (VDOT) and PlanRVA to prepare applications seeking state and federal funding for local transportation improvements.

#### *Code Compliance*

Code compliance helps ensure that Powhatan County's zoning regulations are enforced consistently and equitably. A variety of code issues related to land use are reported to the department, including possible zoning violations and the storage of inoperable vehicles. Possible violations are investigated as complaints from the public are received.

#### *Building Inspections*

The Building Official and other staff members help ensure that structures are built and modified in a safe manner. The department enforces the Uniform Statewide Building Code for new structures, additions, and alterations.

#### *Environmental*

Staff members work with the Virginia Department of Environmental Quality (DEQ) to ensure that developing sites are in conformance with Chapter 42: Article III of the County Code (Erosion and Sediment Control) and other local and state regulations.

#### *Economic Development*

Staff members assist local businesses with growth and development. The department, focusing on business retention and expansion, site selection, marketing, business networking, and tourism.

## REZONINGS

Rezoning requests are requests to change the zoning of a particular property. Requested rezonings (zoning map amendments) must be reviewed by the Planning Commission and approved by the Board of Supervisors. While these requests generally involve changing the property's zoning classification from one district to another, they may also involve modifications to conditions (proffers) imposed upon a property as part of a previous rezoning case.

In 2020, four (4) rezoning applications were submitted for review. Most of these rezoning requests were initiated by private entities (not Powhatan County).

Case No.	Location	Request	Case Status
20-01-REZC	30 County Line Rd.	Proffer Amendment	Approved
20-02-REZC	5750 Cartersville Rd.	C to CR	Approved
20-03-REZ	3867/3871 Old Buckingham Rd.	C to CHSC	Approved
20-04-REZ	3001 Anderson Highway	CC to A-10	Under Review

The number of rezoning applications submitted in 2020 was lower than the number submitted in previous years.

Year	Number of Rezoning Applications Submitted
2020	4
2019	9
2018	9
2017	11

## CONDITIONAL USE PERMITS

Per the zoning ordinance, certain uses may be permitted within select zoning districts with approval of a conditional use permit (CUP). Uses that require a CUP may be appropriate in certain locations, but not throughout the entire zoning district. The Planning Commission and Board of Supervisors review CUP applications to ensure that the proposed use:

- Does not change the character and established pattern of development in the surrounding area;
- Is compatible with uses permitted by-right within the zoning district; and
- Does not adversely affect the use or value of neighboring properties.

The Board of Supervisors may require that applicants adhere to certain conditions. If the approved conditions are not met, the CUP may be revoked.

In 2020, five (5) CUP applications were submitted for review.

Case No.	Location	Use	Case Status
20-01-CUP	2016 Judes Ferry Rd.	Private Kennel (Lot <2 Acres)	Approved
20-02-CUP	3043 Moyer Rd.	Telecomm. Tower	Approved
20-03-CUP	2660 Brauer Rd.	Solar Energy Farm	Denied
20-04-CUP	2815 Huguenot Springs Rd.	County Inn (Renewal)	Approved
20-05-CUP	2726 Anderson Highway	Solar Energy Farm	Under Review

The number of CUP applications submitted in 2020 was lower than the number submitted in previous years.

Year	Number of CUP Applications Submitted
2020	5
2019	8
2018	10
2017	7

## ZONING TEXT AMENDMENTS

The zoning ordinance establishes regulations regarding the use of land. Powhatan County’s zoning ordinance currently includes twenty (20) different districts and identifies uses permitted within each district. It also establishes design standards for new development.

Powhatan County’s zoning ordinance was first adopted in July 1965. Since that time, its text has been amended to reflect the changing needs of the community. Most zoning text amendments have been initiated by the Planning Commission or Board of Supervisors.

In 2020, five (5) zoning text amendments were initiated.

Amendment Summary	Status
Housekeeping Amendments: Definitions	Approved
Elimination of Single-Cut Subdivisions	Approved
Changes to Standards for Family Divisions	Deferred
Changes to Requirements for PD Plans	Deferred
Changes to CHSC Zoning District (Uses + Classification)	Approved

The number of ordinance amendments initiated in 2020 was lower than the number initiated in 2018 and 2019.

Year	Number of Ordinance Amendments Initiated
2020	5
2019	9
2018	11
2017	5

## COMPREHENSIVE PLAN

The comprehensive plan establishes a vision of what Powhatan County should look like in 20 to 30 years. The plan addresses a variety of topics, including land use, housing, economic development, and natural resources. It identifies objectives and strategies that can be implemented to realize the community’s vision.

Per state law, every locality in Virginia must adopt a comprehensive plan [§ 15.2-2223]. The Planning Commission and Board of Supervisors consider the plan’s recommendations when evaluating different policies and proposals, including rezoning requests, conditional use permits, and the Capital Improvement Program.

### Current (2019) Comprehensive Plan

On June 24, 2019, the Board of Supervisors voted to approve the 2019 Long-Range Comprehensive Plan Update (Ordinance #O-2019-06).

The approved plan was the product of an on-going planning and review process that began in Fall 2016. During the review process, the Planning Commission and Board of Supervisors held numerous workshops and public hearings on the draft plan. Six public open houses were held to solicit citizen feedback, and the Board of Supervisors appointed a Comprehensive Plan Workgroup to continue reviewing the document. The newly-adopted 2019 plan is the product of this three-year planning and review process, and will be used to guide future planning and development decisions.

### Plan Review

At its workshop on August 17, 2020, the Board of Supervisors expressed interest in updating the *2019 Long-Range Comprehensive Plan*. In September and October, the Board of Supervisors held a series of joint workshops with the Planning Commission to discuss updates to the document. The Planning Commission continued its review of the *2019 Long-Range Comprehensive Plan* at workshops in November and December.



## SUBDIVISIONS

Prior to recordation, a final plat must be approved for all major subdivisions.

In 2020, seven (7) residential subdivisions were approved with 87 lots.

Case No.	Location	Zoning	Acreage	Number of Lots
20-01-FSP	Erin Hill (Section 1A)	VC-PD	0.82	1
20-02-FSP	Scottville (Section 5)	R-U	5.934	11
20-03-FSP	Walnut Creek (Section 6)	RR-5	51.9	14
20-04-FSP	Tilman's Farm (Section 3)	RR-5	142.9	33
20-05-FSP	Mill Quarter Plantation (Section 4)	R-2	39.7	8
20-06-FSP	Norwood Creek (Section F - Phase 2)	RR5	62.16	16
20-07-FSP	Watkins Mill (Section 3)	A-10	34.42	4

Year	Number of Final Subdivision Plat Applications Submitted
2020	7
2019	3
2018	8
2017	11



New Townhomes in the Erin Hill Subdivision



Single-Family Home Under Construction in Scottville (Section 5)

## BUILDING PERMITS

Generally, any project that involves building a new structure, altering an existing structure, or demolishing a structure will require a building permit. Powhatan County issues building permits for all construction within its boundaries.

Below is a summary of building permits issued by the Department of Community Development over the last three years:

Building Permit Type	Permits Issued		
	2018	2019	2020
New Commercial Buildings <sup>1</sup>	3	4	5
New Single-Family Dwellings	197	238	209 <sup>2</sup>
Existing Single-Family Buildings (Additions/Alterations)	238	258	306
Total	438	500	520

Building Permit Type	Total Building Value		
	2018	2019	2020
New Commercial Buildings <sup>1</sup>	\$4,541,528	\$6,087,316	\$8,674,372
New Single-Family Dwellings	\$45,254,000	\$54,926,000	\$46,122,000 <sup>2</sup>
Existing Single-Family Buildings (additions/alterations)	\$5,594,000	\$5,936,000	\$8,536,000
Total	\$55,389,528	\$66,949,316	\$63,332,372

<sup>1</sup> Data provided by the Economic Development Department.

<sup>2</sup> In 2020, permits were also issued for a multi-family residential development (200 units) valued at \$32,898,169.



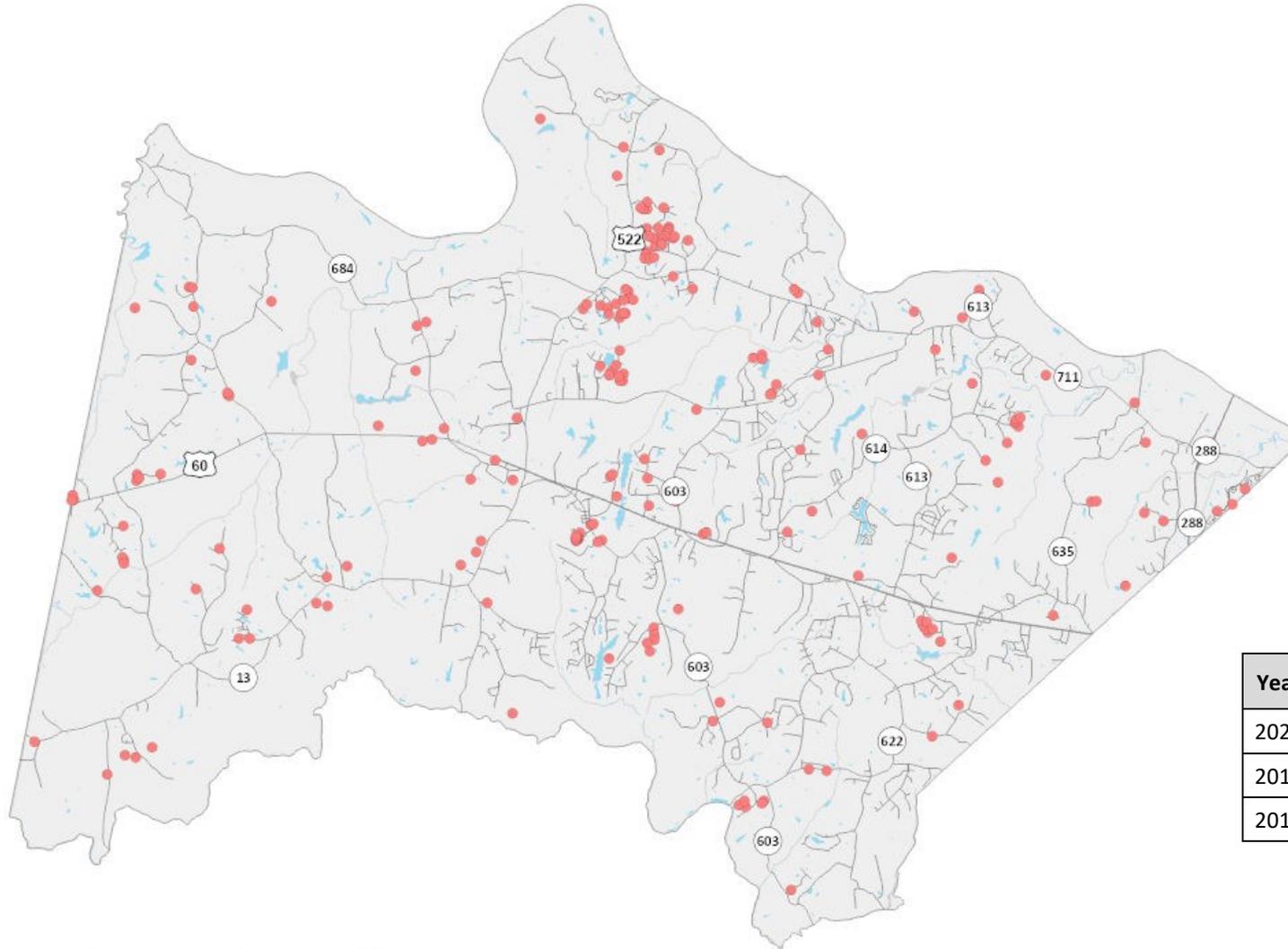
Renovation project under way for a new restaurant in the Courthouse Village Growth Area.



A multi-family residential development (Winterfield Phase II) under construction within the Route 711 Village Growth Area.

## RESIDENTIAL CERTIFICATES OF OCCUPANCY

A Certificate of Occupancy (CO) states a building's legal use and/or type of permitted occupancy. They are generally issued after the completion of final building inspections. In 2020, 206 COs were issued for single-family dwellings in Powhatan County.



● Single-Family Residential COs

Certificates of Occupancy by Subdivision*	
Aston	22
Tilman's Farm	15
Scottville	10
Westlake at Millmount	9
Huntington	7
Maple Grove	6
Norwood Creek	5
Walnut Creek	4
The Paddock	4
Appomattox Trace	3
Hideaway Lake	3
Erin Hill	3

\* Only subdivisions with more than three COs in 2020 included in chart.

Year	Number of Residential COs Issued
2020	206
2019	233
2018	208

## CODE COMPLIANCE

The zoning ordinance describes which uses are permitted in each of the zoning districts and how these uses may be conducted. These regulations help promote the health, safety, and general welfare of residents by designating the types of buildings, businesses, and activities acceptable within specific zoning districts. The Zoning Administrator helps ensure that regulations set forth in the zoning ordinance are enforced consistently and equitably. Residents, property owners, and other stakeholders regularly submit complaints regarding zoning violations, inoperable vehicles, trash/junk, and other nuisances. Complainant information is kept confidential, but all complaints received are investigated.

In 2020, the Department of Community Development:

- Investigated 73 complaints (compared to 112 in 2019 and 47 in 2018);
- Sent 62 courtesy notices informing property owners of potential zoning violations (compared to 60 in 2019 and 36 in 2018);
- Issued 10 Notices of Violation (compared to 15 in 2019 and 3 in 2018); and
- Removed approximately 105 signs placed within public rights-of-ways.

## OTHER PLANNING-RELATED ACTIVITIES

In 2020, the Department of Community Development:

- Submitted a grant application to support the installation of additional signage in Fighting Creek Park (which was awarded);
- Submitted applications requesting funding through the Smart Scale (VDOT) and Regional Surface Transportation Block Grant (PlanRVA) programs to support local transportation projects/improvements;
- Submitted grant applications to improve walkability in the Courthouse Village;
- Coordinated with the Board of Zoning Appeals (BZA) to process one request to appeal a decision by the Zoning Administrator; and
- Coordinated with the Agricultural and Forestal District Advisory Committee (AFDAC) to renew Agricultural and Forestal Districts (AFDs).

The following applications were reviewed throughout 2020.

Application Type	Number Reviewed		
	2018	2019	2020
Development Design Pattern Books	3	4	3
Temporary Business Permits	3	7	6
Temporary Event Permits	20	27	14
Temporary Sign Permits	70	82	39
Permanent Sign Permits	35	36	11
Business Licenses	176	208	187
Private Roads	3	4	9
Non-Subdivision Plats (single-cut divisions, resurveys, lot line adjustments, family divisions, easement plats, etc.)	99	83	102

## ECONOMIC DEVELOPMENT

### Business Assistance Grants

In response to the impact of COVID-19 restrictions on operations affecting Powhatan-based businesses, the Powhatan County Board of Supervisors designated \$517,404 of the Federal CARES Act funding to assist small businesses. The Economic Development Authority (EDA) partnered with a non-profit financial group called Community Investment Collaborative to administer the grants and handle the application process.

Guidelines required businesses to show at least a 25% revenue reduction to be eligible for a Business Assistance Grant, which could be used to cover expenses related to COVID-19 to continue operation. Business Assistance Grants were offered to small businesses in two categories.

1. Businesses with 10 to 25 employees and annual revenue of \$500,000 to \$3,000,000 were eligible for up to \$25,000 in grant funds.
2. Businesses with 9 employees or fewer and less than \$500,000 annual revenue were eligible for up to \$10,000 in grant funds.

Two rounds of the funding were offered and awarded to 36 businesses.

### Winterization Grants

With remaining Federal CARES Act funding, the EDA decided to offer grants to eating and drinking establishments to winterize their temporary outdoor spaces to accommodate additional seating. The grants covered purchases for tents, heaters, and other items needed to make those spaces usable during the winter months. Six Powhatan eating and drinking establishments were awarded grants to winterize their spaces.

### Business Assistance Grant Summary

Funding Cycle	Total Funds Awarded
<b>Business Assistance Grants : Round 1</b> Awarded to 24 Businesses	\$268,771
<b>Business Assistance Grants: Round 2</b> Awarded to 9 Businesses	\$100,193
<b>Winterization Grants</b> Awarded to 6 Businesses	\$54,583
<b>Total Awarded</b>	<b>\$423,547</b>



Outdoor seating areas at businesses in Powhatan County.

## BOARDS/COMMITTEES

### Local Boards/Committees

Staff members manage and coordinate several planning-related boards and committees. Members of these boards and committees are appointed or recommended by the Board of Supervisors.

In addition, staff members provide technical support to the Board of Supervisors.

Throughout 2020, staff members attended 25 public meetings, which included neighborhood meetings; public meetings sponsored by Powhatan County; and public meetings sponsored by regional and state agencies.

### Regional Boards/Committees

Staff members represent Powhatan County on several regional boards and committees, including the following:

- Richmond Regional Transportation Planning Organization (RRTPO): Technical Advisory Committee (TAC)
- RRTPO: Long-Range Transportation Plan (LRTP) Advisory Committee
- RRTP: Active Transportation Work Group
- Central Virginia Transportation Authority (CVTA): Technical Advisory Committee
- Partnership for Housing Affordability

In 2020, Andrew Pompei served as the chair of the LRTP Advisory Committee.

Board/Committee	Overview	No. of Meetings (2020)
Planning Commission	<p>The Planning Commission is an appointed body charged with promoting the orderly development of the community. Every locality in Virginia is required to have its own Planning Commission [Code of Virginia § 15.2-2210]. The Planning Commission is responsible for:</p> <ul style="list-style-type: none"> <li>• Preparing the local comprehensive plan;</li> <li>• Preparing and reviewing amendments to the zoning and subdivision ordinances;</li> <li>• Reviewing proposed changes to the zoning map; and</li> <li>• Reviewing the local Capital Improvement Program (CIP).</li> </ul> <p>The Planning Commission is not a legislative body, but an advisory committee. It makes recommendations to the Board of Supervisors on legislative matters, such as the adoption and amendment of the comprehensive plan, zoning ordinance, and subdivision ordinance. The Planning Commission consists of five (5) voting members.</p>	11
Board of Zoning Appeals	<p>The Board of Zoning Appeals (BZA) consists of five (5) voting members appointed by the Circuit Court judge (with recommendations made by the Board of Supervisors). Per the Code of Virginia and County Code, the BZA is charged with:</p> <ul style="list-style-type: none"> <li>• Hearing and deciding appeals from any order, requirement, decision, or determination made by an administrative officer in administering or enforcing the zoning ordinance;</li> <li>• Authorizing variances from zoning ordinance requirements; and</li> <li>• Hearing and deciding applications for interpretation of the zoning map where there is any uncertainty as to the location of a district boundary.</li> </ul>	1
Agricultural and Forestal District Advisory Committee	<p>The Agricultural and Forestal District Advisory Committee (AFDAC) provides advice regarding the local Agricultural and Forestal District (AFD) program, which is intended to preserve important agricultural lands and forests. The AFDAC consists of up to ten (10) members, with the composition of the committee's membership dictated by the Code of Virginia.</p>	2

# 2020 Planning Activities

Report to the Planning Commission