

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF GRAYSON COUNTY, VIRGINIA ZONING FOR THE REGULATION OF SOLAR ENERGY AND WIND ENERGY GENERATING FACILITIES, ALONG WITH OTHER AMENDMENTS FOR RENEWABLE ENERGY USES TO CLARIFY THEIR REGULATION, AND TO UPDATE PROCEDURES RELATED TO THE CONSIDERATION OF SPECIAL USE PERMITS

ARTICLE I. Purpose(s) and Authority.

WHEREAS, section 15.2-2204 *et.seq.* of the Code of Virginia (1950, as amended) established that any locality may, by ordinance, establish regulations on zoning and planning; and

WHEREAS, the Grayson County Board of Supervisors have determined that it is in the best interest of public health, safety, and general welfare to amend and update regulations related to renewable energy uses, and specifically solar energy and wind energy generating facilities; and

WHEREAS, the Grayson County Board of Supervisors have further determined that is in the best interest of public health, safety, and general welfare to update procedures related to the consideration of special use permits; and

WHEREAS, the Grayson County Planning Commission held a public hearing and recommended passage of this Ordinance on _____, 2023; and

WHEREAS, the Board of Supervisors of the County of Grayson, Virginia, held a public hearing on this Ordinance.

ARTICLE II. Construction.

For the purposes of this ordinance amendment, underlined works (underline) shall be considered as additions to the existing Zoning Ordinance language and strikethrough words (strikethrough) shall be considered deletions to existing language. Any portions of the adopted Zoning Ordinance which are not repeated herein but are instead replaced by an ellipses (“...”) shall remain as they currently exist with the Zoning Ordinance.

ARTICLE III. Amendment of the Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Grayson County, Virginia, after public notice, public hearing, and consideration of the best interests of the public health, safety, and welfare, that the Zoning Ordinance of Grayson County, Virginia, shall be amended, as follows:

PART I. That **Article 2, Definitions, of the Zoning Ordinance**, be amended by adding the following terms and definitions, inserted therein in customary alphabetical order with numbering and renumbering of sections as necessary:

Brownfield: A former industrial or commercial site typically containing low levels of environmental pollution such as hazardous waste or industrial byproducts.

Solar Energy Generating Facility (Solar Facility): Solar energy generating devices, inverters, a substation, ancillary equipment, buildings, security fencing, access roads, setbacks, and screening on the site. Solar energy generating devices utilize sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar generated energy. The term applies to, but is not limited to, solar photovoltaic systems, solar thermal systems, and solar hot water systems. The following words, terms and phrases pertaining to solar energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Solar Facility: A solar facility comprised of photovoltaics attached to and/or incorporated into building components and/or materials for structures, such as roofs or shingles, along with supporting equipment, the facility being an accessory use to the principal use of the property and not exceeding 50 kW. Such facilities may be ground-mounted. Supporting equipment commonly includes panels, racking, inverters, performance monitoring, grid connection, and energy storage systems.

Large-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (MW) alternating current or greater.

Operator: The company or individual responsible for the overall operation and management of the solar facility.

Owner: The company or person who owns all or a portion of a solar facility.

Participating landowner: A person who owns real property under lease or other property agreement with the owner or operator of a solar facility.

Photovoltaic (PV): Materials and devices that absorb sunlight and convert it directly into electricity.

Rated capacity: The maximum capacity of a solar facility based on the sum total of each photovoltaic system's nameplate capacity.

Small-Scale Solar Energy Facility: A ground-mounted solar facility that generates electricity from sunlight on an area adequate to support a rated capacity of one megawatt (1 MW) alternating current or less.

Viewshed: The view of an area from a specific vantage point. It includes all surrounding points that are in line of sight with that location.

Wind Energy Generating Facility (Wind Facility): A facility or project that generates electricity from wind and consists of one (1) or more wind turbines and may include other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. This includes, but is not limited to, transmission, storage, collection and supply equipment, substations, transformers, service and access roads, and one or more wind turbines. The following words, terms and phrases pertaining to wind energy generating facilities, when used in the Grayson County Zoning Ordinance or in the administration thereof, shall have the following meanings ascribed to them:

Accessory Wind Facility: A wind facility comprised of a tower and wind turbine that has a wind turbine height less than one hundred (100) feet and a rated capacity less than 100KW, along with supporting equipment, the facility being an accessory use to the principal use of the property. Supporting equipment commonly includes turbines, towers, controllers, inverters, grounding systems, foundations, and energy storage systems.

Operator: The company or individual responsible for the overall operation and management of the wind energy system.

Owner: The company or person who owns all or a portion of a wind energy system.

Participating landowner: A person who owns real property under lease or other property agreement with the owner or operator of a wind energy system.

Rated capacity: The maximum capacity of a wind facility based on the sum total of each turbine's nameplate capacity, which is typically specified by the manufacturer with a label on the turbine equipment.

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

Temporary meteorological tower (MET) or wind monitoring tower: A free-standing tower equipped with instrumentation, such as anemometers, designed to provide real-time data pertaining to wind speed and direction, and used to assess the wind resources at a particular site.

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

structure on which a wind turbine is mounted, or on which anemometers and other instrumentation are mounted in the case of MET towers.

Utility-Scale Wind Energy System: A wind facility with a rated capacity of one (1) megawatt (MW) or greater that generates electricity from wind, and consists of one (1) or more wind turbines and other accessory structures and buildings, including substations, post-construction meteorological towers, electrical infrastructure, and other appurtenant structures and facilities within the boundaries of the site. Two (2) or more wind turbines otherwise spatially separated but under common ownership or operational control, which are connected to the electrical grid under a single interconnection agreement, shall be considered a single utility-scale wind energy project.

Wind turbine: A device that converts wind energy into electricity through the use of a wind turbine generator. A wind turbine typically consists of a tower, nacelle, rotor, blades, controller and associated mechanical and electrical conversion components.

Wind turbine height: The vertical height of a wind turbine as measured from the existing grade to the highest vertical point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

PART II. That **Article 3, General Requirements for All Zone Districts, Section 3-14, of the Zoning Ordinance**, be amended as follows:

3-14 Renewable Energy Infrastructure. Includes; Wind Turbines, Hydropower Systems, Solar Photovoltaic Systems, Solar Thermal Systems and Combustion units.

The purpose of this section is to provide guidance, regulations, and standards ~~on zoning requirements~~ as it relates to renewable energy infrastructure in the un-incorporated areas of Grayson County. Renewable Energy Infrastructure is allowed ~~in all zone districts~~ in accordance with the standards set forth in this ~~article~~ Section. Unless stated otherwise, structures associated with renewable energy infrastructure require a zoning permit.

~~**Wind Turbines/Towers.** Wind turbines/towers under 100 feet in height (measured from the adjacent grade to the uppermost portion of the turbine are allowed in all zone districts with a zoning permit. Wind turbines and/or the collection of wind turbines that have rated capacity of less than 100 KW is allowed in all zone districts. Proposed towers of a greater height (over 100 ft.) and/or towers that are proposed to be luminated shall require a Special Use Permit. Permitted towers shall be located at a setback distance from any adjacent property line and any public street, at~~

~~the distance in feet that equals or exceeds the proposed height of the tower and wind turbine plus 25% of this distance.~~

~~**Solar Photovoltaic and Solar Thermal Systems.** Solar components proposed for ~~existing roof or existing structures will not require a zoning permit. When solar is proposed for a stand-alone rack system or when a new structure is proposed, the structure or rack system will require a zoning permit and will follow the street and yard~~ setbacks for the zone district. Solar photovoltaic and solar thermal systems with rated capacity of under 100KW or the equivalent is allowed in all zone districts. Utility scale solar power facilities will require a Special Use Permit. For the purpose of this Ordinance Utility Scale Solar are those systems with rated capacity of over 100 KW of electricity.~~

3-14.1 Hydropower Systems. ~~Micro-hydro systems for personal use or business use are allowed in all zone districts and will not require a zoning permit. Utility and utility scale hydropower systems will require a Special Use Permit are permitted either by-right or~~ subject to a Special Use Permit as specified within the applicable zoning districts in Article 4. For the purpose of this Ordinance Utility Scale Hydropower are those systems with rated capacity of over 100 KW of electricity. Landowners should reference state and/or federal requirements for use of the waterway when the use of the waterway is regulated by state or federal law.

3-14.2 Combustion Units. Combustion units that are located inside the principal building or those that are an accessory to a home or business are ~~allowed in all zone districts~~ permitted either by-right or subject to a Special Use Permit as specified within the applicable zoning districts in Article 4 when the fuel source is woody biomass, coal or agricultural in nature. Incineration units where the primary fuel is solid waste and/or other products other than woody biomass or agricultural and/or when the unit is designed for off-site, utility scale electrical generation or when proposed as part of a commercial based solid waste disposal unit, shall require a location in the Industrial District.

3-14.3 Solar Energy Generating Facilities and Wind Energy Generating Facilities

3-14.3.1 Applicability and Permitting. The requirements set forth in this Section shall govern the location, siting, development, construction, installation, operation and decommissioning of solar energy generating facilities and wind energy generating facilities in the County. Solar facilities and wind facilities are permitted either by-right or subject to a Special Use Permit as specified within the

applicable zoning districts in Article 4. Regardless of whether uses are allowed by-right or only with a Special Use Permit, a Zoning Permit is required pursuant to Section 3-5.

3-14.3.2 Application Process. In addition to application materials required as outlined in subsection 3-#3, Application Requirements, and procedural requirements as outlined in Section 5-11, Special Use Permit, all solar facilities and wind facilities for which a Special Use Permit is required shall be subject to the following procedural requirements:

3-14.3.2.1 Pre-Application Meeting. Prior to submission of a Special Use Permit application, a pre-application meeting shall be held with the Zoning Administrator to discuss the location, scale, and nature of the proposed use, what will be expected during that process, as well as the potential for a siting agreement, if applicable.

3-14.3.2.2 Third-Party Review. The County is authorized to hire an independent third-party consultant, and may choose to do so at their discretion, to review any Special Use Permit application and all associated documents for completeness and compliance with this section and any other state and federal codes. Any costs associated with the review shall be paid by the applicant. Any payment of such fees would in no way be a substitute of payment for any other application review fees otherwise required by the County.

3-14.3.2.3 Completeness/Compliance Review. Upon submission, the Zoning Administrator and/or a third-party reviewer shall review the application and determine whether it is complete (i.e., that all required application materials have been submitted) and compliant (i.e., that the application and proposed use meet all required regulations and standards). Based upon this review, the Zoning Administrator may determine that an application is incomplete and/or noncompliant and either reject the application or require the applicant to submit additional or revised

application materials prior to proceeding to further review.

3-14.3.2.4 Neighborhood Meeting. Following application submission and at least 14 days prior to the review conducted pursuant to subsection 3-#.2.4, Comprehensive Plan Review, a public neighborhood meeting shall be held to give the community an opportunity to hear from the applicant and to ask questions regarding the proposed application. The meeting shall adhere to the following requirements:

- a. The applicant shall inform the Zoning Administrator and adjacent property owners in writing of the date, time, and location of the meeting, at least 14 but no more than 21 days, in advance of the meeting date.
- b. The date, time and location of the meeting shall be advertised in a newspaper of record in the County by the applicant, at least 14 but no more than 21 days, in advance of the meeting date.
- c. The meeting shall be held within the County, at a location open to the public with adequate parking and seating facilities that will accommodate persons with disabilities.
- d. The meeting shall give members of the public the opportunity to review application materials, ask questions of the applicant, and provide feedback.
- e. The applicant shall provide the Planning Office/Department with a summary of any input received from members of the public at the meeting and copies of any written submissions from the public.

3-14.3.2.5 Comprehensive Plan Review. Pursuant to §15.2-2232., of the Code of Virginia, the Planning Commission shall consider, at a

public meeting, whether the general or approximate location, character, and extent of the proposed solar facility or wind facility is substantially in accord with the County's Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Board of Supervisors, indicating its approval or disapproval with written reasons therefor. The Board of Supervisors may overrule the action of the Planning Commission by a vote of a majority of its membership. Failure of the Planning Commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval. The owner or owners or their agents may appeal the decision of the Planning Commission to the governing body within 10 days after the decision of the Planning Commission. The appeal shall be by written petition to the Board of Supervisors setting forth the reasons for the appeal. The appeal shall be heard and determined within 60 days from its filing. A majority vote of the Board of Supervisors shall overrule the commission.

In conducting this review, the Planning Commission may perform this review at a meeting separate from and preceding any public hearing on the Special Use Permit application. The Planning Commission may hold a public hearing as part of this review, and shall hold a public hearing if directed to do so by the Board of Supervisors.

3-14.3.2.6 Consideration of Special Use Permit by the Planning Commission and Board of Supervisors. The Planning Commission and Board of Supervisors shall consider, review, and take action on Special Use Permit applications as specified by Section 5-11, Special Use Permit.

3-14.3.2.7 Siting Agreement. For Solar Energy Generating Facilities requiring a Special Use Permit, applicants shall enter into a siting agreement with the County, pursuant to and as

authorized by Article 7.3, Siting of Solar Projects and Energy Storage Projects, of the Code of Virginia, unless this requirement is waived by the Board of Supervisors.

3-14.3.3 Application Requirements. In addition to application materials required pursuant to Section 5-11, Special Use Permit, all Special Use Permit applications for solar facilities and wind facilities for which a Special Use Permit is required shall include the following materials and information, to be furnished by the applicant with any costs in developing, procuring, or preparing such materials and information to be borne by the applicant:

3-14.3.3.1 Project Narrative. A detailed narrative identifying the applicant, facility owner, site owner, and operator, if known at the time of application, and describing the proposed energy facility, including an overview of the project and its location; the size of the site, and the project area; the current use of the site; the estimated time for construction, any phasing schedule, location of staging areas or off-site storage facilities, and proposed date for commencement of operations; the planned maximum rated capacity of the facility; the approximate number, representative types and expected footprint of equipment to be constructed, including the maximum number of photovoltaic panels or towers/turbines; specifications for proposed equipment, including the manufacturer and model, materials, color and finish, racking type for solar facilities and rotor diameters and tower types for wind facilities; ancillary facilities; and how and where the electricity will be transmitted, including the location of the proposed electrical grid interconnection.

3-14.3.3.2 Concept Plan. A concept plan as a visual summary of the project. The concept plan shall be prepared by a professional, state-licensed engineer and shall include the following:

- a. Identification of subject parcels and property lines and/or leased portions of

- parcels, along with areas in acreage and square feet;
- b. Identification of required setbacks;
 - c. Existing and proposed buildings and structures, including identification of buildings, structures, or features to be removed or retained; preliminary locations, total area, and heights of proposed solar panels, towers/turbines, ground equipment, ancillary equipment, and other proposed structures; the location of proposed fencing, driveways, internal roads, and structures; and the location of points of ingress/egress;
 - d. The location and nature of proposed buffers and screening elements, including vegetative and constructed buffers, and existing landforms (i.e., natural berms, hills, rocky outcrops, etc.) intended to be used as a buffer or screening;
 - e. Existing and proposed access roads, drives, turnout locations, and parking;
 - f. Location of substations, electrical cabling from the facility to substations, ancillary equipment, buildings, and structures, including those within any applicable setback;
 - g. Fencing or other methods of ensuring public safety;
 - h. Proposed lighting;
 - i. Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress, and the closest distance to all adjacent property lines and buildings, noting their uses; and
 - j. Additional information may be required as determined by the Zoning Administrator, such as a scaled elevation view of the property and other supporting drawings, photographs of the proposed site, photo or other realistic simulations or modeling of the proposed project from potentially sensitive locations as deemed necessary by the Zoning Administrator to assess the visual impact of the project, landscaping and screening plan, coverage map, and additional information that may be

necessary for a technical review of the proposal.

3-14.3.3.3 Grading Plan. A draft grading plan that limits grading to the greatest extent practicable. The Plan shall include:

- a. Existing and proposed contours;
- b. Locations and amount of topsoil to be stripped and stockpiled onsite (if any);
- c. Percent of the site to be graded;
- d. An earthwork balance achieved on-site with no import or export of soil; and
- e. Indicate natural flow patterns in drainage design and amount of impervious surface.

3-14.3.3.4 Landscape Plan. A draft landscape plan identifying:

- a. The location of existing vegetation and the limits of proposed clearing;
- b. All proposed ground cover, screening and buffering materials, landscaping, and elevations;
- c. Locations of wildlife corridors;
- d. Landscape maintenance requirements; and
- e. For wind facilities, existing tree cover, including average height of trees, on the subject property and on adjacent parcels within the setback distance of any component of the wind energy system, including identification of existing trees to be removed.

3-14.3.3.5 Visual Impact Analysis. An analysis demonstrating project siting and proposed mitigation, if necessary, so that the proposed facility minimizes impacts on the visual character, viewsheds, and/or vistas of the County. At a minimum the visual impact analysis shall include accurate, to scale, photographic simulations showing the relationship of the facility and its associated equipment and development to its surroundings. The photographic simulations shall show such views of the facility from locations such as property lines, roadways,

and/or scenic viewsheds/vistas as deemed necessary by the County in order to assess the visual impact of the facility. The total number of simulations and the perspectives from which they are prepared shall be established by the Zoning Administrator after the pre-application meeting. Visual representations shall be in color and shall include actual pre-construction photographs and accurate post-construction simulations of the height and breadth of the wind system. All visual representations will include existing, as well as proposed buildings and tree coverage.

3-14.3.3.6 Community Impact Assessment. An assessment of the impact of the proposed facility on the immediate vicinity as well as the greater County. The assessment shall be prepared by one or more individuals or firms acting within their professional competency, shall be presented in written form, and shall analyze in specific terms the probable impact of the facility on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

- a. Consistency of the proposed facility with applicable policies contained in the County's Comprehensive Plan;
- b. Anticipated direct revenues to the county from real estate and personal property taxes;
- c. An assessment of employment opportunities to be created by the proposed development;
- d. An assessment of the short- and long-term economic impact of the proposed development;
- e. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise;

- f. Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities;
- g. Sewer and stormwater management needs as compared to existing capacities and facilities to address:
 - i. Adequacy of existing utilities, water, sewer, public services, and public facilities in the vicinity of the development;
 - ii. Public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements; and
 - iii. Other public and quasi-public facility and service impacts including refuse collection and disposal systems intended to serve the development.
- h. Socioeconomic changes and impacts to result from the proposed development;
- i. The costs in both capital and operating funds of providing services to the proposed development; and
- j. What efforts, if any, are proposed to mitigate the service demands or costs to the county.

The Zoning Administrator may waive certain elements of the impact assessment where the nature of the proposed facility makes such elements inapplicable.

3-14.3.3.7 Environmental Impact Assessment. An assessment of the impact of the proposed facility to include the following:

- a. A statement regarding any site and viewshed impacts, including direct and indirect impacts to national or state forests and grasslands, national or state parks, County parks, wildlife management areas, conservation easements, recreational areas, or any known historic or cultural resources within 5 miles of the project parcels. For wind facilities, the applicant shall provide

evidence of written notification to the office of a national or state forest, national or state park unit, wildlife management area, or known historic or cultural resource sites, if a proposed wind facility is within five (5) miles of the boundary of said entity; and

- b. An inventory of wetlands, rivers, streams, and floodplains, to be delineated and mapped, in order to provide baseline data for the evaluation of the current proposal and evaluation of the satisfactory decommissioning as required. The inventory and mapping of floodplain shall not be construed to allow development within regulatory flood plain areas without a flood plain development permit.

3-14.3.3.8 Traffic and Transportation Assessment. An

assessment of the impact of the proposed facility, including construction processes, on traffic and transportation infrastructure, to include the following:

- a. The time of day that operations and construction transport activities will occur;
- b. A map showing the desired primary and secondary transportation routes for operations and construction traffic;
- c. Characteristics of operations and construction loaded vehicles, including:
 - i. Length, height, width, curb weight;
 - ii. Maximum load capacity;
 - iii. Number of axles, including trailers;
 - iv. Distance between axles and
 - v. Vehicle registration plates
- d. Haul route(s)

After review, the County may require a full traffic study to be accepted by an engineer approved by the County.

3-14.3.3.9 Decommissioning and Reclamation Plan. A

draft decommissioning and reclamation plan certified by an engineer with a professional

engineering license in the Commonwealth of Virginia, to include the following and demonstrating compliance with the requirements of Section 3-#.6.10, Decommissioning and Reclamation:

- a. The anticipated life of the project, along with the basis for determining the anticipated life of the project;
- b. The estimated decommissioning cost in current dollars;
- c. How said estimate was determined;
- d. The method of ensuring that funds will be available for decommissioning and restoration;
- e. The method that the decommissioning cost will be kept current; and
- f. The manner in which the facility will be decommissioned and the site restored.

3-14.3.3.10 Wind Study. For wind facilities, a summary study of the wind data gathered for the proposed facility; the dates and periods of the collection of the wind data shall also be submitted.

3-14.3.3.11 Sound Study. For wind facilities, a sound study, prepared by an independent acoustical engineer, providing an assessment of pre-construction and post-construction conditions. The study shall demonstrate compliance with the requirements of subsection 3-14.3.6.1, Noise/Sound. Additionally, the applicant shall provide documentation regarding noise complaint response procedures and protocol for post-construction monitoring.

3-14.3.3.12 Shadow Flicker Model. For wind facilities, a shadow flicker model, prepared by an independent engineer, that certifies that any wind turbine that is sited within one-half mile of any occupied building on a non-participating landowner's property either avoids shadow flicker on any occupied building or that reasonable efforts to minimize shadow flicker to any occupied building on a non-participating landowner's property shall

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

3-14.3.4 Minimum Development Standards for Solar Energy Generating Facilities. The following minimum development standards shall apply to solar energy generating facilities, as stipulated:

3-14.3.4.1 Compliance with building codes and standards. Solar facilities shall be designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that were in force at the time of the permit approval. Facilities subject to a Special Use Permit shall be constructed and maintained in substantial compliance with the approved Concept Plan.

3-14.3.4.2 Multiple uses. Small- and large-scale solar facilities may be located on parcels with other active agricultural, residential, commercial, or industrial uses.

3-14.3.4.3 Location, dimensional, and setback standards.

- a. Accessory solar facilities and small-scale solar facilities shall be subject to the applicable setbacks of the zoning district in which the facility is located.
- b. Large-scale solar facilities shall be subject to the following location, dimensional, and setback standards:
 - i. The maximum project area of a solar facility shall be 500 acres.
 - ii. The area of solar panel coverage for any single solar facility project may not exceed 65 percent of the total acreage of the project.

- iii. Solar facilities shall not be located closer than 1 mile to any town or city boundaries, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts. The distance requirement from town or city boundaries may be reduced or waived as part of a Special Use Permit if the Planning Commission and Board of Supervisors receive a written statement from the applicable chief administrative official expressing no objection to the proposed location of a facility closer than 1 mile.
- iv. No solar facility shall be located within 2 miles of another existing or permitted large-scale solar facility.
- v. Solar facilities interconnecting to transmission lines shall be located within 2 miles of transmission line corridors.
- vi. Solar facilities shall meet all setback requirements for primary structures for the zoning district in which the facility is located and the requirements set forth below (the more restrictive requirements shall apply).
- vii. The minimum setback of structures and uses associated with the facility, including fencing, PV panels, parking areas, and outdoor storage, but not including landscaping and berming, shall be:
 - a. 150 feet from adjacent property lines.
 - b. 150 feet from all public rights-of-way.
 - c. 250 feet from a dwelling.

The Planning Commission may recommend and the Board of Supervisors may require increased setbacks up to 300 feet in situations where the height of

structures or the topography affects the visual impact of the facility.

These setback requirements shall not apply to the internal property lines of those parcels on which a solar facility is located.

Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback areas provided that such are generally perpendicular to the property line.

3-14.3.4.4 Height. For accessory, small-, and large-scale solar facilities, the maximum height of the lowest edge of photovoltaic panels shall be 10 feet as measured from the finished grade. The maximum height of panels, buildings, structures and other components of a solar facility shall be 15 feet, which shall be measured from the highest natural grade below each element. This limit shall not apply to utility poles, substations, or the interconnection to the overhead electric utility grid. The Board of Supervisors may approve a greater height based upon the demonstration of a significant need where the impacts of increased height are mitigated.

3-14.3.4.5 Density. Absent specific authorization by the Board of Supervisors as part of a Special Use Permit, no more than 3 percent of the land area in any given 5-mile radius shall be approved for use as the project area for a large-scale solar facility. For the purpose of calculating density, the project area for a large-scale solar facility shall consist of the entire fenced-in area and the required landscaped buffer zone. Under circumstances deemed appropriate by the Board of Supervisors, the Board may approve a denser development for large-scale solar facilities, and establish the maximum density permitted for the subject solar facility.

3-14.3.4.6 Buffer and Screening. For large-scale solar facilities, such facilities, including security

fencing that is not ornamental, shall be screened from the ground-level view of adjacent properties and public streets by a buffer zone at least 100' in width. The buffer shall be located within the setbacks required under this Section and shall run around the entire perimeter of the property. The buffer shall be maintained for the life of the facility. Screening may also be required in other locations to screen specific uses or structures. A recommendation that the screening and/or buffer creation requirements be waived or altered may be made by the Planning Commission when the applicant proposes to use existing wetlands or woodlands to satisfy the screening requirement. The wetlands or woodlands shall be permanently protected as a designated buffer and the overall buffer shall measure at least 75 feet. Screening methods may include:

- a. Existing Screening: Existing vegetation, topography, buildings, open space, or other elements located on the site may be considered as part of the required screening. Existing trees and vegetation may be retained within the buffer area except where dead, diseased, or as necessary for development or to promote healthy growth.
- b. Vegetative Screening: In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 feet on center. A list of appropriate plant materials shall be available at the Planning

Office. Species listed on DCR's Invasive Plant Species list shall not be used.

- c. Berming: Berms shall generally be constructed with a 3:1 side slope to rise ratio, 4-6 ft. above the adjacent grade, with a 3 ft. wide top with appropriate pollinator-friendly native plants, shrubs, trees, forbs, and wildflowers. The outside edges of the berm shall be sculpted such that there are vertical and horizontal undulations to give variations in appearance. When completed, the berm should not have a uniform appearance like a dike.
- d. Opaque Architectural Fencing: Fencing intended for screening shall be at least 50 percent visually solid as viewed on any line perpendicular to the fence from adjacent property or a public street. Such fencing may be used in combination with other screening methods but shall not be the primary method. A typical example is the use of wood privacy fencing and landscaping to screen structures such as substations. Depending on the location, ornamental features may be required on the fence. Fencing material shall not include plastic slats.

3-14.3.4.7 Ground Cover. For large-scale solar facilities, ground cover on the site shall be native vegetation and maintained in accordance with the landscaping plan in accordance with established performance measures. A performance bond reflecting the costs of anticipated maintenance shall be posted and maintained. Failure to maintain the ground cover shall result in revocation of the Special Use Permit and the facility's decommissioning. The operator shall notify the County prior to application of pesticides and fertilizers. The County reserves the right to request soil and water testing.

3-14.3.4.8 Security Fencing. For large-scale solar facilities, such facilities shall be enclosed by security fencing on the interior of the buffer

area (not to be seen by other properties) at a minimum of 7 feet in height and topped with razor/barbed wire, as appropriate. The height and/or location of the fence may be altered in the conditions for any particular special use permit. Fencing must be installed on the interior of the vegetative buffer. Fencing shall be placed around sections of the infrastructure (not the entire site) to provide access corridors for wildlife to navigate through the facility. All fencing shall be constructed so as to substantially lessen the likelihood of entry into a solar farm by unauthorized individuals. A performance bond reflecting the costs of anticipated fence maintenance shall be posted and maintained. Failure to maintain the security fencing shall result in revocation of the discretionary-use Permit and the facility's decommissioning.

3-14.3.4.9 Wildlife Corridors. For large-scale solar facilities, the Applicant shall identify access corridor(s) for wildlife to navigate through and across the solar facility. The proposed wildlife corridor(s) shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife. Access corridors for wildlife to navigate through the solar facility shall be identified and shown on the Concept Plan submitted to the County.

3-14.3.4.10 Lighting. For large-scale solar facilities, proposed lighting fixtures as approved by the County to minimize off-site glare and shall be the minimum necessary for safety and/or security purposes. No facility shall produce glare that would constitute a nuisance to the public. Any exceptions shall be enumerated on the Concept Plan and approved by the Zoning Administrator. Lighting on the site shall comply with any Dark Skies Ordinance the Board of Supervisors may adopt or, from time to time, amend.

3-14.3.4.11 Signage. For all solar facilities, no signage of any type may be placed on the facility other than notices, warnings, and identification information required by law. Warning signage shall be placed on solar equipment to the extent appropriate or legally required. Solar equipment shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar energy project. All signs, flags, streamers, or similar items, both temporary and permanent, are prohibited on solar equipment except as follows:

- a. manufacturer's or installer's identification;
- b. appropriate warning signs and placards;
- c. signs that may be required by a federal or state agency; and
- d. signs that provide a 24-hour emergency contact phone number and warn of any danger. Educational signs providing information about the project and benefits of renewable energy may be allowed as provided in the local sign ordinance.

3-14.3.4.12 Transmission Lines. Any new electrical transmission lines associated with a solar farm may be located either above or below ground in a manner to be least intrusive and mitigate their impact to surrounding properties.

3-14.3.5 Minimum Development Standards for Wind Energy Generating Facilities. The following minimum development standards shall apply to wind energy generating facilities, as stipulated:

3-14.3.5.1 Compliance with building codes and standards. Wind facilities, temporary meteorological towers (MET), and wind turbines, including but not limited to their associated electrical and mechanical components, shall conform to relevant and applicable local, state and federal codes, including, but not limited to, safety and performance codes. Facilities subject to a Special Use Permit shall be constructed and

maintained in substantial compliance with the approved Concept Plan.

3-14.3.5.2 Multiple uses. Wind energy facilities may be located on parcels with other active agricultural, residential, commercial, or industrial uses.

3-14.3.5.3 Minimum Project Area. For utility-scale wind energy facilities, the minimum project area (i.e., the area of lots or parcels comprising the project) shall be no less than five (5) acres per turbine proposed.

3-14.3.5.4 Turbine Height. For utility-scale wind energy facilities, individual turbines shall not exceed six hundred and eighty (680) feet in height, as measured from the ground to the highest vertical portion of the blade when fully extended. The system height established through a Special Use Permit shall supersede any other height requirement in the zoning ordinance.

3-14.3.5.5 Setbacks. For utility-scale wind energy facilities, wind turbines, post construction meteorological towers and other associated towers shall be set back a distance at least equal to one hundred and ten (110) percent of its total height from all adjacent non-participating landowner's property lines and a distance equal at least to one hundred and fifty (150) percent of its total height from the nearest occupied building on a non-participating landowner's property. Wind energy systems shall meet all setback requirements for primary structures for the zoning district in which the wind energy system is located in addition to the requirements set forth above.

3-14.3.5.6 Separation. The minimum distance required between turbines shall be no less than one hundred and fifty percent (150%) of the total structure height.

3-14.3.5.7 Distance from Towns, Cities, Zoning

Districts. Utility-scale wind facilities shall not be located closer than 1 mile to any town or city boundaries, or from properties in the Rural Residence (RR), Highland/Recreation-Public (HR-P), or Shoreline Recreation (SR) zoning districts. The distance requirement from town or city boundaries may be reduced or waived as part of a Special Use Permit if the Planning Commission and Board of Supervisors receive a written statement from the applicable chief administrative official expressing no objection to the proposed location of a facility closer than 1 mile.

3-14.3.5.8 Proximity to Transmission Lines.

Utility-scale wind facilities interconnecting to transmission lines shall be located within 2 miles of transmission line corridors.

3-14.3.5.9 Distance Between Facilities.

No utility-scale wind energy facility shall be located within five (5) miles of another existing or permitted utility-scale wind energy facility.

3-14.3.5.10 Height of Equipment and structures for

substations and facilities for points of interconnection. The height of equipment and structures related to substations and similar facilities shall not exceed one hundred (100) feet. This limit shall not apply to any state-regulated transmission poles.

3-14.3.5.11 Tower/Turbine Design.

- a. Wind energy system towers shall be of monopole design and shall be painted a non-reflective unobtrusive color such as white, off-white or gray that blends with the surrounding environment and prevents glint, unless Federal Aviation Administration (FAA) standards require otherwise. The planning commission and board of supervisors may approve any other color that is deemed to be less visually obtrusive.

- b. The minimum distance between the ground and any protruding blades utilized on a wind energy system shall be fifteen (15) feet, as measured at the lowest point of the arc of the blades. The lowest point of the arc of the blade shall be ten (10) feet higher than the tallest peak of any structure within one hundred and fifty (150) feet of the base of the tower.
- c. Wind energy systems shall be equipped with manual (electronic or mechanical) and automatic overspeed controls to limit the blade rotation speed to within the design limits of the wind energy system.
- d. The base of the tower shall not be climbable for a distance of fifteen (15) feet above ground surface.
- e. All access doors to wind turbines and electrical equipment shall be locked or fenced, as appropriate, to prevent entry by unauthorized persons.
- f. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.

3-14.3.5.12 Tower Lighting. Wind energy system towers shall not be artificially lit unless required by the FAA or appropriate authority. If lighting is required, the owner or operator shall provide a copy of the FAA determination to establish the required markings and/or lights for the wind turbines.

3-14.3.5.13 Signage. No tower should have any sign, writing, or picture that may be construed as advertising. Appropriate warning signage shall be placed on wind turbines, electrical equipment, and wind energy systems project entrances. All signs, flags, streamers or similar items, both temporary and permanent, are prohibited on turbines except as follows:

- a. Manufacturer's or installer's identification on the wind turbine.
- b. Appropriate warning signs and placards.
- c. Signs that may be required by a federal or state agency.
- d. Signs that provide a 24-hour emergency contact phone number and warn of any danger.

3-14.3.5.14 Clearing of Vegetation. Clearing of natural vegetation shall be limited to that which is necessary for the construction, operation and maintenance of the wind energy system.

3-14.3.5.15 Erosion and Sediment Control. Adherence to erosion and sediment control regulations is required. The restoration of natural vegetation in areas denuded for construction activities shall be required so long as the restored vegetation does not interfere with the operation of the wind energy system or the maintenance thereof.

3-14.3.5.16 Transmission Lines. Any on site transmission or power lines shall be placed underground, unless written evidence is provided, satisfactory to the board of supervisors during the special exception permit process, demonstrating the need for transmission or power lines to be placed above ground.

3-14.3.6 Construction, Operational, and Decommissioning Requirements for Solar Energy Generating Facilities and Wind Energy Generating Facilities. The following requirements shall be met during the construction phase and/or throughout the operational life of solar facilities and wind facilities subject to a Special Use Permit:

3-14.3.6.1 Noise/Sound. Audible sound from solar and wind facilities shall not exceed sixty (60) decibels, as measured from any adjacent non-participating landowners' property line. This level may be exceeded during short-term exceptional circumstances, such as severe weather. The owner or operator of a solar or wind facility shall measure and document, on

a continuing basis, which shall not be less frequent than annually, or upon request by the County, that noise levels comply with the decibel limit established herein and, in the case of wind facilities, the study required to be submitted per subsection 3-14.3.3.11, Sound Study; any violation will constitute a zoning violation.

3-14.3.6.2 Groundwater Monitoring. Ground water monitoring to assess the level of groundwater contamination shall take place prior to, and upon completion of construction of a project, throughout the area of the facility. Ground water monitoring shall take place every five years of the operation of the facility, and upon completion of decommissioning. Results from said monitoring shall be delivered to the County.

3-14.3.6.3 Coordination of Local Emergency Services; Emergency Response Plan. Prior to completion of construction, the owner or operator of a facility shall coordinate with the County's emergency services to provide materials, education, and/or training on how to safely respond to on-site emergencies, and to develop, implement and periodically update, including exercising of, an emergency response plan. Emergency personnel will be given a key or code to access the property in case of an on-site emergency.

3-14.3.6.4 Monitoring and Maintenance. The owner or operator shall maintain the solar facility in good condition. Such monitoring and maintenance shall include, but not be limited to, painting, evaluating the structural integrity of equipment, foundations, structures, fencing and security barriers, as applicable, maintenance of the buffer areas, and landscaping. Site access shall be maintained to a level acceptable to the County. The project owner shall be responsible for the cost of maintaining the facility and access roads, and the cost of repairing damage to private roads occurring as a result of construction and

operation. Failure to maintain the Solar Facility may result in revocation of the Special Use Permit and the facility's decommissioning.

3-14.3.6.5 Liability Insurance. The owner or operator of a facility shall provide to the Zoning Administrator written evidence of liability insurance in an amount acceptable to the purchasing utility provider prior to beginning construction and before the issuance of a zoning permit.

3-14.3.6.6 Signal Interference. For wind facilities, such facilities shall be sited in a manner that causes no disruption or loss of radio, telephone, television or similar signals or service. If loss or disruption occurs due to the operation of the wind facility, the owner or operator shall be required to provide appropriate mitigation measures to ensure that the signal or service is restored within twenty-four (24) hours. The owner or operator of a wind facility may be required to discontinue use until the specified interference has been corrected.

3-14.3.6.7 Compliance with Local, State, and Federal Requirements. During the term of issued Special Use Permits, operation of facilities shall fully comply with all applicable local regulations, as well as all applicable state and federal regulations, including but not limited to, the U.S. Environmental Protection Agency (EPA), Federal Aviation Administration ("FAA"), State Corporation Commission ("SCC") or equivalent, any state departments related to environmental quality, parks, and wildlife protection, as well as all the applicable regulations of any other agencies that were in force at the time of the permit approval.

Wind facilities, specifically, shall demonstrate compliance with applicable FAA regulations prior to the issuance of a zoning permit, and such systems shall be designed, constructed and operated without significant adverse

impact to fish, wildlife or native plant resources, including fish and wildlife habitat, migratory routes, and state or federally-listed threatened or endangered fish, wildlife or plant species, and to meet all applicable state and federal environmental requirements.

3-14.3.6.8 Inspections.

- a. The applicant, owner, or operator will allow designated County representatives or employees access to a facility for inspection purposes. The County representative or employee will provide the facility operator with 24-hour notice prior to such inspection when practicable.
- b. The applicant or owner of a facility shall reimburse the County its costs in obtaining an independent third-party to conduct inspections required by local and state laws and regulations.

3-14.3.6.9 Change in Ownership. Notice of any change of ownership of the facility shall be provided to the County within ten (10) working days of any such change.

3-14.3.6.10 Decommissioning and Reclamation.

- a. Solar facilities and wind facilities which have reached the end of their useful life or have not been in active and continuous service for a period of 6 months shall be removed at the owner's or operator's expense, except if the project is being repowered or a force majeure event has or is occurring requiring longer repairs; however, the County may require evidentiary support that a longer repair period is necessary.
- b. The owner or operator shall notify the Zoning Administrator by certified mail of the proposed date of discontinued operations and plans for removal.

- c. Decommissioning shall be performed in compliance with an approved Decommissioning Plan, which must be submitted for approval by the Board of Supervisors prior to the issuance of a Zoning Permit. The draft Decommissioning Plan and the final Decommissioning Plan must demonstrate compliance with the requirements of this section. The Board of Supervisors may approve any appropriate amendments to or modifications of the Decommissioning Plan.
- d. Decommissioning shall include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any other associated facilities, so that any agricultural ground upon which the facility and/or system was located is again tillable and suitable for agricultural uses. The site shall be graded and re-seeded to restore it to as natural a condition as possible, unless the landowner requests in writing that the access roads or other land surface areas not be restored, and this request is approved by the Board of Supervisors (other conditions might be more beneficial or desirable at that time).
- e. The site shall be re-graded and re-seeded to as natural condition as possible within 12 months of removal of facilities. Re-grading and re-seeding shall be initiated within a 6-month period of removal of equipment.
- f. Any exception to site restoration, such as leaving driveways, entrances, or landscaping in place, or substituting plantings, shall be requested by the landowner in writing, and this request must be approved by the Zoning Administrator.

- g. Hazardous material from the property shall be disposed of in accordance with federal and state law.
- h. The estimated cost of decommissioning shall be guaranteed by the deposit of funds in an amount equal to the estimated cost in an escrow account at a federally insured financial institution approved by the County.
 - i. The applicant shall deposit the required amount into the approved escrow account before any building permit is issued to allow construction of the solar or wind facility.
 - ii. The escrow account agreement shall prohibit the release of the escrow funds without the written consent of the County. The County shall consent to the release of the escrow funds upon the owner's or occupant's compliance with the approved decommissioning plan. The County may approve the partial release of escrow funds as portions of the approved decommissioning plan are performed.
 - iii. The amount of funds required to be deposited in the escrow account shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.
 - iv. The owner or occupant shall recalculate the estimated cost of decommissioning every five years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten percent (10%), then the owner or occupant shall deposit additional funds into the escrow account to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety percent (90%) of the original estimated cost of decommissioning, then the County may approve reducing the amount of

- the escrow account to the recalculated estimate of decommissioning cost.
- v. The County may approve alternative methods to secure the availability of funds to pay for the decommissioning of a utility-scale solar or wind facility, such as a performance bond, letter of credit, or other security approved by the County.
- vi. If the owner or operator of the solar or wind facility fails to remove the installation in accordance with the requirements of this permit or within the proposed date of decommissioning, the County may collect the surety and the County or hired third party may enter the property to physically remove the installation.

PART III. That **Article 3, General Requirements for All Zone Districts, Sections 3-15 and 3-15.1, of the Zoning Ordinance**, be amended as follows:

By renaming Section 3-15 as “Communication Tower & Antenna Regulations,” and further amending as follows:

3-15 Communication Tower & Antenna Regulations. The purpose of this section is to establish general guidelines for the siting of communication towers and antennas. The goals of this section include; encouraging the towers in non-residential areas when possible, minimizing the total number of towers by providing adequate service through co-location where possible and to site the towers in ways that minimize negative visual impacts to the community.

3-15.1 Applicability. This section shall only apply to towers and antennas that are installed at heights greater than fifty (50) feet. Towers used for wind turbines shall be governed by **Article 3-14** and are not subject to and are exempt from this section.

The purpose of this section is for communications towers, albeit when other towers over fifty (50) feet are proposed applicable sections shall apply.

The placement of an antenna on (or in) an existing structure or existing tower or pole shall be allowed by right, when the additional height of the tower on the existing structure does not exceed an additional twenty (20) feet or more and the addition can meet Building Code Requirements.

Any tower structure or addition to a structure that may require FAA lighting will adhere to the requirements in this section.

PART IV. That **Article 4, Zone Districts and Official Zoning Map, of the Zoning Ordinance**, be amended as follows:

By deleting all references to “Renewable Energy Infrastructure in accordance with Article 3.14” as contained in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), and Industrial (I) District (IND) zoning districts;

By adding “Accessory Solar Facilities in accordance with Section 3.14,” “Accessory Wind Facilities in accordance with Section 3.14,” “Combustion Units in accordance with Section 3.14,” and “Micro-hydro systems in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF), Rural Residential (RR), Commercial District (C), Industrial (I) District (IND), and Service District (SD) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Small-Scale Solar Facilities in accordance with Section 3.14” in the lists of Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such use to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary;

By adding “Large-Scale Solar Energy Facilities in accordance with Section 3.14” and “Utility scale hydropower systems in accordance with Section 3.14” in the lists of Special Uses Permitted for the Rural Farm District (RF) and Industrial (I) District (IND) zoning districts, such uses to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary; and

By adding “Utility-Scale Wind Energy Systems in accordance with Section 3.14” in the list of Special Uses Permitted for the Rural Farm District (RF) zoning district, such use to be inserted in customary alphabetical order with alphabetizing and re-alphabetizing of subsections as necessary.

PART V. That **Section 5-11, Special Use Permit, of Article 5, Administration of Zoning Ordinance, of the Zoning Ordinance**, be amended as follows:

5-11 Special Use Permit. (sometimes referred to as conditional use permits). The Zoning District regulations (**See Article 4- Zone District**) delineate a number of uses that are allowed by right. Those uses that require another level of review to ensure that the health, safety and welfare of the public can be met, are listed as Special Uses for the Zone District. When a Special Use is listed for the zone district a Special Use Permit application can be submitted. To apply for a Special Use Permit;

- 1) Consult with the Zoning Administrator for submittal of the application and fees, including any use-specific application requirements.
- 2) A date and time for the next available Planning Commission meeting will be scheduled to ensure that the public hearing notice requirements can be met.
- 3) The Planning Commission will review the application, hold a public hearing and make a recommendation to the Board of Supervisors.
- 4) The Board of Supervisors will review the application, hold a public hearing and issue a determination regarding the Special Use Permit application.

The Planning Commission, in considering its recommendation, and the Board of Supervisors, in considering its action, will take into account whether the proposed Special Use Permit as submitted, or as modified, is detrimental to or has undue adverse impacts on the public's general health, safety, and welfare, and is consistent with the County's Comprehensive Plan or to specific elements of such plan, and to official policies adopted in relation thereto, including the purposes and standards of the Zoning Ordinance. Conditions may be imposed upon individual Special Use Permits to mitigate potential or anticipated negative impacts and/or to ensure consistency with the Comprehensive Plan or specific elements thereof, and the purposes and standards for the Zoning Ordinance.

The Special Use Permit, when granted by the Board of Supervisors, will be based on the site plan and application materials submitted by the applicant, and subject to any conditions imposed thereon. Should the applicant choose to amend or change any aspect of the original application, ~~or site plan, or conditions,~~ the applicant can apply for an amendment to the Special Use Permit by following the procedure listed above.

Special Use Permits are granted to the tax map number(s) identified in the original application, and approval will remain with the land as long as the use (use listed with the original application) is valid, regardless of property ownership.

PART VI. This ordinance shall be effective immediately. The Zoning Code of Grayson County, Virginia shall be revised as set forth herein, subject to Article, Section, and Subsection titles and numbers amendment by the Editor as necessary for consistency. Should any section or provision of this ordinance be decided by a court of competent jurisdiction to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of any other section or provision of this ordinance or of the Zoning Ordinance of Grayson County.

Voting:

Kenneth R. Belton, Chair	<u>Aye (or Nay) (fill in after; note motion and second)</u>
John S. Fant, Vice Chair	<u>Aye (or Nay) (fill in after; note motion and second)</u>
Tracy “Zeke” Anderson	<u>Aye (or Nay) (fill in after; note motion and second)</u>
Michael S. Hash	<u>Aye (or Nay) (fill in after; note motion and second)</u>
R. Brantley Ivey	<u>Aye (or Nay) (fill in after; note motion and second)</u>

I hereby certify that the foregoing is a true and correct copy of the Ordinance approved at the _____ meeting of the Grayson County Board of Supervisors, Grayson County, Virginia.

A Copy Teste:

Stephen A. Boyer,
County Administrator

Date