

Wednesday, October 14, 2026

Planning Commission Regular Meeting 7:00 p.m.

Regular Meetings will be held in the Board Chambers (Room 104) located within the County Administration building located at 23296 Courthouse Avenue - Accomac, VA 23301.

To listen to the live audio, please visit: <https://www.co.accomack.va.us/how-do-i/listen-to-meeting-audio>

1. CALL TO ORDER

Subject : A. Members Present and Absent
Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category : 1. CALL TO ORDER
Type :

Public Content

Key Points: Routine item to determine attendance.

Staff Contact: Pamela Dix, Administrative Assistant II

Subject : B. Determination of Quorum
Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category : 1. CALL TO ORDER
Type :

Public Content

Key Points: Routine item. A majority of the members (5) shall constitute a quorum. The Planning Commission is a nine-member body. Each member represents one magisterial district and has one vote.

Staff Contact: Pamela Dix, Administrative Assistant II

Subject : C. Consider Allowing Remote Participation of Commissioner(s) (if warranted)
Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category : 1. CALL TO ORDER
Type :

Public Content

Key Points: The Planning Commission has adopted a remote participation policy in accordance with Virginia state law. Should the need arise, the below script is used to document the Commission's consent to allow a member to participate remotely.

2. ADOPTION OF AGENDA

3. MINUTES

Subject :	A. Wednesday, September 9, 2026 Regular Planning Commission Minutes
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	3. MINUTES
Type :	

Public Content

Staff Contact: Pamela Dix, Administrative Assistant II

Number of Attachments & Description: One attachment, September 9, 2026 Meeting Minutes

File Attachments

[PC Minutes 2026.09.09 DRAFT.docx \(131 KB\)](#)

4. PUBLIC COMMENT PERIOD

Subject :	A. Description and Rules
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	4. PUBLIC COMMENT PERIOD
Type :	Information, Presentation

Public Content

Key Points:

- This time is for public comment on non-agenda/ non-public hearing items.
- Comments are limited to 4 minutes.
- Should a speaker wish to use a presentation or slide deck, it must be provided to the Staff by 4pm on the preceding day (Tuesday).
- The public comment rules are stated below.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community & Economic Development

Number of Attachments & Description: None

5. OLD BUSINESS

6. NEW BUSINESS

7. PUBLIC HEARING

Subject :	A. POSTPONED- REZ-000188-2025 CUSE-000054-2026 Duncan Manor Village Development Rezoning from Business and Ag to Village Development District and CUP for a Village Development with Waiver Request
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p. m.
Category :	7. PUBLIC HEARING
Type :	

Public Content

Duncan Manor

PUBLIC HEARINGS POSTPONED

Key Points: Please note that because of an administrative issue, the public hearings for these two cases have been postponed until the **Thursday, November 12, 2026** meeting.

Previous materials can be found at this [link.https://go.boarddocs.com/va/coa/Board.nsf/goto?open&id=DXGMHR5B5DFB](https://go.boarddocs.com/va/coa/Board.nsf/goto?open&id=DXGMHR5B5DFB)

Staff Contact: Leander N. Lee Pambid, CZA, MURP, MPA, Deputy County Administrator

Number of Attachments & Description: (1) Public Hearing Ad

File Attachments

[Combined Solar - BESS - Duncan Manor postponed AD 2026-10-07.pdf \(145 KB\)](#)

Subject :	B. Amendments to Chapter 106 Zoning to Comply with New State Laws Requiring Localities Accommodate Certain Solar Uses
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	7. PUBLIC HEARING
Type :	

Public Content

Key Points:

On June 17, the Board of Supervisors passed [an initiating resolution](#) to start ordinance amendments required by the state legislature's passage of several bills intended to regulate solar facilities. This public hearing considers only the amendment for allowing solar facilities with an approved conditional use permit in certain other zoning districts where the County currently only allows them in the Industrial District.

In the ensuing months, the Staff briefed on the proposed language, and on [September 9](#), requested a public hearing be authorized for October 14. The proposed amendment has been advertised in accordance with Code of Virginia [§ 15.2-2204](#). No changes have been made the language presented on September 9.

Background- Utility Scale Solar Energy Systems

House Bill 711/Senate Bill 347, now signed into law, **requires localities to provide a path for certain ground-mounted solar facilities as a conditional use** in agricultural, business, industrial, and mixed-use zoning districts and require the adoption of mandatory solar facility regulations. Currently, a utility-scale solar facility requires **industrial zoning AND a conditional use permit**.

Since state law mandates a path in various zoning districts, a rezoning is no longer required if the facility's proposed site is zoned Agricultural, Industrial, Business, or Village Development. The proposed language still requires two public hearings through the conditional use permit process, going to both the Planning Commission and the Board of Supervisors.

The proposed ordinance amendment language specifically does three things:

1. Amends the definition of "Solar energy system, utility scale" to reflect the state's definition;
2. Adds Section 106-244. - Solar energy systems, utility scale, to factor in solar facility regulations as directed by state law and as described below; and
3. Amends language in the "A", "I", "B-1", "B-2", and "VDD" districts require utility scale solar facilities to **first obtain a conditional use permit**.

The proposed language has been reviewed by both Legal and Planning Staffs.

If the Planning Commission recommends approval, it must include regulations and provisions consistent with [§ 15.2-2288.8](#), relating to the following:

- Setbacks, fencing, and height of the solar panels
- Visual impacts on public parks, scenic rivers and byways, and historic structures or sites.
- Viewsheds
- Landscaping and buffering
- Light intensity dimming solution technology
- DEQ stormwater regulation
- Minimization of new impervious surface on the site
- Land disturbance and permanent site stabilization
- Vegetative cover; planting of crops, pollinator plant species or naturalized meadow species
- Mowing and trimming of visual screens
- Wildlife passage
- Decommissioning agreements; and compliance with all applicable state and federal labor and employment laws

If the Planning Commission recommends denial, it must state the reasons for the denial.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Staff Recommendation: Staff recommends APPROVAL of the proposed amendment as presented to allow ground-mounted solar facilities in the Agricultural, Business-1 and 2, Industrial, and Village Development Districts by conditional use permit, and that the Planning Commission recommends same to the Board of Supervisors.

Number of Attachments & Description: (2) Proposed ordinance amendment language (Solar by CUP in A, B, I, and VD Districts); Energy Systems Use Matrix

File Attachments

[Solar Amendment for PC 2026-10-14.pdf \(390 KB\)](#)

[Accomack County Energy Systems Matrix 2026-07-24.pdf \(159 KB\)](#)

Subject :	C. Amendments to Chapter 106 Zoning to Comply with New State Laws Requiring Localities Accommodate Battery Energy Storage Systems as an Accessory Use to Approved Solar Facilities
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p. m.
Category :	7. PUBLIC HEARING
Type :	

Public Content

Key Points:

On June 17, the Board of Supervisors passed [an initiating resolution](#) to start ordinance amendments required by the state legislature's passage of several bills intended to regulate solar facilities and battery energy storage facilities, or BESSs. This public hearing considers only the amendment for allowing BESSs as a by-right accessory use on solar facilities with an approved conditional use permit.

In the ensuing months, the Staff briefed on the proposed language, and on [September 9](#), requested a public hearing be authorized for October 14. The proposed amendment has been advertised in accordance with Code of Virginia [§ 15.2-2204](#). No changes have been made the language presented on September 9.

Background- BESSs By-Right as Accessory Uses to Solar Facilities

Senate Bill 443, now signed into law, **allows battery energy storage systems as a by-right accessory use** on property occupied by solar facilities with an approved conditional use permit, subject to safety regulations and other codes. This will only affect properties that currently have solar facilities with CUPs. BESSs in other locations that do not currently have solar facilities and/or are not zoned industrial are still subject to the recently adopted BESS ordinance.

The proposed ordinance amendment language does the following:

1. Defines a new term, permitted battery energy storage system, that limits it to approved solar facilities;

2. Includes language requiring compliance with safety, environmental, fire, flood, stormwater/ erosion and sediment control, and landscaping regulations currently written into the ordinance; and
3. updates grammar and staff titles.

Relation to Current BESS Ordinance ([Section 106-243](#))

This ordinance does not affect Section 106-243 currently in effect, which essentially states that BESSs proposed on other properties not containing a utility scale solar facility must have **industrial zoning and a conditional use permit**.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Staff Recommendation: Staff recommends APPROVAL of the proposed amendment as presented to allow Battery Energy Storage Systems as a by-right accessory use on solar facilities with an approved conditional use permit, and that the Planning Commission recommends same to the Board of Supervisors.

Number of Attachments & Description: (1) Proposed ordinance amendment language (BESS)

File Attachments

[BESS Amendment For PC 2026-10-14.pdf \(234 KB\)](#)

8. OTHER MATTERS

Subject :	A. Receive Briefing on CUSE-000149-2026 Chincoteague Municipal Well Field and Request for Public Hearing
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	8. OTHER MATTERS
Type :	

Public Content

Key Points:

Identification and Location Information

Applicants	Town of Chincoteague, Virginia
Property Owner	Town of Chincoteague, Virginia
Request	Conditional Use Permit for a public water facility per 106-54(6)

Location	Tax Parcels 28-A-73B & 25-5-1 to 6, approximately 600 feet east of the intersection of Chincoteague and Wallops Neck Roads
Magisterial District	2- Supervisor Roger DeGeorges PC Chair Angela Wingfield
Acreage	~31.89 acres
Zoning	Agriculture
Future Land Use Recommendation	Agriculture
Overlays	Ag and Forestal District
Adjacent Zoning	Agriculture
Adjacent Uses	Federal flight facility, national wildlife refuge, single family dwellings; vacant wooded
Density	Not applicable- no residential development proposed
Staff Contact	Leander N. Lee Pambid- Deputy County Administrator for Community and Economic Development Phone: 757-787-5723 Email: lpambid@accomack.gov

Updates Since Last Meeting on September 9

The Planning Commission requested certain specific information at their [last regular meeting](#) on regarding the application, including:

- detailed site plan with setbacks (better concept plan, engineering not required at this stage)
- rights-of-way evidence (or easement)
- well capacities and expected withdrawal rates
- connection route details
- equipment building dimensions (height)

The Chincoteague Town Manager, Mike Tolbert, has submitted an expanded and detailed narrative to address these questions, and he further details the public need for a new water source.

Staff requests that the Commission **set a public hearing for the Thursday, November 12 meeting.**

Background

The Town of Chincoteague requests a conditional use permit for a municipal well field at the above referenced location. This request is a follow-up to a previously approved CUP which has since expired. The application submitted this time includes the same exhibits presented in 2018, which are attached for your information. It is the County Staff's understanding that Town now has resources available to move this infrastructure project forward.

Staff is processing this application with the understanding that the Town of Chincoteague provide additional materials, including:

1. a narrative description of the project and its current status; and
2. answers to questions regarding their application form, certain site design elements, and amount of land in the project area.

Previous Action

On [May 16, 2018](#), the Board of Supervisors approved CUP-2018-003 for a municipal water well field on parcels Tax Map numbers 28-A-73B & 25-5-1 thru 6 pursuant to Accomack County Code [Section 106-54\(6\)](#) subject to the following conditions and understanding:

1. That substantial construction occurs within 30 months of the date of approval of this CUP.
2. That once a final plan is developed for the location of the equipment/pump house, location of wells and water main that it be forwarded to the Accomack County Planning Commission.
3. That the Town work cooperatively with adjacent property owners to minimize any impacts to their respective properties.

The Planning Commission and Planning Staff had previously recommended approval.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Staff Recommendation: **Set a public hearing for the next regularly scheduled Commission meeting on Thursday, November 12.**

Number of Attachments & Description: (2) Chincoteague Project Narrative rcvd 2026-10-07; CUP-2018-003 Accomack County Staff Report, 2018.

File Attachments

[Chincoteague Matthews Well Field Report 2026-10-07.pdf \(2,296 KB\)](#)

[STAFF REPORT CUP-2018-003 Chincoteague Well Field 2018-04-24.pdf \(143 KB\)](#)

Subject :	B. Receive Briefing on Amendment to Chapter 78-Subdivisions, Section 78-13 Regarding Lot Validations
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	8. OTHER MATTERS

Type :

Public Content

Key Points:

At its August 19, 2026, meeting, the Board of Supervisors passed an initiating resolution to begin the process of amending Chapter 78 - Subdivisions, [Section 78-13](#), to modify the criteria under which certain unapproved divisions of land may be validated.

Previous Amendment

- Section 78-13 was amended on July 19, 2023, to establish an administrative process for validating certain unapproved divisions of land recorded between May 1, 1973, and December 31, 2022.
- The intent was to allow qualifying lots created through these historical divisions to be recognized as lawful nonconforming lots, provided the applicant satisfies the criteria established in the ordinance.

Current Validation Criteria

1. A complete application for validation of the unapproved division of land is made by all property owners to the county administrator or designee;
2. Applicant pays the review fee assessed by the county;
3. Applicant presents evidence that the lot at issue has permanent access to a public road;
4. Applicant presents evidence that the lot at issue is accessible by emergency vehicles to the satisfaction of the Department of Public Safety;
5. Applicant presents evidence that the lot at issue will have adequate drainage and stormwater management;
6. Applicant presents evidence that the lot at issue will be served by water and sewer;
7. Applicant prepares and submits for county approval a subdivision plat certified by a licensed surveyor or professional engineer showing the boundaries of the lot at issue; and
8. Applicant records the subdivision plat in the clerk's office of the county circuit court after approval by the county administrator or designee.

Proposed Amendment

The proposed amendment would eliminate the requirement that applicants submit a separate subdivision plat for review and approval by the County, provided the original recorded instrument depicting the division contains legible distances and bearings and is stamped by a licensed surveyor or professional engineer. The proposed amendment does not eliminate the validation process or other requirements intended to ensure that the lot can be safely and appropriately developed.

Staff Contact: Chontese Ridley, County Planner

Number of Attachments & Description: (1) Initiating Resolution, (2) Proposed Language

File Attachments

[8.19.2026 Resolution to refer to PC Subdivision.pdf \(152 KB\)](#)

[DRAFT Proposed Language Subdivision Amendment Section 78-13 Regarding Lot Validations Version 9.17.26.pdf \(118 KB\)](#)

Subject :

C. Receive Briefing on Status of CBPA/ CAPA Review

Meeting :

Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.

Category :

8. OTHER MATTERS

Type :

Public Content

Key Points:

This is a briefing updates the Planning Commission on progress made to date on the CBPA/ CAPA study plan, as requested by the Board of Supervisors. The County Staff has begun executing the per the outline approved on [September 9](#). The Staff will also provide the same presentation on erosion and sediment control and stormwater, with staff from Kimley Horn.

No action is required of the Planning Commission at this time.

The 2008 CAPA staff report is provided for information only and for review as the Commission considers the original justifications. As mentioned in the study outline, state-level justifications for the original Bay Act are also forthcoming.

Steps Taken to Date

The County Staff has conducted the following activities since then:

1. Publicized the study in the Eastern Shore Post and on the County [Facebook](#) page.
2. Added [an article](#) to the "Latest News" section of the County's website (<https://www.accomack.gov/m/newsflash/home/detail/34>)
3. Reached out to list of community, design, academic, and development stakeholders inviting them to comment
4. Reached out to the Virginia Department of Environmental Quality, requesting that staff from both their stormwater and Chesapeake Bay divisions to make presentations in November.

Public Input to Date

As of the date of this report's publication, the Staff had received three written comments via email, all from Accomack residents. Two favor de-regulation while one favors regulation.

Next Steps

1. As public comment comes in, Staff expects to begin compiling the comments and incorporating them into the draft report.
2. While commitments from DEQ are still pending at this time, Staff further expects that DEQ presentations on erosion and sediment control and stormwater and Chesapeake Bay requirements will be made in November.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Number of Attachments & Description: (1) November 2008 CAPA Staff Report

CHESAPEAKE/ ATLANTIC
PRESERVATION AREA

PUBLIC COMMENT
PERIOD



October 1 - October 31

Do you have a stake in how environmental quality or construction and development are regulated in Accomack County?

Accomack requests your written input.

For more information, scan the QR Code or go to the "Latest News" section of www.accomack.gov



File Attachments

[20081112 CAPA Amendment Staff Report.pdf \(388 KB\)](#)

9. STAFF REPORT

Subject :	A. Subdivision Agent
Meeting :	Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category :	9. STAFF REPORT
Type :	

Public Content

Key Points:

Subdivision Agent

No major subdivisions have been submitted requiring the Commission's review.

Subdivision	
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Case #	Name	Description
XXXX-#####-####	X	Preliminary/ Final plat] # acre site, # of lots, [tax parcel #], [general location / municipal utilities]

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Subject : B. Zoning Administrator
Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category : 9. STAFF REPORT
Type :

Public Content

Key Points:

The BZA held **5 public hearings** at its regularly scheduled meeting on [Wednesday, October 7, 2026](#).

Case #	Description	Location	Out
SUSE-000155-2026	SUP pursuant to Accomack County Code Section 106-53(27) for a use of land not specifically listed as a use permitted by right or by special exception-special use in the agricultural district regulations, which is clearly similar and compatible with the uses listed therein. The applicant proposes to place an accessory structure on the property without a primary structure. (Assawoman Properties LLC)	70-A-143, 15300 Block of Hog Neck Road, Nelsonia	Gran w/ cond
SUSE-000158-2026	SUP pursuant to Accomack County Code Section 106-53(14), which permits travel trailers located outside of travel trailer parks, which are to be occupied for habitation. The applicant wishes to temporarily place a travel trailer on the parcel while building a new home.(Cook)	83C-1-30 & 31,24077 Tall Pines Drive, Onancock	Gran w/ cond
SUSE-000154-2026	SUP pursuant to Accomack County Code Section 106-78(a)(12) for any use of land and/or any permanent or temporary location of any type of building or facility thereon which is not specifically permitted within this chapter. The applicant intends to place an accessory structure on the property without a primary structure. (Cicioni)	83B-2-D-3, 15145 Russell Drive, Onancock	Defer
SUSE-000153-2026 & VAR-000147-2026	SUPpursuant to Accomack County Code Section 106-53(22) for an accessory dwelling.The applicant requests a variance of 144 square feet from the 1200 square foot maximum for accessory dwellings pursuant to Accomack County Code Section 106-1 anda variance of 75 from the 140 setback distance between dwellings set forth in Accomack County Code Section 106-238. (Macaione)	10-A-35A, 5775 Neal Parker Road, Withams	Gran w/ cond
VAR-	The applicant requests variances of 2.97 and 1.92 from the 15 side setback	109D-2-C-5, 12040 Block	Gran

000145-2026	requirement pursuant to Accomack County Code Section 106-83(a), and a variance of 4 from the 35 rear setback requirement pursuant to Accomack County Code Section 106-83(b). (Salamone)	of Hummingbird Lane, Painter	w/ cond
SUSE-000150-2026	SUPpursuant to Accomack County Code Section 106-53(14) for travel trailers, located outside of travel trailer parks, which are to be occupied for habitation or the storage of chattels. The applicants have placed a travel trailer on the parcel during planning and construction of a single-family residence on the parcel. (Chalabala)	91-A-184B, 24300 Block of Joynes Lane, Cashville	Gran w/ cond
SUSE-000151-2026	SUPpursuant to Accomack County Code Section 106-53(27) for a use of land not specifically listed as a use permitted by right or by special exception-special use in the agricultural district regulations, which is clearly similar and compatible with the uses listed therein. The applicant has placed multiple accessory structures without a primary structure. (Chalabala)	91-A-184B, 24300 Block of Joynes Lane, Cashville	Gran w/ cond

The BZA is scheduled to hold **6 public hearings** at its next regularly scheduled meeting on **Wednesday, November 4, 2026**. These cases are pending newspaper advertisement and adjacent property owner notification.

Case #	Description
SUSE-000164-2026	SUP for Temporary Use of an RV
SUSE-000165-2026	SUP for an Accessory Structure Without a Primary
SUSE-000167-2026	SUP for a Camping Facility with Recreation
SUSE-000169-2026	SUP for an RV for Habitation
SUSE-000170-2026	SUP for an Accessory Structure Without a Primary
SUSE-000171-2026	SUP for an RV for Temporary Habitation

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator for Community and Economic Development

Subject : C. Deputy County Administrator
Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.
Category : 9. STAFF REPORT
Type :

Public Content

Key Points:

Deputy County Administrator

- The next comprehensive plan joint worksession is on Tuesday, October 27 at 5:30pm at the Parksley Library.

- Infrastructure and Community Facilities is the focus of discussion.
- Staff is currently reviewing the chapters to provide guidance to the Berkley Group as they continue writing.

Staff Contact: Leander N. "Lee" Pambid, Deputy County Administrator, Community & Economic Development

Number of Attachments & Description: None

10. NEXT MEETING

Subject : A. Tuesday, October 27, 2026 (Joint PC/BoS Worksession)

Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.

Category : 10. NEXT MEETING

Type :

Public Content

Key Points: The next Comprehensive Plan Update Joint Worksession with the Board of Supervisors is **Tuesday, October 27, 2026 at 5:30 pm** at the Eastern Shore of Virginia Regional Library & Heritage Center, 24313 Bennett St, Parksley, VA 23421

Handicapped Assistance is available. Please contact Pamela Dix at (757) 787-5794 or pdix@accomack.gov

Staff Contact: Pamela Dix, Administrative Assistant II

Subject : B. Thursday, November 12, 2026 (Regular Meeting)

Meeting : Oct 14, 2026 - Planning Commission Regular Meeting 7:00 p.m.

Category : 10. NEXT MEETING

Type :

Public Content

Key Points: The next regularly scheduled meeting is **Thursday, November 12, 2026 at 7 pm** at 23296 Courthouse Avenue, Room 104, P.O. Box 388, Accomac, Virginia 23301.

Please note that this is one day later than the usual 2nd Wednesday meeting date because of the Veterans Day holiday on Wednesday, 11/11.

Handicapped Assistance is available. Please contact Pamela Dix at (757) 787-5794 or pdix@accomack.gov

Staff Contact: Pamela Dix, Administrative Assistant II

11. ADJOURNMENT
