



PLANNING COMMISSION

Alex W. Bresko, Jr., Chairman
Floyd M. Brown, Sr., Vice-Chairman
R. Steven Brockwell
James A. Easter
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

INTEROFFICE MEMORANDUM

TO: Alex W. Bresko, Jr., Chairman
Floyd M. Brown, Sr., Vice-Chairman
R. Stephen Brockwell
James A. Easter
Imogene S. Elder
V. Clarence Joyner, Jr.
Joseph E. Simmons

FROM: Horace Wade III, Planner II

RE: August 27, 2020 Planning Commission Meeting

DATE: August 20, 2020

CC: Percy C. Ashcraft, County Administrator
Julie C. Walton, Director
Dan Whitten, County Attorney
Tim Graves, Planner
Missy Greaves-Smith, Administrative Support Specialist

The Planning Commission Work Session scheduled for Monday, August 24, 2020 at 6:30 p.m. in the Planning Conference Room has been cancelled. The regular Planning Commission Meeting is Thursday, August 27, 2020 at 6:30 p.m. in the Board Room. Please contact me at (804)722-8678 or via e-mail with any questions.

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Draft Sign Ordinance Update

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Industrial Districts Ordinance
Amendment

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Planner Communications

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Planning Commission Draft Agenda

Regular Meeting

Thursday, August 27, 2020

6:30 p.m. County Board Room

This meeting is being held electronically in accord with Virginia Code Section 15.2-1413. The meeting is accessible by:

If you would like to participate in the meeting using Zoom:

<https://zoom.us/j/5053851421?pwd=V2pjSHFneFRLUUE2bjNqQnR3emZoUT09>

Meeting ID: 505 385 1421

Password: 200726

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During the public comment period you may raise your hand using the Zoom controls on your screen or press *9 on your phone. Visit the Zoom Help Center for more information.

Find your local number: <https://zoom.us/u/ajq8Q1xFF>

If you would like to watch the meeting in real time use this link:

<https://www.youtube.com/c/princegeorgevirginia>

Public comments may be made in person during any meeting. You may also submit any public comments on our website at

https://www.princegeorgecountyva.gov/departments/board_of_supervisors/public_comment_form.php.

Any public comments received via Zoom, in person or by website form up until the public comment section is closed by the Chairman of the Planning Commission on August 27th shall be entered into the meeting minutes.

- I. Call to Order**
- II. Roll Call**
- III. Invocation**
- IV. Pledge of Allegiance to the U.S. Flag**
- V. Adoption of Meeting Agenda**
- VI. Draft Meeting Minutes – July 23, 2020 [2]**
- VII. Citizen Comment Period**
- VIII. Old Business**

DRAFT RESIDENTIAL POULTRY ORDINANCE UPDATE [3]

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- a) Actions of the Board of Zoning Appeals
- b) Actions of the Board of Supervisors
 - i. August 11th Outcomes
- c) Comprehensive Plan Update

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

July 23, 2020

County Administration Building, Board Room, Third Floor
6602 Courts Drive, Prince George, Virginia 23875

This meeting was held electronically in accord with Virginia Code Section 15.2-1413. The meeting was accessible by:

Zoom: <https://zoom.us/j/5053851421?pwd=V2pjSHFneFRLUUE2bjNqQnR3emZoUT09>
Meeting ID: 505 385 1421
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MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, July 23, 2020 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chairman Bresko.

ATTENDANCE. The following members responded to Roll Call:

Mr. Simmons	Present
Mrs. Elder	Present
Chairman Bresko	Present
Mr. Joyner	Absent
Mr. Easter	Present
Vice-Chairman Brown	Present
Mr. Brockwell	Absent

Also present: Julie C. Walton, Deputy County Administrator, Cliff Young, Director of IT, Horace Wade, Planner, Tim Graves and Missy Greaves-Smith, Administrative Support Specialist

INVOCATION. Mr. Easter provided the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG. Chairman Bresko led in the Pledge of Allegiance to the United States flag.

ADOPTION OF MEETING AGENDA. Chairman Bresko asked the Commissioners for a motion to approve the Meeting Agenda for the July 23, 2020 Planning Commission. Mrs. Elder made a motion to approve the Meeting Agenda and the motion was seconded by Vice-Chairman Brown.

In favor: (5) Bresko, Brown, Simmons, Elder, Easter

Abstain: (0)

Absent: (2) Joyner, Brockwell

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the June 25, 2020 Minutes of the Planning Commission for approval. Mrs. Elder made a motion to approve the Minutes as presented and the motion was seconded by Mr. Simmons. Roll was called on the motion.

In favor: (5) Bresko, Brown, Simmons, Elder, Easter

Abstain: (0)

Absent: (2) Joyner, Brockwell

NOMINATION OF PLANNING COMMISSION CIP COMMITTEE MEMBERS.

Chairman Bresko asked for two (2) nominees from the Planning Commission to serve on the CIP Committee. Mr. Brown nominated Mr. Joyner and Mrs. Elder to serve on the 2022-2031 CIP Committee. The motion was seconded by Mr. Easter. Roll was called on the motion.

In favor: (5) Bresko, Brown, Simmons, Elder, Easter

Abstain: (0)

Absent: (2) Joyner, Brockwell

CITIZEN COMMENT PERIOD. At 6:35 p.m., Chairman Bresko opened the Citizen Comment Period to anyone who wished to come forward to speak to the Commissioners on only topics that were not on the agenda. Citizens were asked to limit their comments to three (3) minutes.

Mr. Robert Leinberger, 7491 Trailing Rock Road, addressed the Commissioners with concerns of the current ordinance referencing the keeping of chickens. Mr. Leinberger lives in the Branchester Lakes Subdivision. He stated he has two (2) hens in a coop with a run. He specified how it is a great learning incentive for children. Neighbors have brought their children over to his yard to learn more about the keeping of chickens. Mr. Leinberger asked the Commissioners to consider amending the current ordinance. He feels the current ordinance needs to be changed in reference to the right to have them in residential areas.

Mr. Graves asked if any of the participants on Zoom wished to speak during the Citizen Comment Period to raise their electronic hand. With no one else coming forward and no notifications on Zoom, the Citizen Comment Period closed at 6:40 p.m.

NEW BUSINESS.

DRAFT RESIDENTIAL POULTRY ORDINANCE UPDATE

Mr. Graves presented to the Commissioners a brief overview of the current ordinance and highlighted other localities' ordinances. He provided a sample ordinance from Warren County, Virginia, which has a similar population as Prince George County, for comparison.

Mr. Graves explained the main objections were to review the request and give background information, preview and consider ordinance changes, decide if any changes are warranted and provide feedback on specific provisions.

Mr. Graves referenced the Minutes from a 2013 Planning Commission meeting when staff initially recommended up to six (6) chickens to be permitted on at least one (1) acre. Staff later increased the recommended minimum lot size to two (2) acres in order to mirror the requirements and provide a single minimum lot size for all animal types.

Staff Comments/Recommendations:

- Allow some (2-6) chickens on less than two (2) acres
- Setback requirements offers a way to limit where chickens are allowed
- Requirements should be generally consistent for all zoning districts, with some extra allowances in R-A and A-1 Zoning Districts

Mr. Graves previewed some possible changes the Commission may consider. He listed the number of chickens and minimum acreage, setbacks, permissions for roosters, gamecocks and peacocks as possible changes.

Mr. Simmons asked Mr. Graves what has driven this request for an update or to change this ordinance. Mr. Graves indicated a complaint was received in reference to a neighbor having chickens on a property in a subdivision.

Mr. Easter asked if a chicken coop needed to be surrounded by fencing separate from the residential yard fencing. Mr. Graves indicated a fence needs to be around the whole poultry coop area and meet the setback requirements.

Mr. Simmons expressed his concerns. He stated, we need to keep in mind the opinions and concerns of the neighbors and how changes to the ordinance would affect them. People that have chickens need to be "good neighbors" to people that live around them.

Chairman Bresko asked Mr. Graves if someone complained about a neighbor having chickens in R-1, who would handle the complaint? Mr. Graves stated that the Planning staff would look into the complaint to see if they are in compliance or not.

Mr. Graves reviewed an ordinance amendment draft with the Commissioners and provided options for changes. Staff requested that the Commissioners review the information and provide any suggestions and provide additional feedback by July 31st.

Mr. Brown identified Mr. Leinberger wanting to address the Commission again. Mr. Leinberger provided the Commissioners with a handout he had prepared in reference to his property and the location of his chicken coop on his property.

Mr. Simmons asked if the problem could be resolved by changing the minimum acreage allowed and the setbacks. The acreage size and the setback requirements need to be discussed at a minimum, stated Mr. Graves.

DRAFT SIGN ORDINANCE UPDATE

Mr. Wade presented to the Commissioners an update and overview of the timeline of the Draft Sign Ordinance. In February 2019, the Planning Commission (PC) held a Public Hearing and recommended approval to the Board of Supervisors (BOS). In April 2019, a Community Meeting was held for citizen feedback. In July 2019, the BOS remanded the Sign Ordinance back to the PC and a subcommittee was formed to review the ordinance. Mr. Easter and Mr. Simmons were the PC representatives. The committee focused on concerns the BOS noted with the ordinance.

Mr. Wade explained the purpose of the proposed Draft Sign Ordinance is to eliminate content based sign rules, making all signs equal under the law, and to provide enhanced standards for signage per the Comprehensive Plan Goal. Mr. Wade briefly reviewed content language removed, new sections added and areas not affected. He stated the Sign Ordinance prohibits new billboards, vehicles as signs and people as signs. He reviewed examples of existing permitted signs that are in compliance and examples of freestanding signage setbacks with proposed setback changes.

Staff asked the Commissioners to review the revised ordinance and provide additional feedback by July 31st. In addition, staff would like to solicit public input in August and then have the final draft ready for the August 27th Planning Commission meeting so a Public Hearing could be held in September.

Mr. Simmons asked Mr. Wade how he was going to solicit public input. He stated he planned to reach out the local business owners and sign companies for their comments.

Mrs. Elder asked about old billboards that were no longer in use and would they have to be removed after a certain amount of time? Mr. Wade stated in some localities' ordinances, if a sign had not been used within two (2) years, it would be required to be removed. He stated this language could be added to this draft ordinance if desired.

INDUSTRIAL DISTRICTS ORDINANCE AMENDMENT

Inclusion of M-1 uses in M-2 District, and M-1 and M-2 uses in M-3 District

Mr. Wade listed the information included in their packets: a memo to the PC from Mr. Wade, a memo from Yoti Jabri, Prince George Economic Development Specialist, and an email from Nick Walker from Roslyn Farm Corporation. These memos are in reference to industrial developers requesting the County to amend the County Ordinance to allow M-1 uses in M-2 Zoning District and to allow M-1 and M-2 uses in the M-3 Zoning District.

Mr. Wade suggested that staff could prepare a draft ordinance amendment to address these concerns. Chairman Bresko asked the Commissioners for their consent to move forward. The Commissioners agreed for staff to draft an amendment.

Planner's Communications to the Commission.

Mr. Wade presented to the Commissioners the following updates:

1. Actions of the Board of Zoning Appeals
 - a. No cases
 - b. August 24, 2020 meeting has been cancelled
2. Actions of the Board of Supervisors (BOS)
 - a. Two (2) Special Exceptions for solar facilities pending
 - b. Solar Facility Siting Policy is scheduled for 8/11
 - c. BOS meeting on 7/14 approved:
 - i. Rezoning Case - Route 460
 - ii. Rezoning Amendment Case – Prince George Drive
 - iii. Special Exception for a Home Occupation
 - d. Comprehensive Plan Update
 - i. Staff has asked VDOT to review the County's current plans and provide feedback
3. General Comments
 - a. New Six Month Goals
 - i. Sign Ordinance to the BOS
 - ii. Food Truck Ordinance to the BOS

Adjournment.

At 7:48 p.m., Chairman Bresko asked the Commissioners if they had any questions; if not he would entertain a motion to adjourn. Mrs. Elder made a motion to adjourn and the motion was seconded by Vice-Chairman Brown. Roll was called on the motion.

In favor: (5) Bresko, Brown, Simmons, Elder, Easter

Abstain: (0)

Absent: (2) Joyner, Brockwell

Residential Poultry Ordinance Update
Planning Commission Meeting
August 27, 2020

Staff continues to work on a draft ordinance amendment regarding residential poultry including backyard chickens.

Most recently, Staff provided an update to the Board of Supervisors during the August 11th Work Session. During the discussion following the update, individual board members provided their thoughts which are summarized below:

- Four (4) to six (6) hens should be allowed with setback requirements and with a coop
- Two (2) chickens may not be enough to provide eggs for weekly consumption
- Less than one (1) acre (typical for R-1) may be small for allowing chickens
 - Staff should solicit additional community feedback for such a change
- Consider whether a permit or other form of control could reasonably be added to address nuisance situations
- Relaxed enforcement/grace period for violations related to the changes being considered
- Salmonella does not spread to those who do not handle the chickens directly

In response to the Board of Supervisors' input, Staff has updated the draft ordinance and proposes to take the following next steps:

1. Update the draft ordinance based on any feedback from the Planning Commission
2. Post informational material and questionnaire for public feedback on the County website
3. Conduct public outreach publications:
 - a. The County's website
 - b. Newspaper advertisement
 - c. Press release
 - d. HOAs
4. At the September 24th Planning Commission Meeting:
 - a. Provide the Commission with a summary of input received and an updated draft ordinance.
 - b. Request consensus from the Commission on whether to advertise for a Public Hearing for a proposed ordinance amendment.

Attachments:

1. Draft Ordinance Amendment (Version dated 8-18-2020)
2. Summary of Changes

EXISTING RULES VS. POSSIBLE CHANGES

Topic	Existing Ordinance	DRAFT Ordinance (8-18-20)
Minimum lot size for chickens	<p>Residential Zonings: 2 acres</p> <p>R-A & A-1 Zonings: No minimum</p>	<p>ALL Zonings: 0.5 acres</p>
Number of chickens permitted	<p>Residential Zonings:</p> <ul style="list-style-type: none"> • Up to 6 on 2 acres or more • +6 for each additional 2 acres <p>R-A & A-1 Zonings: Up to 250</p>	<p>ALL Zonings:</p> <ul style="list-style-type: none"> • Not permitted on < 0.5 acre; • Up to 4 on 0.5 to 1 acre; • +1 for each additional 0.5 acre
Roosters OK?	Only in R-A or A-1 Zonings	Only in R-A or A-1 AND 500+ feet from any adjacent dwelling
Minimum setback requirements	<p>Residential Zonings:</p> <ul style="list-style-type: none"> • 150' from front P/L • 150' from adjacent dwellings • 25' from sides and rear P/L <p>R-A & A-1 Zonings:</p> <ul style="list-style-type: none"> • 75' from front P/L • 5' from sides and rear P/L 	<p>ALL ZONINGS (Sides & Rear P/L):</p> <ul style="list-style-type: none"> • Backyard only (generally) • 25' for up to 4 poultry • 50' for 5 to 12 poultry • 100' for > 12 poultry

P/L = Property Line

EXAMPLES

Example Lot	Existing Ordinance	DRAFT Ordinance (8-18-20)
0.5-acre lot Zoned R-1*	No poultry allowed	<ul style="list-style-type: none"> • 4 hens (no roosters) • In backyard and 25+ or 50+ feet from sides and rear P/L**
2-acre lot Zoned R-1	<ul style="list-style-type: none"> • 6 hens (no roosters) • 25+ feet from sides and rear P/L • 150+ feet from front P/L and adjacent dwellings 	<ul style="list-style-type: none"> • 6 hens (no roosters) • In backyard and 25+ or 50+ feet from sides and rear P/L**
5-acre lot Zoned R-1	<ul style="list-style-type: none"> • 12 hens (no roosters) • 25+ feet from sides and rear P/L • 150+ feet from front P/L and adjacent dwellings 	<ul style="list-style-type: none"> • 12 hens (no roosters) • In backyard and 25+ or 50+ feet from sides and rear P/L**
1-acre lot Zoned R-A	<ul style="list-style-type: none"> • 250 hens or roosters • 75+ feet from front P/L and 5+ feet from sides and rear P/L 	<ul style="list-style-type: none"> • 4 hens • Roosters OK only if 500+ feet from adjacent dwellings • In backyard and 25+ or 50+ feet from sides and rear P/L**

P/L = Property Line

* - 0.5 acres is the minimum lot size for chickens

** - Minimum setback depends on # of poultry (draft ordinance)

Residential Poultry

Draft Ordinance Amendment

Version 8-18-20

GUIDE:

- ~~EXAMPLE~~ Black font with strikethrough indicates that text is proposed to be REMOVED from the zoning ordinance.
- **Bold black font** indicates a heading existing in the ordinance which is not proposed to be changed.
- Plain black font indicates relevant text existing in the ordinance which is not proposed to be changed.
- Red font signifies that text is proposed to be ADDED to the zoning ordinance.
- Yellow highlighting indicates items that have been adjusted since the previous revision

CHAPTER 90 - ZONING

ARTICLE I. – IN GENERAL

Sec. 90-1. – Definitions.

Agriculture means the tilling of the soil, the raising of crops, horticulture, forestry and gardening, including the keeping of animals and fowl and any agricultural industry or business, such as fruit packing plants, dairies or similar uses.

Animal unit is a measurement defined as a single slaughter or feeder cattle or its equivalent of: 2.5 swine, each weighing over 55 pounds; 0.5 horse; ten sheep or lambs; 0.67 mature dairy cattle; 55 turkeys; or 100 laying hens or broilers.

Apiary means a place where bee colonies or hives are kept and that contains an on-site water source for honey production and bees wax related products.

Coop means the enclosed space or shelter provided for poultry.

Pen means a small enclosure for the concentrated confinement and housing of animals or poultry; a place for feeding and fattening animals or a coop. Enclosed pasture or range with an area in excess of 100 feet for each hog or small animal or 200 square feet for each larger animal shall not be regarded as a pen.

Poultry means domesticated fowl normally raised on a farm such as chickens, ducks, geese, turkeys, doves, guinea hens, peacocks, pigeons, and other similar domesticated poultry or fowl.

Run means the outdoor space provided for poultry which is fenced or enclosed on the top and sides with chicken wire mesh or a similar fenced material to effectively maintain such poultry on the premises.

Slaughtering means the killing of animals, usually domesticated livestock for food or for personal use or consumption only meeting USDA requirements.

ARTICLE XXIII – MISCELLANEOUS PROVISIONS

Sec. 90-1035.1. – Requirements for poultry and bees as an accessory use. in R-E, R-1, R-2 and R-3 districts.

So long as such use is consistent with the health, safety and welfare requirements in this chapter, there may be housed and maintained in R-E, R-1, R-2 and R-3 Zoning Districts poultry and bees on parcels of two acres or more.

There shall be no more than six poultry and two bee hives on two acres.

For each additional two acres in excess of two acres, six poultry and two bee hives shall be permitted. There shall be no roosters, gamecocks or male peacocks and no slaughtering of poultry will be permitted unless for personal use.

In order to protect the health, safety and welfare of animals, animal owners, and the residents of the surrounding community, the following conditions shall be met:

(1) Poultry and bees on an individual parcel, or contiguous parcels under single ownership:

a. Number of poultry permitted:

i. Up to 4 poultry on at least 0.5 acre (21,780 square feet);

ii. 1 additional poultry for each additional 0.5 acre in excess of 1 acre.

b. No roosters, gamecocks or male peacocks, unless located in R-A or A-1 district and at least 500 feet from any dwelling on an adjacent lot.

c. Slaughtering of poultry is prohibited unless for personal use.

d. No more than two bee hives on parcels of at least two acres. For each additional two acres in excess of two acres, two bee hives shall be permitted.

(1) A fence shall be erected around the entire enclosed area for poultry. The fence shall not be located closer than 150 feet to the front property line, nor closer than 150 feet to an existing dwelling located on an adjacent lot.

(2) A poultry coop and the coop fencing shall be a minimum of 25 feet to the property line. A perimeter boundary fence may be placed on the property line for both containment and security purposes. The fenced outside run area shall be securely enclosed on the top and sides with chicken wire mesh or a similar fenced material to maintain such poultry on the premises.

(2) The owner of the poultry shall employ effective means to contain the poultry on the property at all times. A coop and run shall be provided and shall meet the following requirements:

a. The coop and run combined shall provide a minimum of 10 square feet per poultry and shall not exceed ten feet in height.

b. Located in the rear yard or exceed minimum front and corner side setback requirements for a principal structure.

c. Minimum setback from rear and side property lines:

i. 25 feet for up to 4 poultry,

ii. 50 feet for 5 to 12 poultry,

iii. 100 feet for more than 12 poultry.

(3) Storage of feed, grain and hay shall be provided and it shall be properly maintained. A bedding area shall be provided and maintained in a sanitary manner for such poultry. Bee keepers shall maintain an on-site water source near the apiary.

(4) The keeping of poultry and bees shall be done in such a manner so as not to be reasonably objectionable to the neighborhood by reason of odor, dust, insects, noise, air pollution or water pollution. No animal waste may be put into household trash. Animal waste should shall be composted properly on site or shall be disposed of in separate containers which are removed from the premises

regularly. The keeping of poultry as a permitted accessory use shall be subject to the public nuisance provisions of Sec 6-14.

(5) The keeping of poultry and bees is for personal use only; no retail or wholesale use may be made of poultry and bees as an accessory use, except in R-A or A-1 zoning districts. However, their by-products such as eggs, honey and beeswax products may be sold off-site at farmer's markets or at retail stores as regulated by certain applicable state or federal agencies.

ARTICLE II. – A-1 GENERAL AGRICULTURAL DISTRICT

Sec. 90-52. - Uses and structures permitted by right.

The following uses and structures are permitted by right in the A-1 general agricultural district:

(2) Livestock, dairy or poultry facilities, other than those of an accessory use nature permitted as an accessory use, are permitted subject to the following requirements:

- a. Minimum acreage requirements in individual ownership may consist of one or more contiguous parcels: less than 150 animal units, 75 acres; 150 to 299 animal units, 150 acres; 300 or more animal units, 225 acres.
- b. Setbacks, measured from the edge of the area of enclosure or fenced area as well as area of nutrient application, are as follows:
 1. Existing dwellings, not on the same parcel as the facility, one mile.
 2. Public facilities or other places of congregation, one mile.
 3. Zoning district boundary other than A-1 general agricultural and individual or public water supplies, 1,000 feet.
 4. Existing recorded subdivision boundary, one mile.
- c. A nutrient management plan will be developed for all livestock, dairy or poultry facilities with no minimum requirement for animal unit numbers. This plan must be reviewed and approved by the state department of conservation and recreation or local cooperative extension office and will be updated every five years.

Sec. 90-54. - Accessory uses and structures permitted.

(b) The following contained or fenced animal and poultry operations are considered accessory uses but are subject to the noted provisions:

- (1) ~~Fowl and poultry: not to exceed 250 birds per tract.~~ Maintaining poultry and bees as defined in 90-1035.1
- (6) ~~Apiary for honey production and bee wax products.~~

ARTICLE III. – R-A RESIDENTIAL AGRICULTURAL DISTRICT

Sec. 90-104. - Accessory uses and structures permitted.

(b) The following contained or fenced animal and poultry operations are considered accessory uses with the R-A residential agricultural district, but are subject to the noted provisions:

- (1) ~~Fowl and poultry: not to exceed 250 birds per tract.~~ Maintaining poultry and bees as defined in 90-1035.1
- (6) ~~Apiary for honey production and bee wax products.~~

ARTICLE IV. – R-E RESIDENTIAL ESTATE DISTRICT

149 **Sec. 90-152. - Permitted uses.**

150 The following are permitted uses in the R-E residential estate district:

151 ~~(8) Maintaining poultry and bees as defined in 90-1035.1~~

153 **Sec. 90-160. - Accessory uses and structures permitted.**

154 (b) The following are considered accessory uses within the R-E residential estate district, but are subject to the
155 noted provisions:

156 ~~(3) Maintaining poultry and bees as defined in 90-1035.1~~

158 -----
159 **ARTICLE V. – R-1 LIMITED RESIDENTIAL DISTRICT**

161 **Sec. 90-202. - Permitted uses.**

162 In the R-1 limited residential district, structures to be erected or land to be used shall be one or more of the
163 following uses:

164 ~~(12) Maintaining poultry and bees as defined in 90-1035.1~~

166 **Sec. 90-210. - Accessory uses and structures permitted.**

167 (b) The following are considered accessory uses within the R-1 limited residential district, but are subject to the
168 noted provisions:

169 ~~(3) Maintaining poultry and bees as defined in 90-1035.1~~

171 -----
172 **ARTICLE VI. – R-2 LIMITED RESIDENTIAL DISTRICT**

174 **Sec. 90-242. - Permitted uses.**

175 In the R-2 limited residential district, structures to be erected or land to be used shall be for one or more of the
176 following uses:

177 ~~(13) Maintaining poultry and bees as defined in 90-1035.1~~

179 **Sec. 90-250. - Accessory uses and structures permitted.**

180 ~~(e)~~ (b) The following are considered accessory uses within the R-2 limited residential district, but are subject to
181 the noted provisions:

182 ~~(3) Maintaining poultry and bees as defined in 90-1035.1~~

184 -----
185 **ARTICLE VII. – R-3 GENERAL RESIDENTIAL DISTRICT**

187 **Sec. 90-292. - Permitted uses.**

188 In the R-3 general residential district, structures to be erected or land to be used shall be for one or more of the
189 following uses:

190 ~~(17) Maintaining poultry and bees as defined in 90-1035.1~~

192 **Sec. 90-300. - Accessory uses and structures permitted.**

193 (b) The following are considered accessory uses within the R-3 general residential district, but are subject to the
194 noted provisions:

195 ~~(3) Maintaining poultry and bees as defined in 90-1035.1~~

198 **ARTICLE VIII. – MHR MOBILE HOME DISTRICT**

201 **Sec. 90-342. – Permitted Uses**

202 In the mobile home residential district MHR, structures to be erected or land to be used shall be for one or more
203 of the following uses:

204 ~~(7) Maintaining poultry and bees as defined in 90-1035.1.~~

205 **Sec. 90-350. - Accessory uses and structures permitted.**

206 (b) The following are considered accessory uses within the MHR Mobile home residential district, but are
207 subject to the noted provisions:

208 ~~(3) Maintaining poultry and bees as defined in 90-1035.1~~

210 -----
211 **CHAPTER 6 – ANIMALS**

212
213 **ARTICLE I. – IN GENERAL**

214
215 **Sec. 6-14. - Animals that create a public nuisance.**

216 All owners of animals shall exercise proper care and control of their animals to prevent them from becoming a
217 public nuisance. Animals that are not properly cared for or controlled shall constitute a public nuisance when
218 they unreasonably interfere with the peaceful enjoyment of property or when they create unsafe conditions.

219 A public nuisance shall include, but is not limited to, the following acts:

220 (1) Chasing, threatening, harassing or otherwise acting in an aggressive manner toward persons,
221 bicyclists or pedestrians on any public or private property not owned or controlled by the owner on two
222 or more separate occasions.

224 (2) Chasing, threatening, harassing or injuring livestock, poultry or other domestic, companion, wild or
225 exotic animals on two or more occasions, unless such livestock, poultry or other domestic, companion,
wild or exotic animal is trespassing.

226 (3) Biting a person so as to cause physical injury on two or more separate occasions without provocation
227 unless in response to an actual threat to the person or property of the owner.

228 (4) Damaging real or personal property of a person other than the owner on two or more occasions.

229 (5) Overturning trash containers and scattering trash on any property not owned or controlled by the
230 owner on two or more occasions within a 12-month period.

231 (6) Habitually running at large because the owner has allowed his animal to run at large on property not
232 his own, three or more times within a 12-month period.

233 (7) Producing conditions offensive or dangerous including but not limited to:

234 (a) Keeping excessive numbers of animals or keeping animals in unsanitary living conditions.

235 (b) Maintaining animal containers or cages attracting insects, rodents or other pests;

236 (c) Harboring unvaccinated animals; and

237 (d) Allowing odors created by animals to emanate beyond the owner's property.

238
239 This section shall not apply to: (1) livestock, poultry or other farm animals, **unless specified by another ordinance**
240 **of the County Code**; or (2) any person engaged in law enforcement or search and rescue activities; (3) any person
241 engaged in a supervised obedience training class or show; (4) any person engaged in formal sanctioned field
242 trials; (5) any person engaged in lawful hunting with dogs; (6) any person engaged in bona fide hunting or field
243 trial dog training; and (7) any person engaged in farming activities on a farm located in Prince George County.
244 For the purposes of this section, "engaged" means the time that a person is actively conducting or participating in
the named activity.

**Sign Ordinance Update
Planning Commission Meeting
August 27, 2020**

Staff and subcommittee identified areas of improvement in the draft ordinance presented to the Board of Supervisors in June 2019. Staff and the subcommittee reviewed the 2019 draft ordinance and a model sign ordinance, and made recommendations to improve the ordinance.

The purpose of revising the ordinance for signage is to:

1. Remove content based restrictions on signage as an outcome of the United States Supreme Court verdict of the Reed v. Town of Gilbert; and
2. Provide enhanced standards for signage per:

Land Use Goal: To achieve a balanced land use system that provides sufficient and compatible land areas for all community land use needs, while protecting sensitive natural environments and important local historic and cultural resources.

Objective 4: Adopt and maintain appropriate land use ordinances and voluntary programs designed to guide and implement the provisions of this comprehensive plan.

The Sign Ordinance will be a new Article within the Zoning Ordinance that will be helpful for customers, staff, and contractors to locate Prince George County signage regulations. The Article has separate sections with the following headings: Definitions, General Description and Intent, Prohibited Signs, Sign Permits, Signs Not Requiring Permits, General Regulations, Sign Setbacks and Lighting, Building Mounted Signs, Freestanding Signs, Additional Signs, Limited Duration Signs, and Nonconforming Signs.

Proposed Schedule for adoption:

1. Review Draft Ordinance Amendment – Planning Commission Meeting July 23, 2020
2. Review Final Draft Ordinance Amendment – Planning Commission Meeting August 27, 2020
3. BOS Work Session – September 8, 2020
4. Public Input – August & September 2020
5. Planning Commission Public Hearing – September 24, 2020
6. BOS Public Hearing – TBD

1 Signs

2 Draft Ordinance Amendment

3 Version 7-23-2020

4
5 Chapter 90 Zoning Ordinance – Sign Ordinance Sections to be Deleted

6 **ARTICLE I. - IN GENERAL**

7
8 90-1 Definitions:

9 ~~**Sign** means any display of any letters, words, numerals, figures, devices, emblems,~~
10 ~~pictures or any parts or combinations thereof by any means whereby such are made~~
11 ~~visible for the purpose of making anything known, whether such display is made on,~~
12 ~~attached to or is a part of a structure, surface or any other thing, including but not limited~~
13 ~~to the ground, any rock, tree or other natural object, which display is visible beyond the~~
14 ~~boundaries of the parcel of land on which the display is made. A display of less than~~
15 ~~one square foot in area is excluded from this definition. The term "sign" is further~~
16 ~~defined as follows:~~

17 (1) ~~**Business** means a sign which directs attention to a product or commodity available~~
18 ~~on the premises. Such signs shall be limited, in the aggregate, to a maximum of 300~~
19 ~~square feet per business. Where four or more businesses occupy the same site, an~~
20 ~~additional 300 square feet of signage is permitted on a unified basis for identification of~~
21 ~~a shopping center.~~

22 (2) ~~**Directional** means a sign, one end of which may be pointed or on which an arrow~~
23 ~~may be painted, indicating the direction to which attention is called, four square feet or~~
24 ~~less in area, giving the name only of the farm or business responsible for the erection of~~
25 ~~the sign.~~

26 (3) ~~**General advertising** means a sign which directs attention to a product, commodity~~
27 ~~or service not necessarily available on the premises. Such sign shall not exceed 672~~
28 ~~square feet in size at each location with an additional ten-percent extension.~~

29 (4) ~~**Home occupation** means a sign not exceeding four square feet in area directing~~
30 ~~attention to a product, commodity or service available on the premises. Such product,~~
31 ~~commodity or service shall clearly be a secondary use of the dwelling.~~

32 (5) ~~**Location** means a sign which directs attention to the approximate location of an~~
33 ~~establishment from which the advertised product may be obtained.~~

~~Sign structure~~ includes the supports, uprights, bracing and framework of any structure,
be it single face, double faced, V type or otherwise, exhibiting a sign.

~~Sign, temporary~~, means a sign applying to a seasonal or other brief activity such as
but not limited to summer camps, horse shows, auctions or sales of land. Temporary
signs shall conform in size and type to directional signs.

~~Sec. 90-12. Spacing of general advertising signs.~~

~~The distance between general advertising signs shall be not less than 1,200 feet on the
same side of a right-of-way, but in no case shall a sign be closer than 700 feet to
another sign on either side of a right-of-way.~~

ARTICLE II. – GENERAL AGRICULTURAL DISTRICT

~~Sec. 90-52. A-1 Uses and structures permitted by right.~~

~~(11) General store with business sign~~

~~Sec. 90-53. A-1 Uses and structures permitted by special exception.~~

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

~~Sec. 90-56 A-1 Setback regulations.~~

~~(a) ...and signs advertising the sale or rent of property may be erected up to the
property line.~~

64 **ARTICLE III. - R-A RESIDENTIAL AGRICULTURAL DISTRICT**

65 Sec. 90-102 R-A Uses and structures permitted by right.

66 ~~(10) General Store with business sign~~

68 Sec. 90-103 R-A Uses and structures permitted by special exception.

69 ~~(16) Business sign~~

70 ~~(17) Directional sign~~

71 ~~(18) Home Occupation sign~~

73 Sec. 90-106. Setback regulations.

74 ~~(a) ...and signs advertising the sale or rent of property may be erected up to the~~
75 ~~property line.~~

77 Sec. 90-202 R-1 Permitted uses.

78 ~~(7) Business signs only to advertise the sale or rent of the premises upon which~~
79 ~~erected.~~

80 ~~(8) Church bulletin and identification signs~~

81 ~~(9) Nonbusiness directional signs~~

82 -----
83 **ARTICLE V. - R-1 LIMITED RESIDENTIAL DISTRICT**

84 Sec. 90-202 R-1 Permitted uses.

85 ~~(8) Business signs only to advertise the sale or rent of the premises upon which~~
86 ~~erected.~~

87 ~~(9) Church bulletin boards and identification signs.~~

88 ~~(10) Nonbusiness directional signs.~~

92

93 **ARTICLE VI. - R-2 LIMITED RESIDENTIAL DISTRICT**

94 Sec. 90-242 R-2 Permitted uses.

95 ~~(8) Business signs only to advertise the sale or rent of the premises upon which~~
96 ~~erected.~~

97 ~~(9) Church bulletin boards and identification signs.~~

98 ~~(10) Nonbusiness directional signs.~~

99 -----

100

101 **ARTICLE VII. - R-3 GENERAL RESIDENTIAL DISTRICT**

102 Sec. 90-292 R-3 Permitted uses.

103 ~~(13) Church bulletin boards and identification signs.~~

104 ~~(14) Directional signs.~~

105 ~~(15) Home occupation signs.~~

106 Sec. 90-295 R-3 Setbacks

107 ~~Signs advertising the sale or rent of the property may be erected up to the property~~
108 ~~line.~~

109 -----

110

111 **ARTICLE VIII. - MHR MOBILE HOME RESIDENTIAL DISTRICT**

112 Sec. 90-342 MHR Permitted uses.

113 ~~(3) Business signs only to advertise the sale or rent of the premises upon which~~
114 ~~erected.~~

115 ~~(4) Nonbusiness directional signs.~~

116 -----

117

118

119

120 **ARTICLE IX. - B-1 GENERAL BUSINESS DISTRICT**

121 Sec. 90-392 B-1 Uses and structures permitted by right.

122 ~~(23) Business signs.~~

123 ~~(24) General advertising signs.~~

124 ~~(25) Location signs.~~

125 Sec. 90-395 B-1 Setbacks.

126 ~~Signs advertising the sale or rental of premises may be erected up to the property~~
127 ~~line.~~

128 -----
129 **ARTICLE X. - M-1 LIMITED INDUSTRIAL DISTRICT**

130 Sec. 90-442 M-1 Permitted uses.

131 ~~(16) Business signs.~~

132 ~~(17) General advertising signs.~~

3 ~~(18) Location signs.~~

134
135 Sec. 90-446 M-1 Setbacks.

136 ~~Signs advertising the sale or rental of premises may be erected up to the property~~
137 ~~line.~~

138 -----
139 **ARTICLE XI. - M-2 GENERAL INDUSTRIAL DISTRICT**

140 Sec. 90-492 M-2 Permitted uses.

141 ~~(16) Business signs.~~

142 ~~(17) General Advertising signs.~~

143 ~~(18) Location signs.~~

Sec. 90-496 M-2 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE XII. - M-3 HEAVY INDUSTRIAL DISTRICT

Sec. 90-546 M-3 Setbacks.

~~Signs advertising the sale or rental of premises may be erected up to the property line.~~

ARTICLE XXIII. - MISCELLANEOUS PROVISIONS

~~Sec. 90-1036 Sign Setback requirements.~~

~~Notwithstanding any other provision of this chapter, a sign shall be located 20 feet or more from any street or road right-of-way or easement; this shall be known as the setback line. There shall be excepted from this setback requirement residential identification signs, signs advertising the sale or rent of the premises and signs in which the lowest portion of the advertising area is a minimum of ten feet above the ground surface, which signs may be erected up to the property line. No sign shall be required to be setback from the street or road right-of-way or easement a distance greater than the setback of the existing main structure on the lot.~~

Sec. 90-1039. PUD Planned unit developments.

~~(5) Signage. Signs shall comply with the requirements set forth in Sections 90-1 and 90-1036 of the County zoning ordinance. Signage shall be compatible with the architecture of the building and are limited to monument signs, building mounted signs placed at a consistent height, signs in shop windows and hanging signs.~~

180 **Sec. 90-1.1 Definitions relating to signs.**

181
182 *A-Frame Sign:* A two-faced sign with supports that are connected at the top and
183 separated at the base, forming an "A" shape not more than four feet high.

184
185 *Automobile:* Motorized vehicle designed primarily to transport passengers and/or light
186 cargo on its own structure. The term automobile shall include, but not be limited to,
187 passenger car, pickup truck, panel truck, van and motorcycle, but shall not include a
188 motor vehicle or tractor trailer.

189
190 *Awning:* Permanent roof-like structure covered with a flexible material which provides
191 protection from rain or sun or is used as an architectural accent.

192
193 *Banner:* A type of limited duration sign consisting of a piece of fabric or other flexible
194 material, other than a flag or pennant and secured so as to not be a moving sign.

195
196 *Fascia:* Flat horizontal band located at the base of a pitched roof, between architectural
197 moldings near or at the top of a wall, extending out from a building wall as a separate
198 wall panel, or as the outside edge of a canopy, which provides a visible location to
199 mount signage.

200
201 *Flag, commercial:* Sign consisting of a piece of cloth or other flexible material, used to
202 attract attention to a commercial use or activity and attached to a flag or light pole. A
203 commercial flag shall be included in the calculation of freestanding signage on the
204 property.

205
206 *Flag, noncommercial:* Sign consisting of a piece of cloth or other flexible material that
207 only depicts the emblem or insignia of a nation, political unit, educational, charitable,
208 religious, civic or similar group, or is a decorative flag that does not display a
209 commercial message. A noncommercial flag shall not be included in the calculation of
210 signage on the property.

211
212 *Motor Vehicle:* Motorized vehicle, other than an automobile or tractor trailer, which is
213 primarily designed to transport passengers and cargo on its own structure; or to perform
214 a function such as plowing, earth moving or equipment moving. The term motor vehicle
215 shall include, but not be limited to, a bus and stake truck.

216
217 *Outparcel:* Site for a freestanding building or use within a nonresidential community.

218
219 *Parapet Wall:* Wall that extends above the top of a flat roof.

220
221 *Pennant:* Lightweight plastic, fabric or other similar material, suspended from a rope,
222 wire or string, usually in a series and designed to move in the wind. A pennant may or
223 may not contain copy.

225 *Refacing*: Replacement of a sign face with a new face of equal size to that of the
226 original that does not alter any other aspect of the sign.

227
228 *Roofline*: Top edge of a roof or building parapet, whichever is higher, excluding any
229 mansards, cupolas, pylons, chimneys or minor projections.

230
231 *Sign*: Display of figures or copy visible to the public for the purpose of making anything
232 known or attracting attention. The term sign includes the sign structure and commercial
233 flags, but excludes works of art or architectural features that do not include or imply a
234 commercial message.

235
236 *Sign Box*: Structure that encloses the sign face and other components.

237
238 *Sign Copy*: Any graphic, word, numeral, symbol, insignia, text, sample, model, device or
239 combination which is primarily intended to advertise, identify, or notify.

240
241 *Sign, Building Mounted*: Permanently attached sign, erected or painted on the outside
242 wall, roof, door or window of a building. Building mounted signs do not include
243 freestanding signs.

244
245 *Sign, Changeable Copy*: Sign upon which copy can be changed or altered, except for
246 scoreboards. Changeable copy signs include the following:

247
248 *Manual*: Sign with copy that can be changed or altered by manual means.

249
250 *Electrical*: Sign with copy that can be changed or altered on a fixed display
251 surface composed of electrically illuminated or mechanically driven changeable
252 segments. Electrical signs include the following:

253
254 *Fixed message electronic*: Sign with copy that has been preprogrammed to
255 include time, temperature and date and does not operate in a flashing, traveling
256 or rolling fashion.

257
258 *Computer Controlled, Variable Electronic Message Center (EMC)*: Sign with copy that
259 can be changed or altered by means of computer-driven electronic impulses, excluding
260 fixed message electronic signs.

261
262 *Sign, Freestanding*: Sign supported by a fence, wall, upright structural members or
263 braces that are on, or in, the ground. Freestanding signs do not include building
264 mounted signs.

265
266 *Sign, Illuminated*: Sign with an artificial internal or external light source that illuminates
267 the sign.

268
269 *Sign, Limited duration*: Temporary sign or banner permitted for a limited time period.

271 *Sign, Outdoor Advertising:* Sign or structure used as an outdoor display for the purpose
272 of making anything known, when the matter advertised or displayed is not related to the
273 premises where such sign is located. Outdoor advertising signs do not include the off-
274 site signs specifically permitted in this chapter.

275
276 *Sign, Permanent:* Sign attached to the ground or a structure, intended to exist for the life
277 of the structure or use and which cannot be easily removed.

278
279 *Sign, Projecting:* Sign, attached to a building wall, projecting at an angle and extending
280 more than eighteen (18) inches from the building wall face.

281
282 *Sign, Structure:* An assembly of materials used to support a sign, including the exterior
283 form and finishes that define sign copy area.

284
285 *Sign, Temporary:* Sign, not permanently affixed to the ground or a structure, designed
286 or constructed such that it can be moved or relocated without requiring any structural or
287 support changes.

288
289 *Sign, Traffic Control:* Sign solely regulating safe driving, parking or traffic movement.

290
291 *Sign, Under Canopy:* Sign mounted perpendicular to a building face located under, and
292 attached to, the ceiling of a building mounted canopy.

293
294 *Sign, Window:* Sign attached to a door or window that is legible from the exterior of the
295 building.

296
297 *Tractor Trailer:* Truck with a cab, equipped with a coupling device to pull trailers, tankers
298 or semi-trailers. The term tractor trailer shall include the truck with a cab and if
299 connected a trailer, tanker or semi-trailer. The term tractor trailer shall include, but not
300 be limited to, tractor truck or semi-trailer.

301
302 *Ultimate Right-of-Way:* The future planned existence of the right-of-way for a given
303 road, in terms of location and width, based on the comprehensive plan, or as otherwise
304 determined based on the road classification as defined on the VDOT Functional
305 Classification Map and the minimum right-of-way widths for those classifications as
306 defined in Section 70-738.

307 308 **ARTICLE XIII. SIGNS**

309 310 **Sec. 90-591. General description; intent.**

311
312 The purpose and intent of sign standards are to regulate publicly visible displays or
313 graphics; protect and enhance the character of roads and surrounding areas; prevent
314 diminishing property values due to excessive signage; safeguard the public use and
315 nature of roads; and minimize motorist distractions.

The standards are specifically designed to promote maximum sign legibility; to prevent over-concentration of signs as well as excessive height; bulk and area of signs; promote safety by requiring that signs not create a hazard due to collapse, fire, collision, decay or abandonment, obstruct firefighting or police surveillance, nor create traffic hazards by confusing or distracting motorists or by impairing a driver's ability to see pedestrians, obstacles or other vehicles, or to read traffic signs; and to identify a destination.

Sec. 90-592. Prohibited Signs.

The following shall be prohibited:

1. Moving signs intended to attract attention, regardless of whether or not the sign has a written message or whether all or part of it moves by means including, but not limited to, rotating, fluttering or being set in motion by the movement of the atmosphere. This sign prohibition includes pennants, but does not include commercial or noncommercial flags, the routine operation of the hands of a clock or computer controlled, variable electronic message center (EMC) signs.
2. Internally lighted awnings or canopies constructed of translucent material.
3. Commercial signs held or carried to attract attention; persons dressed in costumes and acting to attract attention to a commercial activity; and sound or smoke producing signs.
4. Attention getting devices such as pennants, streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.
5. Signs with flashing lights, intermittent lights or lights with changing degrees of intensity; and excluding computer controlled, variable electronic message center (EMC) signs.
6. Commercial signs on a parked automobile, motor vehicle, tractor trailer or trailer when used primarily for the purpose of, and serving the function of, a sign; except when parked in the operator's driveway, when loading or unloading or when parked to the side or rear of a nonresidential building and not visible from the adjacent roads. Any such vehicle or trailer shall, without limitation, be considered to be used for the primary purpose of advertising if it fails to display current license plates or inspection sticker, if the vehicle is inoperable, or if the sign alters the standard design of such vehicle or trailer.
7. Signs greater than 48 square inches on a parked automobile, motor vehicle, tractor trailer or trailer, which display a commercial message that is unrelated to an activity or enterprise of the owner or operator of the vehicle or trailer.
8. Signs obstructing an opening intended to provide light, air, or building ingress or egress.

- 363 9. Freestanding signs overhanging any portion of a building.
364
365 10. Signs unreasonably obstructing the view of other signs from roads.
366
367 11. Signs posted on trees, utility poles or traffic control devices.
368
369 12. Sign position, shape and color interfering with, obstructing the view of, or causing
370 confusion with, a traffic sign, traffic signal or other traffic control device.
371
372 13. Sign lighting impairing a driver's vision, obstructing police surveillance, or causing
373 direct glare into or upon, property other than that on which the sign is located.
374
375 14. Signs obstructing firefighting access.
376
377 15. Outdoor Advertising signs.
378

379 **Sec. 90-593 Sign Permits.**
380

- 381 A. General. Signs Requiring a Sign Permit. A sign permit shall be required for any
382 sign, originally built or enlarged to be in excess of eight (8) square feet, and any
383 enlargement, structural alteration or modification of these signs. Applications shall
384 include all required information deemed necessary by the administrator to ensure
385 compliance with this chapter.
386
387 B. Application for permit.
388
389 1. An application for a sign permit shall be filed with the Community Development
390 and Code Compliance Department on forms furnished by the department. The
391 applicant shall provide sufficient information to determine if the proposed sign is
392 permitted under the zoning ordinance and other applicable laws, regulations, and
393 ordinances. An application for a temporary sign shall state the dates intended for
394 the erection and removal of the sign.
395
396 2. The Zoning Administrator or designee shall promptly process sign permit
397 applications. Person(s) submitting sign permit application(s) shall be notified of
398 the approval or disapproval of the submitted application(s) to include any
399 deficiencies in the application within 20 business days after receipt of the
400 application.
401
402 3. If the application is rejected, the County shall provide the applicant a written list
403 of the reasons for the rejection within three (3) days of the rejection.
404
405 C. Permit fee. A nonrefundable fee as set forth in the uncodified fee schedule adopted
406 by the County shall accompany all sign permit applications.
407

408 D. Duration and revocation of permit. If a sign is not installed within six months
409 following the issuance of a sign permit (or within 30 days in the case of a temporary
410 sign permit), the permit shall be void. The permit for temporary sign shall state its
411 duration, not to exceed 30 days unless another time is provided in the Zoning
412 Ordinance. The County may revoke a sign permit in accordance with any of the
413 following circumstances:

- 414 1. The County determines that information in the application was false or
415 misleading;
- 416 2. The sign installed does not conform to the sign permit application;
- 417 3. The sign violates the Zoning Ordinance, building code, or other applicable law,
418 regulation, or ordinance.

419 **Sec 90-593.1 Signs not requiring permits.**

420 A sign permit is not required for:

- 421 1. Signs erected by a governmental body or when required by law.
- 422 2. Signs posted solely for traffic control, public safety, or hazard warnings.
- 423 3. Flags up to 16 square feet in size not containing any commercial advertising;
424 provided, that no freestanding pole shall be erected in the public right-of-way nor be
425 within five (5) feet of a service drive, travel lane or adjoining street.
- 426 4. Limited Duration Signs.
- 427 5. A-frame signs more than fifty (50) feet from the nearest public right-of-way, unless
428 otherwise permitted in this chapter.
- 429 6. Pavement markings. Any sign applied directly and entirely to and flush with an
430 asphalt, concrete, or similar paved surface.

431 **Sec. 90-594 General Regulations.**

432 A. Signs Generally. Unless otherwise provided, the following regulations shall apply to
433 all signs and are in addition to other regulations contained herein:

- 434 1. Except as otherwise specified in this chapter, commercial signs shall be related
435 to the premises.
- 436 2. A noncommercial message may be substituted, in whole or part, for the
437 message displayed on any sign which conforms to this chapter without
438 consideration of message content. Such substitution of message may be made

without any additional approval, permitting, registration or notice. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring any particular noncommercial message over any noncommercial message. Whenever a property has not used all of its permissible sign area, then the unused portion may be used for the display of signs displaying noncommercial messages. Any on-site commercial message may be substituted, in whole or part, for any other on-site commercial message.

3. Signs shall be structurally safe and maintained in good condition.
4. For signs requiring a sign permit, a survey prepared by a registered civil engineer or surveyor certifying the location, height, and area of the sign shall be submitted prior to the erection of the sign, if requested by the administrator.
5. Unless otherwise specified in this chapter, signs shall be considered permanent.
6. Within sixty (60) days of the previous land use vacating the property, all signs shall either be refaced through a Sign Permit or shall have the existing sign panel reversed or a blank sign panel inserted into the sign box.
7. Within sixty (60) days of the previous land use vacating the property, all existing, temporary signs shall be removed from the premises for compliance.

B. Comprehensive Sign Package for Nonresidential Communities

Prior to the first site plan approval for a nonresidential community, a complete, comprehensive sign package for all proposed signs shall be submitted to the administrator for approval. The sign package shall include information necessary to ensure compliance with this chapter, such as, but not limited to, conceptual sign renderings or descriptions with the sizes, lighting, and general locations.

All signs shall conform to the following:

1. Letter style and graphic display of signs shall be similar;
2. Area, location, and material of signs shall substantially conform to building and site design;
3. Freestanding sign structures shall be similar;
4. A single type of building mounted display shall be used;
5. Background colors of sign boxes shall be similar; and

- 500 6. Other than the primary sign, signs for each individual use shall have the
501 same background color which shall be one of the colors of the primary
502 sign.
503

504 C. Sign Area and Measurements:

505
506 Each property shall be permitted a maximum area of three hundred (300) square
507 feet of sign area; where each four (4) or more nonresidential uses occupy the same
508 property, an additional three hundred (300) square feet of sign area is permitted for
509 nonresidential communities as the number of uses increase on the property such as
510 an office park or shopping center or Planned Unit Development.
511

512 1. Building Mounted. The area of building mounted signs shall be determined as
513 follows:

- 514 a. Projecting Sign. The area of a rectangle or square encompassing the extreme
515 limits of each individual sign face, including all background visible from any
516 direction at any one time;
517
518 b. Canopy or Awning Sign. The area of the surface upon which the sign copy is
519 located;
520
521 c. Individually Mounted or Painted Copy Sign. If the copy is not emphasized by
522 an architectural or painted element of the building, the sum of the area within
523 a series of rectangles or squares encompassing each individual figure. If the
524 copy is emphasized by an architectural or painted element of the building, the
525 area shall be determined in accordance with the requirements for Other
526 Building Mounted Signs as outline below; and
527
528 d. Other Building Mounted Signs. The area of a rectangle, square, circle,
529 triangle or combination thereof encompassing the extreme limits of copy.
530

531 2. Freestanding.

- 532 a. Area. The area of a sign shall be that of a rectangle, square, circle, triangle or
533 combination thereof encompassing the extreme limits of copy. The area of a
534 two (2) or more sided sign, where the interior angle between sides exceeds
535 90 degrees, shall be the sum of the area of the copy on all sides.
536
537 b. Height. Except as stated herein; sign height shall be the vertical distance
538 from grade to the top of the sign copy: the height of a sign installed on an
539 artificially created berm, mound or similar feature shall include the height of
540 such feature; or the height of sign adjacent to a road and installed below the
541 grade of the nearest travel lane shall be the vertical distance from such lane
542 grade to the top of the sign copy.
543
544
545

546 **Sec. 90-595 Sign Setbacks and Lighting.**

548 A. Signs Permitted in the VDOT Right-of-Way.

549
550 In addition to the signs outlined in B, the following signs may be placed within the
551 right-of-way, if approved by the Virginia Department of Transportation (VDOT): signs
552 posted by, on behalf of, or with permission of, a governmental agency or public utility
553 provider.

554
555 B. Road Setbacks. Except where expressly stated, signs shall meet the following
556 requirements:

- 557
558 1. Road Setbacks. Except as outlined herein, setbacks shall be measured from
559 the edge of existing right-of-way. If a sign is permitted to be located within an
560 ultimate right-of-way shown in the comprehensive plan, or an existing right-of-
561 way, the owner shall be responsible for relocating the sign to conform to the
562 setback requirements at such time that the road is widened in the future.

563
564 Signs shall conform to the following setbacks:

- 565
566 a. Except as outlined in b, signs shall be setback as follows: ten (10) feet
567 from the property line or from the face of curb, as applicable.
568
569 b. Along the following roads, signs may be located within the right-of-way if a
570 permit is obtained from VDOT, as may be applicable, provided the signs
571 are setback ten (10) feet from the edge of the pavement or from the face
572 of the curb, as applicable:
573 i. James River Drive (SR 10) between the Hopewell corporate limits
574 and Jordan Point Road (SR 106/156)
575 ii. Oaklawn Boulevard (US 36) between the Petersburg corporate
576 limits and the Hopewell corporate limits
577 iii. County Drive (US 460) between the Petersburg corporate limits and
578 Prince George Drive (SR 156)
579 iv. South Crater Road (US 301) between the Petersburg corporate
580 limits and east side of Interstate 95 at Exit 45

581
582 C. Sign Lighting.

- 583
584 1. Generally. Lighting shall be arranged and installed so that the light source is
585 not visible from adjacent roads, adjacent R or MHR property, or adjacent A-1
586 or R-A property designated in the Comprehensive Plan for Residential Use.
587
588 2. External Lighting. External lighting shall be limited to white or amber lighting
589 in spots or floods which are concealed or screened from view from the public
590 right-of-way. If external lighting is used incidental building lighting shall not be
591 considered external sign lighting.

- 592
593 3. Internal Lighting. Internal lighting shall be contained within translucent copy
594 or internally illuminated sign boxes. Sign box internal lighting shall be
595 restricted to the sign face. If internal lighting is used, external lighting shall
596 not be permitted.
597

598 **Sec. 90-596 Building Mounted Signs.**
599

600 A. Nonresidential Use - Signs Generally.
601

- 602 1. If the side or rear lot line adjoins R or MHR property or A-1 or R-A property as
603 designated in the Comprehensive Plan for residential use, no building
604 mounted sign shall be visible from such property unless the sign is located a
605 minimum of fifty (50) feet from such property.
606
607 2. Sign raceway colors shall match that of the building face on which the sign is
608 mounted and as provided within the overall comprehensive sign package.
609
610 3. Building mounted signs shall not project above the building's roofline or
611 parapet wall. A roofline or parapet wall shall not be artificially extended to
612 accommodate signage on the building.
613
614 4. A projecting sign shall not extend more than 36 inches from the building, roof,
615 or canopy to which it is attached, exceed a face-to-face thickness of eight (8)
616 inches, or exceed the height of the fascia or parapet wall. The sign shall be
617 attached so as to maintain a minimum clearance of eight (8) feet above
618 grade.
619
620 5. Permitted building mounted signage may be placed on a drive-through
621 canopy fascia. The area of a drive-through canopy fascia shall be included in
622 determining total building mounted signage unless the color of the fascia is
623 one of the following colors, excluding the color of any sign copy: black, white,
624 or a significant color or significant accent color of the building.
625

626 B. Other Nonresidential Use Building Mounted Signage.
627

628 The following signs shall be permitted and shall not be included in the permitted
629 aggregate area of building mounted signs:
630

- 631 1. Door and Window Signs. Signs mounted on, or externally visible through, a door
632 or window, not to exceed the lesser of fifteen (15) square feet or twenty-five (25)
633 percent of the total door or window area on the face of the building through which
634 the sign is visible, shall be permitted, provided the view into the establishment
635 from the bottom half of the door or window is not obstructed.
636

2. Under Canopy Signs. One (1) under canopy sign not to exceed eight (8) square feet shall be permitted in front of each tenant's main entrance.

C. Residential Use - Signs Generally.

1. Building mounted signs shall not project above the building's roofline or parapet wall. A roofline or parapet wall shall not be artificially extended to accommodate signage on the building;
2. Single family dwelling units or multifamily units with individual exterior entrances shall be permitted one (1) square foot of signage for each unit; and
3. Multifamily units sharing a common exterior entrance shall be permitted four (4) square feet of signage for each common entrance.

Sec. 90-597 Freestanding Signs.

A. Generally.

1. Sign Structure. Except for limited duration signs, freestanding sign structures shall be either covered with a material as a monument-style base having a similar color and finish to the principal building, be covered with a material and color used elsewhere on the sign, or be an architectural detail such as a column or a decorative wall.
2. Number. Except as permitted in elsewhere, properties or projects shall be limited to one (1) free standing sign.
3. Mixed Use and Nonresidential Community properties having frontage exceeding 600 linear feet along a principal arterial road and more than one entrances from such road, the permitted freestanding signage along such road may be shared among two (2) freestanding signs provide signs are separated a minimum of 200 linear feet and places at or near separate entrances.
4. Property fronting two (2) or more principal arterial or two (2) or more collector roads shall be permitted along each road one (1) freestanding sign.
5. Area of Changeable Copy. Permitted sign area may be increased by 25 percent for the purpose of including covered changeable copy, provided the area of the changeable copy is limited to one-half or less of the total area of the sign face; and where possible, should be covered to avoid being altered through vandalism.
6. Freestanding Sign Landscaping. The base area of the freestanding sign shall be landscaped with groundcover consisting of native flowers and shrubs that is also consistent with the site landscaping and it shall be irrigated on a regular basis.

683 B. Except as otherwise permitted in this chapter, the following Freestanding Signs shall
684 not exceed the square footage in area and the sign height as outlined below:
685

- 686
- 687 1. Mixed Use Community. One hundred (100) square feet in area and a height of
688 twenty (20) feet.
 - 689
 - 690 2. Nonresidential Community. One Hundred (100) square feet in area and a height
691 of twenty (20) feet.
 - 692
 - 693 3. Outparcel in a Nonresidential Community. Thirty-two (32) square feet in area
694 and a height of eight (8) feet.
 - 695
 - 696 4. Property Outside of a Nonresidential Community. One Hundred (100) square
697 feet in area and a height of twenty (20) feet.
 - 698
 - 699 5. Property in A-1, R-A, R, MHR with a Nonresidential Use, excluding a Farm Use,
700 twenty (20) square feet in area and a height of eight (8) feet. Properties along
701 primary arterials are permitted fifty (50) square feet in area and a height of fifteen
702 (15) feet.
 - 703
 - 704 6. Property in A-1 or R-A with a Farm Use. Thirty-two (32) square feet in area and
705 a height of eight (8) feet. The sign square footage may be displayed in more
706 than one (1) sign provided the total area of all signs does not exceed the
707 permitted square footage and the signs may be limited duration signs for
708 temporary events.
 - 709
 - 710 7. Residential Community Entrance. Thirty-two (32) square feet in area and a
711 height of eight (8) feet. One (1) such sign shall be permitted for each road
712 entrance into the community, provided that two (2) signs shall be permitted if
713 each sign is attached to a decorative fence or wall located on opposite sides of
714 the entrance, with each sign being limited to thirty-two (32) square feet in area.
 - 715
 - 716 8. Property in A-1, R-A, R, MHR with a Residential Use. Thirty-two (32) square feet
717 and a height of eight (8) feet. Noncommercial signage may be provided in more
718 than one (1) sign, provided that the aggregate area of all such signs shall not
719 exceed thirty-two (32) square feet; with a maximum of one (1) such sign as a
720 commercial sign not to exceed twenty (20) square feet and they may be limited
721 duration signs.

722
723 **Sec. 90-598 Additional Signs.**
724

725 The signs in this section shall be in addition to other signs permitted in this chapter.

- 726 1. Freestanding Sign at Entrances to Properties in B and M Districts. Two (2) on-
727 site signs, each not to exceed four (4) square feet and a height of five (5) feet,
728 shall be permitted at each road entrance to a property. Signs shall be limited to

two (2) colors, one for lettering and one for background. Lighting shall be limited to internal means.

2. Freestanding Signs at Entrances to Properties in B and M Districts Located Outside a Nonresidential Community that Share Access to a Road. Where two (2) establishments are required by VDOT to share access to a road, each establishment shall be allowed one (1) sign, either on or off-site, along the shared access. Each sign shall not exceed four (4) square feet and a height of five (5) feet.
3. Freestanding Off-Site Signs for Specific Public and Semi-Public Places. Assembly uses exceeding 10,000 gross floor area, hospitals on greater than twenty-five (25) acres, transit uses or other public uses without a direct entrance to a road shall be permitted one (1) off-site sign; and such sign shall not exceed seven (7) square feet and a height of seven (7) feet.
4. Drive-through Facility Stacking Lane Signs. Adjacent to each stacking lane, two (2) signs shall be permitted provided they are not legible from off-site. Signs shall be limited to fifty (50) total square feet in area and a height of six (6) feet.
5. Establishments Accommodating Orders from Parking Spaces or Fueling Stations. One (1) sign not to exceed four (4) square feet shall be permitted adjacent to each parking space or fueling station. The sign shall be attached to columns supporting a canopy. The color of the sign box shall match the color of the column on which the sign is mounted.
6. Fuel Dispenser Mounted Signs. Eight (8) square feet of signage, attached to, or immediately above, each fuel dispenser shall be permitted.

Sec. 90-599 Limited Duration Signs.

The signs in this section shall be in addition to other signs permitted in this article.

- A. Limited Duration Signs in B and M Districts, and in A-1 and R-A Districts Designated in the Comprehensive Plan for Nonresidential Use.
 1. Noncommercial Freestanding Signs. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) noncommercial signs. Each sign shall not exceed thirty-two (32) square feet and eight (8) feet in height. Each sign shall be displayed for no longer than ninety (90) consecutive days. The display of such signs on each community or property shall be limited to a total of one hundred eighty (180) days within any calendar year.
 2. Commercial Freestanding Signs on Occupied Property. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) commercial signs, each

not to exceed thirty-two (32) square feet and a height of eight (8) feet. Display of each sign shall be limited to sixty (60) consecutive days. Display of such signs by an individual tenant or owner shall be limited to a total of one hundred twenty (120) days within any calendar year. The administrator may approve time extensions on property with vacancies or real estate for sale.

3. Building Mounted Banners on Nonresidential Community. A nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet, per season; with seasonal cycles being January to March, April to June, and July to September and October to December. Display of the banner shall be limited to ninety (90) consecutive days.
4. Building Mounted Banners on Property Outside of a Nonresidential Community or Outparcel within a Nonresidential Community. A property outside of a nonresidential community or outparcel within a nonresidential community shall be permitted one (1) banner not to exceed 50 square feet. Display of such banner shall be limited to a total of one hundred twenty (120) days within any calendar year.
5. Commercial Signs on Vacant Property. A vacant property shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of eight (8) feet. A property fronting two (2) roads shall be permitted one (1) sign as described above on each road. Signs shall be removed at such time that the activity which it advertises ceases or directed by the administrator for compliance purposes.

B. Limited Duration Signs in R or MHR Districts, and in A-1 and R-A Districts Designated in the Comprehensive Plan for Other than Nonresidential Use.

1. Noncommercial Signs at Residential Community Entrances. At each entrance into a residential community, one (1) noncommercial sign, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. Display of each sign shall be limited to sixty (60) days. Display of such signs on each community shall be limited to one hundred twenty (120) days within any calendar year.
2. Banners for Nonresidential Use on Property not Occupied by a Residential Use. On a property not occupied by a residential use, one (1) banner, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted such signage along each road. Display of each banner shall be limited to sixty (60) consecutive days. Display of such banners on each property shall be limited to one hundred twenty (120) days within any calendar year.

3. Commercial Signs on Vacant Property. On a vacant property, one (1) sign, not to exceed sixteen (16) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Signs shall be removed at such time that the activity which it advertises ceases or as directed by the administrator for compliance purposes.
4. Noncommercial Signs on Vacant Property. On a vacant property, one (1) sign not to exceed sixteen (16) square feet and a height of eight (8) feet shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Display of each sign shall be limited to one hundred twenty (120) consecutive days. Display of such signs shall be limited to one hundred twenty (120) days within any calendar year.
5. Off-Site for Commercial Use of Limited Duration. Three (3) off-site signs, each not to exceed six (6) square feet and a height of eight (8) feet, shall be permitted for a commercial use lasting for three (3) or fewer days on an R or MHR property or on A-1 or R-A property designated in the comprehensive plan for other than nonresidential use. One (1) such sign shall be displayed on a property. Display of signs shall be limited to forty-eight (48) hours prior to commencement, and forty-eight (48) hours after cessation, of the use or activity advertised.

Sec. 90-600 Nonconforming signs.

- A. Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the Zoning Administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- B. No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- C. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- D. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.

866
867 E. A nonconforming sign that is destroyed or damaged by any casualty to an extent not
868 exceeding fifty (50) percent of its area may be restored within two (2) years after
869 such destruction or damage but shall not be enlarged in any manner. If such sign is
870 so destroyed or damaged to an extent exceeding fifty (50) percent, it shall not be
871 reconstructed but may be replaced with a sign that is in full accordance with the
872 provisions of this article.

873
874 F. A nonconforming sign, which is changed to become conforming or is replaced by a
875 conforming sign, shall no longer be deemed nonconforming, and thereafter such
876 sign shall be in accordance with the provisions of this article.

877
878 G. A nonconforming sign structure shall be removed if the use to which it is accessory
879 has not been in operation for a period of two years or more. Such sign structure shall
880 be removed by the owner or lessee of the property. If the owner or lessee fails to
881 remove the sign structure, the Zoning Administrator or designee shall give the owner
882 thirty (30) days written notice to remove it. Upon failure to comply with this notice,
883 the Zoning Administrator or designee may enter the property upon which the sign is
884 located and remove any such sign or may initiate such action as may be necessary
885 to gain compliance with this provision. The cost of such removal shall be chargeable
886 to the owner of the property.

Industrial Districts Ordinance Update
Planning Commission Meeting
August 27, 2020

Planning Staff, County Administration, and Board of Supervisor members have received requests from industrial developers to amend the County Ordinance to allow M-1 uses in the M-2 Zoning District, and to also allow M-1 and M-2 uses in the M-3 Zoning District. Consultants for industrial developers and Economic Development staff support the Ordinances being amended to allow what is called “pyramid zoning.” This allows restricted zone classification uses in a less restricted zone. In Prince George County’s version the Limited Industrial uses would be permitted in the Heavy Industrial District.

Staff requests any feedback on the draft ordinance by Friday, September 4th.

Proposed Schedule for adoption:

1. Review Draft Ordinance Amendment – Planning Commission Meeting August 27, 2020
2. Planning Commission Public Hearing – September 24, 2020
3. BOS Public Hearing - TBD

ARTICLE X. - M-1 LIMITED INDUSTRIAL DISTRICT

Sec. 90-442. - Permitted uses.

In the M-1 limited industrial district, any structure to be erected or land to be used shall be for one or more of the following uses:

- (1) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs. Also the manufacture of small parts, such as coils, condensers, transformers and crystal holders.
- (2) Laboratories, pharmaceutical and medical.
- (3) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.
- (4) Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn and paint.
- (5) Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
- (6) Manufacture of musical instruments, toys, novelties and rubber and metal stamps.
- (7) Feed and feed stores.
- (8) Cabinets, furniture and upholstery shops.
- (9) Boat building.
- (10) Monumental stone works.
- (11) Veterinary or dog or cat hospitals and kennels.
- (12) Airports with conditional use permit.
- (13) Wholesale businesses and storage warehouses.
- (14) Offstreet parking as required by this chapter.
- (15) Public utility generating, booster or relay stations, transformer substations, transmission lines and towers and other facilities for the provision and maintenance of public utilities including railroads and facilities and water and sewerage installations.
- (16) Business signs.
- (17) General advertising signs.
- (18) Location signs.
- (19) Agriculture. Notwithstanding any other provisions of this article, only accessory structures may be erected for the use of agriculture in an M-1 district; site plan review is not required on land used exclusively for agricultural pursuits.
- (20) Building supply.
- (21) Dwelling units when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family, as defined by the county zoning ordinance, not to exceed four people; or living quarters for a watchman or custodian of an establishment:
 - a. The dwelling shall be attached to or located above the business;

- b. The dwelling use shall contain no more than 1,200 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a special exception; and
 - c. The residential unit shall not be used as a rental property.
- (22) Mobile Food Units, subject to the provisions of Section 90-1041

ARTICLE XI. - M-2 GENERAL INDUSTRIAL DISTRICT

Sec. 90-492. - Permitted uses.

In the M-2 general industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

- (1) Truck terminals.
- (2) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.
- (3) Blacksmith shops, welding or machine shops.
- (4) Building material sales yards and plumbing supplies storage.
- (5) Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors.
- (6) Petroleum storage.
- (7) Sawmills and planing mills.
- (8) Brick manufacture.
- (9) Boiler shops.
- (10) Meat, poultry and fish processing.
- ~~(11) Offstreet parking as required by this chapter.~~
- ~~(11)(12)~~ Public utilities.
- ~~(12)(13)~~ Conservation areas.
- ~~(13)(14)~~ Game preserves.
- ~~(14)(15)~~ Accessory uses.
- ~~(16) Business signs.~~
- ~~(15)(17)~~ General advertising signs.
- ~~(16)(18)~~ Location signs.
- ~~(17)(19)~~ Concrete products or central mixing and proportioning plants.
- ~~(18)(20)~~ Agriculture. Notwithstanding any other provision of this article, only accessory structures may be erected for the use of agriculture in an M-2 district; site plan review is not required on land used exclusively for agricultural pursuits.
- ~~(21) Wholesale businesses and storage warehouses.~~
- ~~(22) Dwelling units when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family, as defined by the county zoning ordinance, not to exceed four people; or living quarters for a watchman or custodian of an establishment.~~

~~a. The dwelling shall be attached to or located above the business;~~

~~b. The dwelling use shall contain no more than 1,200 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a special exception; and~~

~~c. The residential unit shall not be used as a rental property.~~

~~(19)(23) Vehicle impound facility.~~

~~(24) Mobile Food Units, subject to the provisions of Section 90-1041~~

~~(20) All M-1 permitted uses.~~

ARTICLE XII. - M-3 HEAVY INDUSTRIAL DISTRICT

Sec. 90-542. - Permitted uses.

In the M-3 heavy industrial district, buildings to be erected or land to be used shall be for one or more of the following uses:

- (1) Battery manufacture.
- (2) Punch presses exceeding 40-ton rated capacity and drop hammers.
- (3) Sand and gravel operations.
- (4) Crushed stone operations.
- (5) Wood-preserving operations.
- (6) Abattoirs.
- (7) Acid manufacture.
- (8) Cement, lime and gypsum manufacture.
- (9) Fertilizer manufacture.
- (10) Petroleum refining including byproducts.
- (11) Asphalt mixing plants.
- (12) Paper and pulp manufacture.
- (13) Screened junk storage.
- (14) Cogeneration plants.
- (15) Materials recovery facilities, resource recovery/reclamation operations.

~~(16) Dwelling units when such use is reasonably and customarily a part of the business operation such as providing living quarters for a proprietor or manager and his family, as defined by the county zoning ordinance, not to exceed four people; or living quarters for a watchman or custodian of an establishment:~~

~~a. The dwelling shall be attached to or located above the business;~~

~~b. The dwelling use shall contain no more than 1,200 square feet, provided however, that the board of supervisors may authorize a greater size through the issuance of a special exception; and~~

~~c. The residential unit shall not be used as a rental property.~~

~~(17) Vehicle impound facility.~~

~~(16)(18)~~ Small solar energy facility.

~~(17)(19)~~ Large-scale solar energy facility.

~~(20) — Manufacturing, compounding, assembling or treatment of articles of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn and paint.~~

(18) All M-2 permitted uses.



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

Planning Commission Draft Agenda

Regular Meeting

Thursday, September 24, 2020

6:30 p.m. County Board Room

- I. Call to Order**
- II. Roll Call**
- III. Invocation**
- IV. Pledge of Allegiance to the U.S. Flag**
- V. Adoption of Meeting Agenda**
- VI. Draft Meeting Minutes – August 27, 2020**
- VII. Citizen Comment Period**
- VIII. New Business**

ORDINANCE AMENDMENT OA-20-03

Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," by amending §90-492 by amending the permitted uses in M-2, General Industrial District to allow M-1, Limited Industrial District uses, and amending §90-542 by amending the permitted uses in M-3, Heavy Industrial District to allow M-2, General Industrial District use.

REZONING CASE RZ-20-02

Request of SI Virginia II, LLC to conditionally rezone 141.79 acres from M-3, Heavy Industrial Zoning District to M-1, Limited Industrial Zoning District, and conditionally rezone 15.36 acres from M-1, Limited Industrial Zoning District to M-1, Limited Industrial Zoning District. The subject properties are located along Quality Way and Hardware Drive in the Southpoint Business Park, Lot 10 & 13, and are identified as Tax Maps 340(22)00-010-0 and 340(22)00-013-0. The Comprehensive Plan indicates that the subject properties are appropriate for industrial uses.

IX. Old Business

DRAFT RESIDENTIAL POULTRY ORDINANCE UPDATE

DRAFT SIGN ORDINANCE UPDATE

X. Planner's Communications to the Commission

- a) Actions of the Board of Zoning Appeals
- b) Actions of the Board of Supervisors
- c) Comprehensive Plan Update

August 11 Meeting Recap

BOS Adopts Solar Energy Facility Siting Policy

The Board of Supervisors at its August 11 meeting adopted the Solar Energy Facility Siting Policy. The Planning Commission and Staff recommended the adoption of a Solar Energy Facility Siting Policy to provide guidance to property owners, business owners, and County residents with the acceptance of Special Exception applications for Solar Energy Facilities. The policy will also give guidance to Staff, the Planning Commission, and the Board of Supervisors when evaluating requests for solar energy facilities.

The Board unanimously agreed to delay the adoption of such policy at its March 10 meeting to allow public input to the policy for future planned or proposed solar projects. The Board held a community meeting on June 30 to hear input from citizens both against and in support of the policy. After compiling those comments and suggestions, Staff recommended to the Board to increase setbacks, screening requirements and buffering requirements. In addition, construction hours and complaint procedures were revised. The Board agreed to give the policy a test run by establishing an upper limit on the total acreage of approved facilities of 2.74%. This will include already approved projects and those that have already been proposed, if approved.

Other matters to come before the BOS at its worksession & meeting:

- Received a report on an ordinance regarding possession of hens on property.
- Discussed a security camera system.
- Discussed relocating a voting precinct in District 2 from the Courthouse to Gregory Memorial Presbyterian Church.
- Approved on consent and presented a commendation to Deputy Joseph G. Curry for his service to Prince George County.
- Approved on consent and presented a commendation to Police Officer John "Butch" Pearson for his service to Prince George County.
- Approved on consent a resolution accepting Cedarwood Section Two-Extension Route 1040, New Route 1039, Route 1043 & Route 1044 into Virginia Department of Transportation/Secondary System of Roads Maintenance.
- Approved on consent and presented a commendation to Mr. Thomas Winfield for his actions on saving his neighbor's home on July 25, 2020.

- Received a road maintenance report from the Virginia Department of Transportation.
- Discussed Public School Division request to change accounting for sales tax revenue.
- Received a report on the Department of Labor workplace regulations.
- Received a report on CARES funding.
- Received a report on the issuance of DEQ permit giving the County assurance that the regulating agencies would approve the discharge of the treated wastewater into the Blackwater Swamp should the Board decide that a treatment plant is the best option.
- Unanimously agreed to defer on an award of contract and appropriation from debt proceeds in the amount of \$212,645 for architectural and engineering services for the County garage expansion.
- Unanimously approved an appropriation in the amount of \$400,000 for public safety and County vehicles purchases.
- Unanimously approved an award of contract for \$249,813.20 and appropriations from debt proceeds and Cameron Foundation and John Randolph Foundation Grants in the amount of \$218,207 for Fire and EMS Zoll Monitor purchases and a budget transfer from SNAP investment interest in the amount of \$31,606.20.
- Unanimously approved a re-appropriation in the amount of \$2,734,039.08 in outstanding June 30, 2020 encumbrances and purchase orders.
- Unanimously authorized to make expenditures for required E-9-1-1 System upgrades and seek reimbursement from the Commonwealth of Virginia in the amount of \$32,569 for VESTA phone upgrade and conduit path installation.
- Unanimously approved a resolution authorizing the advertisement of a public hearing for the appropriation of \$3,346,151 in Coronavirus Aid, Relief, and Economic Security (CARES) Act of 2020 Coronavirus Relief Funds to a new special revenue fund (budget amendment).
- Unanimously approved a resolution authorizing the execution of a second amendment to Verizon Tower Lease Agreement (Burrowsville).
- Unanimously approved a resolution authorizing the advertisement of a public hearing for an easement between Prince George County and Mid-Atlantic Broadband Communities Corporation to construct and operate a

telecommunications facility at 8200 Quality Drive.

- Discussed and had no negative comments regarding VA ABC License application notice from Holy Mackerel.
- Unanimously approved a resolution authorizing the advertisement of a public hearing on September 1, 2020 to consider adoption of an ordinance to amend The Code of the County of Prince George to revise the location of a polling place within the Courts building election district from Main Floor of Court Building, 6001 Courts Drive to Gregory Memorial Presbyterian Church, 6300 Courthouse Road.
- Unanimously reappointed Mr. T.J. Webb, Mr. Don Vtipil, Mr. Larry Barnett, and Mr. Andy Petik to the CIP Committee.
- Unanimously reappointed Ms. Kim Wilson to the Social Services Advisory Board.
- Held a public hearing and unanimously approved an ordinance to amend The Code of Prince George regarding requirements for mobile food units and provide requirements for the permitting and operation of mobile food units in permitted districts of the County.
- Held a public hearing and unanimously approved an appropriation of up to \$1,300,000 to the Capital Projects Fund (Budget Amendment).

Comprehensive Plan Update
Planning Commission Meeting
August 27, 2020

Staff has assembled a list of recommended updates for the Comprehensive Plan based on input from subcommittees conducted under the departed Planning Manager as well as input from current staff and findings from a general review for compliance with State Codes. Staff has begun a first draft for the Comprehensive Plan update to include formatting and organizational improvements, demographic data updates, new and updated maps, and integration of the input and recommendations assembled prior to beginning the draft. At this time, staff is drafting updates to individual chapters, and has requested a technical review of the Transportation Chapter by VDOT. The proposed next milestones are as follows:

1. Completion of technical review by VDOT. Staff received comments from VDOT staff and held a virtual meeting on August 14th.
2. Completion of internal first draft of all proposed changes for Chapters I through IV
3. Completion of internal first draft of all proposed changes for Chapters V through VIII
4. Completion of internal first draft of all proposed changes for Chapters IX and X
5. Completion of internal first draft Comprehensive Plan update for Planning Commission review
6. Update based on Planning Commission feedback to produce Second Draft of Comprehensive Plan update
7. Community Meetings and Final Draft
8. Public Hearings