



PLANNING COMMISSION

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

FROM: Tim Graves, Planner I

RE: April 2022 Planning Commission Work Session & Business Meeting

DATE: April 21, 2022

CC: Jeff Stoke, County Administrator
Julie C. Walton, Director
Dan Whitten, County Attorney
Andre Greene, Planner II
Missy Greaves-Smith, Office Manager

The Planning Commission's Work Session will be Monday, April 25, 2022 at 5:30 p.m. in the Kines Memorial Break Room on the 2nd floor of the County Administration Building. Please note this is not the normal location. The meeting location for next month's Work Session is expected to be the regular scheduled location.

The Planning Commission's regular Business Meeting will be Thursday, April 28, 2022 at 6:30 p.m. in the Board Room. Please contact me at (804)722-8678 or via e-mail at tgraves@princegeorgecountyva.gov with any questions.

1	Agenda
2	Draft Work Session Minutes March 21, 2022
3	Draft Business Meeting Minutes March 24, 2022
4	Draft 2021 Annual Report
5	Special Exception SE-22-01
6	Comprehensive Plan Amendment CPA-22-01
7	Communications
8	Proposed Motion to Adjourn
9	
10	
11	
12	

AGENDA

Business Meeting - April 2022

Planning Commission of Prince George County, Virginia

Thursday, April 28, 2022 at 6:30 p.m.

County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

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

If you would like to participate in the meeting via Zoom –

<https://zoom.us/j/5053851421?pwd=V2pjSHFneFRUUE2bjNqQnR3emZoUT09>

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

https://www.princegeorgecountyva.gov/live_stream/

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_for_m.php.

Any public comments received via Zoom, in person or by the website form up until the public comment section is closed by the Chairman of the Planning Commission on April 28, 2022 shall be entered into the meeting minutes.

CALL TO ORDER – Chairman Bresko

Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

ADOPTION OF AGENDA [1] – Chairman Bresko

PUBLIC COMMENTS - Chairman Bresko

The Public Comment period is open to anyone who wishes to speak to the Commissioners on any items not being heard as a Public Hearing item this evening. Please state your name and address, you will have three (3) minutes to speak.

ORDER OF BUSINESS

- A-1. Adoption of the Work Session Minutes – March 21, 2022 [2] **Chairman Bresko**
- A-2. Adoption of Business Meeting Minutes – March 24, 2022 [3] **Chairman Bresko**
- A-3. Adoption of the 2021 Annual Report [4] **Julie Walton**

PUBLIC HEARINGS

- P-1. **SPECIAL EXCEPTION – SE-22-01: [SPECIAL EXCEPTION SE-22-01:** Request of Duncan and Suzanne Fung pursuant to Prince George County Zoning Ordinance Section 90-103(9) to permit an Assembly Hall within a R-A (Residential Agricultural) Zoning District. The subject property is approximately 33.7 acres in size, located at 9501 Lake Fungs Road, and is identified as Tax Map 460(0A)00-034-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses. [5] **Andre Greene**
- P-2. **COMPREHENSIVE PLAN AMENDMENT CPA-22-01:** Request of Prince George County to amend the Prince George County Comprehensive Plan to incorporate the adopted Solar Energy Facility Siting Policy as a new Appendix D. [6] **Julie Walton**

COMMUNICATIONS – [7] Tim Graves

- A. Actions of the Board of Zoning Appeals
- B. Actions of the Board of Supervisors
 - a. BOS Recap
- C. Upcoming Cases for May 2022
 - a. Ordinance Amendment - OA-22-02 - Fee Schedule
 - b. Special Exception – SE-22-04 – Hauling Hass
- D. Planning Commission Training (Thursday May 5, 2022 1-5p.m. in the Board Room)

ADJOURNMENT – [8] Chairman Bresko

WORK SESSION - MINUTES

Planning Commission
County of Prince George, Virginia
Work Session Monday, March 21, 2022
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

**Work Session
5:30 p.m.**

CALL TO ORDER – 5:31 p.m.

Roll Call – **Present: Simmons, Elder, Bresko, Joyner, Anderson**
Absent: Brown, Brockwell

Staff present: Julie Walton, Andre Greene, Tim Graves

MARCH 21, 2022 AGENDA REVIEW – Tim Graves reviewed the agenda.

PUBLIC HEARING CASE REVIEW

P-1 **ORDINANCE AMENDMENT - OA-22-01 – Battery Storage**
Julie Walton reviewed the staff report materials and answered questions.

PLANNING COMMISSION TRAINING DISCUSSION – Julie Walton provided two possible dates in May for Planning Commission training, and asked for scheduling conflicts to be provided at the Business Meeting on Thursday March 24.

ADJOURNMENT – 6.13 p.m.; Motion: Joyner; Second: Elder; Vote 5-0

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

March 24, 2022

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

This meeting was held in person and 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

Password: 200726

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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, March 24, 2022 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex W. Bresko, Chairman.

ATTENDANCE. The following members responded to Roll Call:

Mr. Simmons	Present
Mrs. Elder	Present
Mr. Bresko	Present
Mr. Joyner	Present
Mrs. Anderson	Present
Mr. Brown	Absent
Mr. Brockwell	Absent

Also present: Julie C. Walton, Deputy County Administrator, Dan Whitten, County Attorney, Tim Graves, Planner I and Missy Greaves-Smith, Administrative Support Specialist II

INVOCATION. Mrs. Anderson provided the Invocation.

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

ADOPTION OF THE AGENDA. Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the March 24, 2022 Planning Commission. Mr. Simmons made a motion to approve the meeting Agenda and Mrs. Elder seconded the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

PUBLIC COMMENT PERIOD. At 6:33 p.m., Mr. Bresko opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as a Public Hearing item. Citizens were asked to limit their comments to three (3) minutes.

With no one present or on Zoom indicating they wished to speak, the Public Comment Period was closed at 6:33 p.m.

ORDER OF BUSINESS. Mr. Bresko asked the Commissioners to review the Minutes of the February 23, 2022 Work Session of the Planning Commission. Mr. Joyner made a motion to approve the February 23, 2022 Work Session Minutes. The motion was seconded by Mrs. Elder.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

Mr. Bresko asked the Commissioners to review the Minutes of the February 24, 2022 Planning Commission meeting. Mrs. Anderson made a motion to approve the meeting Minutes of the February 24, 2022 meeting as written. The motion to approve and the Minutes was seconded by Mrs. Elder.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

Mrs. Walton discussed the training opportunity for the Planning Commission members hosted by Dr. Mike Chandler. The commissioners were given dates to review at the Monday night Work Session. After a brief discussion, the Commissioner agreed upon Thursday, May 5, 2022.

PUBLIC HEARING.

P-1. ORDINANCE AMENDMENT – OA-22-01: Ordinance to Amend “The Code of the County of Prince George, Virginia”, 2005, as Amended, by Adding § 90-1042 to Provide Requirements for Battery Energy Storage Systems, and by Modifying § 90-443, § 90-493,

§ 90-543, § 90-53 and § 90-103 to add Tier 2 Battery Energy Storage Systems as a Use Permitted by Special Exception in the M-1, M-2, M-3, A-1 and R-A Zoning Districts.

Mrs. Walton presented to the Commissioners the Ordinance Amendment for Battery Storage Facilities. This type of facility is not currently addressed in Prince George County's Zoning Ordinance as a "stand alone" use. Staff has received a request to add the definition and the use to the Code as a "stand alone" facility. Staff has developed a Draft Ordinance for consideration defining the Use, Application as Special Exception and identifying which Zoning Districts it would be allowed in. Staff is also recommending development of an internal policy for guidance on application reviews and standard conditions for Special Exception requests, similar to the Solar Siting Policy.

Mrs. Walton's presentation included example photos of battery storage facilities, which are typically sited close to a sub-station to help support the power grid.

Regulations established the requirement of power companies to provide for 3,100 MW of available energy storage in Virginia by 2035, the most among states in the nation. Battery storage allows backup for any type of incident, power failure, or high demand. This is for temporary back-up energy similar to a home generator.

Mrs. Walton highlighted locations throughout the County that are potential properties to have a battery storage facility. Locations would need to be adjacent or on the same property as the substations. The current stations located in Prince George are: Fine Street, Heritage Road, West Quaker Road, Prince George Drive, Arwood Road, Middle Road and Lamore Drive.

Considerations that have been discussed with the Board of Supervisors and the Commissions:

- Proximity to electrical substation or transmission line
- Size of the facility and the size of lot/property where located
- Distance to adjoining properties and structures
- Hazard protections
- Provider agreement in place with Energy company
- Facility screening and security
- Facilities should be sited to avoid wetlands, floodplains, environmental concerns
- Fire and explosion risk mitigation - Mitigation measures should include: battery testing, failure testing and explosion mitigation, fire testing, and training for First Responders
- Developing a water containment plan as a component of a Battery Fire Action Plan

Mrs. Walton discussed a concern from one of the Board of Supervisors in reference to the removal and disposal of individual units at End of Life (EOL) or if damaged or degraded. The following changes were made:

- Pg. 4: Added clause for removal and disposal of individual units at EOL or if damaged, degraded
 - C. All battery storage systems which include batteries of various chemistries and types, are classified as hazardous waste upon reaching

EOL or in a condition/state of degradation that requires replacement. Transport and Disposal of all such components and solid and hazardous waste shall be in accordance with local, state, and federal hazardous waste disposal regulations.

- Pg. 9: Added the defined Use to applicable zoning district sections

Mrs. Walton stated that the County did not receive any comments from citizens but the department did receive comments from one of the pre-applicants. The comments received were concerns with the 100' setback or zoning district setback, a suggestion to increase the allowable noise decibel, and to include a section regarding revisiting time frames for the Decommissioning Plan. Staff's recommendation is to retain current language without modification for the setbacks. Staff is in agreement to modify the allowable noise level section to reference at the property line rather than at the structure wall, and to add separate allowable noise levels for the M Zoning District. Mrs. Walton noted Section 7(F)(1) items (e.) and (f.) already address the Decommissioning Plan concern and no revisions are needed.

Mrs. Walton concluded her presentation by reviewing with the Commissioners the steps that had been taken so far: receiving feedback from the Planning Commission and BOS on Draft Ordinance, revisions and additions made, scheduling the Public Hearing and additional revisions based on the Work Session discussion.

Mrs. Anderson asked Mrs. Walton if any of the current substations are in the M-Zoning Districts. Mrs. Walton noted that the substations on West Quaker Road and Fine Street are in the M-Zoning Districts.

Mr. Simmons asked if any of the current substation locations are large enough to add a battery storage facility onsite and would they still need to meet the five (5) acre requirement. Mrs. Walton explained that if they are already on a lot less than five (5) acres, unless you specify that there is a minimum of five (5) acres, it would go with the current zoning requirement. For example, in R-A currently, lot sizes are a minimum of five (5) acres. The County has three (3) substations currently that are located on parcels smaller than five (5) acres.

Mrs. Walton recommended that the Commissioners consider adding a five (5) acre specific lot size for the R-A and A-1 and not an acreage requirement for the M districts. She also recommended having the 20 dBa for R-A and A-1 and something higher for the M districts.

Mr. Bresko opened the Public Hearing at 7:03 p.m. to anyone that wished to speak for or against OA-22-01.

Paul Cozus, 210 Randolph Circle, Ashland, VA, addressed the Commission representing ECOPLEXUS, Inc. He stated that ECOPLEXUS is an industry leader in development of renewable energy systems for commercial, government and utility markets. ECOPLEXUS is currently working to develop solar facilities and stand alone battery storage facilities in Prince George County.

Mr. Cozus reviewed the comments that ECOPLEXUS submitted to the County that were discussed earlier in Mrs. Walton's presentation. Mr. Cozus expressed his concerns with the 100' setbacks, stating it would be "too restrictive". He agreed with the proposed revised noise restriction levels.

With no one else wishing to speak and no one on Zoom indicating they wished to speak, the Public Hearing was closed at 7:11 p.m.

Mrs. Walton reviewed the options for the motion with the Commissioners and asked if they had any additional questions.

Mr. Bresko asked the Commissioners if they had any additional questions. Mr. Simmons stated that there is a lot of uncertainty. The BOS could also address some of these things and could send it back to the Planning Commission for additional review.

Mr. Simmons made a motion to forward request OA-22-01 to the BOS with the recommendation of approval subject to the revised Section 7(E): Noise. Mr. Bresko asked Mr. Simmons if he wanted to include the M Zoning revision to his motion. Mr. Whitten stated Mr. Simmons would need to amend his motion.

Mr. Simmons amended his motion to move forward request OA-22-01 to the BOS with a recommendation for approval, subject to the following changes:

- Revise Section 7(E): Noise
 - To be the average noise generated to be 20 bDa at the property line of subject property line at in R-A and A-1 and 60 bDa at property line at M Zoning

The motion was seconded by Mr. Joyner.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell

**DRAFT ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF
PRINCE GEORGE, VIRGINIA", 2005, AS AMENDED, BY
ADDING § < > BATTERY ENERGY STORAGE SYSTEM LAW**

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) *That The Code of the County of Prince George, Virginia, 2005, as amended, is amended by adding § < >, as follows:*

CHAPTER ◇

Sec. ◇

1. Authority

This Battery Energy Storage System Ordinance is adopted pursuant to the Code of Virginia, § 15.2-2280, of the Commonwealth of Virginia, which authorizes the County of Prince George to adopt zoning provisions that advance and protect the health, safety and welfare of the community.

2. State of Purpose

This Battery Energy Storage System Ordinance is adopted to advance and protect the public health, safety, welfare, and quality of life of the County of Prince George by creating regulations for the installation and use of battery energy storage systems, with the following objectives:

- A. To provide a regulatory scheme for the designation of properties suitable for the location, construction and operation of battery energy storage systems;
- B. To ensure compatible land uses in the vicinity of the areas affected by battery energy storage systems;
- C. To mitigate the impacts of battery energy storage systems on environmental resources such as important agricultural lands, forests, wildlife and other protected resources; and
- D. To create synergy between battery energy storage system development and the surrounding community.

3. Definitions

As used in this Chapter, the following terms shall have the meanings indicated:

ANSI: American National Standards Institute

BATTERY(IES): A single cell or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this law, batteries utilized in consumer products are excluded from these requirements.

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM: An electronic system that protects energy storage systems from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM: One or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle. A battery energy storage system is classified as a Tier 1 or Tier 2 Battery Energy Storage System as follows:

- A. Tier 1 Battery Energy Storage Systems have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. Tier 2 Battery Energy Storage Systems have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery technology in a room or enclosed area.

CELL: The basic electrochemical unit, characterized by an anode and cathode, used to receive, store, and deliver electrical energy.

COMMISSIONING: A Systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

DEDICATED-USE BUILDING: A building that is built for the primary intention of housing battery energy storage system equipment, is classified as Group F-1 occupancy as defined in the latest adopted editions of the Virginia Uniform Statewide Building Code (“USBC”) and the International Building Code, and complies with the following:

- 1) The building’s only use is battery energy storage, energy generation, and other electrical grid-related operations.
- 2) No other occupancy types are permitted in the building.
- 3) Occupants in the rooms and areas containing battery energy storage systems are limited to personnel that operate, maintain, service, test, and repair the battery energy storage system and other energy systems.
- 4) Administrative and support personnel are permitted in areas within the buildings that do not contain battery energy storage system, provided the following:
 - a) The areas do not occupy more than 10 percent of the building area of the story in which they are located.
 - b) A means of egress is provided from the administrative and support use areas to the public way that does not require occupants to traverse through areas containing battery energy storage systems or other energy system equipment.

ENERGY CODE: The Virginia USBC Energy Conservation Construction Code, as currently in effect and as hereafter amended from time to time.

FIRE CODE: The fire code sections of the USBC and the Virginia Statewide Fire Prevention Code, as currently in effect and as hereafter amended from time to time.

NATIONALLY RECOGNIZED TESTING LABORATORY (NRTL): A U.S. Department of Labor designation recognizing a private sector organization to perform certification for certain products to ensure that they meet the requirements of both the construction and general industry OSHA electrical standards.

NEC: National Electric Code.

NFPA: National Fire Protection Association.

NON-DEDICATED-USE BUILDING: All buildings that contain a battery energy storage system and do not comply with the dedicated-use building requirements.

NON-PARTICIPATING PROPERTY: Any property that is not a participating property.

NON-PARTICIPATING RESIDENCE: Any residence located on non-participating property.

OCCUPIED COMMUNITY BUILDING: Any building in Occupancy Group A, B, E, I, R, as defined in the USBC and/or the International Building Code, including but not limited to schools, colleges, daycare facilities, hospitals, correctional facilities, public libraries, theaters, stadiums, apartments, hotels, and houses of worship.

PARTICIPATING PROPERTY: A battery energy storage system host property or any real property that is the subject of an agreement that provides for the payment of monetary compensation

to the landowner from the battery energy storage system owner (or affiliate) regardless of whether any part of a battery energy storage system is constructed on the property.

UNIFORM CODE: The Virginia Uniform Statewide Building Code adopted pursuant to § 36-98 of the Code of Virginia, as currently in effect and as hereafter amended from time to time.

4. Applicability

- A. The requirements of this Ordinance shall apply to all battery energy storage systems permitted, installed, or modified in the County of Prince George after the effective date of this Ordinance, excluding general maintenance and repair.
- B. Battery energy storage systems constructed or installed prior to the effective date of this Ordinance shall not be required to meet the requirements of this Ordinance.
- C. Modifications to, retrofits or replacements of an existing battery energy storage system that increase the total battery energy storage system designed discharge duration or power rating shall be subject to this Ordinance.

5. General Requirements

- A. All battery energy storage system installations shall comply with site plan requirements in accordance with Section 90-824.
- C. All battery energy storage systems, all Dedicated Use Buildings, and all other buildings or structures that (1) contain or are otherwise associated with a battery energy storage system and (2) subject to the Uniform Code and/or the Energy Code shall be designed, erected, and installed in accordance with all applicable provisions of the Uniform Code, all applicable provisions of the Energy Code, and all applicable provisions of the codes, regulations, and industry standards as referenced in the Uniform Code, the Energy Code, and the Code of the County of Prince George.

6. Permitting Requirements for Tier 1 Battery Energy Storage Systems

Tier 1 Battery Energy Storage Systems shall be permitted in all zoning districts, subject to the Uniform Code and are exempt from separate site plan review.

7. Permitting Requirements for Tier 2 Battery Energy Storage Systems

Tier 2 Battery Energy Storage Systems are permitted through the issuance of a Special Exception by the Board of Supervisors within the M-1, M-2, M-3, A-1 and R-A zoning districts, and shall be subject to the Special Exception application process, the USBC, and the site plan application requirements set forth in this Section. All applications shall address at a minimum the following items:

- A. Utility Lines and Electrical Circuitry. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- B. Signage.
 - 1) The signage shall be in compliance with ANSI Z535 and shall include the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage

systems, and 24-hour emergency contact information, including reach-back phone number.

- 2) As required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
- C. Lighting. Lighting of the battery energy storage systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.
- D. Vegetation and tree-cutting. Areas within 20 feet on each side of Tier 2 Battery Energy Storage Systems shall be cleared of combustible vegetation and other combustible growth. Single specimens of trees, shrubbery, or cultivated ground cover such as green grass, ivy, succulents, or similar plants used as ground covers shall be permitted to be exempt provided that they do not form a means of readily transmitting fire. Removal of trees should be minimized to the extent possible.
- E. Noise. The average noise generated from the battery energy storage systems, components, and associated ancillary equipment at any time shall not exceed a noise level of 20 dBA as measured at the ~~outside wall~~ **property line** of any **surrounding** non-participating residence or occupied community building **in the R-A and A Zoning Districts. In M Zoning Districts, the average noise shall not exceed a noise level of 60 dBA at adjoining property lines.** Applicants may submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant may be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the battery energy storage system to demonstrate compliance with this standard.
- F. Decommissioning.
- 1) Decommissioning Plan. The applicant shall submit a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal from the facility. The decommissioning plan shall include:
 - a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 - c. The anticipated life of the battery energy storage system;
 - d. The estimated decommissioning costs and how said estimate was determined;
 - e. The method of ensuring that funds will be available for decommissioning and restoration;
 - f. The method by which the decommissioning cost will be kept current;
 - g. The manner in which the site will be restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected

during decommissioning and confirmed as being acceptable after the system is removed; and

- h. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.
 - 2) Decommissioning fund. The owner and/or operator of the energy storage system shall continuously maintain the fund or bond payable to the County of Prince George, in a form approved by the County of Prince George for the removal of the battery energy storage system, in an amount to be determined by the County of Prince George, for the period of the life of the facility. This fund may consist of a letter of credit from a State of New York licensed-financial institution. All costs of the financial security shall be borne by the applicant.
- H. Site plan application. For a Tier 2 Battery Energy Storage System requiring a Special Exception / Special Use Permit, site plan approval shall be required. Any site plan application shall include the following information in addition to the items listed in Section 90-824:
- 1) Property lines and physical features, including roads, for the project site.
 - 2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
 - 3) A three-line electrical diagram detailing the battery energy storage system layout, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and over current devices.
 - 4) A preliminary equipment specification sheet that documents the proposed battery energy storage system components, inverters and associated electrical equipment that are to be installed. A final equipment specification sheet shall be submitted prior to the issuance of building permit.
 - 5) Name, address, and contact information of proposed or potential system installer and the owner and/or operator of the battery energy storage system. Such information of the final system installer shall be submitted prior to the issuance of building permit.
 - 6) Name, address, phone number, and signature of the project Applicant, as well as all the property owners, demonstrating their consent to the application and the use of the property for the battery energy storage system.
 - 7) Zoning district designation for the parcel(s) of land comprising the project site.
 - 8) Commissioning Plan. Such plan shall document and verify that the system and its associated controls and safety systems are in proper working condition per requirements set forth in the all applicable codes. Battery energy storage system commissioning shall be conducted by a Virginia Licensed Professional Engineer after the installation is complete but prior to final inspection and approval. A report describing the results of the system commissioning and including the results of the initial acceptance testing shall be provided prior to final inspection and approval and maintained at an approved on-site location.
 - 9) Fire Safety Compliance Plan.
 - 10) Operation and Maintenance Manual. Such plan shall describe continuing battery energy storage system maintenance and property upkeep, as well as design, construction, installation, testing and commissioning information.

11) Erosion and sediment control and storm water management plans.

12) Emergency Operations Plan.

- a. Procedures for safe shutdown, deenergizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
- b. Procedures for inspection and testing of associated alarms, interlocks, and controls.
- c. Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
- d. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
- e. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
- f. Procedures for dealing with battery energy storage system equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged battery energy storage system equipment from the facility.
- g. Water containment plan.
- h. Other procedures as determined necessary by the County of Prince George to provide for the safety of occupants, neighboring properties, and emergency responders.
- i. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

I. Special Exception / Use Permit Standards.

- 1) Setbacks. Tier 2 Battery Energy Storage Systems shall comply with the setback requirements of the underlying zoning district for principal structures or 100 feet, whichever is greatest.
- 2) Lot size. Tier 2 Battery Energy Storage Systems shall have a minimum lot size of 5 acres and maximize buffer areas to adjoining properties regardless of lot topography. Facilities shall be sited to avoid wetlands, floodplains, and any other environmental concerns.
- 2) Height. Tier 2 Battery Energy Storage Systems shall comply with the building height limitations for principal structures of the underlying zoning district.
- 3) Fencing Requirements. Tier 2 Battery Energy Storage Systems, including all mechanical equipment, shall be enclosed by a 7-foot-high security type fence with a self-locking gate to prevent unauthorized access unless housed in a secure, dedicated-use building and not interfering with ventilation or exhaust ports.
- 4) Screening and Visibility. Tier 2 Battery Energy Storage Systems shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will

harmonize with the character of the property and surrounding area and not interfering with ventilation or exhaust ports.

- J. Ownership Changes. If the owner of the battery energy storage system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the battery storage system shall notify the County Planning Division and County Attorney of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such notification to the County in writing. The special exception / special use permit and all other local approvals for the battery energy storage system would be void if a new owner or operator fails to provide written notification to the County in the required timeframe. Reinstatement of a void special use permit will be subject to the same review and approval process for new applications under this Ordinance.

- K. Copy of provider service agreement with energy/utility provider.

8. Safety

A. System Certification. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) or approved equivalent, with subcomponents meeting each of the following standards as applicable:

- 1) UL1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications),
- 2) UL 1642 (Standard for Lithium Batteries),
- 3) UL 1741 or UL 62109 (inverters and Power Converters),
- 4) Certified under the applicable electrical, building, and fire prevention codes as required.
- 5) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 (or approved equivalent) and applicable codes, regulations and safety standards may be used to meet system certification requirements.

B. Site Access. Battery energy storage systems shall be maintained in good working order and in accordance with industry standards. Site access shall be maintained, including access maintenance, repair, and snow removal at a level acceptable to the local fire department.

C. Battery energy storage systems, components, and associated ancillary equipment shall have required working space clearances, and electrical circuitry shall be within weatherproof enclosures marked with the environmental rating suitable for the type of exposure in compliance with NFPA 70.

9. Abandonment

The battery energy storage system shall be considered abandoned when it ceases to operate consistently for more than 24 months. If the owner and/or operator fails to comply with decommissioning upon any abandonment, the County of Prince George may, as its discretion, enter the property and utilize the available bond and/or security for the removal of a Tier 2 Battery Energy Storage System and restoration of the site in accordance with the decommissioning plan.

10. Enforcement

Any violation of this Battery Energy Storage System shall be subject to the same enforcement requirements, including the civil and criminal penalties, provided for in the building, zoning, or land use regulations of the County of Prince George.

11. Severability

The invalidity of unenforceability of any section, subsection, paragraph sentence, clause, provision, or phrase of the aforementioned sections, as declared by the valid judgment of any court of competent jurisdiction to be unconstitutional, shall not affect the validity or enforceability of any other section, subsection, paragraph, sentence, clause, provision, or phrase, which shall remain in full force and effect.

(2) *That the Ordinance shall be effective upon adoption.*

PLANNER'S COMMUNICATION TO THE COMMISSION. Mr. Graves presented to the Commissioners the following updates:

1. Actions of the Board of Zoning Appeals (BZA)
 - a. One case is scheduled for April 25, 2022
 - i. Special Exception to the BZA for multiple dogs at a residence
2. Actions of the Board of Supervisors (BOS)
 - a. Approved the Special Exception for Brightview – Special Care Hospital
 - b. Approved the Rezoning Amendment SI Virginia – change of conditions
3. Planning Commission Communications
 - a. Upcoming Cases for April
 - i. Special Exception – SE-22-01 – Fung Assembly Hall
 - ii. Special Exception – SE-22-02 – Powell Creek Solar Facility
 - iii. Special Exception - SE-22-03 – Krenicky Solar Facility

ADJOURNMENT. At 7:22 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mrs. Elder made a special motion to adjourn until Monday, April 25, 2022 in the Kines' Breakroom and Mr. Joyner seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (5) Simmons, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Brockwell



**County of Prince George
Planning Commission**

**2021 Annual Report
January – December 2021**

Approved on

2021 Planning Commission Members

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

Planning Division Staff Members

Julie C. Walton, DCA - Director of Community Development and Code Compliance
Horace Wade, III, CFM, Planner II (former)
Andre Greene, Planner II
Tim Graves, Planner I
Missy Greaves-Smith, Administrative Support Specialist II

Planning Commission Officers and Appointments

The Planning Commission elected Floyd M. Brown as Chairman, and Clarence Joyner, Jr. as Vice-Chairman, for the 2021 calendar year.

Introduction

Section 15.2-2221, of the Code of Virginia, as amended, prescribes the duties of the local Planning Commission. One of these duties is to "Make recommendations and an annual report to the governing body concerning the operation of the commission and the status of planning within its jurisdiction". This document is intended to satisfy the annual report requirement in the form of a report by the Prince George County Planning Commission to the Prince George County Board of Supervisors.

Planning Commission Case Summary

Special Exception Cases

In 2021, six (6) new Special Exception applications were submitted to the Planning & Zoning Division and the Planning Commission held public hearings for four (4) cases:

1. A Cottage Industry - Home Occupation on the Barns of Kanak property located on Ruffin Road for the purpose of accommodating overnight guests and selling and renting formalwear for events hosted at an existing Assembly Hall on the property. The Planning Commission recommended approval in March and the Board of Supervisors approved the request in April.
2. An Assembly Hall and Cottage Industry - Home Occupation on the Chester Plantation property located on Golf Course Drive for hosting events with limited overnight accommodations. The Planning Commission recommended approval in June and the Board of Supervisors approved the request in July.
3. A Home Occupation in an Accessory Building located on Old Stage Road for online sales. The Planning Commission recommended approval in July and the Board of Supervisors approved the request in August.
4. A Home Occupation in an Accessory Building located on Courthouse Road for a therapeutic massage business. The Planning Commission recommended approval in October and the Board of Supervisors approved the request in November.

Rezoning Cases

In 2021, six (6) Rezoning cases were submitted to the Planning & Zoning Division, and the Planning Commission held public hearings for two (2) cases:

1. A request to amend conditions of a rezoning case to permit an additional use with outside storage for a general contractor business with metal roofing fabrication, located on Prince George Drive. The Planning Commission recommended approval in August and the Board of Supervisors approved the request in September.
2. A request to rezone a 6.8-acre property from M-1 to M-2 for an automotive restoration business and speculative development located on Chudoba Parkway. The Planning Commission recommended approval in October and the Board of Supervisors approved the request in November.

Ordinance Amendments

The Planning Commission held a public hearing and made a recommendation on one (1) Zoning Ordinance Amendment:

1. An amendment to define the term "Townhouse" and establish a zoning district known as "R-TH Residential Townhouse" where townhouses are permitted, with development standards. The Planning Commission recommended approval in December and the Board of Supervisors approved the amendment in January 2022.

Other Public Hearings:

The Planning Commission held one (1) additional public hearing:

1. A request for a waiver of the subdivision requirement to connect a proposed subdivision within the Prince George Planning Area to public water and sewer systems. The request was for a subdivision of one property into two lots, located on Merchants Hope Road. The Planning Commission granted approval of the request in November and no decision from the Board of Supervisors was required for this request.

Planning & Zoning Division: Administrative Review Summary

In addition to the Planning Commission cases involving public hearings, the Planning & Zoning Division also received and reviewed the following additional applications involving administrative reviews in 2021:

- 24 Preliminary applications for Rezoning or Special Exception
- 61 Applications for Subdivisions and other Plat reviews, including Chappell Creek on the James Sections 1 and 2, Meadows Section 3, and First Tee Estates (division of former Prince George Golf Course)
- 13 Site Plan applications for projects including New Elementary School, Central Wellness Center renovations, Service Center Metals Expansion, PG Schools Bus Maintenance Facility, PG Fleet Maintenance Facility, Ample Storage self-storage facility, Tri-Cities Free-standing Emergency Room expansion, Dollar General, and Fort Powhatan Solar Phase II Solar Facility
- 1 Administrative Variance application
- 48 Zoning Approvals issued for professional businesses
- 200 Zoning Approvals issued for home occupation businesses
- 394 Zoning Permits reviewed for construction projects
- 19 Zoning Confirmation Letters
- 15 Administrative Second Dwelling renewals (0 new applications)
- 234 Certificates of Zoning Compliance for completed structures

Planning & Zoning Division: Special Projects

On behalf of the Planning Commission, Planning & Zoning Division staff completed additional special projects, including:

1. Submitted ____ () Smart Scale transportation projects for review by the Commonwealth Transportation Board (CTB). The projects included ____.
2. Continued updating application forms and checklists, and created new ones when relevant. All updates related to application forms were made with the goal of providing clear expectations for customers and improving the quality of application submittals.
3. Completed the introduction of a preliminary application review process for Special Exception requests and Rezoning requests. The review process was initiated in 2020 and aimed to improve the quality of communication with applicants and the quality of requests heard by the Planning Commission and Board of Supervisors.
4. Assisted the Board of Supervisors and County Administration with site selection and planning efforts for a new convenience center facility for garbage and recycling drop-off by county residents.

5. Participated in the state agency-led planning process for the Virginia Coastal Resilience Master Plan and the federal agency-led planning process to update the FEMA floodplain maps.
6. Drafted an ordinance amendment to clarify requirements for private roads.
7. Drafted an ordinance amendment for battery energy storage facilities to define where these facilities may be located and under what standards.
8. Assisted the County Attorney with ordinance amendments relating to addressing on private roads and private animal boarding places
9. Developed recommendations for residential lot density in the Rural Conservation Area and presented them to the Board of Supervisors.
10. Developed options for new development in the Planning Area without connecting to public utilities, and presented them to the Board of Supervisors.
11. Collaborated with the County Attorney to develop templates for agreements for large residential subdivisions. The templates will help to enhance communication and shared expectations between County Staff, developers and the public
12. Enhanced and updated the formatting and content of Staff Reports provided for cases presented to the BZA, BOS and Planning Commission.
13. Assisted with the implementation of Energov software for tracking and reporting on Planning & Zoning projects.
14. Presented the first Special Exception to the Board of Zoning Appeals for a private animal boarding place since the land use was added to the Zoning Ordinance.

SPECIAL EXCEPTION REQUEST – SE-22-01
PLANNING COMMISSION STAFF REPORT – April 28, 2022

RESUME

APPLICANT: Duncan and Suzanne Fung

PROPERTY OWNER: Duncan and Suzanne Fung

REQUEST: Special Exception for an Assembly Hall – Wedding Venue

STAFF RECOMMENDATION: Staff Recommends Approval, subject to the recommended conditions.

**STAFF REPORT CONTENTS/
ATTACHMENTS**

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors Approval
4. Staff Report
5. Copy of the Application with Attachments
6. APO letter, map, mailing list, and newspaper ad
7. Power Point Presentation

Sample Motions

APPROVE:

"I move to forward request SE-22-01 to the Board with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report, and the reason(s) for this recommendation is/are:"

(EXAMPLES):

- "It is compatible with the Comprehensive Plan and current surrounding uses and zoning districts."
- "It is expected to benefit the general welfare of the community."
- "The expected off-site impacts appear to be adequately addressed by the conditions."
- Other _____

APPROVE WITH CHANGES:

I move to forward request SE-22-01 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward request SE-22-01 to the Board with a recommendation for DENIAL and the reason(s) for this recommendation are: (SPECIFY)

POSTPONE:

I move to POSTPONE request SE-22-01 until _____ to allow time for _____
(DATE OR MONTH)

(ACTION/EVENT)

County of Prince George, Virginia

Ordinance

Request of Duncan and Suzanne Fung pursuant to Prince George Zoning Ordinance Section 90-103(9) to permit an Assembly Hall (Wedding Venue) within a R-A, Residential Agricultural District. The subject property is approximately 33.7 acres in size, located at 9501 Lakes Fung Road and is identified as Tax Parcel 460(0A)-034-0. The Comprehensive Plan indicates the property is suitable for Agricultural uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-22-01 is granted as an amendment to the official zoning map with the following conditions:

1. The hours of operation for the Assembly Hall shall be Monday thru Saturday from noon until 10:00 P.M. All outdoor wedding ceremonies shall conclude by 7:00 P.M. All reception activities, to include dancing and music, shall be limited to indoors. There shall be no more than 4 events held per month.
2. Ingress and egress to the Assembly Hall shall be restricted to Lake Fungs Road from Robin Road. The access gate located off Golf Course Road shall be locked prior to each planned wedding event and a sign shall be posted stating access to the wedding venue is from Lake Fungs Road.
3. Lake Fungs Road shall be improved (additional gravel to be added) and routinely maintained by the applicants.
4. The applicant shall provide adequate off-street parking.
5. There shall be no on-site food preparation and no on-site dishwashing.
6. Staffing shall be provided for private parking and proper traffic circulation purposes with event personnel clearly marked as "Event Staff" for safety reasons.
7. Any temporary food service carts, portable toilets and handwashing stations that may be used for events shall be approved by the State Health Department .
8. The Assembly Hall shall be cleaned and all trash/debris removed from the premises after each event.
9. Signage shall be limited to one on-site freestanding sign no greater than sixty (60) square feet located outside of the VDOT right-of-way and meeting the setbacks requirements in the ordinance for business signs.
10. The applicant shall take appropriate measures to ensure compliance with the Prince George County noise ordinance, as adopted, and enforced by the Police Department.
11. The applicant shall obtain and hold all required permits and licensures from both state and local regulatory agencies which may include, but are not limited to the following: well and septic permits from the Department of Health; commercial entrance Permit from the Virginia Department of Transportation (VDOT); permit(s) from Virginia's

Alcoholic Control Board (ABC) for the on-site consumption/sale of alcoholic beverages; change of use of permit from the Building Official and compliance with applicable building codes; and local business license from the Commissioner of the Revenue.

12. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four (24) consecutive months.
13. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of federal, state or local regulations.
14. The applicant shall possess and maintain liability insurance in an amount no less than \$1 million.
15. Occupancy shall not exceed 150 persons per event.
16. A Site Plan shall be required to be prepared and **approved** prior to submittal of the Change of Use Application to the Building Official's Office.

Adopted on _____, 2022 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing – April 28, 2022

SE-22-01 – Special Exception for an Assembly Hall

Applicants: Duncan and Suzanne Fung

Case Manager: Andre Greene - (804)722-8675

I. Request

The applicants would like to use a newly constructed residential structure as a wedding venue. In order for this to be permitted, they are requesting a special exception for an assembly hall.

II. Property

Address: 9501 Lake Fungs Road

Tax Map: 460(0A)00-034-0

Site Size: 33.73 acres

Legal Owner:

Duncan and Suzanne Fung

RE Taxes Paid?: Yes

Zoning District:

R-A, Residential- Agricultural

Current Use: Residential

Comp Plan Land Use: Agricultural

Planning Area: Rural Conservation

Previous Zoning Cases: No

Figure 1: Aerial view of request area



Figure 2: Exterior Photo



III. Meeting Information

Planning Commission Public Hearings: February 24, 2022 (The PC postponed a decision) and April 28, 2022

Board of Supervisors Public Hearing: May 22, 2022 (Tentative)

IV. Background

The applicants built a residential dwelling on the subject property in 2021:

- More than 5,700 square feet (SF) total
- First floor 2,952 SF
- Finished half-story 1,771 SF
- Balcony 96 SF and open masonry porch 936 SF

V. Applicant Proposal and Background Information

A summation of the applicant's request is as follows:

- Utilize the newly constructed building as a wedding venue.
- The venue is expected to hold four (4) events per month on Fridays or Saturdays.
- When there are no scheduled events, the venue will be locked and no one will be living in the building.
- There will be a total of 2 restrooms available to venue guests and one warming kitchen.
- There will be no cooking or dish washing done at the venue.
- The maximum number of wedding guests will be 150 persons.
- There is a large graveled area on the right and front side of the building that should be able to accommodate 70+ cars.
- There are no employees because the event host will be responsible for their own services including catering and serving. Subcontractors will be hired to perform cleanup and setups, if needed.
- Event operation will be from 12 P.M. noon until 10 P.M.
- Access to the venue has been changed from utilizing a private road off Golf Course Drive to a private road, Lake Fungs Road (located off Robin Road). At the public hearing held in February of 2022, several residents raised issues/concerns about the use of the shared access road located off Golf Course Drive. The proposed venue also had a Golf Course Road address (9099 Golf Course Drive) which may have proved to be problematic as venue guests using GPS would have been guided to use the access road off Golf Course Drive. During the public hearing a suggestion was made that the applicant request an address change. The Commission postponed further discussion of the item for 60-days to allow the address situation to be resolved before moving forward with a vote.

The applicant requested and received an address change from the County's GIS office on March 8, 2022. The new address is 9501 Lake Fungs Road. Due to address change, another public hearing was required.

- An AOSE/PE report was submitted to the Health Department to increase septic tank capacity from 120 to 150 persons handle. The Health Department requested some minor changes to the proposed AOSE/PE design and a permit to upgrade is expected to be issued shortly. Staff will verify this prior to granting zoning approval for the business.
- The current well capacity is adequate for 150 people.

VI. Exhibits

Exhibit 1 – Aerial View Close up

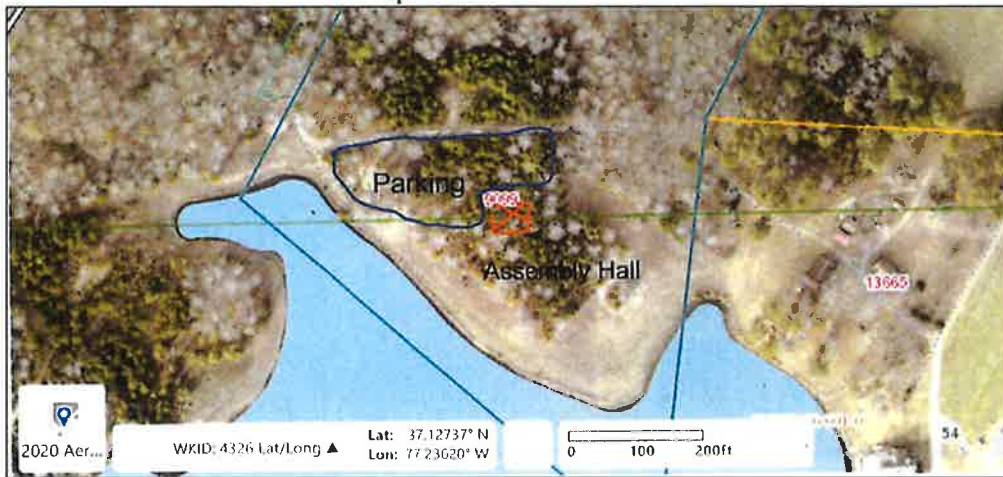


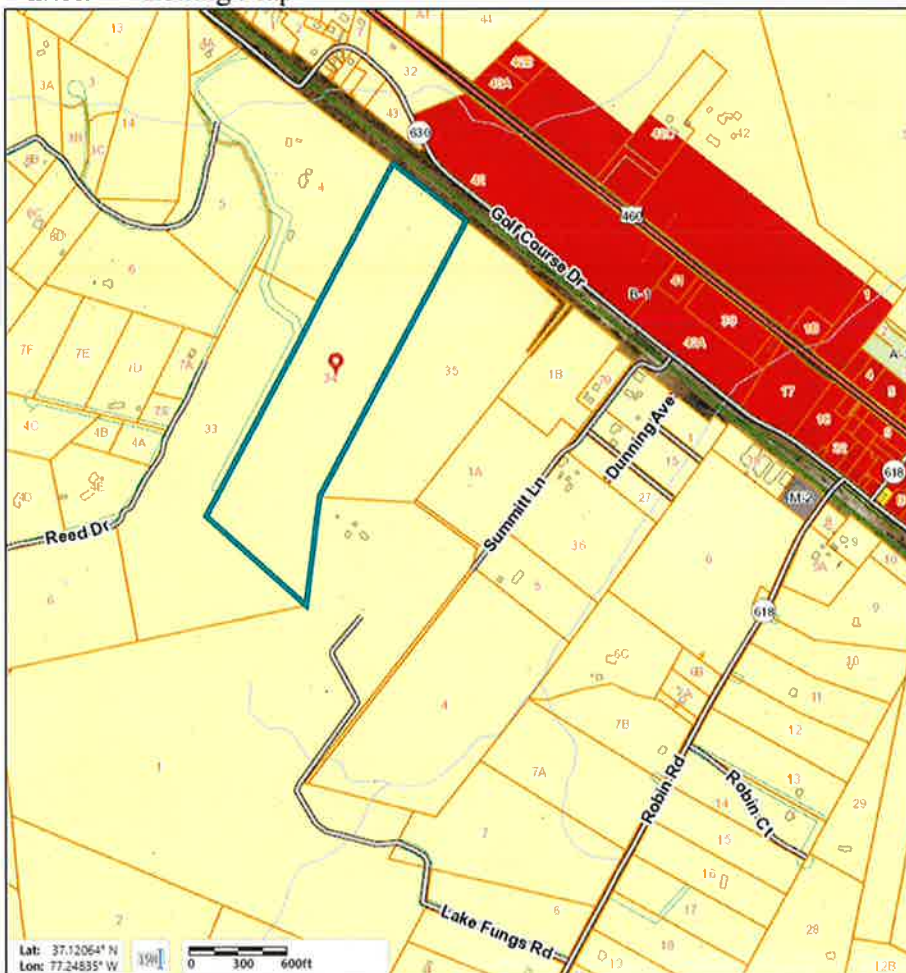
Exhibit 2 – Proposed Access Route via Lake Fungs Road



Exhibit 3 – Interior Photo



Exhibit 4 – Zoning Map



VII. Planning and Zoning Review Comments

1. Expected impacts of the proposed use on adjacent properties and roadways include: minimal traffic and minimal noise during events. The site is located 0.5 miles off Robin Road along a private road (Lake Fungs Road) and the venue is surrounded by woodlands that will serve as a natural buffer. Any increase in traffic or noise associated with the wedding venue will be temporary in nature and minor. The applicant's current home is located approximately 800 feet from the site of the building that will serve as the wedding venue. The recommended conditions for the Commissioner's consideration will serve to further mitigate chances that the proposed use becoming a public nuisance.
2. Current land uses on adjacent properties:
 - a. North: Woodlands and single-family dwellings
 - b. South: A lake (pond), woodlands, and single-family dwellings.
 - c. East: A Single-family Dwelling (Applicant's residence)
 - d. West: Woodlands
3. Other approvals/permits required:
 - a. A Site Plan for the commercial use of the building.
 - b. A Change of Use and a Building Permit from the building department.
 - c. A commercial entrance permit for ingress and egress to the property.
 - d. A permit from the Health Department for the upgrade to the wastewater (septic system) to increase capacity from 120 to 150 persons.
4. The request appears to be compatible with the Comprehensive Plan as the building's interior and exterior appearances are rural and rustic in nature and resemble an agricultural barn.

VIII. Supplemental Staff Review Comments

Building Inspections Division – Charles Harrison, Building Official

1. In accordance with the VUSBC and based on the information provided, the proposed assembly hall building will be classified as an A-2 Assembly occupancy.
2. Development of the property will be required to comply with the applicable requirements of the VUSBC, VEBC and VSFPC (accessible parking and handicap access between buildings, fire separation of buildings, fire department access, water supplies for firefighting, fire hydrants, fire lanes, etc.) Review of these items will be completed during the site plan review process.
3. Construction permits will be required to be obtained for any alterations or changes of use to the structures(s) on the property. Plans and specifications, prepared by a Virginia Registered Design Professional, must be submitted for review with the building permit applications.
4. Structures will be utilized for commercial purposes will be required to comply with applicable requirements of the VUSBC (sanitation, ventilation, structural, means or egress, fire protection, accessibility, energy conservation, etc.). Review of these items will be completed during the building permit plan review process.

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

On March 11, 2022 an email was received which stated the following:

1. I just completed a meeting with the design engineer for this project. There are a few corrections that need to be made to his plan. He will be working on those. In the meantime, Mr. Fung needs to pay the fee of \$225.00 to the Health Department for this permit. Once the payment and corrections are received, then the Health Department can proceed with issuing the permit.

Virginia Department of Transportation (VDOT) - Paul Hinson, Area Land Use Engineer

1. The proposed use will require a commercial entrance to serve the proposed wedding venue. A moderate volume commercial entrance will be appropriate for this location. VDOT could not tell from the submitted information whether the property meets VDOT's criteria for a commercial entrance.

Environmental Division - Angela Blount, Environmental Program Coordinator

1. If the proposed land disturbance exceeds 10,000 square feet, a Land Disturbance Permit issued by Prince George County will be required. Additionally, any land disturbing activity 1 acre and above will require a Construction General Permit issued by the Virginia Department of Environmental Quality.

Real Estate Assessor's Office – Carol Crawford, Real Estate Operations Coordinator

1. The Certificate of Occupancy for this structure, dated August 27, 2021, states "This Structure is not approved for Business or Assembly Usage. This Certificate of Occupancy may be Revoked or Suspended If Violations of This Occupancy Occur."
2. The acreage effected by this special exception would be subject to roll back taxes.

The departments below reviewed this request and had no comments.

Economic Development – Stacey English, Economic Development Specialist

Utilities Department - Frank Haltom, Director of Engineering and Utilities

Fire & EMS Department – Shawn Jones

Police Department / Sheriff's Department - Chris Douglas

IX. Public Notice and Community Feedback

- Staff notified adjacent property owners by mailing prior to the public hearing.
- Staff ran the required legal ads for this request in the *Progress-Index* prior to the public hearing.
- The applicant reviewed a copy of this report prior to the Planning Commission hearing date.
- At the public hearing held on February 24, 2022, citizens expressed concerns relative to noise and increased traffic that would be associated with the proposed use. Concern was also expressed over the use of the share easement from Golf Course Drive to access the proposed wedding venue.

X. Staff Recommendation

Staff recommends approval, subject to the recommended conditions in the section below.

This recommendation is based on the following considerations:

1. The applicant's request appears to be compatible with current and future surrounding land uses.
2. The applicant requested and received an address change from 9099 Golf Course Drive to 9501 Lake Fungs Road. The GPS navigation system has been updated to include the new Lake Fungs Road address.
3. Staff has recommended the conditions stated below to accompany this Special Exception which are intended to ensure applicable code requirements are met and limit any expected impacts on adjacent property owners and the surrounding community. The Applicant has reviewed and supports these conditions.

XI. Recommended Conditions

1. The hours of operation for the Assembly Hall shall be Monday thru Saturday from noon until 10:00 P.M. All outdoor wedding ceremonies shall conclude by 7:00 P.M. All reception activities, to include dancing and music, shall be limited to indoors. There shall be no more than four (4) events held per month. (This condition addresses the frequency of events and associated noise)
2. Ingress and egress to the Assembly Hall shall be restricted to Lake Fungs Road. The applicant's access gate located off Golf Course Drive shall be locked prior to each planned wedding event and a sign posted stating access to the wedding venue is from Lake Fungs Road. (This condition addresses site accessibility)
3. Lake Fungs Road shall be improved (additional gravel to be added) and routinely maintained by the applicants.
4. The applicant shall provide adequate off-street parking. (This condition addresses public safety)
5. There shall be no on-site food preparation and no on-site dishwashing.
6. Staffing shall be provided for private parking and proper traffic circulation purposes with event personnel clearly marked as "Event Staff" for safety reasons.
7. Any temporary food service carts, portable toilets and handwashing stations that may be used for events shall be approved by the State Health Department.
8. The Assembly Hall shall be cleaned and all trash/debris removed from the premises after each event.
9. Signage shall be limited to one on-site freestanding sign no greater than sixty (60) square feet located outside of the VDOT right-of-way and meeting the setbacks requirements in the ordinance for business signs.
10. The applicant shall take appropriate measures to ensure compliance with the Prince George County noise ordinance, as adopted, and enforced by the Police Department (This condition addresses noise)
11. The applicant shall obtain and hold all required permits and licensures from both state and local regulatory agencies which may include, but are not limited to the following: well and septic permits from the Department of Health; commercial entrance Permit from the Virginia Department of Transportation (VDOT); permit(s) from Virginia's Alcoholic Control Board (ABC) for the on-site consumption/sale of alcoholic beverages; change of use of permit from the Building Official and compliance with applicable building codes; and local business license from the Commissioner of the Revenue.
12. The Special Exception shall become null and void if the use is abandoned for a period of twenty-four (24) consecutive months.
13. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of state or local regulations.
14. The applicant shall possess and maintain liability insurance in an amount no less than \$ 1million.
15. Occupancy shall not exceed 150 persons per event.
16. A site plan shall be required to be prepared and approved prior to submittal of the Change of Use Application.

INV: 00001117
SE-22-0006



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division
6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-22-01

DATE SUBMITTED:

RECEIVED
JAN 05 2022
BY: TG/HB

APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST:		
	Use my residential home for a wedding venue		
	REQUEST PROPERTY ADDRESS / LOCATION:		
	9099 Golf Course Drive, Disputanta VA 23842		
LEGAL OWNER	REQUEST TAX MAP PIN(S): (List all)	AFFECTED ACREAGE (Each parcel):	ENTIRE PARCEL (Y/N) - Each parcel:
	460 (0A)00 - 034 - 0	1	33.731
	ATTACHMENTS (Check if Attached; * = Required):		
	<input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing)		
APPLICANT CONTACT	NAME(S):		
	Duncan and Suzanne Fung		
	MAILING ADDRESS: (Incl. City, State, Zip):		
	PO Box 433, Disputanta VA 23842		
OFFICE USE ONLY	E-MAIL:	PHONE:	
	duncanfung9099@gmail.com	804-502-8906	
	NAME(S): If different than owner:		
	RELATION TO OWNER:		
PAYMENT	MAILING ADDRESS: (Incl. City, State, Zip):		
	E-MAIL:		
	PHONE:		
	ZONING DISTRICT(S):		
R-A		LAND USE(S) CODE REFERENCE(S):	
90-103(9)			
FEE DUE:	FEE PAID:	PAYMENT TYPE:	
	Special Exception: \$700	\$700.00	CHECK / CASH / CREDIT / DEBIT
	Special Exception Home Occ: \$350		
	CHECK # / TRANSACTION #:	DATE RECEIVED:	RECEIVED BY:
3841	01/06/22	AMG	

OWNER AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

Duncan Fung

NAME:

Suzanne Fung

SIGNED:

[Signature]

SIGNED:

Suzanne Fung

DATE:

6th Jan 2022

DATE:

1/6/22

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Prince George

Subscribed and sworn before me this

6th

day of

January

, 20

22.

Notary Public

My Commission expires:

Nov 30

, 20

22

SHERRI M BOWMAN
NOTARY PUBLIC
REGISTRATION # 7808829
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
NOVEMBER 30, 2022

AFFIDAVIT

COUNTY OF PRINCE GEORGE
COMM DEV & CODE COMPLIANCE
PO BOX 156
6602 COURTS DR
PRINCE GEORGE, VA 23875-0156
(804) 722-8750
Welcome

19996494-0001 Andre G.01/06/2022 04:10PM

EG INVOICE

Fung, Duncan

2022 Item: INV-00001117

Special Exception

Request 700.00

700.00

Subtotal 700.00

Total 700.00

CHECK 700.00

Check Number 03841

Change due 0.00

Paid by: Fung, Duncan

Thank you for your payment

CUSTOMER COPY

Application Statement

Assembly Hall Request

I would like to use my newly building as a wedding venue.

The venue is expected to hold between 4 and 8 events per month, usually on Fridays and Saturday. Outside of scheduled event times the venue will be locked and no one will be living in the building. There will be a total of 2 restrooms, available to the venue guests and one warming kitchen on site. There will be no cooking or dish washing done at the venue. The maximum number of wedding guests is 150 persons.

There is a large graveled area on the Right and front side of the building and should be able to park 70+ cars. I don't need to change of any current structure of the house; however, I would comply any requirements needed for my application.

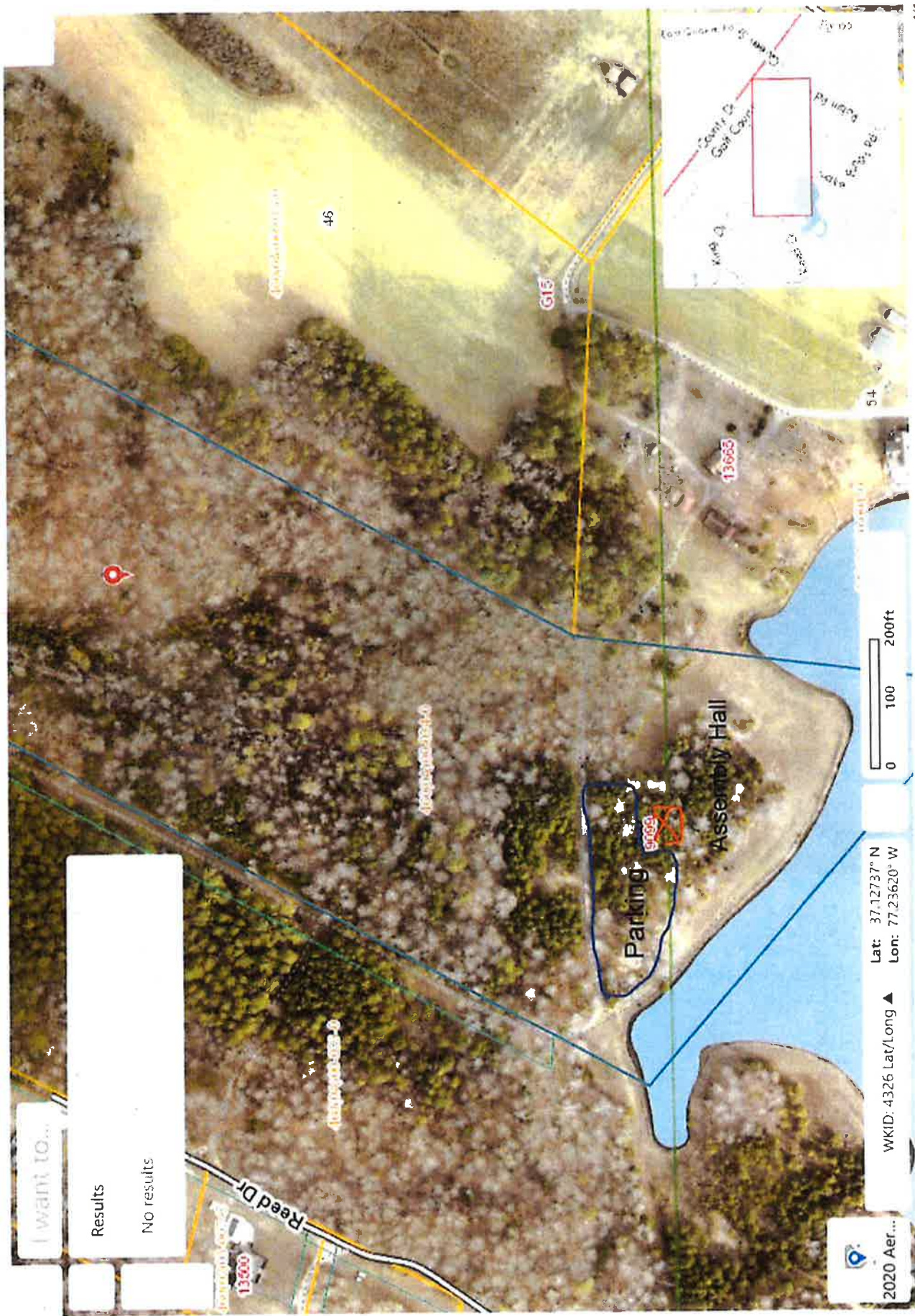
Applicant
Duncan Fung

- ☐ There is no employee because the event host will be responsible for their own including catering and serving. We will subcontractors to do all the cleanup and setup works if needed.
- ☐ We will decide if there is any sign by the entrance from the final application once we have determined where is the main entrance.
- ☐ Event operation time is from noon to 10Pm.
- ☐ The parking location is on the left and front sides of the building with graveled area.
- ☐ The proposed legal route is from Golf Course Drive turn south to a private graveled road to the venue. There is one neighbor at 9095 Golf Course Drive to share the private road easement. Another alternative route would be from the south of Robin Road turn right to Lake Fungs Road then left to the Summit Lane to the venue. This route has no neighbor to share the road easement except of my own.
- ☐ Attached aerial map to show a sketch of my assembly hall. (due to the new structure and it does not shown on the aerial map)
- ☐ I do have an AOSE/PE report to propose additional septic tanks to handle 150 people. Without any improvement, the current septic capacity can be used up to 120 people adequately. The current well capacity is adequately for 150 people. I will apply the permit for such improvement after my preliminary approval.

Photos



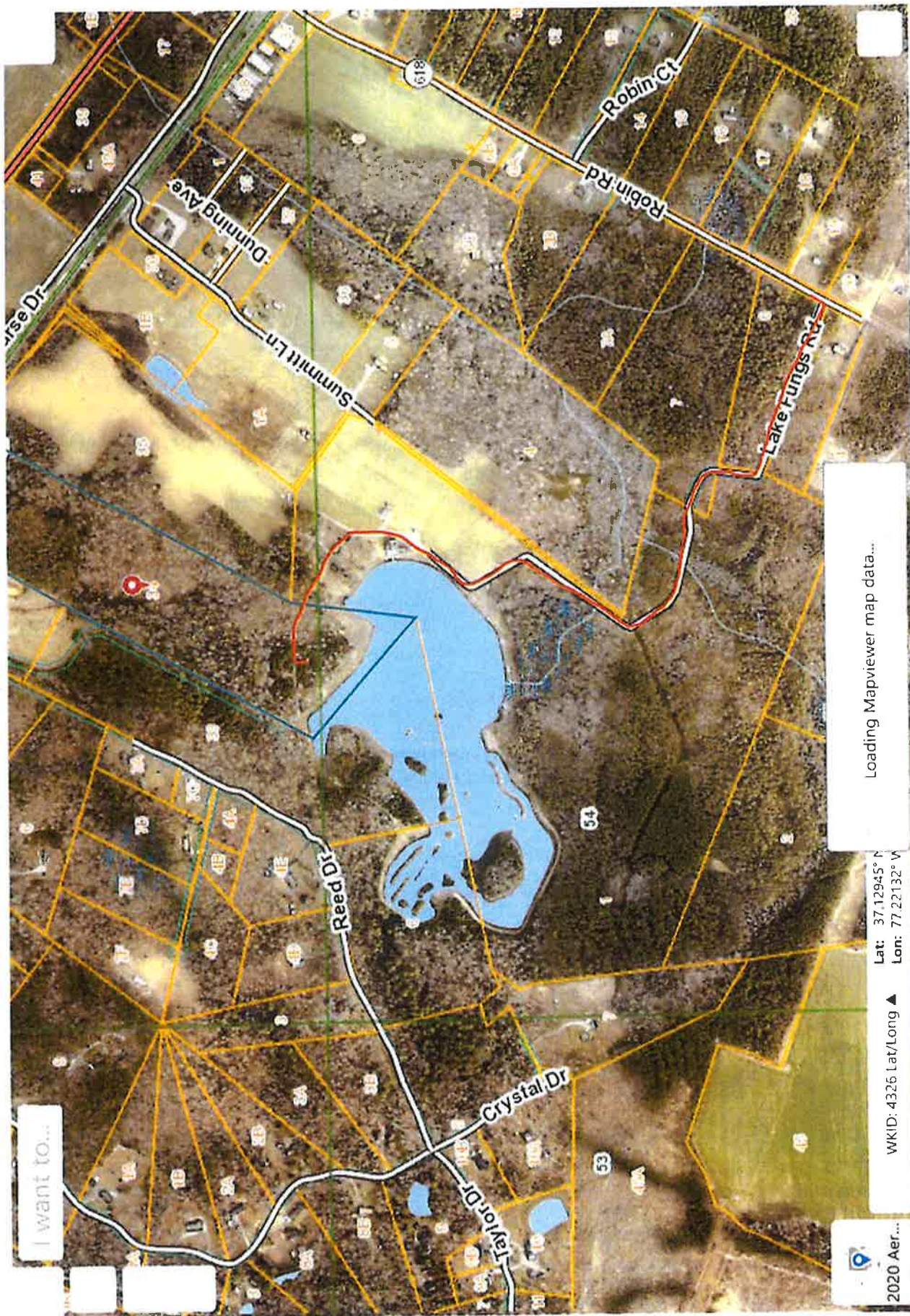




460(0A)00-034-0

Access route option 2

Prince George County Map Viewer





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"
Zoning Confirmation Letter

April 15, 2022

PLANNING COMMISSION - NOTICE OF PUBLIC HEARING

Dear owner, agent or occupant of each parcel that is abutting, immediately across the street or road, or within close proximity of the property affected:

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, April 28, 2022 beginning at 6:30 pm** to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-22-01: Request of Duncan and Suzanne Fung pursuant to Prince George County Zoning Ordinance Section 90-103(9) to permit an Assembly Hall within a R-A, Residential Agricultural District. The subject property is approximately 33.7 acres in size, located at 9501 Lakes Fung Road and is identified as Tax Map 460(0A)00-034-0. The Comprehensive Plan indicates the property is suitable for Agricultural uses.

The public hearing will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday–Friday. All interested persons are invited to participate in the public hearings in person or electronically by Zoom. A live video stream will be available at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 4:30 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorgecountyva.gov>.

You may also contact Planning and Zoning Division at (804)722-8678 or by e-mail at planning@princegeorgecountyva.gov with any questions prior to the scheduled meeting. We have included a GIS Map showing the general location of the request.

Sincerely,

A handwritten signature in black ink that reads "Andre M. Greene".

Andre Greene
Planner II

ANDERSON PAULA M
9380 ROBIN RD
DISPUTANTA, VA 23842

BINFORD J H FARMS INC C/O JOHN R
THOMPSON
4007 W FRANKLIN ST
RICHMOND, VA 23221

BRITT MARY W LIFE ESTATE
9500 COUNTY DR
DISPUTANTA, VA 23842

CAMPBELL JOHN T & HOPE G
9433 ROBIN RD
DISPUTANTA, VA 23842

FIELDS LESLIE B
6734 MINK CT
WALDORF, MD 20603

FUNG DUNCAN & SUZANNE
PO BOX 433
DISPUTANTA, VA 23842

HAWTHORNE RICHARD KEITH
PO BOX 35
DISPUTANTA, VA 23842

HAYES BRIAN K & TRUDY G
9005 GOLF COURSE DR
DISPUTANTA, VA 23842

JACKSON TYRONE M ET ALS
19306 JAMES RIVER DR
SPRING GROVE, VA 23881

JACKSON TYRONE M ET ALS
PO BOX 53
DISPUTANTA, VA 23842

JONES EDDIE L & YOLANDER Y
9110 GOLF COURSE DR
DISPUTANTA, VA 23842

JONES IRVIN A ET ALS
3715 LAFAYETTE AVE
NORTH PRINCE GEORGE, VA 23860

JONES IRVING A
PO BOX 132
DISPUTANTA, VA 23842

MASONIC HOME OF VIRGINIA
PO BOX 7866
RICHMOND, VA 23231

MCCOMBER CLAYTON WAYDE &
HERETICK SARAH L
9095 GOLF COURSE DR
DISPUTANTA, VA 23842

LETTAWAY RUSSELL
22419 SUNDOWN DR
CARROLLTON, VA 23314

SULC KATHY M
9425 ROBIN LN
DISPUTANTA, VA 23842

TAYLOR THEOPHILUS & ZATELLA R
9109 GOLF COURSE DR
DISPUTANTA, VA 23842



The Progress-Index

Order Confirmation.

Not an Invoice

Account Number:	686332
Customer Name:	Prince George County
Customer Address:	Prince George County P O BOX 68 ACCOUNTING OFFICE PRINCE GEORGE VA 23875
Contact Name:	Betsy Drewry
Contact Phone:	
Contact Email:	BDrewry@princegeorgecountyva.gov
PO Number:	

Date:	04/12/2022
Order Number:	7168650
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	77.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
PTR The Progress-Index	2	04/14/2022 - 04/20/2022	Public Notices
PTR progress-index.com	2	04/14/2022 - 04/20/2022	Public Notices

Total Order Confirmation

\$386.46

Ad Preview

PUBLIC NOTICE PRINCE GEORGE COUNTY

Notice is hereby given to all interested parties regarding the following public meeting: The Prince George Planning Commission will hold public hearings on Thursday, April 28, 2022 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-22-01: Request of Duncan and Suzanne Fung pursuant to Prince George County Zoning Ordinance Section 90-103(9) to permit an Assembly Hall within a R-4 (Residential Agricultural) Zoning District. The subject property is approximately 33.7 acres in size, located at 9501 Lake Fungus Road, and is identified as Tax Map 480(OA)00-0840. The Prince George Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.

COMPREHENSIVE PLAN AMENDMENT CPA-22-01:

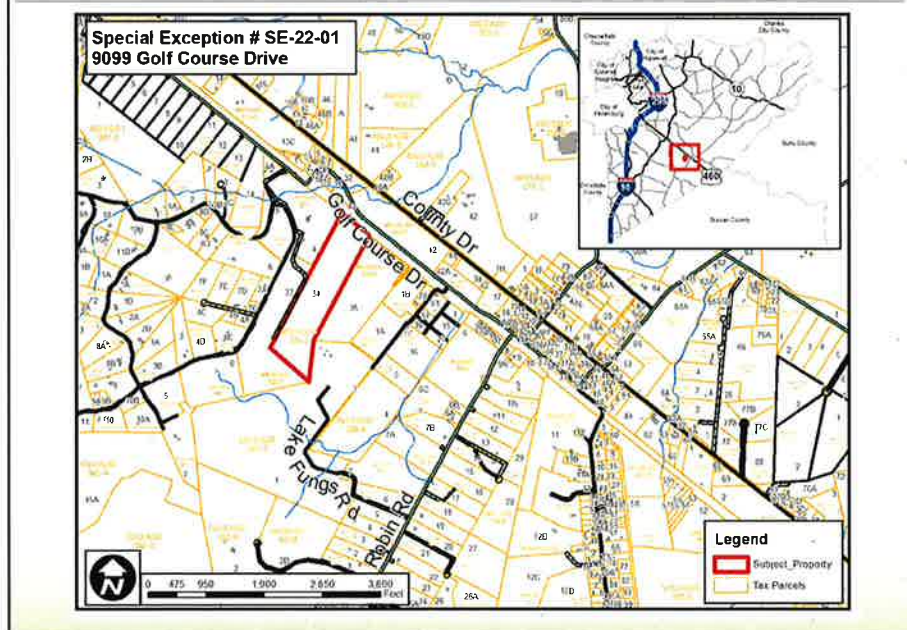
Request of Prince George County to amend the Prince George Comprehensive Plan to incorporate the adopted Solar Energy Facility Siting Policy as a new Appendix D. The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person or electronically by Zoom. A live video stream will be available at www.princegeorgecountyva.gov/live/stream/. Public comments can be submitted prior to 5:00 p.m. on the public hearing date. Public Comment submittal forms and information on accessing this meeting electronically are available at www.princegeorgecountyva.gov.

Tim Groves
Planner
April 14, 20, 2022 No. 7166550

SPECIAL EXCEPTION SE-22-01:

Request of Duncan and Suzanne Fung pursuant to Prince George Zoning Ordinance Section 90-103(9) to permit an Assembly Hall (Wedding Venue) within a R-A, Residential Agricultural District. The subject property is approximately 33.73 acres in size, located at 9501 Lake Fungs Road and is identified as Tax Parcel 460(0A)00-034-0. The Comprehensive Plan indicates the property is suitable for Agricultural uses.

SE-22-01 | Duncan & Suzanne Fung – Assembly Hall



SE-22-01 | Duncan & Suzanne Fung – Assembly Hall



SE-22-01 | Duncan & Suzanne Fung – Assembly Hall



Background

The applicants built a residential dwelling on the subject property in 2021, with approximately 5,700 square feet:

- First floor 2,952 SF
- Finished half-story 1,771 SF
- Balcony 96 SF
- Open masonry porch 936 SF

Request Summary

Primary Goal:

Use the newly constructed building as a wedding venue

Details:

- Utilize the newly constructed building as a wedding venue.
- The venue is expected to hold 4 events per month, on Fridays or Saturdays.
- When there are no scheduled events, the venue will be locked and no one will be living in the building.
- There will be a total of 2 restrooms available to venue guests and one warming kitchen.
- There will be no cooking or dish washing done at the venue.
- The maximum number of wedding guests will be 150 persons.
- There is a large graveled area on the right and front side of the building that should be able to accommodate 70+ cars.
- There are no employees because the event host will be responsible for their own services including catering and serving. Subcontractors will be hired to perform cleanup and setups, if needed.
- Event operation will be from 12 P.M. noon until 10 P.M.
- Access to the venue has been changed from utilizing a private road off Golf Course Drive to a private road, Lake Fungs Road (located off Robin Road).

SE-22-01 | Duncan & Suzanne Fung – Assembly Hall



SE-22-01 | Duncan & Suzanne Fung – Assembly Hall



Planning & Zoning Staff Review Comments

1. **Expected impacts:** Minimal traffic and noise during events
Mitigated by:
 - 0.5-miles distance off Robin Road
 - surrounding woodlands
 - Surrounding property mostly owned by same owner
 - Proposed conditions
2. **Surrounding land uses:** Woodlands, Lake/Pond, some single-family dwellings
3. **Other approvals/permits required:**
 - Site Plan for the commercial use of the building (Planning & Zoning)
 - Change of Use and a Building Permit for the Building Department (Building Inspections)
 - Commercial entrance permit (VDOT), if required.
 - Health Department permit for an upgrade to the septic system
4. **Compatibility with Comprehensive Plan:**
 - Building resembles an agricultural barn

Other Staff Review Comments

Building Inspections Division

1. "A-2 Assembly" building code use
2. Comply with applicable requirements of Building Code and Fire Prevention Code, as reviewed during Site Plan
3. Construction permits required for alterations or changes of use to structure(s)
4. Commercial structures to comply with applicable Building Code requirements, as reviewed during Building Permit)

Virginia Department of Transportation (VDOT)

1. Commercial entrance required (moderate volume)
2. Undetermined if access meets VDOT's criteria for a commercial entrance

Other Staff Review Comments

Virginia Department of Health (VDH)

1. Met with design engineer and a few correction are being made to the plans.

Environmental Division

1. Land disturbance permit required for 10,000+ square feet of land disturbance
2. Construction General Permit from DEQ required for 1+ acre of land disturbance

Real Estate Assessor's Office

1. Certificate of Occupancy for this structure (8-27-21) states "This Structure is not approved for Business or Assembly Usage. This Certificate of Occupancy may be Revoked or Suspended If Violations of This Occupancy Occur."
2. Acreage affected by this special exception would be subject to roll back taxes

Recommended Conditions

Highlights:

- The hours of operation for the Assembly Hall shall be Monday thru Saturday from noon until 10:00 P.M. All outdoor wedding ceremonies shall conclude by 7:00 P.M. All reception activities, to include dancing and music, shall be limited to indoors. There shall be no more the four (4) events held per month. (This condition addresses the frequency of events and associated noise)
- Ingress and egress to the Assembly Hall shall be restricted to Lake Fungs Road. The applicant's access gate located off Golf Course Drive shall be locked prior to each planned wedding event and a sign posted stating access to the wedding venue is from Lake Fungs Road. (This condition addresses site accessibility)
- The applicant shall provide adequate off-street parking. (This condition addresses public safety)
- The applicant shall take appropriate measures to ensure compliance with the Prince George County noise ordinance which is enforced by the Police Department (This condition addresses noise)
- The applicant shall obtain and hold all required permits and licensures from both state and local regulatory agencies
- Occupancy shall not exceed 150 persons per event. (This condition addresses public safety)

(Full list of recommended conditions in the Staff Report / Draft Ordinance)

Staff Recommendation

Approval, subject to the recommended conditions

Basis:

- Request appears compatible with the Comprehensive Plan as the building's interior and exterior appearance are rural and rustic in nature and resemble an agricultural barn.

Questions?

See Staff Report for Sample Motions



COMPREHENSIVE PLAN AMENDMENT – CPA-22-01
PLANNING COMMISSION STAFF REPORT – APRIL 28, 2022

RESUME

APPLICANT: Planning & Zoning Staff (Prince George County)

SUMMARY: Staff proposes to amend the Comprehensive Plan to specifically reference the Solar Energy Facility Siting Policy in a new Appendix D.

The County adopted the Siting Policy in 2020 to establish a common understanding for all stakeholders (applicants, citizens, Staff, PC, BOS) of what are the County's expectations regarding desired locations and design standards for new solar energy facilities. The Policy was adopted following a public process with extensive community input. The Policy was intended to aid the County in reviewing applications without codifying requirements into the Zoning Ordinance or Comprehensive Plan, which allows for greater adaptability for applicants and Staff in an actively evolving regulatory environment for solar facilities.

Virginia State Code §15.2-2232 requires that the Planning Commission determine whether each proposed solar facility is in "substantial accord" with the Comprehensive Plan. The existing language in Prince George County's Comprehensive Plan may be used for these determinations; however, Staff proposes that formally referencing the Policy in the Comprehensive Plan will provide a more solid foundation for substantial accord reviews, and will benefit both applicants and the Planning Commission.

RECOMMENDATION: Staff recommends Approval

STAFF REPORT CONTENTS/

ATTACHMENTS

1. Resume
2. Sample Motions
3. Draft Ordinance for Board of Supervisors
4. Copy of updated cover page and new Appendix D*
5. Copy of public notice newspaper ad

*Note that the page number of the draft Appendix D (143) differs from what would be expected based on the website version (150) because Staff has corrected pre-existing formatting errors in the plan while preparing the digital document for this amendment.

Sample Motions

APPROVE:

"I move to forward Comprehensive Plan Amendment CPA-22-01 to the Board with a recommendation for APPROVAL."

OPTIONAL:

"...because it will provide greater clarity on the basis for making Substantial Accord determinations for upcoming solar energy facility projects."

APPROVE WITH CHANGES:

I move to forward Comprehensive Plan Amendment CPA-22-01 to the Board with a recommendation for APPROVAL, subject to the following changes:

DENY:

I move to forward Comprehensive Plan Amendment CPA-22-01 to the Board with a recommendation for DENIAL and the reason(s) for this recommendation are: (SPECIFY)

POSTPONE:

I move to POSTPONE Comprehensive Plan Amendment CPA-22-01 until _____
(DATE OR MONTH)

to allow time for _____
(ACTION/EVENT)

Board of Supervisors
County of Prince George, Virginia

Ordinance

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this ____ day of ____ 2022:

Present:

Marlene J. Waymack, Chair
Donald R. Hunter, Vice-Chair
Floyd M. Brown, Jr.
Alan R. Carmichael
T. J. Webb

Vote:

On motion of _____, seconded by _____, which carried by a vote of _____, the following resolution was adopted:

COMPREHENSIVE PLAN AMENDMENT CPA-22-01: Request of Prince George County to amend the Prince George County Comprehensive Plan to incorporate the adopted Solar Energy Facility Siting Policy as a new Appendix D.

BE IT ORDAINED by the Board of Supervisors of Prince George County:

- (1) That the Prince George County Comprehensive Plan be amended to incorporate the adopted Solar Energy Facility Siting Policy as a new Appendix D.*
- (2) This ordinance shall be effective immediately upon adoption.*

Adopted on _____, 2022 pursuant to Sections 15.2-2204 and 15.2-2229 The Code of Virginia (1950, as amended) and becoming effective immediately.

Prince George County

2018 Comprehensive Plan



Prince George County
Board of Supervisors

Adopted March 27, 2018

Amended:

APPENDIX D - SOLAR ENERGY FACILITY SITING POLICY

The most recently adopted "Solar Energy Facility Siting Policy", available on the Planning & Zoning Division website, provides guidelines for placement and design of new solar energy facilities in the County. When a substantial accord determination is required for a proposed facility under Section 15.2-2232 of the Code of Virginia, this policy shall serve as guidance for County staff, the Planning Commission and the Board of Supervisors to evaluate whether the proposal is in substantial accord with the Comprehensive Plan.

DRAFT



The Progress-Index

Order Confirmation

Not an Invoice

Account Number:	686332
Customer Name:	Prince George County
Customer Address:	Prince George County P O BOX 68 ACCOUNTING OFFICE PRINCE GEORGE VA 23875
Contact Name:	Betsy Drewry
Contact Phone:	
Contact Email:	BDrewry@princegeorgecountyva.gov
PO Number:	

Date:	04/12/2022
Order Number:	7168650
Prepayment Amount:	\$ 0.00

Column Count:	1.0000
Line Count:	77.0000
Height in Inches:	0.0000

Print

Product	#Insertions	Start - End	Category
PTR The Progress-Index	2	04/14/2022 - 04/20/2022	Public Notices
PTR progress-index.com	2	04/14/2022 - 04/20/2022	Public Notices

Total Order Confirmation

\$386.46

Ad Preview

PUBLIC NOTICE PRINCE GEORGE COUNTY

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Request of Prince George County to amend the Prince George County Comprehensive Plan to incorporate the adopted Solar Energy Facility Siting Policy as a new Appendix D. The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed or obtained at the Community Development and Code Compliance Department in the County Administration Building between 8:30 a.m.-5:00 p.m., Monday-Friday. All interested persons are invited to participate in the public hearings in person or electronically by Zoom. A live video stream will be available at www.princegeorgescountyva.gov.

Tim Groves
Planner
April 14, 20, 2022 No. 7168650

April 12 Meeting Recap

BOS Appoint Jeffrey D. Stoke County Administrator

The Prince George County Board of Supervisors voted unanimously at its April 12th meeting to name Jeffrey D. Stoke as the County's next Administrator. Stoke, who was appointed Interim County Administrator on December 4, 2021, will transition into his new role of County Administrator on April 13th. Stoke was hired in 2009 as the Director of Economic Development and in 2011 was promoted to Deputy County Administrator - Economic Development. He has a Master's degree in Public Administration from James Madison University and is a Certified Economic Developer (C.Ec.D.) through the International Economic Development Council and an International City/County Management Association Credentialed Manager (ICMA-CM).

"Stoke's demonstrated success and leadership with the County, along with his qualifications and performance during the selection process has made it clear that he is the right person to lead the organization as we move forward to the next chapter," said Board Chair Marlene Waymack. "Stoke was one of 63 applicants from 21 states, Washington DC, and Canada."

Other matters that came before the BOS at its meeting and work session:

- Received a report on the Water & Wastewater Hydraulic Analysis.
- Received proposed changes to the Fire Ordinance.
- Approved on consent a budget amendment and appropriation in the amount of \$1,000 for the Department of Social Services Public Assistance and Welfare Administration funds.
- Approved on consent an appropriation in the amount of \$12,861.50 for the State Library of Virginia Records Preservation grant.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Received a Virginia Tourism Corporation Grant Marketing Plan report.
- Received a status update on the radio system project.
- Unanimously approved an award of contract for Station 8 Electrical Upgrades (not to exceed \$106,928.00) and budget transfer from Bond Series 2019 Holding Account (\$120,428.00).
- Unanimously approved an award of contract for Convenience Station architectural services (not to exceed \$127,763.00) and appropriation from General Fund, Fund Balance (\$127,763.00).

- Unanimously approved recommended FY2023 health, dental and vision insurance renewals with recommended rates.
- Unanimously approved the advertisement of a public hearing on May 10 to allow for the Prince George Masonic Lodge to take and hold land in the County not exceeding 10 acres of land at any one time.
- Unanimously authorized the County to enter into a purchase agreement with Howard L. Dixon, Donna L. Dixon, Michelle L. Ward and Matthew E. Ward for the purchase of 25.1 acres of property located on River Road, Tax Map#: 110(0A)00-011-B.
- Unanimously authorized the County to enter into a purchase agreement with Hopewell/Prince George Fraternal Order of Police for the purchase of 6.0 acres of property located on Middle Road, Tax Map#: 13a(03)00-00B-0.
- Unanimously approved the amendment of contract (Public Safety Radio System Consulting Services Altairis – not to exceed \$318,852) and authority to approve a change order (L3 Harris decommissioning of all Legacy Equipment from current radio tower sites \$55,225).
- Unanimously approved a budget amendment and appropriation in the amount of \$144,597 for Fire Program Funds.
- Unanimously approved an amendment to lease agreement between the County of Prince George and Prince George Xtreme Soccer Club.
- Unanimously approved an appropriation in the amount of \$66,456.72 for the Virginia Department of Emergency Management Next-Gen 911 “Delta” Funds.
- Approved an Award of Contract in the amount of \$262,680 for Janitorial Services on a 3-2 vote with Mr. Brown and Mr. Webb abstaining.
- Approved a request of the Rotary Club of Prince George VA for a waiver of certain permit fees associated with the application for a three-year annual special event permit with a 4-1 vote with Mr. Hunter abstaining.
- Unanimously approved the submission of a Prince George County, Virginia Project to Congressman A. Donald McEachin for FY2023 Federal Budget Transportation Funding.
- Unanimously approved the submission of a Prince George County, Virginia Project to Senator Mark R. Warner for FY2023 Federal Budget Transportation Funding.

- Unanimously approved the submission of a Prince George County, Virginia Project to Senator Tim Kaine for FY2023 Federal Budget Transportation Funding.
- Unanimously approved an appropriation in the amount of \$10,450.00 for the State Department of Housing and Community Development Industrial Revitalization Fund Grant.
- Unanimously approved a contract amendment for the AMI Radio Read Metering – contingency, finance and bond charges.

GUIDE:

Red font inside table = proposed new text

Strikethrough = remove existing text

Highlighting = discuss

NOTE: Need to decide if these fees will stay in the Administrative Ordinance or move to Zoning Ordinance. Moving to Zoning Ordinance requires PC review before BOS decision.

Sec. 2-2. Fees.

REQUESTED ACTION	[DELETE COLUMN]	FEE
Rezoning	base fee	\$1,050.00 Base Fee
rezone to: to: A-1	A-1, A-2	no additional fee
to: R-A, R-E	R-A, R-E	Base Fee plus \$88.00/acre
to: All other zoning districts	MHP, R-1, R-2, R-3	Base Fee plus \$140.00/acre
[DELETE ROW]	B-1, B-2, B-3, PB, NB, PUD	\$140.00/acre
[DELETE ROW]	I-1, I-2	\$140.00/acre
Amend Zoning Case		\$1,050.00
Amend Comprehensive Plan		\$700.00
Amend Zoning Ordinance		\$700.00
Traffic Impact Analysis Review (TIA)		\$700.00
Special Exception (Conditional Use Permit)		\$700.00
Special Exception Home Occupation		\$350.00
Conditional Use Permit [DELETE ROW]		\$875.00
Special Exception to BZA		\$250.00
Variance/Appeal/ Other BZA Public Hearing Request		\$350.00
Administrative Variance		\$50.00 (+ \$300 if forwarded to the BZA)
Major Site Plan Review (including Engineering Plans required by Subdivision Ordinance)		\$350.00 + \$35.00 per acre land disturbance
Minor Site Plan Review		\$250.00
Site Plan Re-Review		\$250.00 per review starting with the 3rd revision (discuss: 3 rd revision = 4 th review?)
Residential Subdivision Land Disturbance Permit/E&S Fee		\$200.00 + \$20.00 per acre disturbed
Commercial Land Disturbance Permit/E&S Fee		\$400.00 + \$25.00 per acre disturbed
Agreement in Lieu (Residential)		\$35.00
LDP Re-inspection Fee		\$40.00
LDP Dormant Project Review Fee		\$75.00
Zoning Compliance Certification Letter		\$44.00

Proposed P&Z Fee Ordinance Changes for early 2022 (Clarifications only) Revised 3-25-22

Subdivision Plat Review (including Family Divisions and Resubdivisions):		2—5 lots: \$275 6+ lots: \$350.00 + \$35.00 per lot
[DELETE ROW]	2—5 lots	\$275.00
[DELETE ROW]	6+ lots	\$350.00 + \$35.00 per lot
Other Plat Reviews including Boundary Line Adjustment Plat, Vacation Plat, Consolidation Plat, Easement or ROW Plat or Plat Recordation		\$50.00
Recordation Plat Review		\$50.00
Deferral Request (by applicant for public hearing requests)		\$625.00
Zoning Ordinance Change [DELETE ROW]		\$700.00
FEMA Elevation Certificate Review or Floodplain Development Permit Review		\$25.00
FIRM Map Confirmation		\$25.00
DMV Compliance Letter		\$25.00
Residential Group Home Zoning Review		\$25.00
In-Home Day Care Zoning Review		\$25.00
Professional Business Zoning Approval Form		\$25.00
Special Exception to BZA [DELETE ROW]		\$250.00
Administrative Second Dwelling Use		\$200 (\$25 annual renewal fee)

(Ord. No. O-08-05, 9-9-2008; Ord. No. O-09-04, 3-10-2009; Ord. No. O-09-06, 4-28-2009; Ord. No. O-10-02, 2-9-2010; Ord. No. O-12-10, 6-12-2012; Ord. No. O-12-37, § 1, 11-27-2012)



SPECIAL EXCEPTION APPLICATION

Department of Community Development and Code Compliance
Planning & Zoning Division

6602 Courts Drive, Prince George, VA 23875
(804) 722-8678 | www.princegeorgecountyva.gov

OFFICE USE ONLY

APPLICATION #:

SE-22-04

DATE SUBMITTED:

3-23-22

MAR 23 2022

BY:

TWS

APPLICANT FILL-IN ALL BLANKS

REQUEST	REQUEST:	SE-22-0009	
	HAULING HASS TRANSPORT LLC		
	REQUEST PROPERTY ADDRESS / LOCATION:		
	7901 COUNTY DRIVE DISPUTANTA, VIRGINIA		
REQUEST	REQUEST TAX MAP PIN(S): (List all) TAX PARCEL: 450(04)00-00A-1	AFFECTED ACREAGE (Each parcel): 4	ENTIRE PARCEL (Y / N - Each parcel): YES
	ATTACHMENTS (Check if Attached; * = Required): <input checked="" type="checkbox"/> APPLICANT STATEMENT* (Specify goals, details, etc.) <input type="checkbox"/> PROPOSED CONDITIONS <input checked="" type="checkbox"/> SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN* (Show proposed improvements; Use GIS or Engineer Drawing) <input type="checkbox"/> COMMUNITY MEETING SUMMARY <input type="checkbox"/> ADDITIONAL ATTACHMENTS:		
LEGAL OWNER	NAME(S): SHERRY HASS		
	MAILING ADDRESS: (Incl. City, State, Zip): 2872 DEER RUN DR S.PRINCE GEORGE VA 23805		
	E-MAIL: haulinghasstransport@gmail.com	PHONE: 804-721-1687	
	NAME(S): If different than owner): JOHN HASS		
APPLICANT CONTACT	RELATION TO OWNER: HUSBAND CO-OWNER		
	MAILING ADDRESS: (Incl. City, State, Zip): 2872 DEER RUN DR S.PRINCE GEORGE VA 23805		
	E-MAIL: haulinghasstransport@gmail.com	PHONE: 804-721-0964	
	OFFICE USE ONLY (Completed at the time of application)		
PAYMENT	ZONING DISTRICT(S): B-1 (Conditional)	LAND USE(S) CODE REFERENCE(S): 90-393(16)	
	FEE DUE: Special Exception: \$700 Special Exception Home Occ: \$350	FEE PAID: \$700.00 3/24/22	PAYMENT TYPE: CHECK / CASH / CREDIT / DEBIT
	CHECK # / TRANSACTION #: INV: 1536	DATE RECEIVED: 3/24/22	RECEIVED BY: MGS

OWNER AFFIDAVIT

The undersigned Property Owner(s) or duly authorized Agent or Representative certifies that this petition and the foregoing answers, statement, and other information herewith submitted are in all respect true and correct to the best of their knowledge and belief.

NAME:

S/HERRY/HASS

NAME:

John P Hass

SIGNED:

Sherry S Hass

SIGNED:

John P Hass

DATE:

3-23-22

DATE:

3-23-22

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Prince George

Subscribed and sworn before me this

23

day of

March

, 20

22

Notary Public

Jaymin Min

My Commission expires:

11/30

, 20

22

INVOICE (INV-00001538)
FOR PRINCE GEORGE COUNTY, VA

BILLING CONTACT
HAULING HASS TRANSPORT LLC
7801 COUNTY DRIVE
DISPUTANTA, VA 23842



INVOICE NUMBER	INVOICE DATE	INVOICE DUE DATE	INVOICE STATUS	INVOICE DESCRIPTION
INV-00001538	03/24/2022	03/24/2022	Paid In Full	NONE

REFERENCE NUMBER	FEE NAME	TOTAL
SE-22-0009	PGC Special Exception Request	\$700.00
7801 County Dr VA 23842	SUB TOTAL	\$700.00

REMITTANCE INFORMATION

Prince George County, VA
 6602 Courts Drive
 P.O. Box 68
 Prince George, VA 23875

TOTAL **\$700.00**

March 24, 2022

6602 Courts Drive, Prince George, VA 23875

Page 1 of 1

**2872 Deer Run Dr.
S. Prince George Va. 23805
804-721-1687
Sherry@HaulingHassTransport.com**

**Hauling Hass
Transport, LLC**

To whom it may concern:

Our company is Hauling Hass Transport LLC, we are a small family owned flatbed trucking company established in Prince George County two years ago.

We are interested in purchasing the commercially zoned lot on 7901 County Drive, 450(04)00-00A-1. We are writing this letter to request a Special Exception to be included in the zoning. We would like to add Motor Freight Terminal and/or Transshipment Facility to the approved zoned usage of the property.

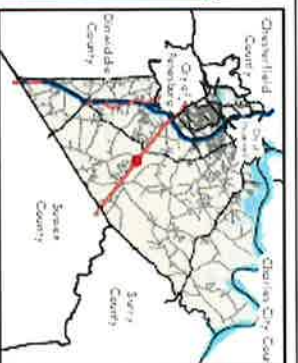
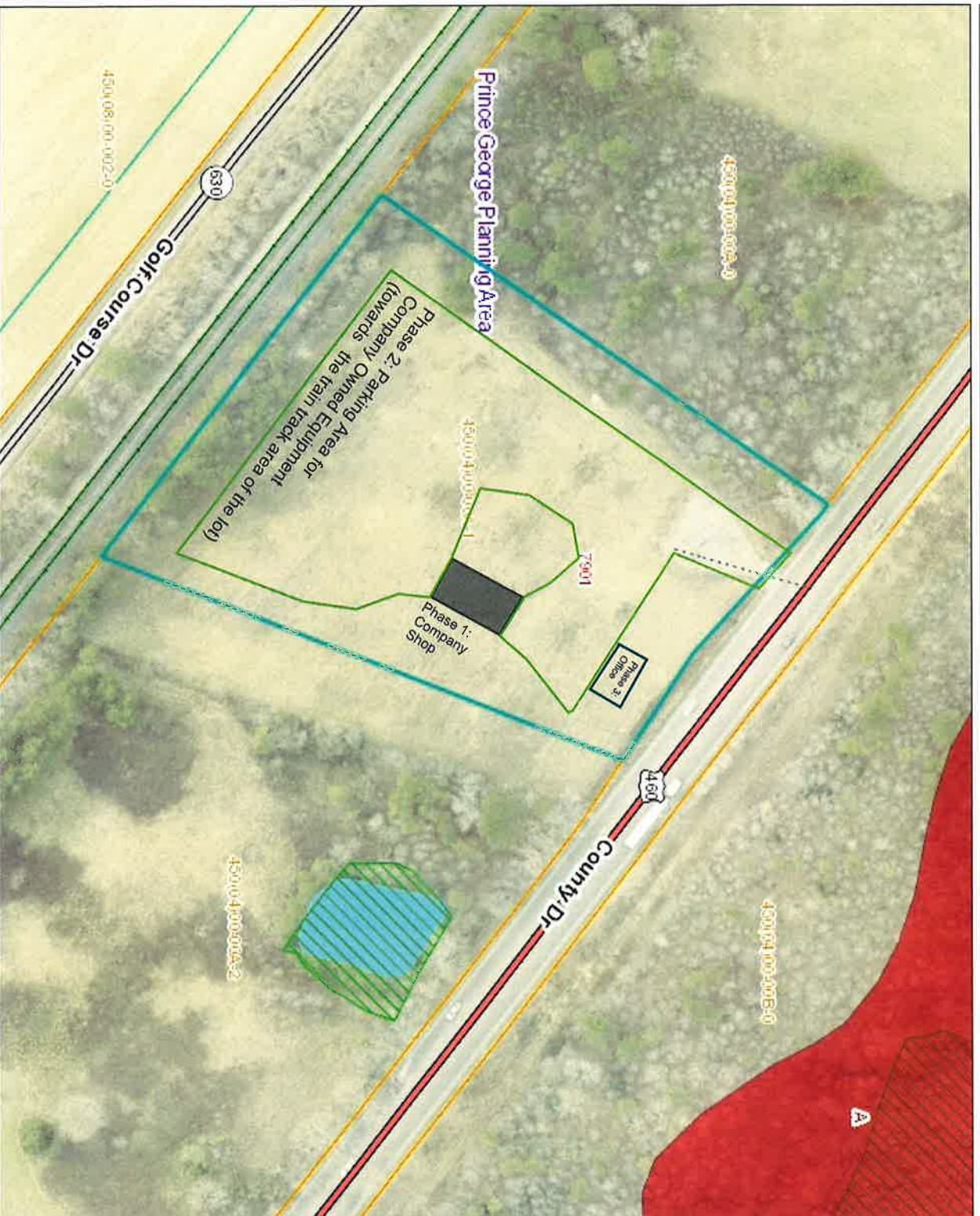
We intend to use this property for our trucking company. We would like to add a garage/workshop, we plan to occasionally park our trucks, trailers and other equipment when not in use on the road. We intend to also lease parking spaces to other motor carriers and/or drivers. We plan to eventually add a separate office space in the near future.

Thank you for the consideration. Please feel free to contact us with any questions or concerns.

Kind regards,

Sherry S. Hass
Partner/Owner of Hauling Hass Transport LLC

County of Prince George



- Legend**
- Political Boundaries
 - FEMA Floodzones
 - Taxparcels
 - Access Easements
 - Wetlands
 - RPA
 - Planning Area

Phase 1: Company Shop - Potential Building Likeness

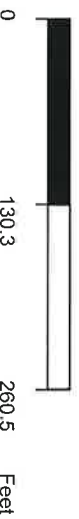


Notes



The information contained in this data should not be used as a "legal description". Map information aims to be accurate, but accuracy and completeness is not guaranteed.

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Map Scale 1 : 1,563

10/25/2021



Tim Graves

From: Andre M. Greene
Sent: Monday, April 18, 2022 1:52 PM
To: Abjrfarm@aol.com; sccstephen@aol.com; Floyd87@comcast.net;
joynerpaint@version.net; joesim@aol.com; tammycra@aol.com
Cc: Julie Walton; Tim Graves; Missy Greaves-Smith; Michael Chandler
Subject: PC Education and Training

Good Afternoon Planning Commissioners,

The PC education and training session has been scheduled for May 5, 2022 from 1:00 pm to 5:00 pm in the Board of Supervisors meeting room. Please be advised that Dr. Michael Chandler, facilitator, will be emailing members a brief survey later this week to secure your input on several planning related issues. You can expect an email from rmchan@vt.edu.

If you have any questions or concerns, please let me know.

Sincerely,

Andre M. Greene
Planner II

Proposed Motion to Adjourn

Planning Commission Meeting April 28, 2022

Proposed Motion to Adjourn

"I motion we adjourn until the Planning Commission Training Session scheduled for ____ p.m. on Thursday, May 5 in the Kines Memorial Breakroom, located on the 2nd Floor of the Administration Building."

Background:

When adding a special meeting or changing a meeting schedule from what was previously adopted and announced, the Planning Commission is required to give proper notice of the schedule change. The above-proposed motion would serve as an official announcement of this schedule change to add the Planning Commission Training Session (a public meeting), if the Planning Commission chooses to use it.

