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PLANNING COMMISSION

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

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

Planning Commission Agenda

Regular Meeting

Thursday, November 19, 2020

6:30 p.m. County Board Room

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

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

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

Meeting ID: 505 385 1421

Password: 200726

One tap mobile

+19294362866,,5053851421#,,1#,200726# US (New York)

+13017158592,,5053851421#,,1#,200726# US (Germantown)

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

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

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

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

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

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

Any public comments received via Zoom, in person or by the website form up until the public comment section is closed by the Chairman of the Planning Commission on November 19th shall be entered into the meeting minutes.

- I. Call to Order**
 - A. Roll Call
- II. Invocation**
- III. Pledge of Allegiance to the U.S. Flag**
- IV. Adoption of Meeting Agenda [1]**
- V. Draft Meeting Minutes – October 22, 2020 [2]**
- VI. Public Comment**
- VII. New Business – Public Hearing**
 - A. PUBLIC HEARING; ORDINANCE AMENDMENT OA-20-04 [3]
Adoption of an Ordinance to amend “The Code of the County of Prince George, Virginia,” by deleting §§ 90-12, and 90-1036, and by amending §§ 90-1, 90-52, 90-53, 90-56, 90-102, 90-103, 90-106, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, and 90-1039, and to consolidate the requirements for signs by adding Article XIII, “Signs” to Chapter 90, “Zoning,” §§ 90-591 through 90-600 so as to revise local sign requirements to be consistent with current law and to create a clear and a consistent set of regulations pertaining to signs.
- VIII. Planner’s Communications to the Commission [4]**
 - A. Actions of the Board of Zoning Appeals
 - B. Actions of the Board of Supervisors
 - C. Draft December Planning Commission Agenda
- IX. Adjournment**

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

October 22, 2020

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

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

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

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+1 346 248 7799 US (Houston)

MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, October 22, 2020 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Chairman Bresko.

ATTENDANCE. The following members responded to Roll Call:

Mr. Simmons	Absent
Mrs. Elder	Present
Chairman Bresko	Present
Mr. Joyner	Present
Mr. Easter	Present
Vice-Chairman Brown	Present
Mr. Brockwell	Present (by phone, at home, due to health reasons)

Also present: Julie C. Walton, Deputy County Administrator, Cliff Young, Director of IT, Horace Wade, Planner II, Tim Graves, Planner I and Teresa Knott, Clerk of the Board of Supervisors

INVOCATION. Mr. Easter provided the Invocation.

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

ADOPTION OF MEETING AGENDA. Chairman Bresko asked the Commissioners for a motion to approve the Meeting Agenda for the October 22, 2020 Planning Commission meeting. Mr. Joyner made a motion to approve the Meeting Agenda and Mrs. Elder seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Joyner, Brockwell
Abstain: (0)
Absent: (1) Simmons

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the August 27, 2020 Minutes of the Planning Commission for approval. Mrs. Elder made a motion to approve the Minutes as presented and Mr. Joyner seconded the motion. Roll was called on the motion.

In favor: (5) Bresko, Brown, Elder, Easter, Brockwell
Abstain: (1) Brown
Absent: (1) Simmons

APPROVAL OF THE MEETING MINUTES. Chairman Bresko asked the Commissioners to review the September 24, 2020 Minutes of the Planning Commission for approval. Mr. Easter made a motion to approve the Minutes as presented and Mr. Brown seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Brockwell, Brown
Abstain: (0)
Absent: (1) Simmons

CITIZEN COMMENT PERIOD. At 6:37 p.m., Chairman Bresko opened the Citizen Comment Period to anyone who wished to come forward to speak to the Commissioners on only topics that were not on the agenda. Citizens were asked to limit their comments to three (3) minutes.

With no one coming forward and no one on Zoom indicated they wished to speak, the Citizen Comment Period was closed at 6:37 p.m.

NEW BUSINESS.

Public Hearing:

ORDINANCE AMENDMENT OA-20-03

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

Mr. Wade presented to the Commission the concept of Pyramiding Industrial Uses. With this proposed Ordinance amendment, businesses with M-2 zoning could incorporate M-1 uses, and

businesses with M-3 zoning could utilize all of the M-1, M-2 and M-3 uses. These changes would reduce delays and costs for developers, businesses and County staff.

Support for these proposed changes has been expressed by the County's Economic Development team, property owners, developers and Timmons Group.

Vice-Chairman Brown asked Mr. Wade for clarification in reference to M-2 zoning including M-1 uses. Mr. Wade provided an example: a business that is zoned M-2 would be allowed all M-1 uses in addition to the M-2 uses. If a business applies for M-3 uses, they would be allowed all the uses for M-1, M-2 and M-3 but if they apply for M-1 they would only be allowed M-1 uses.

Chairman Bresko opened the Public Hearing at 6:49 p.m. to anyone who wished to speak in reference to OA-20-03. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Derrick Johnson, 7716 Hunters Ridge Drive, an Engineer with Timmons Group and the Vice-Chairman of the Industrial Development Authority for Prince George County, asked to speak on Zoom. He stated he was in support of the amendment and the changes to the Ordinance. Mr. Johnson stated the "Pyramid Zoning" is an example of how other localities are currently oriented. If a business is zoned M-2, they would acquire the benefits of the M-1 uses without the need to go back to the County for additional approval. Mr. Johnson stated, from a developer's standpoint, this makes a lot of sense. Mr. Johnson indicated he would be in favor of these changes and encouraged the Commissioners to make the recommendations to the Board of Supervisors for approval of this amendment.

Mr. Nick Walker with Roslyn Farms, a local land developer in Prince George County, wished to speak on Zoom. Mr. Walker stated he agreed with Mr. Johnson and Mr. Wade's recommendation to amend the Ordinance and stated the current Ordinance puts the County at a disadvantage in comparison to neighboring localities that already have this type of pyramid zoning in place. He concluded by expressing his full support.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company, wished to speak on Zoom. He expressed his support for the Ordinance amendment. He confirmed that this type of pyramid zoning is common in most jurisdictions. He stated he would highly recommend adopting this change.

Chairman Bresko asked if anyone else had any questions or comments. With no one else coming forward or requesting to speak on Zoom, Chairman Bresko closed the Public Hearing at 6:58 p.m.

Vice-Chairman Brown made a motion to forward OA-20-03 with the recommendation of approval along with the stated conditions to the Board of Supervisors (BOS) for consideration. Mrs. Elder seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell
Absent: (1) Simmons

Public Hearing:
REZONING CASE RZ-20-04

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

Mr. Wade stated the property owner wishes to rezone the property from M-3 to M-1. The applicant has also filed a Subdivision application to consolidate Lots 10 and 13 and a Site Plan application to construct a 650,000 square foot commercial building.

Mr. Wade provided the following Uses Summary:

- Permits all uses in M-1 with the exception of certain uses under section (13) Wholesale businesses and storage warehouses
- Voluntarily restricts high traffic volume generating uses as requested by VDOT described in the Institute of Traffic Engineers Trip Generation Manual:
 - 155 High-Cube Fulfillment Center Warehouse
 - 156 High-Cube Parcel Hub Warehouse
- Restricted uses will require an amendment to the Rezoning case and a Chapter 527 Traffic Impact Analysis to be completed

Mr. Wade stated that Staff recommends approval with the proffer conditions proposed.

Chairman Bresko asked Mr. Wade why the applicant requested to be rezoned to M-1 if they were currently zoned M-3, based on the previous recommendation of the pyramid zoning. Mr. Wade stated that this particular property has proffered conditions that only allowed two (2) uses.

Mr. Joyner asked if the applicant was aware of the proposed Ordinance change. Mr. Wade stated the applicant is Tom Wortham, of The Hollingsworth Company, and he is aware and spoke earlier in the previous Public Hearing.

Chairman Bresko opened the Public Hearing at 7:07 p.m. to anyone who wished to speak in reference to RZ-20-04. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company confirmed his request to down zone and stated he has submitted a site plan for a distribution facility for this property. He asked for the Commissioners support in recommending this rezoning.

Chairman Bresko asked if anyone else had any questions or comments. With no one else coming forward or requesting to speak on Zoom, Chairman Bresko closed the Public Hearing at 7:10 p.m.

Mrs. Elder asked for clarification on the Utility Department's comments that the company would be responsible for upgrading the water and sewer to this property due to the fact the current lines are near capacity. Mr. Wade confirmed that The Hollingsworth Company would be responsible

for this upgrade, if needed. Chairman Bresko asked if the business had agreed to these terms and Mr. Wade confirmed they had.

Vice-Chairman Brown made a motion to forward RZ-20-04 with the recommendation of approval to the Board of Supervisors (BOS) for consideration. Mr. Easter seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell

Absent: (1) Simmons

Public Hearing:

REZONING CASE RZ-20-05

Request of SI Virginia II, LLC pursuant to § 90-788, Change of Approved Conditions, to add conditions to Zoning Case ZM-97-004 for a 15.363 acre parcel located along Quality Way. The subject property is located in the Southpoint Business Park, Lot 13, and is identified as Tax Map 340(22)00-013-0. The Comprehensive Plan indicates that the subject property is appropriate for industrial uses.

Mr. Wade presented to the Commissioners a rezoning case amendment of ZM-97-004 with additional conditions for Lot 13.

Mr. Wade provided the following Uses Summary:

- Current Zoning: M-1, Rezoned in 1997 without conditions
- Requested Zoning: M-1, Light Industrial with conditions for a 650,000 square foot speculative distribution warehouse
- Surrounding Zonings: M-1 & M-3
- Location: Across from 6062 Quality Way
- Comprehensive Plan: Appropriate for Industrial Uses
- Staff recommends approval

Chairman Bresko opened the Public Hearing at 7:16 p.m. to anyone who wished to speak in reference to RZ-20-05. The Public Hearing was opened to all meeting attendees, Zoom participants and any call-in participants. Participants were asked to limit their comments to three (3) minutes.

Mr. Tom Wortham, Senior Vice-President of Architecture & Business Development at The Hollingsworth Company wished to speak on Zoom. Mr. Wortham explained, with the current process of consolidating these two lots (140 acres), the rezoning of this property would allow the consolidated lots to have the same zoning.

Chairman Bresko asked if anyone else had any questions or comments. With no one else coming forward or requesting to speak on Zoom, Chairman Bresko closed the Public Hearing at 7:17 p.m.

Mrs. Elder made a motion to forward RZ-20-05 with the recommendation of approval to the Board of Supervisors (BOS) for consideration. Mr. Joyner seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Joyner, Brown, Elder, Easter, Brockwell

Absent: (1) Simmons

OLD BUSINESS.

A. Residential Poultry Ordinance Update:

Mr. Graves presented an update to the Commissioners on the Draft Residential Poultry Ordinance Amendment. Public notification of this proposed Ordinance was accomplished by mailing over 3,900 postcards, information was presented on the County's Facebook page, a press release was published in the local newspaper and information was available to citizens on the Planning Division's website page. These media sources directed citizens to an online survey through the County's website, an email option and a phone number were also available to direct comments. Approximately 112 citizens participated in the survey; seven (7) additional citizens provided comments by phone or email. Copies of their responses were provided to the Commissioners.

Mr. Graves reviewed some feedback received by the citizens:

- In reference to the keeping of poultry on lots less than 2 acres – 74% in support
- Reasonable lot size to have poultry - .50 acres should be the minimum
- In reference to property line consideration – neighbor's property 6-24 feet
- Option of the number of chickens on less than 2 acres – 3-6 chickens total
- Not in support of poultry on lots less than 2 acres – 24 participants
- Survey results attached

Staff has been in partnership with the Animal Control Department in reference to enforcement and general input. Staff has also received feedback from the Virginia Department of Agriculture.

Mr. Graves suggested that the Commissioners could consider the small percentage of feedback when making their recommendation and could also consider other localities' ordinances and feedback from other agencies.

Mr. Graves stated that Staff recommends minor modifications to the draft Ordinance. For example, to make the current language more clear and more enforceable, and to reference the State Code for the care of animals. Additionally the Commission could consider less restrictive setbacks, number of poultry permitted per lot and minimum lot size.

Mr. Graves presented to the Commissioners three (3) options to consider. The first option (Option A) would be to have no changes to the existing Ordinance at this time. Option B would be a reflection of the draft Ordinance amendment presented previously and Option C would be to make further changes to the draft Ordinance regarding the setbacks, minimum lots sizes and number of poultry allowed per lot.

Vice-Chairman Brown stated he would be in favor of Option A, to have no change to the existing Ordinance at this time and Mrs. Elder agreed. Chairman Bresko stated that according to the survey, the majority of people that said "No" have neighbors who have chickens, and then stated that he agreed with Option A. Mr. Graves asked if there was a general consensus among the Commissioners for Option A and, after seeing and hearing

no opposition from the other Commissioners present, affirmed that Staff would not advertise for a Public Hearing for an Ordinance amendment. Mr. Easter thanked the Planning staff for all of their hard work in preparing and obtaining this information.

B. Draft Sign Ordinance Update

Mr. Wade provided the Commissioners an update on the Draft Sign Ordinance. He stated he had briefed the BOS at their Work Session on September 8th and reviewed a proposed timeline with them. Members of the BOS expressed concerns with the section of “people as signs” and the BOS requested that the Planning Commission review this again. Mr. Wade stated he had addressed this section with the County Attorney, Dan Whitten. Section 592.3 refers to people carrying commercial signs and/or dressing up in costumes to attract attention. The conclusion by Mr. Whitten was that this section refers to commercial businesses and does not refer to one-day fundraising, for example, a car wash. This would also not refer to yard sale signs or non-profit organization signs.

Additional areas of concerns from the BOS were vehicles used as signs and limited duration signs. Mr. Wade explained that only vehicles that are operable could be used as a sign. Inoperable vehicles and vehicles with expired registrations could not be used as a sign. Limited duration signs are discussed in Section 599 referencing signs for special events. Mr. Wade asked the Commissioners to review the sections the BOS highlighted.

Mr. Wade explained to the Commissioners that the Planning Division would like to have the draft Ordinance ready for the business community and schedule a Public Input meeting. Their input would be obtained prior to the Public Hearing. The Public Hearing would be advertised for the November 19, 2020 Planning Commission meeting.

PLANNER’S COMMUNICATION TO THE COMMISSION. Mr. Wade presented to the Commissioners the following updates:

1. Actions of the Board of Zoning Appeals
 - a. October 26, 2020 meeting has been cancelled
 - b. November 23, 2020 meeting has been cancelled
2. Actions of the Board of Supervisors (BOS)
 - a. Industrial zonings were discussed
 - b. Update on the Draft Sign Ordinance
 - c. BOS will hear OA-20-03, RZ-20-3 and RZ-20-04 cases on Oct 27th

ADJOURNMENT. At 7:48 p.m., Chairman Bresko asked the Commissioners if they had any questions; if not he would entertain a motion to adjourn. Mr. Joyner made a motion to adjourn and Mr. Easter seconded the motion. Roll was called on the motion.

In favor: (6) Bresko, Brown, Elder, Easter, Joyner, Brockwell

Abstain: (0)

Absent: (1) Simmons

Survey Results & Analysis of Public Input

Residential Poultry Ordinance Amendment – Prince George County

Public outreach summary:

On September 24, Staff posted information on the County website (<http://bit.ly/pgpoultry>) regarding the ordinance changes under consideration, including an available survey to standardize input received from citizens. Citizens have been directed to the webpage and survey by several methods:

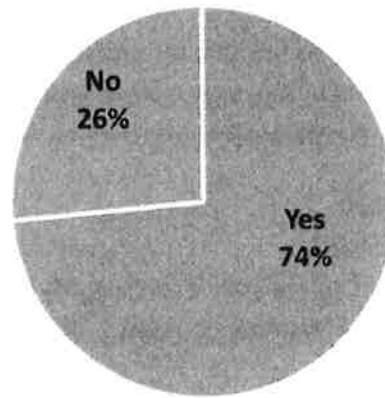
- Posting on County Facebook page
- Press Release published in newspaper
- Direct mailing of 3,940 postcards on October 7, requesting feedback by October 19
- Webpage link visible to visitors of Planning & Zoning Division website

Public outreach produced the following participation (As of 12pm Oct 21):

- 112 participants in the online survey
- 7 residents provided feedback by email or phone and not the survey
- 119 total residents provided input, many of which provided additional comments beyond participating in the survey. Some of those comments were shared as part of the October 22 Planning Commission packet, and a full list of comments is being provided at the meeting
- 3 percent response rate from public outreach (119 participants / 3,940 mailings)

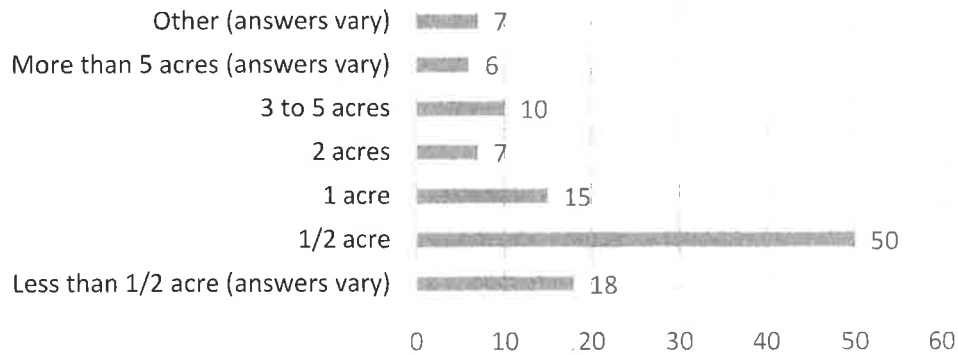
Survey Results

#1: Do you support the keeping of poultry on properties less than 2 acres in size in a residential neighborhood?



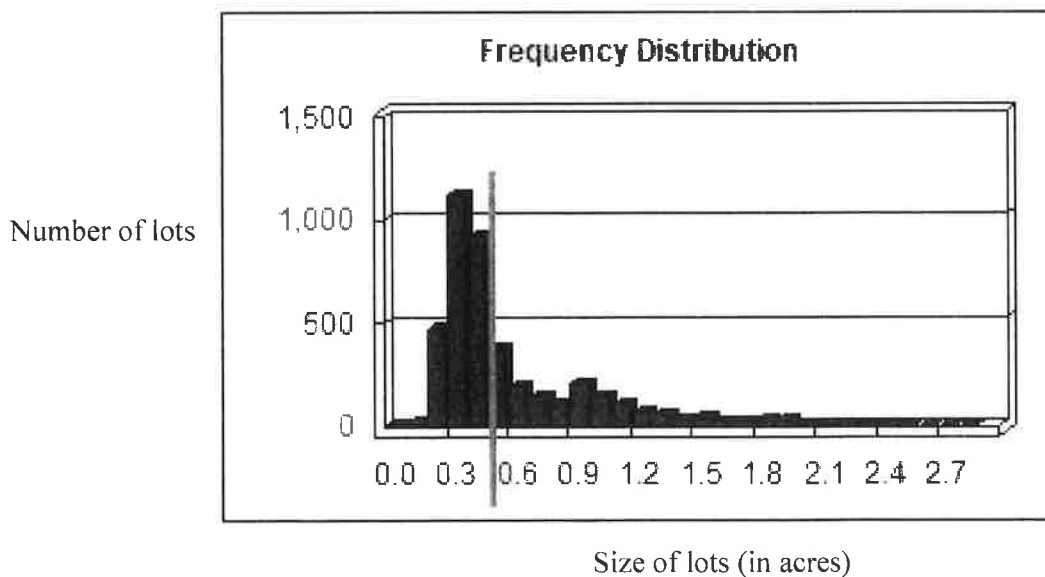
Question #1 Analysis: A majority of survey participants support poultry on less than 2 acres.

#2: What is a reasonable minimum lot size for keeping poultry in a residential neighborhood?

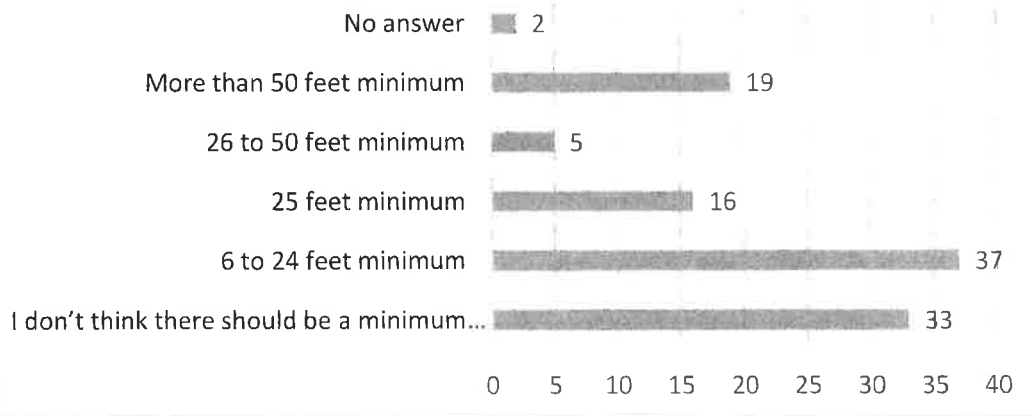


Question #2 Analysis: The chart shows the breakdown of results of what survey participants think should be a minimum lot size. The largest group, 44 percent of participants (50), indicated they supported 1/2 acre as a minimum lot size. Notably, some participants wrote in their own answer under "Other". Using this option of feedback, 16 percent of participants (18) indicated they support poultry on less than 1/2 acre.

With these results in mind, Staff completed an analysis to reach a better understanding of what the actual sizes of the survey participants' properties are and how they would be impacted by a minimum acreage requirement. The resulting graphic below illustrates the lot sizes of those County residents that were notified by postcard of the ordinance amendment. Each blue bar represents a portion of lots that fall in that size range. The tallest two bars represent those lot sizes that are the most common (between 0.3 acres and 0.5 acres in size). The red line offers a visual idea of what threshold would be established by an ordinance amendment and how many lots would be affected by a minimum acreage requirement. If the minimum acre is set at 1/2 acre, the properties on the right side of the line would be allowed to have poultry, and the properties on the left side of the line would NOT be allowed to have poultry.

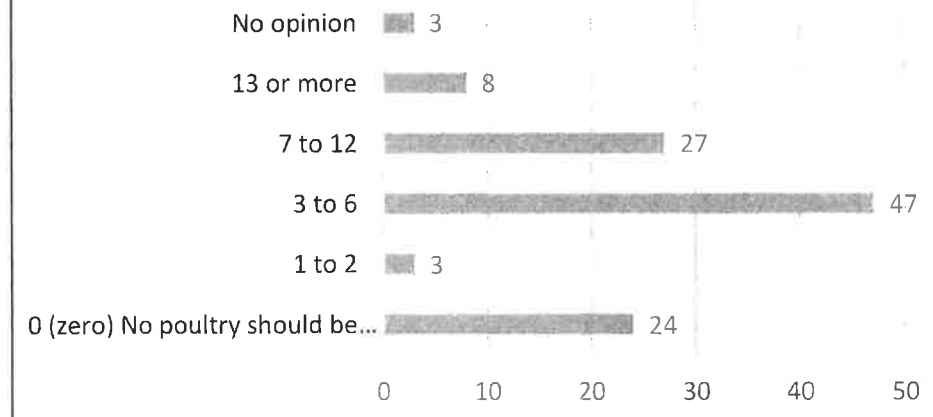


#3: What is a reasonable minimum distance (setback) for poultry and coops/runs to be kept away from an adjacent property line shared with neighbors?



Question #3 Analysis: The public input shows general support for a lesser setback than the 25-foot minimum setback that is currently in place, with 29 percent (33 people) supporting no minimum setback at all, and 33 percent (37 people) supporting 6 to 24 feet as a minimum. With this result in mind, the Commission could consider a smaller setback than the 25-foot minimum that is currently in the draft ordinance.

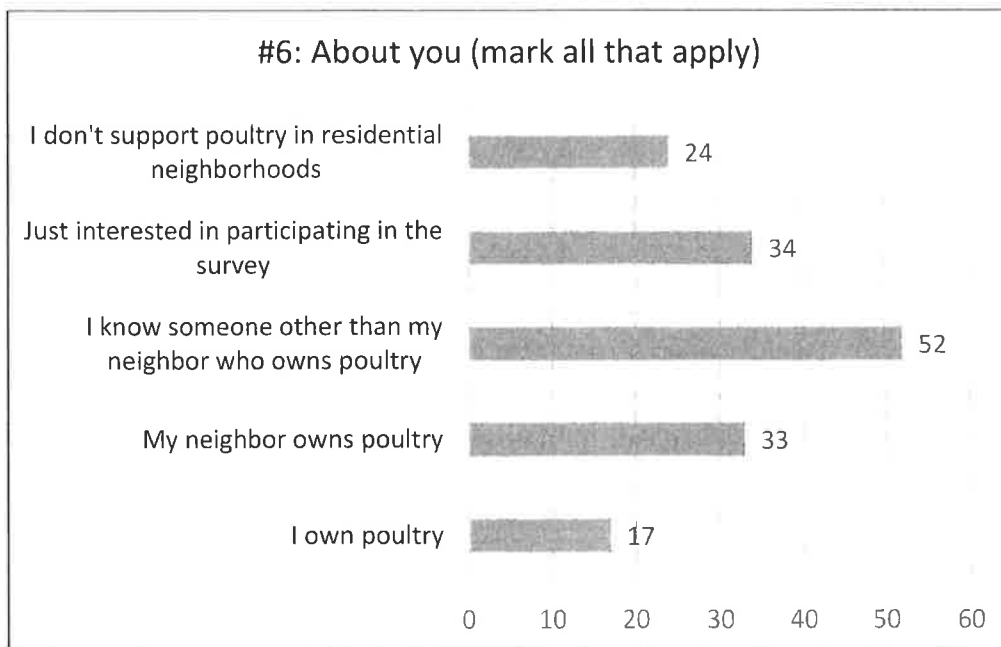
#4: How many poultry is a reasonable number to keep on properties of 2 acres or less?



Question #4 Analysis: The most common survey answer regarding the number of poultry that should be allowed on less than 2 acres was “3 to 6 chickens” (47 participants – 42 percent). The second most common survey answer was “7 to 12” (27 participants), followed by “None” (24 participants – 21 percent). With this result in mind, the Commission could consider allowing between 3 and 12 poultry on small lots, while understanding that 21 percent of survey participants oppose any poultry being allowed on small lots.

#5: Do you have any additional feedback on residential poultry?

Question #5 Analysis: This question was open-ended. Staff aggregated the comments received for this question and by phone/email, and plans to summarize those results in a packet for the public hearing. These comments address additional details outside the scope of the survey. The exact comments provided by the public have been provided to the Planning Commission with personal information removed.



Question #6 Analysis: Most survey participants know someone who owns poultry, including 33 participants who indicated that their neighbor owns poultry. Minorities of survey participants stated that they own poultry (17) or do not support poultry on residential neighborhood lots (24). General feedback from residents suggests that poultry are present on some properties in the County in violation of the current ordinance.

Feedback from Animal Control staff of Prince George County:

- Consider differentiating between small poultry and large poultry and allowing different numbers of each based on lot size (suggested specific numbers)
- Consider differentiating number of poultry allowed in agricultural zoning districts vs residential zoning districts (suggested specific numbers)
- Consider not counting poultry until they are 6 months of age or older
- Consider pointing to the State Code within the ordinance - Chapter 27.4 - Comprehensive Animal Laws of the Virginia State Code contains provisions for “adequate shelter”, “adequate space”, “adequate care”, “adequate exercise”, “adequate water”, and other provisions applicable to the keeping of poultry and other animals.

Analysis: Animal Control staff are regularly in contact with animal owners and are therefore positioned to offer insight into what animals are actually present in the County, and are partners in enforcement of the animal-related ordinances. The focus of Animal Control is the proper care of the animals that are allowed on properties.

Feedback from Virginia Department of Agriculture (VDACS) Poultry Specialist:

- In their experience, most localities do not impose a minimum lot size
- In their experience, most localities allow 6 poultry on small lots
- The State Code contains requirements for the care of animals and may be referenced in the ordinance
- Consider focusing the ordinances on chickens as opposed to all poultry, regulate the broader category of poultry separately
- It is recommended, but not required, that chicks be sold in groups of 6, in order to avoid “novelty purchases” and to encourage a group size of 4 to 6 chickens – a group size in which chickens are most likely to thrive.

Analysis: The VDACS Poultry Specialist has worked with numerous localities on local ordinances that are compatible with the State Code. Like Prince George County Animal Control staff, their focus is the proper care of the animals that are allowed on properties.

Staff Conclusions

The results of the public feedback show general support for keeping poultry on properties less than 1 acre, and diverse feedback for an exact minimum lot size, exact setbacks, and what exact number of chickens to allow. Conclusions may be drawn from the survey results; however, it is important to factor in the small sample size of this survey and low participation rate when considering whether changes are warranted based on the results of the survey alone. Other factors to consider in your decisions may include the practices of other localities and input from poultry specialists summarized in this report.

Staff Recommendations

Based on the feedback received and information summarized in this document, Staff recommends minor modifications of the draft ordinance based on new information received, specifically to align the language with State Code definitions for proper care, cleaning and adequate shelter, in order to enhance the enforceability of the ordinance and ensure sanitary and healthy conditions for the animals and owners.

In regards to specific variables that regulate location and quantity of poultry allowed, Staff recognizes the small participation rate of the survey, as well as the sometimes-opposing interests of neighboring property owners, and therefore cannot offer a direct recommendation to make any requirements less restrictive than those already found in the draft ordinance. However Staff has outlined an “OPTION C” to identify possible ordinance changes that are in line with the majority of survey results, so that the Planning Commission may choose which option, if any, to pursue for a public hearing. The Commission may also choose to incorporate only some elements of Option C into the draft.

	OPTION A: No Change to Existing Ordinance	OPTION B: Current Draft Ordinance (9-16-20)	OPTION C: Modify the Draft Ordinance
Minimum acres for keeping poultry	RA, A1: No minimum R1, R2, R3, RE, MHR: 2 acres	All zoning districts: 0.5 acre	All zoning districts: No minimum
Number of poultry permitted	RA, A1: Up to 250 R1, R2, R3, RE, MHR: Up to 6 on at least 2 acres; 6 more for each additional 2 acres	All zoning districts: Up to 4 on at least 0.5 acres, 1 more per each additional 0.5 acres	All zoning districts: Up to 6 on 2 acres or less; 3 more for each additional 1 acre; Max 24 in a residential zoning (requires 8 acres); Max 150 in an agricultural zoning (requires 46 acres)
Minimum setbacks for coops and runs	RA, A1: 5 feet from rear/side P/L; 75' from front P/L R1, R2, R3, RE, MHR: 25 feet rear side P/L; 150' front P/L	All zoning districts: 25 feet (1 to 6 poultry) 50 feet (7 or more poultry)	All zoning districts: 20 feet (1 to 6 poultry) 50 feet (7 or more poultry)

ACTION: Staff requests that the Planning Commissioners select an option to proceed (including any modifications)

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

6 **ARTICLE I. - IN GENERAL**
7

8 90-1 Definitions:

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

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

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

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

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

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

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

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

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

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

ARTICLE II. – GENERAL AGRICULTURAL DISTRICT

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

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

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

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

Sec. 90-56 A-1 Setback regulations.

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

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

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

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

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

69 ~~(16) Business sign~~

70 ~~(17) Directional sign~~

71 ~~(18) Home Occupation sign~~

73 Sec. 90-106. Setback regulations.

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

80 **ARTICLE V. - R-1 LIMITED RESIDENTIAL DISTRICT**

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

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

84 ~~(8) Church bulletin boards and identification signs.~~

85 ~~(9) Nonbusiness directional signs.~~

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

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

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

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

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

95 -----

96
97 **ARTICLE VII. - R-3 GENERAL RESIDENTIAL DISTRICT**

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

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

100 ~~(14) Directional signs.~~

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

102 Sec. 90-295 R-3 Setbacks

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

105 -----

106
107 **ARTICLE VIII. - MHR MOBILE HOME RESIDENTIAL DISTRICT**

108 Sec. 90-342 MHR Permitted uses.

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

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

112 -----

113
114 **ARTICLE IX. - B-1 GENERAL BUSINESS DISTRICT**

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

116 ~~(23) Business signs.~~

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

118 ~~(25) Location signs.~~

119 Sec. 90-395 B-1 Setbacks.

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

ARTICLE X. - M-1 LIMITED INDUSTRIAL DISTRICT

Sec. 90-442 M-1 Permitted uses.

~~(16) Business signs.~~

~~(17) General advertising signs.~~

~~(18) Location signs.~~

Sec. 90-446 M-1 Setbacks.

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

ARTICLE XI. - M-2 GENERAL INDUSTRIAL DISTRICT

Sec. 90-492 M-2 Permitted uses.

~~(16) Business signs.~~

~~(17) General Advertising signs.~~

~~(18) Location signs.~~

Sec. 90-496 M-2 Setbacks.

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

ARTICLE XII. - M-3 HEAVY INDUSTRIAL DISTRICT

Sec. 90-546 M-3 Setbacks.

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

ARTICLE XXIII. - MISCELLANEOUS PROVISIONS

Sec. 90-1036 Sign Setback requirements.

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

Sec. 90-1039. PUD Planned unit developments.

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

167 **Sec. 90-1 DEFINITIONS**

168 *Add the following definitions to current definition section:*

169
170 ***A-Frame Sign:** A two-faced sign with supports that are connected at the top and*
171 *separated at the base, forming an "A" shape not more than four (4) feet high.*

172
173 ***Automobile:** Motorized vehicle designed primarily to transport passengers and/or light*
174 *cargo on its own structure. The term automobile shall include, but not be limited to,*
175 *passenger car, pickup truck, panel truck, van and motorcycle, but shall not include a*
176 *motor vehicle or tractor trailer.*

177
178 ***Awning:** Permanent roof-like structure covered with a flexible material which provides*
179 *protection from rain or sun or is used as an architectural accent.*

180
181 ***Banner:** A type of limited duration sign consisting of a piece of fabric or other flexible*
182 *material, other than a flag or pennant and secured so as to not be a moving sign.*

183
184 ***Fascia:** Flat horizontal band located at the base of a pitched roof, between architectural*
185 *moldings near or at the top of a wall, extending out from a building wall as a separate*
186 *wall panel, or as the outside edge of a canopy, which provides a visible location to*
187 *mount signage.*

188
189 ***Flag, commercial:** Sign consisting of a piece of cloth or other flexible material, used to*
190 *attract attention to a commercial use or activity and attached to a flag or light pole. A*
191 *commercial flag shall be included in the calculation of freestanding signage on the*
192 *property.*

193
194 ***Flag, noncommercial:** Sign consisting of a piece of cloth or other flexible material that*
195 *only depicts the emblem or insignia of a nation, political unit, educational, charitable,*
196 *religious, civic or similar group, or is a decorative flag that does not display a*
197 *commercial message. A noncommercial flag shall not be included in the calculation of*
198 *signage on the property.*

199
200 ***Motor Vehicle:** Motorized vehicle, other than an automobile or tractor trailer, which is*
201 *primarily designed to transport passengers and cargo on its own structure; or to perform*
202 *a function such as plowing, earth moving or equipment moving. The term motor vehicle*
203 *shall include, but not be limited to, a bus and stake truck.*

204
205 ***Outparcel:** Site for a freestanding building or use within a nonresidential community.*

206
207 ***Parapet Wall:** Wall that extends above the top of a flat roof.*

208
209 ***Pennant:** Lightweight plastic, fabric or other similar material, suspended from a rope,*
210 *wire or string, usually in a series and designed to move in the wind. A pennant may or*
211 *may not contain copy.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

263
264 *Sign, Permanent:* Sign attached to the ground or a structure, intended to exist for the life
265 of the structure or use and which cannot be easily removed.

266
267 *Sign, Projecting:* Sign, attached to a building wall, projecting at an angle and extending
268 more than eighteen (18) inches from the building wall face.

269
270 *Sign, Structure:* An assembly of materials used to support a sign, including the exterior
271 form and finishes that define sign copy area.

272
273 *Sign, Temporary:* Sign, not permanently affixed to the ground or a structure, designed
274 or constructed such that it can be moved or relocated without requiring any structural or
275 support changes.

276
277 *Sign, Traffic Control:* Sign solely regulating safe driving, parking or traffic movement.

278
279 *Sign, Under Canopy:* Sign mounted perpendicular to a building face located under, and
280 attached to, the ceiling of a building mounted canopy.

281
282 *Sign, Window:* Sign attached to a door or window that is legible from the exterior of the
283 building.

284
285 *Tractor Trailer:* Truck with a cab, equipped with a coupling device to pull trailers, tankers
286 or semi-trailers. The term tractor trailer shall include the truck with a cab and if
287 connected a trailer, tanker or semi-trailer. The term tractor trailer shall include, but not
288 be limited to, tractor truck or semi-trailer.

289
290 *Ultimate Right-of-Way:* The future planned existence of the right-of-way for a given
291 road, in terms of location and width, based on the comprehensive plan, or as otherwise
292 determined based on the road classification as defined on the VDOT Functional
293 Classification Map and the minimum right-of-way widths for those classifications as
294 defined in Section 70-738.

295 **ARTICLE XIII. SIGNS**

296
297 **Sec. 90-591. General description and intent.**

298
299 The purpose and intent of sign standards are to regulate publicly visible displays or
300 graphics, protect and enhance the character of roads and surrounding areas, prevent
301 diminishing property values due to excessive signage, safeguard the public use and
302 nature of roads, and minimize motorist distractions.

303
304 The standards are specifically designed to promote maximum sign legibility, to prevent
305 over-concentration of signs as well as excessive height, bulk and area of signs, promote
306 safety by requiring that signs not create a hazard due to collapse, fire, collision, decay
307 or abandonment, obstruct firefighting or police surveillance, nor create traffic hazards by
308 confusing or distracting motorists or by impairing a driver's ability to see pedestrians,
309 obstacles or other vehicles, or to read traffic signs; and to identify a destination.

310
311 **Sec. 90-592. Prohibited Signs.**

312
313 The following shall be prohibited:

- 314 1. Moving signs intended to attract attention, regardless of whether or not the sign has
315 a written message or whether all or part of it moves by means including, but not
316 limited to, rotating, fluttering or being set in motion by the movement of the
317 atmosphere. This sign prohibition includes pennants, but does not include
318 commercial or noncommercial flags, the routine operation of the hands of a clock or
319 computer controlled, variable electronic message center (EMC) signs.
320
- 321 2. Internally lighted awnings or canopies constructed of translucent material.
322
- 323 3. Commercial signs held or carried to attract attention, persons dressed in costumes
324 and acting to attract attention to a commercial activity, and sound or smoke
325 producing signs.
326
- 327 4. Attention getting devices such as pennants, streamers, balloons, or inflatable
328 devices of any configuration acting to attract attention to any use other than
329 noncommercial activity at a residential use.
330
- 331 5. Signs with flashing lights, intermittent lights or lights with changing degrees of
332 intensity; and excluding computer controlled, variable electronic message center
333 (EMC) signs.
334
- 335 6. Commercial signs on a parked automobile, motor vehicle, tractor trailer or trailer
336 when used primarily for the purpose of, and serving the function of, a sign; except
337 when parked in the operator's driveway, when loading or unloading or when parked
338 to the side or rear of a nonresidential building and not visible from the adjacent
339 roads. Any such vehicle or trailer shall, without limitation, be considered to be used
340 for the primary purpose of advertising if it fails to display current license plates or

inspection sticker, if the vehicle is inoperable, or if the sign alters the standard design of such vehicle or trailer.

7. Signs greater than 48 square inches on a parked automobile, motor vehicle, tractor trailer or trailer, which display a commercial message that is unrelated to an activity or enterprise of the owner or operator of the vehicle or trailer.
8. Signs obstructing an opening intended to provide light, air, or building ingress or egress.
9. Freestanding signs overhanging any portion of a building.
10. Signs unreasonably obstructing the view of other signs from roads.
11. Signs posted on trees, utility poles or traffic control devices.
12. Sign position, shape and color interfering with, obstructing the view of, or causing confusion with, a traffic sign, traffic signal or other traffic control device.
13. Sign lighting impairing a driver's vision, obstructing police surveillance, or causing direct glare into or upon, property other than that on which the sign is located.
14. Signs obstructing firefighting access.
15. Outdoor advertising signs.

Sec. 90-593 Sign Permits.

A. General.

1. Signs Requiring a Sign Permit.

A sign permit shall be required for any sign, originally built or enlarged to be in excess of eight (8) square feet, and any enlargement, structural alteration or modification of these signs. Applications shall include all required information deemed necessary by the Zoning Administrator to ensure compliance with this chapter.

B. Application for permit.

1. An application for a sign permit shall be filed with the Community Development and Code Compliance Department on forms furnished by the department. The applicant shall provide sufficient information to determine if the proposed sign is permitted under the zoning ordinance and other applicable laws, regulations, and ordinances. An application for a temporary sign shall state the dates intended for the erection and removal of the sign.

- 387
- 388 2. The Zoning Administrator or designee shall promptly process sign permit
- 389 applications. Person(s) submitting sign permit application(s) shall be notified of
- 390 the approval or disapproval of the submitted application(s) to include any
- 391 deficiencies in the application within 20 business days after receipt of the
- 392 application.
- 393
- 394 3. If the application is rejected, the County shall provide the applicant a written list
- 395 of the reasons for the rejection within three (3) days of the rejection.
- 396

397 **C. Permit fee.**

398

399 A nonrefundable fee, as set forth in the uncodified fee schedule adopted by the

400 County, shall accompany all sign permit applications.

401

402 **D. Duration and revocation of permit.**

403

404 If a sign is not installed within six months following the issuance of a sign permit (or

405 within 30 days in the case of a temporary sign permit), the permit shall be void. The

406 permit for temporary sign shall state its duration, not to exceed 30 days unless

407 another time is provided in the Zoning Ordinance. The County may revoke a sign

408 permit in accordance with any of the following circumstances:

409

- 410 1. The County determines that information in the application was false or
- 411 misleading;
- 412
- 413 2. The sign installed does not conform to the sign permit application;
- 414
- 415 3. The sign violates the Zoning Ordinance, building code, or other applicable law,
- 416 regulation, or ordinance.
- 417

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

419

420 A sign permit is not required for:

421

- 422 1. Signs erected by a governmental body or when required by law.
- 423
- 424 2. Signs posted solely for traffic control, public safety, or hazard warnings.
- 425
- 426 3. Flags up to 16 square feet in size not containing any commercial advertising;
- 427 provided, that no freestanding pole shall be erected in the public right-of-way nor be
- 428 within five (5) feet of a service drive, travel lane or adjoining street.
- 429
- 430 4. Limited Duration Signs.
- 431

432 5. A-frame signs more than fifty (50) feet from the nearest public right-of-way, unless
433 otherwise permitted in this chapter.

434
435 6. Pavement markings. Any sign applied directly and entirely to and flush with an
436 asphalt, concrete, or similar paved surface.

437
438 **Sec. 90-594 General Regulations.**

439
440 **A. Signs Generally.**

441
442 Unless otherwise provided, the following regulations shall apply to all signs and are
443 in addition to other regulations contained herein:

444
445 1. Except as otherwise specified in this chapter, commercial signs shall be related
446 to the premises.

447
448 2. A noncommercial message may be substituted, in whole or part, for the
449 message displayed on any sign which conforms to this chapter without
450 consideration of message content. Such substitution of message may be made
451 without any additional approval, permitting, registration or notice. The purpose
452 of this provision is to prevent any inadvertent favoring of commercial speech
453 over noncommercial speech, or favoring any particular noncommercial
454 message over any commercial message. Whenever a property has not used all
455 of its permissible sign area, then the unused portion may be used for the
456 display of signs displaying noncommercial messages. Any on-site commercial
457 message may be substituted, in whole or part, for any other on-site commercial
458 message.

459
460 3. Signs shall be structurally safe and maintained in good condition.

461
462 4. For signs requiring a sign permit, a survey prepared by a registered civil
463 engineer or surveyor certifying the location, height, and area of the sign shall be
464 submitted prior to the erection of the sign, if requested by the Zoning
465 Administrator.

466
467 5. Unless otherwise specified in this chapter, signs shall be considered
468 permanent.

469
470 6. Within sixty (60) days of the previous land use vacating the property, all signs
471 shall either be refaced through a Sign Permit or shall have the existing sign
472 panel reversed or a blank sign panel inserted into the sign box.

473
474 7. Within sixty (60) days of the previous land use vacating the property, all existing
475 temporary signs shall be removed from the premises for compliance.
476

477 B. Comprehensive Sign Package for Nonresidential Communities.

478
479 Prior to the first site plan approval for a nonresidential community, a complete,
480 comprehensive sign package for all proposed signs shall be submitted to the Zoning
481 Administrator for approval. The sign package shall include information necessary to
482 ensure compliance with this chapter such as, but not limited to, conceptual sign
483 renderings or descriptions with the sizes, lighting, and general locations of all
484 signage.

485
486 All signs shall conform to the following:

- 487
488 1. Letter style and graphic display of all signs shall be similar;
489
490 2. Area, location, and material of signs shall substantially conform to the
491 building and site designs;
492
493 3. Freestanding sign structures shall be similar to each other;
494
495 4. A single type of building mounted display shall be used on all buildings;
496
497 5. Background colors of sign boxes shall be similar; and
498
499 6. Other than the primary sign, signs for each individual use shall have the
500 same background color which shall be one of the colors of the primary
501 sign.

502
503 C. Sign Area and Measurements.

504
505 Each property shall be permitted a maximum area of three hundred (300) square
506 feet of sign area. For each four (4) or more nonresidential uses occupying the same
507 property, an additional three hundred (300) square feet of sign area is permitted for
508 nonresidential communities.

- 509
510 1. Building Mounted. The calculated area of building mounted signs shall be
511 determined as follows:
512
513 a. Projecting Sign. The area of a rectangle or square encompassing the extreme
514 limits of each individual sign face, including all background visible from any
515 direction at any one time;
516
517 b. Canopy or Awning Sign. The area of the surface upon which the sign copy is
518 located;
519
520 c. Individually Mounted or Painted Copy Sign. If the copy is not emphasized by
521 an architectural or painted element of the building, the sum of the area within
522 a series of rectangles or squares encompassing each individual figure. If the

copy is emphasized by an architectural or painted element of the building, the area shall be determined in accordance with the requirements for Other Building Mounted Signs as outline below; and

- d. Other Building Mounted Signs. The area of a rectangle, square, circle, triangle or combination thereof encompassing the extreme limits of copy.

2. Freestanding.

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

Sec. 90-595 Sign Setbacks and Lighting.

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

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

B. Road Setbacks.

Except where expressly stated, signs shall meet the following requirements:

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

Signs shall conform to the following setbacks:

- a. Except as outlined in b, signs shall be setback as follows: ten (10) feet from the property line, as applicable.

b. Along the following roads, signs may be located within the right-of-way if a permit is obtained from VDOT, as may be applicable, provided the signs are setback ten (10) feet from the edge of the pavement or from the face of the curb, as applicable:

- i. James River Drive (SR 10) between the Hopewell corporate limits and Jordan Point Road (SR 106/156)
- ii. Oaklawn Boulevard (US 36) between the Petersburg corporate limits and the Hopewell corporate limits
- iii. County Drive (US 460) between the Petersburg corporate limits and Prince George Drive (SR 156)
- iv. South Crater Road (US 301) between the Petersburg corporate limits and east side of Interstate 95 at Exit 45

C. Sign Lighting.

1. Generally. Lighting shall be arranged and installed so that the light source is not visible from adjacent roads, adjacent R or MHR property, or adjacent A-1 or R-A property designated in the Comprehensive Plan for Residential Use.
2. External Lighting. External lighting shall be limited to white or amber lighting in spots or floods which are concealed or screened from view from the public right-of-way. If external lighting is used incidental building lighting shall not be considered external sign lighting.
3. Internal Lighting. Internal lighting shall be contained within translucent copy or internally illuminated sign boxes. Sign box internal lighting shall be restricted to the sign face. If internal lighting is used, external lighting shall not be permitted.

Sec. 90-596 Building Mounted Signs.

A. Nonresidential Use - Signs Generally.

1. If the side or rear lot line adjoins R or MHR property or A-1 or R-A property as designated in the Comprehensive Plan for residential use, no building mounted sign shall be visible from such property unless the sign is located a minimum of fifty (50) feet from such property.
2. Sign raceway colors shall match that of the building face on which the sign is mounted and as provided within the overall comprehensive sign package.
3. Building mounted signs shall not project above the building's roofline or parapet wall. A roofline or parapet wall shall not be artificially extended to accommodate signage on the building.

614 4. A projecting sign shall not extend more than thirty six (36) inches from the
615 building, roof, or canopy to which it is attached, exceed a face-to-face thickness
616 of eight (8) inches, or exceed the height of the fascia or parapet wall. The sign
617 shall be attached so as to maintain a minimum clearance of eight (8) feet above
618 grade.

619
620 5. Permitted building mounted signage may be placed on a drive-through canopy
621 fascia. The area of a drive-through canopy fascia shall be included in
622 determining total building mounted signage unless the color of the fascia is one
623 of the following colors, excluding the color of any sign copy: black, white, or a
624 significant color or significant accent color of the building.

625
626 **B. Other Nonresidential Use Building Mounted Signage.**

627
628 The following signs shall be permitted and shall not be included in the permitted
629 aggregate area of building mounted signs:

630
631 1. Door and Window Signs. Signs mounted on, or externally visible through, a door
632 or window, not to exceed the lesser of fifteen (15) square feet or twenty-five (25)
633 percent of the total door or window area on the face of the building through which
634 the sign is visible, shall be permitted, provided the view into the establishment
635 from the bottom half of the door or window is not obstructed.

636
637 2. Under Canopy Signs. One (1) under canopy sign not to exceed eight (8) square
638 feet shall be permitted in front of each tenant's main entrance.

639
640 **C. Residential Use - Signs Generally.**

641
642 1. Building mounted signs shall not project above the building's roofline or parapet
643 wall. A roofline or parapet wall shall not be artificially extended to accommodate
644 signage on the building;

645
646 2. Single family dwelling units or multifamily units with individual exterior entrances
647 shall be permitted one (1) square foot of signage for each unit; and

648
649 3. Multifamily units sharing a common exterior entrance shall be permitted four (4)
650 square feet of signage for each common entrance.

651
652 **Sec. 90-597 Freestanding Signs.**

653
654 **A. Generally.**

655
656 1. Sign Structure. Except for limited duration signs, freestanding sign structures
657 shall be either covered with a material as a monument-style base having a
658 similar color and finish to the principal building, be covered with a material and

659 color used elsewhere on the sign, or be an architectural detail such as a column
660 or a decorative wall.

661
662 2. Number. Except as permitted in elsewhere, properties or projects shall be limited
663 to one (1) free standing sign.

664
665 3. Mixed Use and Nonresidential Community properties having frontage exceeding
666 600 linear feet along a principal arterial road and more than one (1) entrance
667 from such road, the permitted freestanding signage along such road may be
668 shared among two (2) freestanding signs provide signs are separated a minimum
669 of 200 linear feet and placed at or near separate entrances.

670
671 4. Property fronting two (2) or more principal arterial or two (2) or more collector
672 roads shall be permitted along each road one (1) freestanding sign.

673
674 5. Area of Changeable Copy. Permitted sign area may be increased by twenty five
675 (25) percent for the purpose of including covered changeable copy, provided the
676 area of the changeable copy is limited to one-half or less of the total area of the
677 sign face; and where possible, should be covered to avoid being altered through
678 vandalism.

679
680 6. Freestanding Sign Landscaping. The base area of the freestanding sign shall be
681 landscaped with groundcover consisting of native flowers and shrubs that is also
682 consistent with the site landscaping and it shall be irrigated on a regular basis.

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

686
687 1. Mixed Use Community. One hundred (100) square feet in area and a height of
688 twenty (20) feet.

689
690 2. Nonresidential Community. One Hundred (100) square feet in area and a height
691 of twenty (20) feet.

692
693 3. Outparcel in a Nonresidential Community. Thirty-two (32) square feet in area and
694 a height of eight (8) feet.

695
696 4. Property Outside of a Nonresidential Community. One Hundred (100) square feet
697 in area and a height of twenty (20) feet.

698
699 5. Property in A-1, R-A, R, MHR with a Nonresidential Use, excluding a Farm Use,
700 twenty (20) square feet in area and a height of eight (8) feet. Properties along
701 primary arterials are permitted fifty (50) square feet in area and a height of fifteen
702 (15) feet.

6. Property in A-1 or R-A with a Farm Use. Thirty-two (32) square feet in area and a height of eight (8) feet. The sign square footage may be displayed in more than one (1) sign provided the total area of all signs does not exceed the permitted square footage and the signs may be limited duration signs for temporary events.

7. Residential Community Entrance. Thirty-two (32) square feet in area and a height of eight (8) feet. One (1) such sign shall be permitted for each road entrance into the community, provided that two (2) signs shall be permitted if each sign is attached to a decorative fence or wall located on opposite sides of the entrance, with each sign being limited to thirty-two (32) square feet in area.

8. Property in A-1, R-A, R, MHR with a Residential Use. Thirty-two (32) square feet and a height of eight (8) feet. Noncommercial signage may be provided in more than one (1) sign, provided that the aggregate area of all such signs shall not exceed thirty-two (32) square feet; with a maximum of one (1) such sign as a commercial sign not to exceed twenty (20) square feet and they may be limited duration signs.

Sec. 90-598 Additional Signs.

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

A. Freestanding Sign at Entrances to Properties in B and M Districts. Two (2) on-site signs, each not to exceed four (4) square feet and a height of five (5) feet, shall be permitted at each road entrance to a property. Signs shall be limited to two (2) colors, one for lettering and one for background. Lighting shall be limited to internal means.

B. Freestanding Signs at Entrances to Properties in B and M Districts Located Outside a Nonresidential Community that Share Access to a Road. Where two (2) establishments are required by VDOT to share access to a road, each establishment shall be allowed one (1) sign, either on or off-site, along the shared access. Each sign shall not exceed four (4) square feet and a height of five (5) feet.

C. Freestanding Off-Site Signs for Specific Public and Semi-Public Places. Assembly uses exceeding 10,000 gross floor area, hospitals on greater than twenty-five (25) acres, transit uses or other public uses without a direct entrance to a road shall be permitted one (1) off-site sign; and such sign shall not exceed seven (7) square feet and a height of seven (7) feet.

D. Drive-through Facility Stacking Lane Signs. Adjacent to each stacking lane, two (2) signs shall be permitted provided they are not legible from off-site. Signs shall be limited to fifty (50) total square feet in area and a height of six (6) feet.

E. Establishments Accommodating Orders from Parking Spaces or Fueling Stations. One (1) sign not to exceed four (4) square feet shall be permitted adjacent to each

parking space or fueling station. The sign shall be attached to columns supporting a canopy. The color of the sign box shall match the color of the column on which the sign is mounted.

- F. Fuel Dispenser Mounted Signs. Eight (8) square feet of signage, attached to, or immediately above, each fuel dispenser shall be permitted.

Sec. 90-599 Limited Duration Signs.

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

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

1. Noncommercial Freestanding Signs. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) noncommercial signs. Each sign shall not exceed thirty-two (32) square feet and eight (8) feet in height. Each sign shall be displayed for no longer than ninety (90) consecutive days. The display of such signs on each community or property shall be limited to a total of one hundred eighty (180) days within any calendar year.
2. Commercial Freestanding Signs on Occupied Property. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of eight (8) feet. Display of each sign shall be limited to sixty (60) consecutive days. Display of such signs by an individual tenant or owner shall be limited to a total of one hundred twenty (120) days within any calendar year. The Zoning Administrator may approve time extensions on property with vacancies or real estate for sale.
3. Building Mounted Banners on Nonresidential Community. A nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet, per season; with seasonal cycles being January to March, April to June, and July to September and October to December. Display of the banner shall be limited to ninety (90) consecutive days.
4. Building Mounted Banners on Property Outside of a Nonresidential Community or Outparcel within a Nonresidential Community. A property outside of a nonresidential community or outparcel within a nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet. Display of such banner shall be limited to a total of one hundred twenty (120) days within any calendar year.
5. Commercial Signs on Vacant Property. A vacant property shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a

height of eight (8) feet. A property fronting two (2) roads shall be permitted one (1) sign as described above on each road. Signs shall be removed at such time that the activity which it advertises ceases or directed by the Zoning Administrator for compliance purposes.

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

1. **Noncommercial Signs at Residential Community Entrances.** At each entrance into a residential community, one (1) noncommercial sign, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. Display of each sign shall be limited to sixty (60) days. Display of such signs on each community shall be limited to one hundred twenty (120) days within any calendar year.
2. **Banners for Nonresidential Use on Property not Occupied by a Residential Use.** On a property not occupied by a residential use, one (1) banner, not to exceed thirty-two (32) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted such signage along each road. Display of each banner shall be limited to sixty (60) consecutive days. Display of such banners on each property shall be limited to one hundred twenty (120) days within any calendar year.
3. **Commercial Signs on Vacant Property.** On a vacant property, one (1) sign, not to exceed sixteen (16) square feet and a height of eight (8) feet, shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Signs shall be removed at such time that the activity which it advertises ceases or as directed by the Zoning Administrator for compliance purposes.
4. **Noncommercial Signs on Vacant Property.** On a vacant property, one (1) sign not to exceed sixteen (16) square feet and a height of eight (8) feet shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Display of each sign shall be limited to one hundred twenty (120) consecutive days. Display of such signs shall be limited to one hundred twenty (120) days within any calendar year.
5. **Off-Site for Commercial Use of Limited Duration.** Three (3) off-site signs, each not to exceed six (6) square feet and a height of eight (8) feet, shall be permitted for a commercial use lasting for three (3) or fewer days on an R or MHR property or on A-1 or R-A property designated in the comprehensive plan for other than nonresidential use. One (1) such sign shall be displayed on a property. Display of signs shall be limited to forty-eight (48) hours prior to commencement, and forty-eight (48) hours after cessation, of the use or activity advertised.

Sec. 90-600 Nonconforming signs.

- A. Signs lawfully existing on the effective date of this chapter or prior ordinances, which do not conform to the provisions of this chapter, and signs which are accessory to a nonconforming use shall be deemed to be nonconforming signs and may remain except as qualified below. The burden of establishing nonconforming status of signs and of the physical characteristics/location of such signs shall be that of the owner of the property. Upon notice from the Zoning Administrator, a property owner shall submit verification that sign(s) were lawfully existing at time of erection. Failure to provide such verification shall be cause for order to remove sign(s) or bring sign(s) into compliance with the current ordinance.
- B. No nonconforming sign shall be enlarged nor shall any feature of a nonconforming sign, such as illumination, be increased.
- C. Nothing in this section shall be deemed to prevent keeping in good repair a nonconforming sign. Nonconforming signs shall not be extended or structurally reconstructed or altered in any manner, except a sign face may be changed so long as the new face is equal to or reduced in height and/or sign area.
- D. No nonconforming sign shall be moved for any distance on the same lot or to any other lot unless such change in location will make the sign conform in all respects to the provisions of this article.
- E. A nonconforming sign that is destroyed or damaged by any casualty to an extent not exceeding fifty (50) percent of its area may be restored within two (2) years after such destruction or damage but shall not be enlarged in any manner. If such sign is so destroyed or damaged to an extent exceeding fifty (50) percent, it shall not be reconstructed but may be replaced with a sign that is in full accordance with the provisions of this article.
- F. A nonconforming sign, which is changed to become conforming or is replaced by a conforming sign, shall no longer be deemed nonconforming, and thereafter such sign shall be in accordance with the provisions of this article.
- G. A nonconforming sign structure shall be removed if the use to which it is accessory has not been in operation for a period of two (2) years or more. Such sign structure shall be removed by the owner or lessee of the property. If the owner or lessee fails to remove the sign structure, the Zoning Administrator or designee shall give the owner thirty (30) days written notice to remove it. Upon failure to comply with this notice, the Zoning Administrator or designee may enter the property upon which the sign is located and remove any such sign or may initiate such action as may be necessary to gain compliance with this provision. The cost of such removal shall be chargeable to the owner of the property.

SIGN ORDINANCE OPEN PUBLIC HEARING

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Timeline

- ▣ February 2019 - Planning Commission Public Hearing
- ▣ April 2019 - Community Meeting
- ▣ May 2019 - Board Work Session
- ▣ July 2019 - Board Public Hearing
- ▣ February 2020 - Subcommittee Meetings
- ▣ July/August 2020 - Planning Commission Review
- ▣ September 2020 - Board Work Session
- ▣ November 2020 - Virtual Open House for Businesses
- ▣ November 2020 - Planning Commission Public Hearing

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Proposed Sign Ordinance Purpose

1. Eliminate "Content" based sign rules making all signs equal under the law
 - Words such as church signs or commercial signs need to be removed from zoning ordinance
1. Provide enhanced standards for signage per Comprehensive Plan Goal and consolidate sign regulations into one section of the Zoning Ordinance

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Content Based Language Removed

1. Business Sign
2. Directional Sign
3. General Advertising Sign
4. Home Occupation Sign
5. Location Sign
6. Church Bulletin and Identification Sign
7. Nonbusiness Directional Sign

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

New Sections related to Signage


1. Definitions	7. Sign Setbacks and Lighting
2. General Description and Intent	8. Building Mounted Signs
3. Prohibited Signage	9. Freestanding Signs
4. Sign Permits	10. Additional Signs
5. Signs not requiring permits	11. Limited Duration Signs
6. General Regulations	12. Nonconforming Signs

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Not Affected by Sign Ordinance

1. Christmas and Holiday Decorations
2. Traffic and Public Safety Signage
3. Public Art and Large Wall Murals
4. Window Displays
5. Scoreboards



November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Sign Ordinance Prohibits:

1. New Billboards
2. Vehicles as Signs
3. People as Signs



November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Existing Permitted Signs Are Considered Nonconforming




November 19, 2020

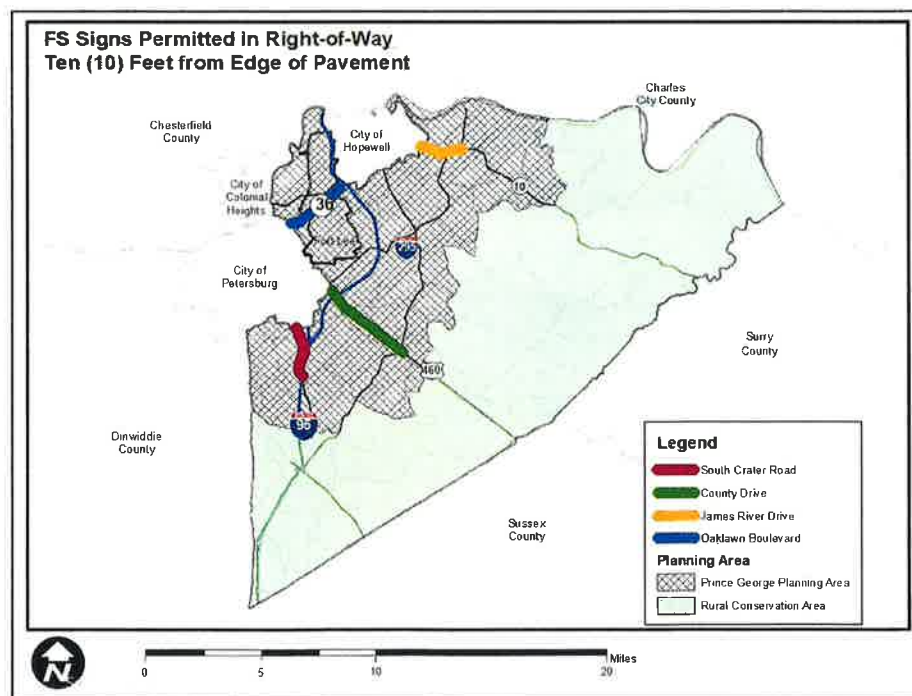
DRAFT SIGN ORDINANCE AMENDMENT

Freestanding Signage Setbacks

- ▣ Current Setbacks – 20 feet from Right-of-way
- ▣ Proposed Setbacks
 - 10 feet from Right-of-way
 - 10 feet from pavement in special areas



November 19, 2020



DRAFT SIGN ORDINANCE AMENDMENT

Other Proposed Changes

- ❑ Electronic Message Center (EMC) Signs
- ❑ Sign Design: Monument Style Base and Sign Reface requirements with new use

November 19, 2020

DRAFT SIGN ORDINANCE AMENDMENT

Questions



November 19, 2020

November 10 Meeting Recap

BOS Approves Second Solar Energy Facility Under New Policy

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

At its November 10 meeting, the Board held a public hearing and approved by a four to one vote with Mr. Hunter, Mr. Carmichael, Mr. Brown and Mr. Webb in favor and Mrs. Waymack opposed, a special exception for a 60 MW large-scale solar energy facility on a 1,071+/- acre parcel in an R-A, Residential-Agricultural Zoning District to Warwick PVI, LLC. The property is located along Alden and Arwood Roads in the Templeton Magisterial District. The applicant has agreed to additional conditions as required by the adopted Solar Energy Facility Siting Policy. Staff and the Planning Commission recommended approval to the Board as the request is consistent with the Comprehensive Plan. The application was received prior to the adoption of the Solar Facility Siting Policy, however, the applicant has voluntarily amended the application to comply with the policy.

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

- Received a utilities report regarding the new elementary school.
- Received a report on a Circuit Courtroom proposal.
- Approved on consent and presented a commendation to Jacob Lively for attainment of the Eagle Scout Award.
- Approved on consent and presented a commendation to Gavin McGee for attainment of the Eagle Scout Award.
- Approved on consent and presented a commendation to Reece Weber for attainment of the Eagle Scout Award.
- Approved on consent and presented a commendation to Fire Medic Bruce G. Adams for his service to Prince George County.
- Approved on consent a commendation to Deputy Sheriff Edwin M. Betts III for his service to Prince George County.

- Approved on consent an appropriation and transfer from General Fund Contingency in the amount of \$29,600 for FEMA Port Authority Grant funds and transfer from General Fund Contingency in the amount of \$9,867 for a local match.
- Received a maintenance report from the Virginia Department of Transportation.
- Received an update on CARES Funding.
- Received a General Assembly update.
- Unanimously postponed to December 8 a resolution accepting a land exchange agreement between the County and James R. Jones.
- Unanimously approved an award of term contracts for architectural and engineering services and project management services.
- Unanimously approved an award of contract with Verizon Wireless through GSA Contract #GS-35F-0119P for the purchase of wireless telephone services.
- Unanimously approved an award of contract in the amount of \$62,964.86 for County Fire Department and Emergency Crew Building entrance upgrade projects with Dominion Lock & Security.
- Discussed Christmas lights and decoration for the 2020 season.
- Unanimously approved an authorization for a public hearing for State Compensation Board funded \$500 bonus for Sheriff and Sheriff Deputies.
- Unanimously approved four appointments to the Industrial Development Authority.
- Unanimously approved one recommendation for appointment to the Circuit Court for the Board of Equalization of Assessments.