

1

Agenda

2

Draft Minutes August 26, 2021

3

Rezoning Case RZ-21-04

4

Special Exception Case SE-21-06

5

Ordinance Amendment OA-21-01

6

Battery Storage Facilities
Draft Ordinance

7

Private Roads Draft Ordinance

8

Communications

AGENDA

Planning Commission
County of Prince George, Virginia
Business Meeting: Thursday, October 28, 2021
County Administration Bldg. Boardroom, Third Floor
6602 Courts Drive, Prince George, Virginia

Business Meeting 6:30 p.m.

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 via Zoom –

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

Meeting ID: 505 385 1421

Password: 200726

One tap mobile

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

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+1 669 900 6833 US (San Jose)

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 October 28, 2021 shall be entered into the meeting minutes.

CALL TO ORDER - Chairman Brown

Roll Call - Clerk

INVOCATION

PLEDGE OF ALLEGIANCE TO THE U.S. FLAG

PUBLIC COMMENTS - Chairman Brown

DIRECTOR'S COMMENTS – Julie Walton

ADOPTION OF AGENDA [1] - Chairman Brown

ORDER OF BUSINESS - Chairman Brown

A-1. Approval of Meeting Minutes – August 26, 2021[2]

PUBLIC HEARING - Chairman Brown

- P-1. REZONING RZ-21-04:** Request of Dwight Nelson Cunningham to rezone 6.8 acres from M-1, Limited Industrial to M-2, General Industrial. The subject parcel is located on the west side of Chudoba Parkway where it begins to parallel Interstate 295 and is identified as Tax Map 340(19)00-001-0. The Comprehensive Plan indicates the property is suitable for industrial uses. [3] – **Tim Graves, Planner**
- P-2. SPECIAL EXCEPTION SE-21-06:** Request of Jaime Pennington pursuant to Prince George County Zoning Ordinance Section 90-243 (6) to permit a home occupation in an accessory building in a R-2, Limited Residential District, for the purpose of conducting a therapeutic massage business in an existing 12x15' accessory building. The subject property is approximately 4.13 acres in size, located at 7106 Courthouse Road, and is identified as Tax Map 240(05)00-00B-0. The Comprehensive Plan indicates the property is suitable for Village Center uses. [4] – **Andre Greene, Planner**
- P-3. ORDINANCE AMENDMENT OA-21-01: ITEM WITHDRAWN -**
~~Ordinance to amend “The Code of the County of Prince George, Virginia” § 90-1. Definitions to define the term “Townhouse”, and to amend Chapter 90, Article VI. R-2, Limited Residential District and Article VII. R-3 General Residential District to permit townhouses by special exception under appropriate conditions and provided the development consists of at least 24 dwelling units and public water and sewer service are available, and to define parameters for townhouse lots, such as lot area, yards and setbacks, frontage, and building heights. [5]~~

REPORTS [6] – Staff

R-1. Battery Storage Facilities - Draft Ordinance [6] – Julie Walton, Director

R-2. Private Roads Draft Ordinance [7] – Tim Graves, Planner

COMMUNICATIONS [8] - Tim Graves, Planner

- A. Actions of the Board of Zoning Appeals
- B. Actions of the Board of Supervisors
- C. Upcoming Cases

ADJOURNMENT - Chairman Brown

DRAFT MINUTES
Planning Commission
County of Prince George, Virginia

August 26, 2021

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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+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+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, August 26, 2021 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Floyd Brown, Sr., Chairman.

ATTENDANCE. The following members responded to Roll Call:

Mr. Simmons	Present
Mrs. Elder	Present (via phone from 10409 Old Stage Road)
Mr. Bresko	Present
Mr. Joyner	Present
Mr. Easter	Present
Mr. Brown	Present
Mr. Brockwell	Present (via phone from 19915 Halifax Road)

Also present: Julie C. Walton, Director, Dan Whitten, County Attorney, Cliff Young, Director of IT, Tim Graves, Planner I and Missy Greaves-Smith, Administrative Support Specialist II

INVOCATION. Mr. Easter provided the Invocation.

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

PUBLIC COMMENT PERIOD. Before opening the Public Comment Period, Mr. Brown announced that SE-21-04, the request of Angela & Donald Pruett, for a home occupation dog grooming business, had been withdrawn by the applicants. The advertised Public Hearing for this case would not be heard.

At 6:33 p.m., Mr. Brown opened the Public 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 present or on Zoom indicating they wished to speak, the Public Comment Period was closed at 6:34 p.m.

ADOPTION OF MEETING AGENDA. Mr. Brown asked the Commissioners for a motion to approve the meeting Agenda for the August 26, 2021 Planning Commission. Mr. Joyner made a motion to approve the meeting Agenda and Mr. Easter seconded the motion.

Roll Call:

In favor: (7) Simmons, Brown, Elder, Joyner, Bresko, Easter, Brockwell

Opposed: (0)

Absent: (0)

OLD BUSINESS.

A-1. APPROVAL OF THE MEETING MINUTES. Mr. Brown asked the Commissioners to review the July 22, 2021 Minutes of the Planning Commission for approval. Mr. Simmons made a motion to approve the July 22, 2021 Minutes as presented and Mr. Bresko seconded the motion.

Roll Call:

In favor: (7) Simmons, Brown, Joyner, Bresko, Easter, Elder, Brockwell

Abstain: (0)

Absent: (0)

NEW BUSINESS.

P-1. REZONING CASE AMENDMENT RZ-21-02: Request of C & C Packaging Systems LLC pursuant to § 90-788, Change of Approved Conditions, to amend proffered conditions 2 and 3 of Zoning Case ZM-95-001 relative to the permitted uses and outside storage on the M-2, General Industrial zoned parcel, by changing the permitted use to "Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors", pursuant to section 90-492(5), to permit a general contractor office and the fabrication of metal roofing materials, and to allow exterior storage. The subject property is located at 5050 Prince George Drive and is identified as Tax Map 240(13)00-002-0.

Mr. Graves presented to the Commissioners an aerial view slide for directional reference. He shared a slide illustrating the different zonings of the surrounding properties near the location on Prince George Drive.

Details of the background of the parcel included:

In 1990:

- Subject property (incl. adjacent lots) rezoned from A-1 to M-2 (ZM-90-006)

In 1995:

- Zoning conditions changed, including change of use (ZM-95-001)

In 2021:

- Landen Strapping Corporation wants to sell to a new user for a different land use – Muller Builders, LLC

The applicant, Mueller Builders, LLC, is looking to purchase this property to expand their general contractor's business. They would also like to include the fabrication of metal for roofing and have outside storage for material and equipment. The applicant is requesting to amend zoning conditions to permit the desired activities.

Mr. Graves explained that the appropriate permitted use is referenced as "Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors." No change of zoning district, only change of use is needed. Future owners or occupants may need to return to the PC and BOS for approval. If this request is granted, outside storage should be behind fences or otherwise suitably screened. This proposed use is compatible with the comprehensive plan and the surrounding area based on this specific proposed use, with conditions.

Staff and the review team were given the opportunity to review the request and send comments. Mr. Graves highlighted the comment from VDOT stating, "The proposed amendments do not appear to affect site access or VDOT requirements for site access." He also noted that all other comments were presented in the Staff Report.

Mr. Graves reviewed the Recommended Conditions and the Changed Conditions:

- ~~2. Operation to be repair and sale of strapping machines, parts, and supplies.~~ The use of the property shall be limited to 90-492(5): "Contractors' equipment storage yard or plant or rental of equipment commonly used by contractors", including a contractor's office and the fabrication of metal roofing materials.
- ~~3. No exterior storage.~~ Outside storage of materials and equipment such as non-enclosed utility trailers or motorized equipment shall be screened within an area enclosed on all sides by visually opaque fencing or other durable construction material at least six feet in height, or otherwise in accordance with the development standards of the Zoning Ordinance.
- ~~5. Any development on Lots 1 and 3 will be submitted to the County Board of Supervisors prior to use.~~ [Removed because this request (RZ-21-02) does not apply to Lots 1 and 3, which are separate tax parcels/lots.]

Mr. Graves noted that the full list of conditions were stated in the Staff Report and the Draft Ordinance. He specified staff recommended approval, subject to the recommended conditions based on the following:

- The requested use appears to be compatible with the current and future planned surrounding uses
- Modified conditions recommended
- No negative feedback from community

Mr. Simmons asked for clarification on the type of business the contractor conducted. Mr. Graves introduced Mr. Charles Dane with Mueller Builders, LLC. Mr. Dane stated the business is currently located in Chesterfield County. This new location would give the company the opportunity to expand their \$10 million per year business to Prince George County. Muller Builders, LLC is a general contractor that builds houses, additions, siding, roofs, etc. The business does not have bulldozers or large equipment. They do have enclosed trailers that would be keep in the fenced area.

Mr. Dane stated they were in agreement with all of the conditions recommended by staff. He thanked the Commissioners for their consideration and hoped to purchase the property and have the business moved to the new location by the first of the year.

Mr. Brown asked the applicant why the business was looking to move from Chesterfield to Prince George. Mr. Dane explained to the Commissioners that the company has outgrown their current location and they want to be able to expand the roofing fabrication part of the business. The size of the current building did not allow for such growth. Mr. Dane also stated that the traffic congestion on Route 10 had become very difficult.

At 6:53 p.m., Mr. Brown opened the Public Hearing to anyone who wished to speak for or against RZ-21-02. Citizens were asked to limit their comments to three (3) minutes.

With no one coming forward and no one on Zoom indicating they wished to speak, the Public Hearing closed at 6:54 p.m.

Mr. Brown asked the Commissioners if they had any additional questions or comments. Mr. Brown asked for a motion to be presented.

Mr. Simmons made a motion to forward request RZ-21-02 to the Board of Supervisors with the Planning Commission's recommendation for approval, subject to the recommended conditions in the Staff Report. This motion was seconded by Mr. Brockwell.

Roll Call:

In favor: (7) Simmons, Brown, Elder, Joyner, Bresko, Easter, Brockwell

Opposed: (0)

Absent: (0)

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

1. CIP Committee Update
 - a. The BOS has decided to pause the CIP Committee for this year. They still will be looking into immediate needs and requests.
2. Actions of the Board of Zoning Appeals (BZA)
 - a. July 26th - BZA approved a special exception to allow up to seven (7) dogs on a property less than one (1) acre located at 3404 Tavern Road.
 - b. August and September BZA meetings have been cancelled due to no cases
3. Actions of the Board of Supervisors (BOS)
 - a. August 10th - SE-21-03 BOS approved a home occupation in an accessory building for online sales located at 8910 Old Stage Road.
 - b. August 25th - Staff attended the BOS Work Session and presented:
 - i. Battery Storage Facilities for standalone solar facilities
 - ii. Growth in Residential Area
 - iii. Strategic Plan for Exit 45
 - c. September 13th – Work Session - Staff will present a draft ordinance for private roads

Mr. Easter asked staff if electric car charging stations are covered under general refilling stations regulations. Mrs. Walton stated that charging stations are regulated by the Building Code and are required to have a building permit and to be inspected.

ADJOURNMENT. At 7:03 p.m., Mr. Brown asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mr. Bresko made a motion to adjourn and Mr. Easter seconded the motion. Roll was called on the motion.

In favor: (7) Simmons, Brown, Elder, Joyner, Bresko, Easter, Brockwell
Absent: (0)

REZONING REQUEST -- RZ-21-04
PLANNING COMMISSION STAFF REPORT – October 28, 2021

RESUME

APPLICANT:

Dwight Nelson Cunningham

PROPERTY OWNER:

Dwight Nelson Cunningham

REQUEST:

Rezone 6.8 acres from M-1 to M-2 in order to permit an automotive repair garage initially, and additional speculative building development in the future

STAFF RECOMMENDATION:

Staff recommends Approval, subject to 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 Application with attachments
6. APO letter, map, list, newspaper ad
7. Powerpoint Presentation

Sample Motions

Sample APPROVAL Motion:

"I move to forward request RZ-21-04 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 _____

(OPTIONAL): I would recommend approval if the following items are addressed / conditions are added:

Sample DENIAL Motion:

I move to forward request _____ to the Board with a recommendation for DENIAL and the reason(s) for this recommendation are:

Sample Motion to POSTPONE:

I move to POSTPONE request _____ until _____ to allow _____.
(DATE) (ACTION/EVENT)

County of Prince George, Virginia

DRAFT Ordinance

REZONING RZ-21-04: Request of Dwight Nelson Cunningham to rezone 6.8 acres from M-1, Limited Industrial to M-2, General Industrial. The subject parcel is located on the west side of Chudoba Parkway where it begins to parallel Interstate 295 and is identified as Tax Map 340(19)00-001-0. The Comprehensive Plan indicates the property is suitable for industrial uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Rezoning Application identified as RZ-21-04 is granted as an amendment to the official zoning map with the following conditions:

1. Retain or establish vegetated buffer yards at the southwest corner of the property and along Chudoba Parkway, in conformance with the conceptual plan included with the application, and in conformance with any additional applicable design standards in the Zoning Ordinance.
2. Development of the property is limited to permitted uses within structures, in conformance with the conceptual plan submitted with the application. Exterior storage is prohibited unless completely screened from view of parking areas, adjoining properties and roads by fences or walls attached to buildings.
3. Entrance via F342 is restricted to emergency services and non-commercial vehicles.

Adopted on _____, 2021 and becoming effective immediately.



PLANNING COMMISSION STAFF REPORT

Public Hearing October 28, 2021

RZ-21-04: Rezone from M-1 to M-2 (New Visions Industrial Park)

Applicant: Dwight N. Cunningham (Agent: Dean Hawkins)

Case Manager: Tim Graves - (804)722-8678

I. Request

Rezone 6.8 acres from M-1 to M-2 in order to permit an automotive repair garage initially, and additional speculative building development in the future.

II. Property

Address: N/A - Intersection of Chudoba Parkway & Frontage Road
Tax Map: 340(19)00-001-0

Zoning District: M-1

Current Use: Vacant

Site Size: 6.8

Comp Plan Land Use: Industrial

Legal Owner: Dwight N. Cunningham

Planning Area: PG Planning Area

RE Taxes Paid?: Yes for 2021

Previous Zoning Cases: ZM-00-001
(inactive)

Figure 1: Aerial view of request area



Figure 2: Street View (Aug. '21)



III. Meeting Information

Planning Commission Public Hearing: October 28, 2021

Board of Supervisors Public Hearing: November 23, 2021 (Tentative)

IV. Background

The property was rezoned to M-2 in 2000 to permit contractor sales and assembly. The conditions provided that if the property was not used for the planned purpose, it would revert to an M-1 designation. The zoning later reverted to M-1 in accordance with the conditions.

V. Applicant Proposal

The applicant, Mr. Cunningham proposes to rezone 6.8 acres from M-1 to M-2 to enable his automotive restoration shop to relocate to Prince George County from its current location in Chesterfield County. The business specializes in customization and restoration of vintage automobiles, with all work conducted entirely within the planned buildings. After his business is established on the property, he intends to build additional speculative buildings for additional users to locate in the industrial park in the future.

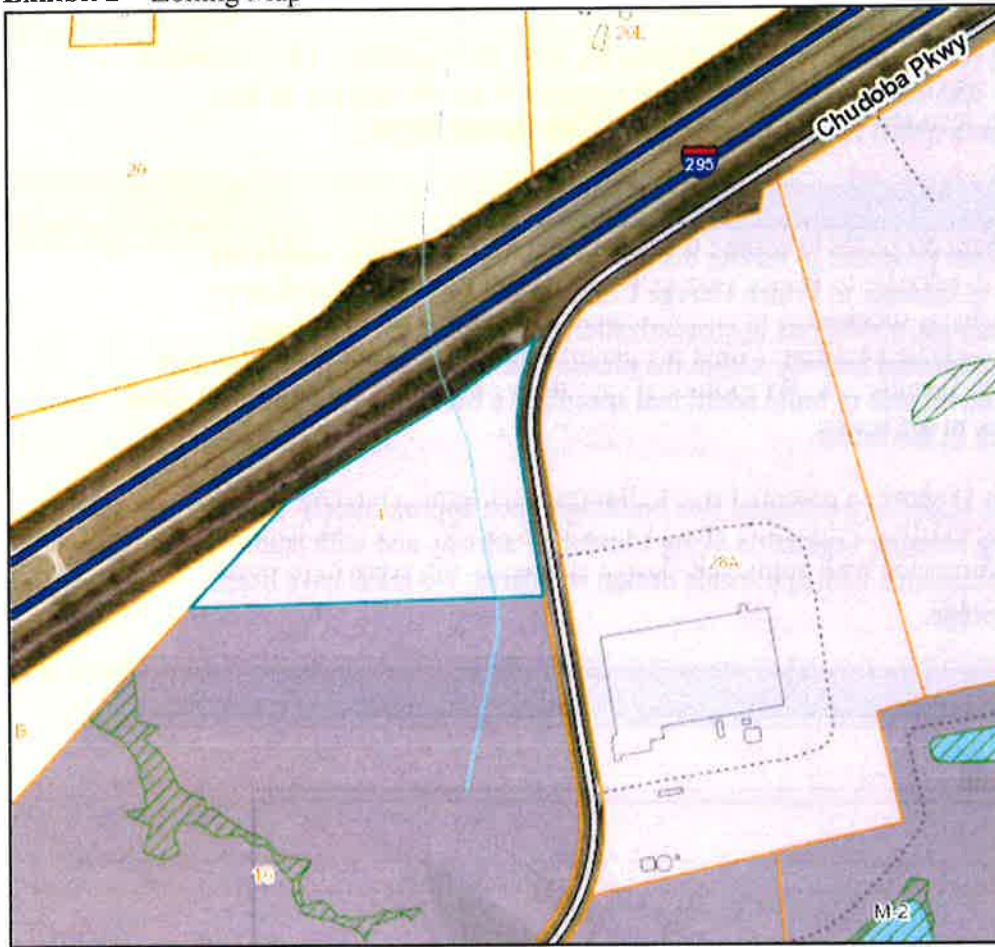
The conceptual plan (Exhibit 1) shows a potential five buildings, each approximately 12,000 square feet in size, preserving existing vegetation along Chudoba Parkway and with landscaped parking areas in general conformance with applicable design standards. No areas have been identified for any exterior storage.

VI. Exhibits

Exhibit 1 – Conceptual Layout



Exhibit 2 – Zoning Map



VII. Planning and Zoning Review Comments

1. Applicable zoning cases: N/A – No active cases or conditions apply.
2. Zoning Ordinance Comments regarding the proposed land uses and buildings:
 - a. The applicant has identified Sec. 90-492(2) as the first permitted use to occur on the property in the first building. This use is enumerated as follows: *“Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping.”* I agree that this is the appropriate designation for the activities described in the applicant statement.
 - b. The remaining buildings shown on the Site Plan are speculative. If this request is approved, any future occupants of buildings on the property could engage in any of the uses permitted by-right in the M-2 zoning district.
3. Subdivision Ordinance Comments: The application states that individual buildings may be sold. Buildings may be sold as condo parcels after filing the appropriate documentation, however the site layout may need to be revised in order to meet subdivision requirements for separate lots.
4. Site Plan comments: A Site Plan review will be required prior to construction of the first and any subsequent buildings. It is recommended to include all buildings on the proposed Site Plan, with phasing information. The Site Plan will be reviewed for conformance with all applicable development requirements and design standards.
5. Comments on potential community impacts:

- a. Surrounding zoning districts: Surrounding zoning districts on the south side of Interstate 295 are M-1 and I-2. This request appears to be compatible with the surrounding zoning.
 - b. Surrounding land uses: Surrounding land uses are industrial and vacant. This request appears to be compatible with the surrounding zoning.
 - c. Traffic impact: This development would increase traffic on Chudoba Parkway and connecting roads, consistent with the continued industrial park development in this area.
 - d. Visual impact: The proposed development would result in relatively small-scale industrial/flex buildings and would not be out of context with its industrial surroundings.
6. Comments on compatibility with the Comprehensive Plan:
- a. Future Land Use Map: The map designates this area as appropriate for industrial
 - b. Impact on County transportation system / TIA required?: VDOT has stated that a Chapter 527 TIA is not required.
 - c. Overall compatibility with the comprehensive plan: This request appears to be compatible.
7. Possible conditions:
- a. Retain or establish a vegetated buffer yard at the southwest corner of the property and along Chudoba Parkway, and elsewhere as needed to screen permitted uses from rights-of-way and any non-industrial zoning district, in conformance with the conceptual plan included with the application.
 - b. Prohibit exterior storage in conformance with the conceptual plan.
 - c. Restrict access to F342 as requested by VDOT.

VIII. Supplemental Staff Review Comments

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

- 1. VDOT has reviewed the submitted application to determine if a Chapter 527 Traffic Impact Analysis (TIA) is required. Based upon the information contained in the submitted application, the conceptual plan and current ADT numbers for adjacent roadways, a Chapter 527 TIA is not required.
- 2. No trip generation or turn lane warrant analysis were included with the zoning application. Right and left turn lanes will be required if warranted at the site connection to SR 730 or F342.
- 3. A commercial entrance meeting VDOT standards will be required for access to the site from state maintained roadways.
- 4. F342 is currently a gravel road and has few users on the roadway. VDOT is recommending that the applicant consider removing the proposed connection to F342. VDOT would support an entrance that would be access controlled for emergency services or that does not provide primary access to the site.

Economic Development – Stacey English, Economic Development Specialist

This property is in an Enterprise Zone and is eligible for applicable incentives, including a rezoning fee waiver. (PNZ Staff Note: The rezoning fee was waived because the investment is projected to be more than \$250,000).

The departments below reviewed this request and had no comments.

Building Inspections Division – Charles Harrison III, Interim Building Official

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

Utilities Department - Frank Haltom, Director of Engineering and Utilities

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

Fire & EMS Department – Shawn Jones

Environmental Division - Angela Blount, Environmental Program Coordinator

Police Department / Sheriff's Department - Chris Douglas

Commissioner of Revenue – Linda Howard, Deputy License Inspector

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 and agreed with the conditions recommended by Staff.
- No comments from the community were received prior to finalizing this report.

X. Staff Recommendation

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. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions 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. Retain or establish vegetated buffer yards at the southwest corner of the property and along Chudoba Parkway, in conformance with the conceptual plan included with the application, and in conformance with any additional applicable design standards in the Zoning Ordinance.
2. Development of the property is limited to permitted uses within structures, in conformance with the conceptual plan submitted with the application. Exterior storage is prohibited unless completely screened from view of parking areas, adjoining properties and roads by fences or walls attached to buildings.
3. Entrance via F342 is restricted to emergency services and non-commercial vehicles.



REZONING 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 #:

R7-21-04

DATE SUBMITTED

AUG 20 2021

BY: TWG

APPLICANT FILL-IN ALL BLANKS

REQUEST DETAILS

REQUEST: REZONE FROM M-1 TO M-2

REQUEST PROPERTY ADDRESS / LOCATION: CHYDOBA PARKWAY & PRONTAGE ROAD (F 342)
(S.R. 730)

REQUEST TAX MAP(S): (List all)

340 (19) 00 -001 -0

AFFECTED
ACREAGE:

6.80 AC

ENTIRE PARCEL?:
(Y / N)

Y

CURRENT
ZONING:

M-1

PROPOSED
ZONING:

M-2

REQUIRED ATTACHMENTS: (Check if Attached; * = Required)

☒ APPLICANT STATEMENT* (Specify goals, details, etc.)

☒ SURVEY OR LEGAL DESCRIPTION OF REZONING
REQUEST AREA (If different than recorded lot)

☐ PROPOSED CONDITIONS / PROFFER STATEMENT

☒ CONCEPTUAL SITE PLAN*

(Show any planned improvements; Use GIS or Engineer Drawing)

☐ ADDITIONAL ATTACHMENTS:

☐ COMMUNITY MEETING SUMMARY

LEGAL OWNER

NAME(S): DWIGHT NELSON CUNNINGHAM

MAILING ADDRESS (Incl. City, State, Zip)

9629 JEFFERSON DAVIS HWY.
NORTH CHESTERFIELD, VA 23237

E-MAIL:

1MAHIC@MSN.COM

PHONE:

(804) 921-2975

APPLICANT CONTACT

NAME(S) (If different than owner):

DEAN E. HAWKINS, L.A.

RELATION TO OWNER:

LANDSCAPE ARCHITECT CONSULTANT

MAILING ADDRESS: (Incl. City, State, Zip)

5741 ELFINWOOD ROAD, CHESTER, VA 23831

E-MAIL:

DEHAWK4@COMCAST.NET

PHONE:

(804) 748-6519

OFFICE USE ONLY (Completed at time of application)

COMMENTS:

PAYMENT

FEE DUE:

Rezoning: \$1,050 + [See Fee Schedule]
Amend Existing Zoning Case: \$1,050

FEE PAID:

N/A - Enterprise Zone

PAYMENT TYPE:

CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

N/A

DATE RECEIVED:

N/A

RECEIVED BY:

TWG

Investment > \$250,000
Fee waived.

APPLICANT 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:

Dwight N Cunningham

NAME:

SIGNED:

[Signature]

SIGNED:

DATE:

8/18/2021

DATE:

NOTARIZATION:

STATE OF VIRGINIA

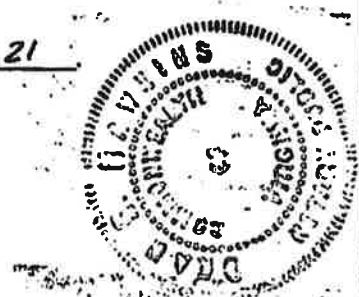
COUNTY OF: CHESTERFIELD

Subscribed and sworn before me this 18 day of AUGUST, 20 21

Don E. Hawkins

Notary Public COMM. # 262315

My Commission expires: 30 APRIL, 20 22



AFFIDAVIT



Dean E. Hawkins

Landscape Architects & Land Development Planners

20 August 2021

Mr. Tim Graves, Planner I
Department of Planning & Community Development
County of Prince George
P.O. Box 68
Prince George, VA 23875

RE: New Visions Industrial Park

Dear Mr. Graves:

Thank you and the other members of the Prince George County Development Review Team for meeting with me and Nelson Cunningham last week to discuss the above referenced project. This project will be constructed, probably on phases, to initially house the relocation of Mr. Cunningham's existing business, New Visions Auto, from its current location in Chesterfield County.

His current business is focused on automotive restoration. Far from a normal automotive body shop, he specializes in the detailed and high end work of automotive services for the creation of personalized, customized and restoration of vintage automobiles. The results of his work are ordered and coveted by car collectors and car show enthusiasts. The work Mr. Cunningham provides will be conducted entirely within the planned building(s), with even the incoming vehicles awaiting treatment being stored inside to assure their security and protection from vandalism and the elements.

The site masterplan shows a possible five (5) buildings, each containing up to 12,000 SF in area. The occupancy of the buildings, other than that for New Visions Auto, will be speculative on an as needed basis. The additional buildings may be leased or sold. If they are ever sold, the development will be designed to share in the use of public utilities, drainage, parking and access through private on-site easements and agreements enuring to each owner on each individually created parcel. The development of the project should carry a value on average of about \$750,000 per building, with the initial outlay for the the first building being higher than this amount due to initial site work serving the entire property. Costs for each subsequent building will be slightly lower due to them sharing initial expenses and facilities incurred for the first structure.

The five buildings on the site will have two points of access, a secondary one onto the existing VDOT Frontage Road (F-342) along Veterans Memorial Highway (I-295) and a primary access point onto Chudoba Parkway (State Route 730). These two new vehicular entrances to the proposed development will be designed, placed and constructed to VDOT standards with their number kept at a minimum to serve the five buildings. These points of access will ensure that emergency access for safety and a minimization of access conflict points will be provided for several potential parcels.

The current zoning of the property is Limited Industrial (M-1). The anticipated use of the site by New Visions Auto, per the Prince George County Zoning Ordinance, requires General Industrial (M-2) as enumerated in Sec 90-492.(2). More about the requested rezoning I know will be discussed in the forthcoming Staff Report and Public Hearings for the project.

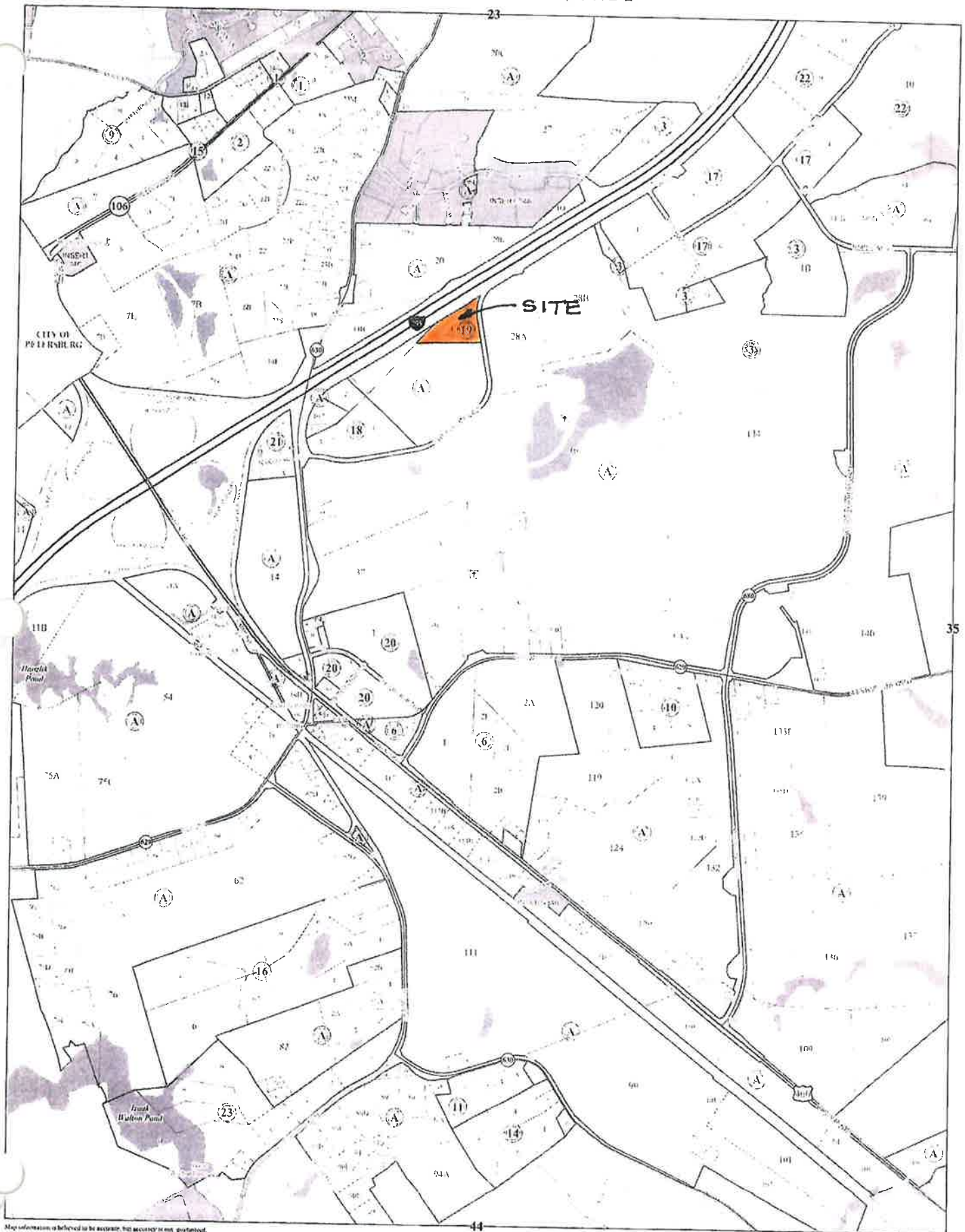
The site contains wetlands and a perennial stream. Some the wetlands will need to be impacted and the appropriate permits and approvals to do so will be obtained prior to your final approval of the site plan. There are also drainage considerations regarding the pre vs. post development drainage runoff volume with regards to the Virginia Runoff Reduction Method requirements. The impact of the development on the culvert under I-295 will be analyzed for the 50-Year Frequency Storm event. All of these items will be mitigated on site or by the purchase of offset credits as needed.

Again, thank you and the other staff for your meeting with us and your input. We feel that the submission of the site plans for this development will provide an economic boost to the county and provide a place for new or relocating businesses choosing Prince George County. Please provide me with any continued questions or comments as we move through the approval proces for rezoning and site plans for connstruction.

Yours truly,


Dean E. Hawkins, L.A.

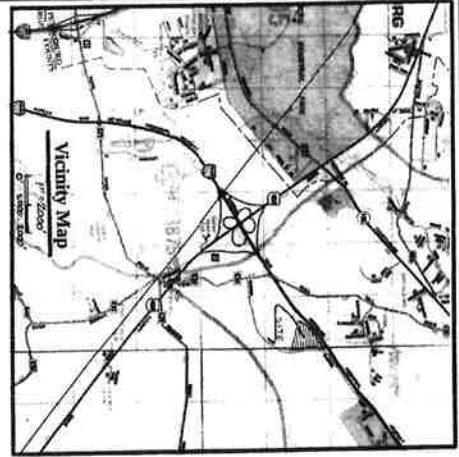
PRINCE GEORGE COUNTY



Map information is believed to be accurate, but accuracy is not guaranteed. Any errors or omissions should be reported to the Prince George County Assessor's Office. In no event will Prince George County be liable for damages or other pecuniary loss that may occur from the use of this data.

1" = 600'
600 300 0 600 1,200 1,800 Feet

SECTION 34
January 4, 2021



Korean War Veterans Memorial Highway
(Interstate 295)
(Via the Windy Railroad Way)

Project Planning Team
P.O. Box 1000
1701 Lee Highway
720 Land Surveying, Inc.
P.O. Box 1000
P.O. Box 1000
P.O. Box 1000

Chudoba Parkway
(60' Right-of-Way)

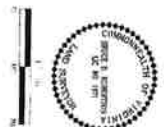
Original Station Coordinates
Established in 1977
The Stationing is based on
the stationing of the
roadway as shown on the
plan.

Bill Smith Company, LLC
1701 Lee Highway
720 Land Surveying, Inc.
P.O. Box 1000
P.O. Box 1000
P.O. Box 1000

Existing Site Conditions Plan



Bruce Robertson Land Surveying, P.C.
1701 Lee Highway
720 Land Surveying, Inc.
P.O. Box 1000
P.O. Box 1000
P.O. Box 1000



1701 Lee Highway
720 Land Surveying, Inc.
P.O. Box 1000
P.O. Box 1000
P.O. Box 1000

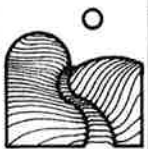


Project No. 2104-02
Scale: 1" = 40'
Date: 1/1/2021

Client Title: Existing Site Conditions Plan
Project Name: New Visions Industrial Park
Prince George County,
Virginia



Dean E. Hawkins, ASLA
Landscape Architects & Land Development Planners
3741 Glenwood Road
Chesapeake, VA 23831
Telephone: (800) 748-6514
Fax: (800) 748-6514
E-Mail: deanhawkins@earthlink.net
Web: www.deanhawkins.com



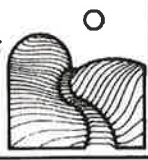


Project No. 8104-02
 Scale: 1" = 40'
 Sheet No. 4

Owner Title: Preliminary Site Plan
 Project Name: New Visions Industrial Park
 Prince George County, Virginia



Dean E. Hawkins, ASLA
 Landscape Architects & Land Development Planners
 5741 Homestead Road - Chesapeake, VA 23061
 Telephone: (757) 768-6111
 Fax: (757) 768-6111
 Mobile: (757) 224-4101
 E-Mail: deanhawkins@comcast.net
 Web: http://deanhawkins.com





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

October 18, 2021

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, October 28, 2021 beginning at 6:30 pm** in the Board Room, located on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, to consider the following request that involves the Prince George County Zoning Ordinance:

REZONING RZ-21-04: Request of Dwight Nelson Cunningham to rezone 6.8 acres from M-1, Limited Industrial to M-2, General Industrial. The subject parcel is located on the west side of Chudoba Parkway where it begins to parallel Interstate 295 and is identified as Tax Map 340(19)00-001-0. The Comprehensive Plan indicates the property is suitable for industrial uses.

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 via Swagit at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on October 28, 2021. 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 blue ink that reads "Tim Graves".

Tim Graves
Planner

WAGNER JOSEPH E
8350 BULL HILL RD
PRINCE GEORGE, VA 23875

ROLLS-ROYCE CROSSPOINTE LLC
PO BOX 80615
INDIANAPOLIS, IN 46280

MANK GARY J
5072 OLD MOUNTAIN RD NE
ROANOKE, VA 24019

MANK GARY J
8511 BULL HILL RD
PRINCE GEORGE, VA 23875

MARK BRIC INC
4740 CHUDоба PKWY
PRINCE GEORGE, VA 23875

ROSLYN FARM CORPORATION
PO BOX 727
COLONIAL HEIGHTS, VA 23834

PERDUE FOODS INC
PO BOX 1537
SALISBURY, MD 21802-1537

CUNNINGHAM DWIGHT NELSON
9629 JEFFERSON DAVIS HWY
RICHMOND, VA 23237

RECEIVED

OCT 13 2021

BY:

OCT 20 2021

Legal Notices

PUBLIC NOTICE COUNTY OF PRINCE GEORGE

Public Notice is hereby given to all interested persons regarding the following public meeting:

The Prince George County Planning Commission will hold public hearings on Thursday, October 28, 2021 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-21-06: Request of Jaime Pennington pursuant to Prince George County Zoning Ordinance Section 90-243 (6) to permit a home occupation in an accessory building in a R-2, Limited Residential District, for the purpose of conducting a therapeutic massage business in an existing 12x15' accessory building. The subject property is approximately 4.13 acres in size, located at 7106 Courthouse Road, and is identified as Tax Map 240(05)00-00B-0. The Comprehensive Plan indicates the property is suitable for Village Center uses.

ORDINANCE AMENDMENT OA-21-01: Ordinance to amend "The Code of the County of Prince George, Virginia" § 90-1. - Definitions to define the term "Townhouse", and to amend Chapter 90, Article VI. - R-2, Limited Residential District and Article VII. - R-3 General Residential District to permit townhouses by special exception under appropriate conditions and provided the development consists of at least 24 dwelling units and public water and sewer service are available, and to define parameters for townhouse lots, such as lot area, yards and setbacks, frontage, and building heights.

REZONING RZ-21-04: Request of Dwight Nelson Cunningham to rezone 6.8 acres from M-1, Limited Industrial to M-2, General Industrial. The subject parcel is located on the west side of Chudoba Parkway where it begins to parallel Interstate 295 and is identified as Tax Map 340(19)00-001-0. The Comprehensive Plan indicates the property is suitable for industrial uses.

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Tim Graves
Planner
(804) 722-8678

Legal Notices

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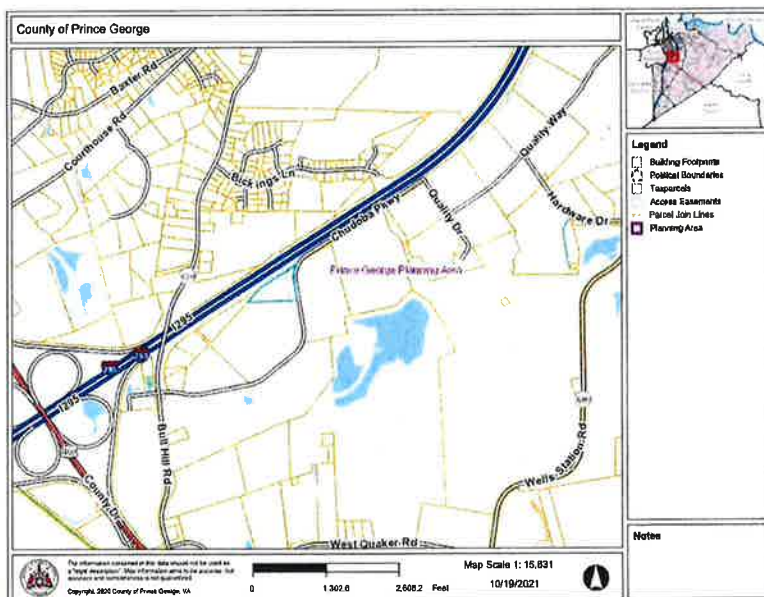
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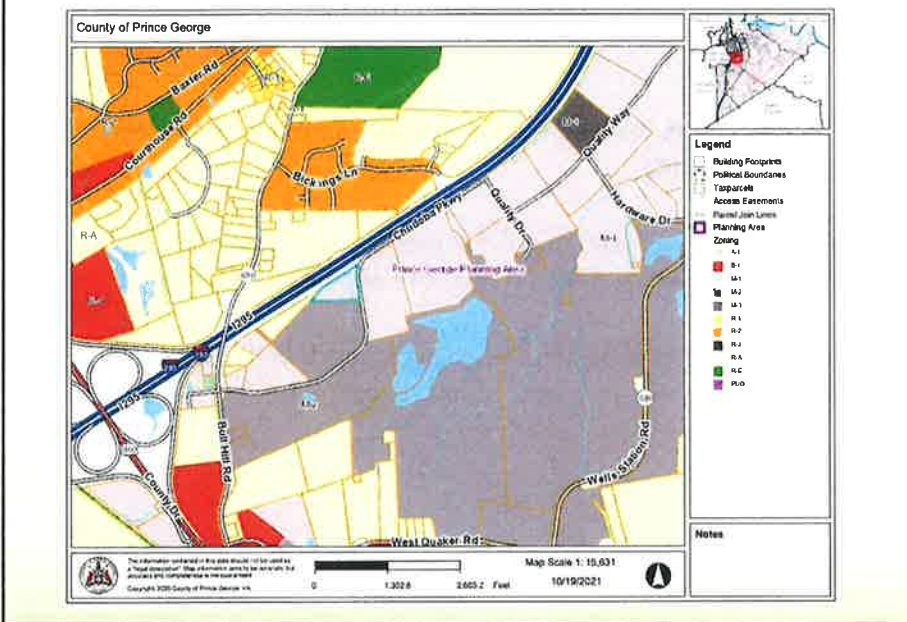
Tim Graves
Planner
(804) 722-8678

REZONING RZ-21-04

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RZ-21-04 | Dwight N. Cunningham





Zoning History

The property was rezoned to M-2 in 2000 to permit contractor sales and assembly.

The conditions provided that if the property was not used for the planned purpose, it would revert to an M-1 designation.

The zoning later reverted to M-1 in accordance with the conditions.

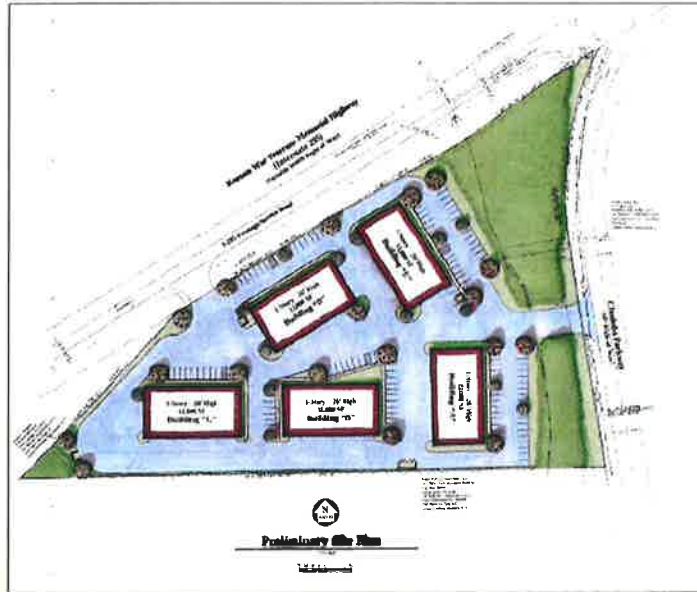
Request Summary

Applicants' Goals:

- Relocate automobile restoration business from Chesterfield County
- Future speculative building construction for industrial park uses

Applicants' Request:

- Rezone 6.8 acres from M-1 to M-2



Planning & Zoning Staff Review Comments

- Proposed land use:
 - Sec. 90-492(2): *"Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping."*
- Future uses as permitted under M-2 zoning district
- All development to be reviewed during Site Plan review process
- Appears compatible with surrounding zoning and uses (vacant, industrial park)
- Future Land Use Map: Industrial
- Traffic impact should be accommodated with existing infrastructure, or with improvements required by VDOT during Site Plan review
- Consider conditions for:
 - Vegetated buffer yards per conceptual plan
 - Prohibit exterior storage (unless completely screened) per conceptual plan
 - Restrict access to F342 (road on north/west side of property) per VDOT comments

Other Staff Review Comments

VDOT

- Chapter 527 Traffic Impact Analysis not required
- Right and left turn lanes will be required if warranted at the site connection to SR 730 or F342.
- VDOT is recommending that the applicant consider removing the proposed connection to F342. VDOT would support an entrance that would be access controlled for emergency services or that does not provide primary access to the site.

Economic Development

- Enterprise zone incentives apply. (NOTE: Rezoning fee was waived based on estimated capital investment > \$250k)

Recommended Conditions

Full recommended conditions:

1. Retain or establish vegetated buffer yards at the southwest corner of the property and along Chudoba Parkway, in conformance with the conceptual plan included with the application, and in conformance with any additional applicable design standards in the Zoning Ordinance.
2. Development of the property is limited to permitted uses within structures, in conformance with the conceptual plan submitted with the application. Exterior storage is prohibited unless completely screened from view of parking areas, adjoining properties and roads by fences or walls attached to buildings.
3. Entrance via F342 is restricted to emergency services and non-commercial vehicles.

Staff Recommendation

Approval, subject to the recommended conditions

Basis:

- Compatible with current and future surrounding uses and zoning
- No negative feedback from community
- Conditions recommended by Staff were agreed to by the applicant

Questions?

See Staff Report for Sample Motions



SPECIAL EXCEPTION REQUEST -- SE-21-06
PLANNING COMMISSION STAFF REPORT – OCTOBER 28, 2021

RESUME

APPLICANT:

Jaime Pennington

PROPERTY OWNER:

(Same)

REQUEST:

Special Exception for a home occupation in an accessory building, for the purpose of operating a professional therapeutic massage business.

STAFF RECOMMENDATION:

Staff recommends Approval, subject to 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 Application with attachments
6. APO letter, map, list, newspaper ad
7. Powerpoint Presentation

Sample Motions

Sample APPROVAL Motion:

I move to forward request SE-21-06 to the Board with a recommendation for APPROVAL, subject to the recommended conditions in the Staff Report, and the reason(s) for this recommendation 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 _____

(OPTIONAL): I would recommend approval if the following items are addressed / conditions are added:

Sample DENIAL Motion:

I move to forward request _____ to the Board with a recommendation for DENIAL and the reason(s) for this recommendation are:

Sample Motion to POSTPONE:

I move to POSTPONE request _____ until _____
(DATE)

County of Prince George, Virginia


DRAFT Ordinance

SPECIAL EXCEPTION SE-21-06: Request of Jaime Pennington pursuant to Prince George County Zoning Ordinance Section 90-243 (6) to permit a home occupation in an accessory building in a R-2, Limited Residential District, for the purpose of conducting a therapeutic massage business in an existing 12x15' accessory building. The subject property is approximately 4.13 acres in size, located at 7106 Courthouse Road, and is identified as Tax Map 240(05)00-00B-0. The Comprehensive Plan indicates the property is suitable for Village Center uses.

BE IT ORDAINED by the Board of Supervisors of Prince George County that the Special Exception Application identified as SE-21-06 is granted as an amendment to the official zoning map with the following conditions:

1. This Special Exception request is granted to Jaime Pennington for a Home Occupation within an Accessory Building on Tax Map 240(05)00-00B-0, for the purpose of operating therapeutic massage business within an existing 12' x 15' accessory building on the property.
2. Customer visits shall be limited to the hours of 9:30a.m. to 8:00p.m. Monday through Friday, with a maximum of 4 clients per day.
3. Offstreet parking with an on-site turnaround area shall be provided for clients.
4. There shall be no employees on the property other than those who permanently live in the house on the property.
5. There shall be no permanent signage on the property for the use.
6. The applicant shall obtain and hold a building permit and all applicable local and state permits before zoning approval is granted for a business license.
7. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
8. This permit may be revoked by the County of Prince George or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or County regulations.

Adopted on _____, 2021 and becoming effective immediately.

	PLANNING COMMISSION STAFF REPORT
	Public Hearing October 28, 2021
	SE-21-06 – Special Exception for Home occupation in an accessory building (for a professional therapeutic massage business)
	Applicant: Jaime Pennington
	Case Manager: Tim Graves - (804)722-8678

I. Request

The applicants would like to conduct therapeutic massage business in an existing 12' x 15' accessory building.

In order for this to be permitted, they are requesting a special exception for a home occupation in an accessory building.

II. Property

Address: 7106 Courthouse Road

Tax Map: 240(05)00-00B-0

Site Size: 4.12

Legal Owner: Jaime Pennington

RE Taxes Paid?: Yes for 2021

Zoning District: R-2 and R-A

Current Use: Residential

Comp Plan Land Use: Village Center

Planning Area: Prince George Planning Area

Previous Zoning Cases: N/A

Figure 1: Aerial view of request property



Figure 2: Google Street View



III. Meeting Information

Planning Commission Public Hearing: September 23, 2021 (Cancelled)

Planning Commission Public Hearing: October 28, 2021

Board of Supervisors Public Hearing: November 23, 2021 (Tentative)

IV. Background

According to the statement submitted by the Applicant, she is a Prince George County native, has been licensed and certified in several capacities related to personal training and therapeutic massage, and previously operated a therapeutic massage practice in Chesterfield since 2007.

The applicant previously completed a preliminary application for a special exception and received comments from the County on June 29, 2021.

There are no zoning cases that apply to this property.

V. Applicant Proposal

Summary:

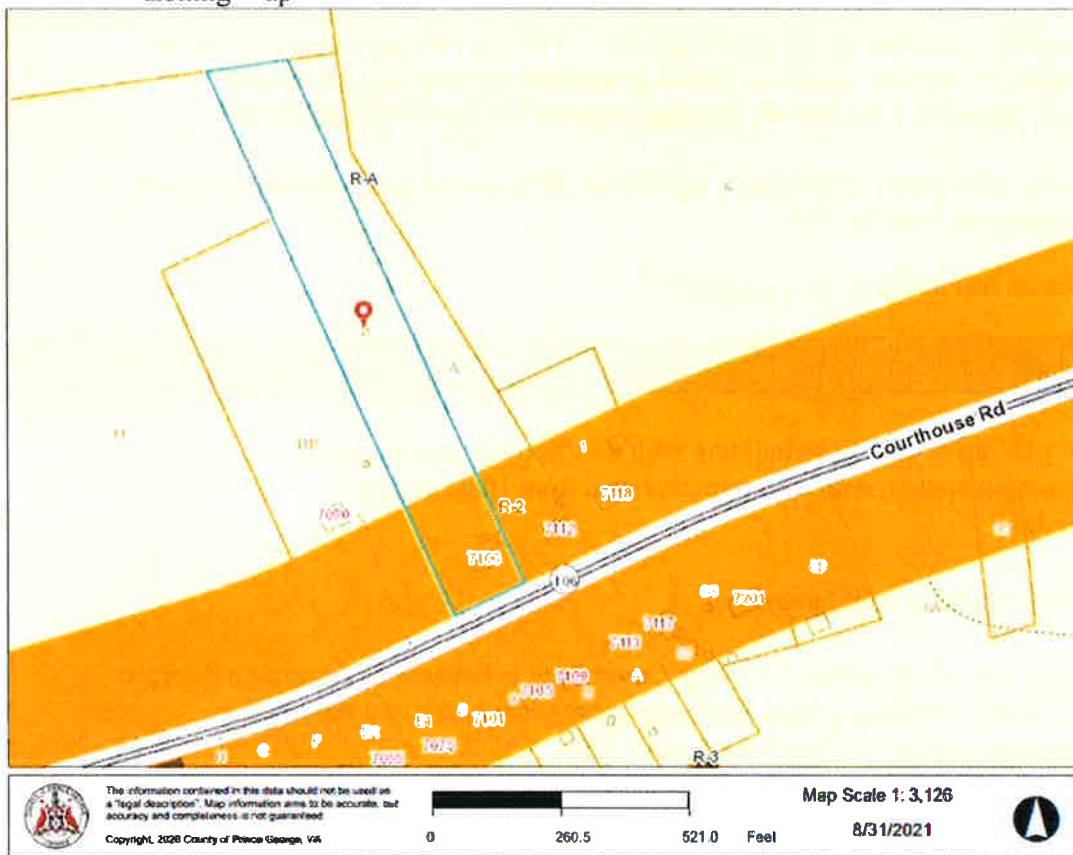
- Use an existing 12' x 15' accessory building with electricity to receive clients
- Clients by appointment only, with appointment times from 10am to 6pm
- 3-4 clients per day
- No employees
- Offstreet parking available with turnaround
- No signage
- Applicant is born and raised in Prince George County and is licensed as a massage therapist by the Virginia Board of Nursing since 2007, and previously operated a reputable therapeutic massage practice in Chesterfield since 2007.
- The massages are intended to assist pain management for medical conditions, improve recovery post surgery, speed up muscle recover for athletes, etc.
- See applicant statement attached to the application for additional details.

VI. Exhibits

Exhibit 1 – photo of exterior of the accessory building that is proposed to be used for the business



Exhibit 2 – Zoning Map



VII. Planning and Zoning Review Comments

1. Expected impacts of the proposed use on adjacent properties and roadways include: Minimal traffic from clients during the business hours. Equivalent to a residential use.
2. Adjacent land uses: Residential, Agricultural, Public Park (Scott Park)
3. Other approvals that will be required:
 - a. A Home Occupation Zoning Approval with a business license for the business
 - b. A Change of Use and Building Permit Application for the building
4. The request appears to be compatible with the Comprehensive Plan because:
 - a. The predominant use and outward appearance of the property will remain residential.
 - b. The future land use category of the property supports Village Center uses, which would include a mix of commercial and residential uses.

VIII. Supplemental Staff Review Comments

Building Inspections Division – Charles Harrison, Interim Building Official

The Application and Plan has been evaluated under the provisions of the 2015 Virginia Uniform Statewide Building Code, the 2015 Virginia Plumbing Code, the 2015 Virginia Existing Building Code, and the 2015 Virginia Statewide Fire Prevention Code. We have the following comments:

1. Per the provisions of the VAEBEC, a Change of Use permit is required to meet the minimum safety, accessibility, and usage standards described in the proposed occupancy description.
2. An alarm notification appliance is required per VAEBEC (section 704.3).
3. The minimum egress system components include the following:

- a. Ceiling height is a minimum of 7'6"
- b. Minimum egress path and exit width of 32"
- c. Exit/Egress door minimum width of 32"
- d. Minimum of one exit is allowed per the VCC (table 1006.3.2(2))
4. Per VCC/USBC (sec 1106.4), a minimum of one accessible parking space is required.
5. Per the VPC (sec 403.3) a public toilet facility is required.

Virginia Department of Health - Alice Weathers, Environmental Health Specialist

1. Sewer disposal and well requirements will need to be evaluated by an AOSE/OSE or PE for this commercial use. The evaluation information, including a Waste Water Characterization Letter, will need to be submitted for review by the Health Department.

STAFF NOTE: The required letter was submitted for review. The letter indicates the existing system is adequate.

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

1. The proposed use will require a low volume commercial entrance to provide access. The existing entrance from SR 106 appears to meet VDOT's requirements for a low volume commercial entrance. VDOT has no objection to the submitted special exception application.

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

Real Estate Assessor - Carol Crawford, Real Estate Operations Coordinator

Fire & EMS Department – Shawn Jones

Environmental Division - Angela Blount, Environmental Program Coordinator

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.
- No comments from the community were received prior to finalizing this report.

X. Staff Recommendation

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. No negative feedback was received from adjacent property owners and community prior to publishing this staff report.
3. Staff has recommended the below conditions 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. This Special Exception request is granted to Jaime Pennington for a Home Occupation within an Accessory Building on Tax Map 240(05)00-00B-0, for the purpose of operating therapeutic massage business within an existing 12' x 15' accessory building on the property.
2. Customer visits shall be limited to the hours of 9:30a.m. to 8:00p.m. Monday through Friday, with a maximum of 4 clients per day.
3. Offstreet parking with an on-site turnaround area shall be provided for clients.
4. There shall be no employees on the property other than those who permanently live in the house on the property.
5. There shall be no permanent signage on the property for the use.
6. The applicant shall obtain and hold a building permit and all applicable local and state permits before zoning approval is granted for a business license.
7. If the requested use of the premises is abandoned for a period of twenty-four (24) consecutive months, then the Special Exception shall become null and void.
8. This permit may be revoked by the County of Prince George or its designated agent for failure by the applicants to comply with any of the listed conditions or any provision of Federal, State or County regulations.

SE-21-0004

SPECIAL EXCEPTION APPLICATION

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

OFFICE USE ONLY

APPLICATION #:

SE-21-06

DATE SUBMITTED:

RECEIVED
AUG 09 2021
BY: *[Signature]*

APPLICANT FILL-IN ALL BLANKS

REQUEST: CONDUCT THERAPEUTIC MASSAGE BUSINESS IN
ACCESSORY BUILDING

REQUEST PROPERTY ADDRESS / LOCATION:

7106 COURTHOUSE RD PRINCE GEORGE, VA 23875

REQUEST TAX MAP PIN(S): (List all)

240(05)00-00B-0

AFFECTED ACREAGE
(Each parcel)

4.12 ACRES

ENTIRE PARCEL (Y / N
- Each parcel)

YES

ATTACHMENTS (Check if Attached; * = Required):

☒ APPLICANT STATEMENT* (Specify goals, details, etc.)☐ COMMUNITY MEETING SUMMARY☐ PROPOSED CONDITIONS☒ ADDITIONAL ATTACHMENTS:☒ SITE LAYOUT SKETCH OR CONCEPTUAL SITE PLAN*

COMMENT LETTER

(Show proposed improvements; Use GIS or Engineer Drawing)

VDOT LETTER

NAME(S):

JAIME LYN PENNINGTON

MAILING ADDRESS: (Incl. City, State, Zip):

7106 COURTHOUSE RD PRINCE GEORGE, VA 23875

E-MAIL:

LV2TRN2@AOL.COM

PHONE:

(804) 720-6144

NAME(S): If different than owner(s):

RELATION TO OWNER:

MAILING ADDRESS: (Incl. City, State, Zip):

E-MAIL:

PHONE:

OFFICE USE ONLY (Completed at the time of application)

ZONING DISTRICT(S):

LAND USE(S) CODE REFERENCE(S):

PAYMENT

FEE DUE:

Special Exception: \$700

Special Exception Home Occ: \$350

FEE PAID:

350.00

PAYMENT TYPE:

☒ CHECK / CASH / CREDIT / DEBIT

CHECK # / TRANSACTION #:

DATE RECEIVED:

8/9/21

RECEIVED BY:

MBS

INV:00000282

APPLICANT 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:

JAMIE L. PENNINGTON

NAME:

SIGNED:

[Signature]
JAMIE L. PENNINGTON

SIGNED:

DATE:

8/9/2021

DATE:

NOTARIZATION:

STATE OF VIRGINIA

COUNTY OF:

Prince George

Subscribed and sworn before me this

9th

day of

August

2021

Notary Public

My Commission expires:

April 30, 2025



AFFIDAVIT

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

19995722-0005 Missy G.08/09/2021 02:00PM

EG INVOICE

Pennington, Jaime

2021 Item: INV-00000282

Special Exception

Home Occupation on

five (5) acre 350.00

350.00

Subtotal 350.00

Total 350.00

CHECK 350.00

Check Number 01051

Change due 0.00

Paid by: Pennington, Jaime

Thank you for your payment

CUSTOMER COPY

Applicant Statement

Business type: Therapeutic Massage Business

Property use for business: Existing 12ft x 15ft accessory building with established electricity.

Business hours: Monday through Friday. I schedule clients "by appointment only" and will continue to do so. The earliest I schedule a client is 10AM and the latest is 6PM. I schedule at least an hour in between clients, so only one client would be at my residence at a time. I see a maximum of 4 clients per day, but usually keep that to 3 clients per day.

Employees: I will remain the sole employee in my business and will **not** be adding employees in the future.

Parking: There is ample parking in my driveway for an additional vehicle (see attached GIS map). There is also a turn around area (highlighted in GIS map) that a client can utilize instead of backing out onto the roadway.

Signage: My business will no longer be open to the general public, so I do not wish to put any signage in regards to my business on my property. I will only be working with the clientele base I have built for the past 14 years, so clients will be given my address (which is visible on the mailbox) and detailed directions to my residence.

Background of Applicant:

- Born and raised in Prince George County; graduated from PGHS in 1998.
- Graduated from Longwood College in 2002 with a Bachelor of Science Degree in Exercise Science.
- Previously certified as a personal trainer by the American College of Sports Medicine.
- Graduated from American Institute of Massage in Richmond, VA in 2007.
- Sat for and passed the National Certification Board for Therapeutic Massage and Bodywork Exam in 2007.
- Have been licensed by the Virginia Board of Nursing to practice as a massage therapist since 2007.
- Have been a professional member of the American Massage Therapy Association since 2007.
- Have operated a reputable therapeutic massage practice in Chesterfield since 2007.
- I specialize in Deep Tissue Massage, Trigger Point Therapy, and Neuromuscular Therapy. These are specific massage modalities that have been shown to assist with pain management for various medical conditions, improve recovery post surgery, speed up muscle recovery in athletes, just to name a few. Many doctors (general practitioners,

osteopaths, orthopedists, chiropractors, and physical therapists) have referred their patients to me throughout the past 14 years.

Reason for request: I am making this request so that I can continue doing what I love by helping others, but also have more time with my family.



240-5-A

240-5-B

240-A-11-B

Courthouse Rd

24C-2-B

24C-2-C

24C-2-D



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

October 18, 2021

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, October 18, 2021 beginning at 6:30 pm** in the Board Room, located on the third floor of the County Administration Building, 6602 Courts Drive, Prince George, Virginia, to consider the following request that involves the Prince George County Zoning Ordinance:

SPECIAL EXCEPTION SE-21-06: Request of Jaime Pennington pursuant to Prince George County Zoning Ordinance Section 90-243 (6) to permit a home occupation in an accessory building in a R-2, Limited Residential District, for the purpose of conducting a therapeutic massage business in an existing 12x15' accessory building. The subject property is approximately 4.13 acres in size, located at 7106 Courthouse Road, and is identified as Tax Map 240(05)00-00B-0. The Comprehensive Plan indicates the property is suitable for Village Center uses.

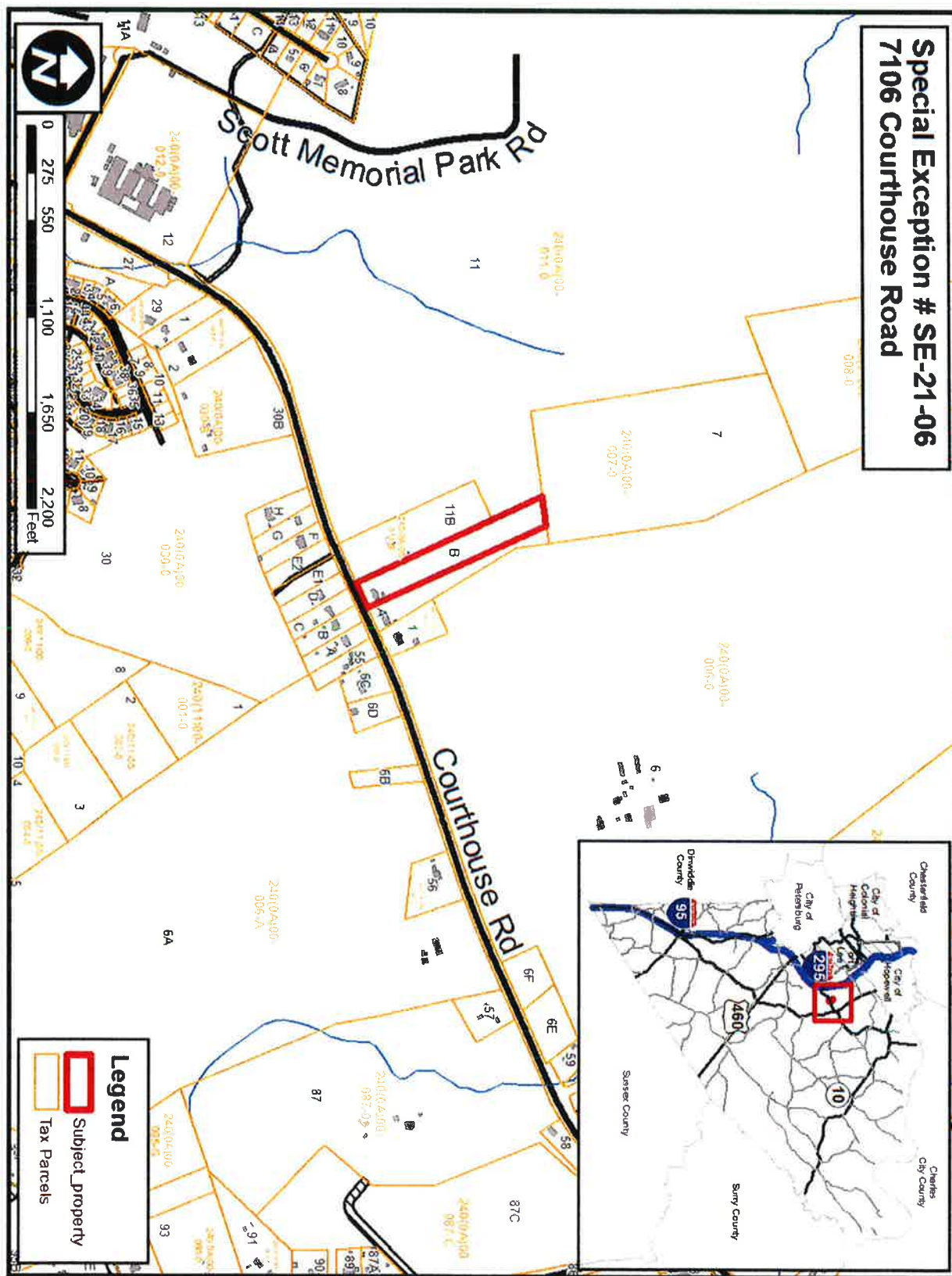
The public hearings will be held in the Board Room, third floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia 23875, pursuant to §15.2-2204, §15.2-2225, §15.2-2232, and §15.2-2285 of The Code of Virginia (1950, as amended). A copy of the related material may be reviewed 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 via Swagit at https://www.princegeorgecountyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on October 28, 2021. 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 blue ink that reads "Tim Graves".

Tim Graves
Planner



MARTIN JEAN
7112 COURTHOUSE RD
PRINCE GEORGE, VA 23875

PENNINGTON JAIME L
7106 COURTHOUSE RD
PRINCE GEORGE, VA 23875

CIBULA EMMETT W
7400 COURTHOUSE RD
PRINCE GEORGE, VA 23875

CIBULA EMMETT W
7400 COURTHOUSE RD
PRINCE GEORGE, VA 23875

HUFF GEORGE M
7117 COURTHOUSE RD
PRINCE GEORGE, VA 23875

HALL LASSIE C III
7118 COURTHOUSE RD
PRINCE GEORGE, VA 23875

DODSON JERRY H
7113 COURTHOUSE RD
PRINCE GEORGE, VA 23875

SCOTT WINSTON C III
7109 COURTHOUSE RD
PRINCE GEORGE, VA 23875

BARNES EDWIN G JR
7105 COURTHOUSE RD
PRINCE GEORGE, VA 23875

COX CHRISTOPHER
7101 COURTHOUSE RD
PRINCE GEORGE, VA 23875

STOTESBERRY CRYSTAL
7075 COURTHOUSE RD
PRINCE GEORGE, VA 23875

COOPER LESLIE B
7090 COURTHOUSE RD
PRINCE GEORGE, VA 23875

RECEIVED
OCT 13 2021
BY: *[Signature]*

Legal Notices

PUBLIC NOTICE COUNTY OF PRINCE GEORGE

Public Notice is hereby given to all interested persons regarding the following public meeting:

The Prince George County Planning Commission will hold public hearings on Thursday, October 28, 2021 beginning at 6:30 p.m. concerning the following requests:

SPECIAL EXCEPTION SE-21-06: Request of Jaime Pennington pursuant to Prince George County Zoning Ordinance Section 90-243 (6) to permit a home occupation in an accessory building in a R-2, Limited Residential District, for the purpose of conducting a therapeutic massage business in an existing 12x15' accessory building. The subject property is approximately 4.13 acres in size, located at 7106 Courthouse Road, and is identified as Tax Map 240(05)00-00B-0. The Comprehensive Plan indicates the property is suitable for Village Center uses.

ORDINANCE AMENDMENT OA-21-01: Ordinance to amend "The Code of the County of Prince George, Virginia" § 90-1. - Definitions to define the term "Townhouse", and to amend Chapter 90, Article VI. - R-2, Limited Residential District and Article VII. - R-3 General Residential District to permit townhouses by special exception under appropriate conditions and provided the development consists of at least 24 dwelling units and public water and sewer service are available, and to define parameters for townhouse lots, such as lot area, yards and setbacks, frontage, and building heights.

REZONING RZ-21-04: Request of Dwight Nelson Cunningham to rezone 6.8 acres from M-1, Limited Industrial to M-2, General Industrial. The subject parcel is located on the west side of Chudoba Parkway where it begins to parallel Interstate 295 and is identified as Tax Map 340(19)00-001-0. The Comprehensive Plan indicates the property is suitable for industrial uses.

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 via Swagit at https://www.princegeorge-countyva.gov/live_stream/. Public comments can be submitted prior to 5:00 p.m. on October 28, 2021. Public Comment submittal forms and information on accessing this meeting electronically are available at <https://www.princegeorge-countyva.gov>.

Tim Graves
Planner
(804) 722-8678

OCT 20 2021
[Signature]

Legal Notices

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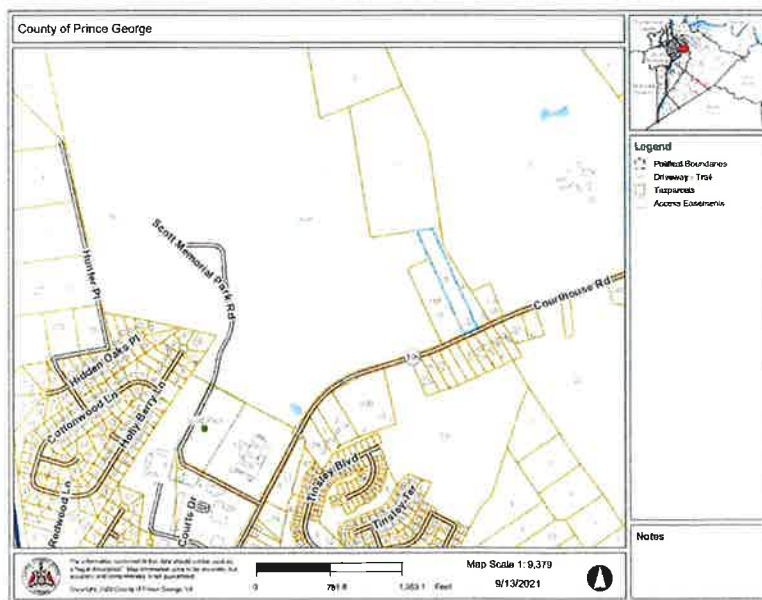
Tim Graves
Planner
(804) 722-8678

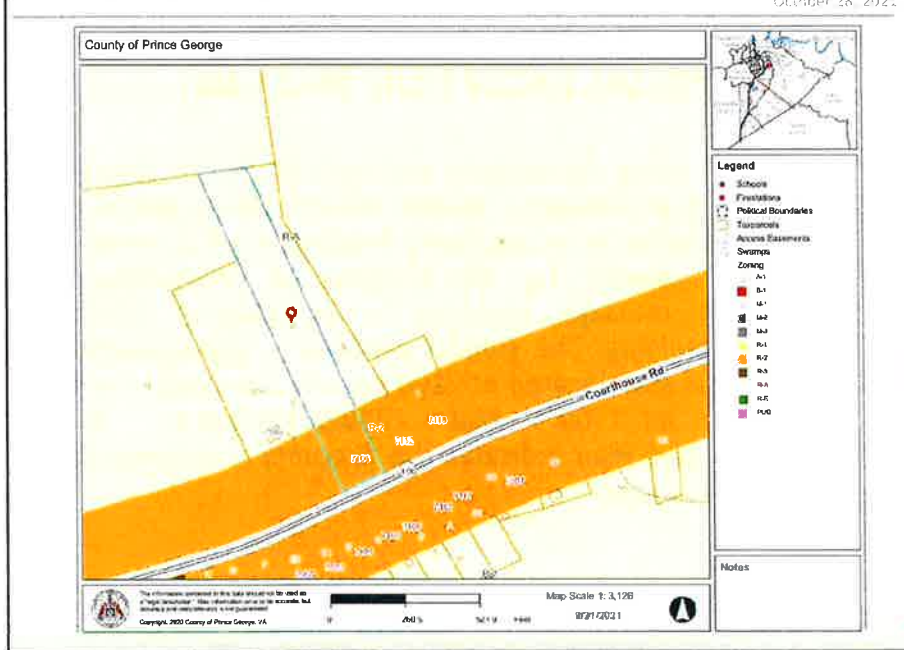
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SE-21-06 | Jaime Pennington

Planning Commission Meeting
October 28, 2021







Background

The Applicant: Jaime Pennington

- Prince George County native
- Educated, licensed and certified as a massage therapist
- Massages intended to assist pain management for medical conditions, improve recovery post surgery, speed up muscle recover for athletes, etc.
- Operated a therapeutic massage practice in Chesterfield since 2007

Request Summary

Applicant's Goals:

- Use an existing 12' x 15' accessory building with electricity to receive clients
- Clients by appointment only, with appointment times from 10am to 6pm
- 3-4 clients per day
- No employees
- Offstreet parking available with turnaround
- No signage

Official Request:

- Special Exception for Home Occupation within an accessory building, pursuant to Section 90-243 (6)

Staff Review Comments

Planning & Zoning

- Expected impacts to be limited to minimal increase in traffic, still equivalent to a residential use
- Outward appearance of property will still be residential
- Conditions have been recommended to match applicant's stated goals

Building Inspections

- Building permit required, Change of Use permit required
- Certain egress, parking and bathroom requirements apply (provided in Staff Report)

Virginia Department of Health

- Sewage disposal and well requirements to be evaluated by an AOSE/PE and provided to VDH for review. (Completed)

Virginia Department of Transportation

- Existing entrance appears to meet requirements, no objections

Recommended Conditions

Highlights:

- Special Exception for this applicant within this specific building
- Customer visits limited to the hours of 9:30a.m. to 8:00p.m. M-F
- Maximum 4 clients per day
- Offstreet parking and turnaround provided
- No signage, no employees
- All applicable permits including building permit to be provided

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

Staff Recommendation

Approval, subject to the recommended conditions

Basis:

- Request appears compatible with current and future surrounding uses
- No negative feedback from community
- Conditions recommended

Questions?

See Staff Report for Sample Motions



Tim Graves

From: dino@dfllunsford.com
Sent: Wednesday, October 20, 2021 2:31 PM
To: Tim Graves
Subject: Zoning Ordinance

Follow Up Flag: Follow up
Flag Status: Flagged

Tim,

At this time I'd like to withdraw our request for the zoning ordinance amendment application. We have decided to request a dedicated zoning district for townhouses (R-TH). We feel that this would best serve this project and assist us in creating the best development that we can based on our current layout and design. If you need anything further please let me know and I will do my best to accommodate you. I appreciate your assistance in this matter and we are all looking forward to making this project a reality.

Sincerely,

Dino Lunsford

Dino F Lunsford

EO/Owner
©804-731-5709
221 N. South St.
Petersburg VA 23803



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 of any non-participating residence or occupied community building. 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 or 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.*

DRAFT ORDINANCE AMENDMENT FOR PRIVATE ROADS

PRINCE GEORGE COUNTY

Black text is existing

Green text represents relocated provisions or clarifications of existing text already contained in the ordinances.

Red text represents new or changed provisions.

----- CHAPTER 90 – ZONING

ARTICLE I. - IN GENERAL

Sec. 90-1. - Definitions.

Access easement: An easement that reserves a right for transportation access to and from a public road for at least one lot. An access easement is distinct from the physically constructed roadway within it.

Frontage means the minimum width of a lot measured from one side lot line to the other along a straight line on which no point shall be farther away from the street upon which the lot fronts than the building setback line as defined and required by this chapter.

Lot means a parcel of land occupied or to be occupied by a main structure or group of main structures and accessory structures, together with such yards, open spaces, lot width and lot areas as are required by this chapter, having frontage upon a street, either shown on a plat of record or considered as a unit of property and described by metes and bounds.

Street line means the dividing line between a street or road right-of-way or access easement and the contiguous property.

Street or road means a public or private thoroughfare which affords principal means of access to abutting property.

Street or road, public: A street or road that is maintained by the Virginia Department of Transportation, generally constructed within a public right-of-way.

Street or road, private: A street or road that is not maintained by the Virginia Department of Transportation, generally constructed within an access easement or private right-of-way.

Driveway: A privately owned and maintained thoroughfare that provides access from a street or road to a parking space, garage, dwelling, or other structure on the single lot or parcel that the driveway serves. A driveway is distinct from a street or road.

Sec. 90-7. - Official permits governed by chapter.

~~(b) This chapter shall bear no relation to any private easement, covenant, agreement or restriction. No responsibility of enforcing such private easement, covenant, agreement, or restriction is imposed on any public official.~~

(b) Except in the enforcement of required development standards, the County is not responsible for enforcing private easement agreements, covenants, or other private agreements.

ARTICLE II. - A-1 GENERAL AGRICULTURAL DISTRICT

Sec. 90-57. Lot frontage; lot width.

- (a) *Frontage.* The minimum lot frontage for permitted uses in the A-1 general agricultural district shall be at least 80 percent of the minimum required lot width, ~~provided that the minimum lot frontage for permitted uses on culs-de-sac shall be at least 50 feet.~~ or at least 50 feet on a cul-de-sac, **or at least 50 feet at the end of a single-user access easement.**
- (b) *Width.* The minimum lot width for permitted uses shall be 150 feet.

ARTICLE III. - R-A RESIDENTIAL AGRICULTURAL DISTRICT

Sec. 90-107. Lot frontage; lot width.

- (a) *Frontage.* In the R-A residential agricultural district, the minimum lot frontage for permitted uses shall be at least 80 percent of the minimum required lot width, ~~provided that the minimum lot frontage for permitted uses on culs-de-sac be at least 50 feet.~~ or at least 50 feet on a cul-de-sac, **or at least 50 feet at the end of a single-user access easement.**
- (b) *Width.* The minimum lot width for permitted uses shall be 150 feet.

ARTICLE XIX - OFFSTREET PARKING AND LOADING REQUIREMENTS

Sec. 90-862. - Parking lot construction standards.

(a) All parking areas, ~~access aisles and driveways~~ and drive aisles shall be paved with a dust-free all-weather surface such as asphalt, concrete, or other hard surface, except as permitted by the administrator:

- (1) Gravel parking areas under an approved site plan for temporary, overflow parking such as at a church, historic structure or other nonprofit or tax exempt land use;
- (2) Offstreet parking areas may be constructed using durable pervious materials such as porous pavement or grid block type pavers. Any offstreet parking areas constructed of these material types shall not be considered as part of the lot coverage calculations for the use.

(b) Bases must be well compacted and well drained and soft clay or heavy truck traffic necessitates a heavier base. Accepted bases ~~for driveways~~ are bank run gravel or stones up to **one (1)** inch in size, sandy gravel, crushed stone 1½ or 2½ inches in size slag or other inorganic porous materials as approved by the administrator.

Sec. 90-862.1. - Vehicle and pedestrian access standards.

- (a) All offstreet parking areas shall be designed to provide safe vehicle access to a public road and safe delineated pedestrian access from parking spaces and/or ~~to~~ pedestrian sidewalks to the use or structure being served by the parking area.

(c) The minimum width of a ~~driveway~~ drive aisle shall be ten feet for a single lane and 20 feet for a double lane. Minimum aisle dimensions and adequate backup space shall be provided for all parking spaces. The minimum width of drive-in window aisles shall be ten feet.

(e) The minimum width of a residential driveway shall be ten feet, and shall provide safe vehicle access to a street or road. Accepted bases for driveways are bank run gravel or stones up to 1-inch in size, sandy gravel, crushed stone smaller than 1½-inches in diameter, or other inorganic porous materials as approved by the administrator to maintain an acceptable driving surface and ensure adequate drainage.

(f) Minimum construction requirements for residential driveways and private roads: Gravel surfaces are acceptable, with accepted bases as described in subsection (e) above. Prior to issuance of a certificate of occupancy for a dwelling that accesses a private road, the road surface shall either be completed in its entirety according to an approved plan, or may be phased according to the table below:

	Minimum standard for the length of roadway that serves only one lot:	Minimum standard for the length of roadway that serves two or more lots:
Easement or right-of-way platted prior to January 1, 2013:	Residential driveway standard.	As defined on the recorded plat or other County approval. If no standard was defined, then a residential driveway standard shall apply.
Easement or right-of-way platted on or after January 1, 2013:		Private road standards as defined in Sections 70-724 and 70-725.
No existing easement or right-of-way recorded as of the time of review:	Pursuant to Section 90-1032, with a residential driveway standard.	Pursuant to Section 90-1032, with a private road standard.

----- CHAPTER 70 - SUBDIVISION

Sec. 70-108. - Private contracts, easements, agreements or restrictions.

~~Article VII shall not regulate private easements, covenants, agreements, or restrictions. No responsibility for enforcing such private easements, covenants, agreements or restrictions is imposed on the county. Except in the enforcement of required development standards, the County is not responsible for enforcing private easement agreements, covenants, or other private agreements.~~

ARTICLE III. - DEFINITIONS

Sec 70-300 - Definitions

Right-of-way: A legally established area or strip of land, either public or private, on which an irrevocable right of passage has been recorded, distinct from an access easement.

Easement: A portion of a lot or acreage reserved for present or future use by a person or entity other than the fee simple owner of the lot or acreage. Easements may exist on the ground, or under or above the lot or acreage.

Access easement: An easement that reserves a right for transportation access to and from a public road for at least one lot. An access easement is distinct from the physically constructed roadway within it.

Lot, frontage: The horizontal distance between the side lot lines measured at the setback line. All sides of a lot which abuts a street shall be considered frontage. On curvilinear streets the arc between the side lot lines shall be considered the lot frontage.

Street or road means a public or private thoroughfare which affords principal means of access to abutting property.

Street or road, public: A street or road that is maintained by the Virginia Department of Transportation, generally constructed within a public right-of-way.

Street or road, private: A street or road that is not maintained by the Virginia Department of Transportation, generally constructed within an access easement or private right-of-way.

Driveway: A privately owned and maintained thoroughfare that provides access from a street or road to a parking space, garage, dwelling, or other structure on the single lot or parcel that the driveway serves. A driveway is distinct from a street or road.

ARTICLE VI. - SURETY FOR THE CONSTRUCTION OF PUBLIC IMPROVEMENTS

Sec. 70-600. - Surety in lieu of completion.

- a. When a subdivider wishes to record a final plat, but physical improvements and installations including public or private streets, shown on the approved plan and/or final plat have not been made, in whole or in part, the ~~subdivider. Shall~~ subdivider shall enter into a subdivision agreement with the county and submit a performance surety in an amount sufficient for and conditioned upon the satisfactory construction and completion of said improvements or installations.
- b. Such physical improvements and installations shall include, but not be limited to, any street, curb and gutter, sidewalk, stormwater management system, public sewerage system, public water line, street lighting, or any other improvements intended for dedication for public use to be maintained by the county. Also included, shall be any physical improvement required by this or other ordinances of the County Code for vehicular access, stormwater management or other improvements accepted as a condition of rezoning pursuant to the zoning ordinance.

ARTICLE VII. - REQUIREMENTS FOR DESIGNS STANDARDS AND PUBLIC IMPROVEMENTS

Sec. 70-710. - Improvements by developer/subdivider.

(a) All required subdivision improvements shall be installed by the developer/subdivider at his cost.

Sec. 70-724. - Subdivider to build and dedicate roads.

(a) All new roads within the county shall be constructed to VDOT standards and dedicated for public use. Those roads within subdivisions requiring curb and gutter shall have a pavement width of 28 feet. When in conflict with the provisions of a planned unit development, this requirement may be waived by the planning commission.

(b) All traffic calming measures incorporated into the design of public roads shall be reviewed and approved by VDOT.

(c) Subject to all other applicable provisions of this section, the following road improvements shall be installed and provided by the subdivider and shall be dedicated to the county or the Commonwealth of Virginia, as appropriate:

1. Cross drains and catch basins.; 2. Curbs and gutters; 3. Road paving; 4. Road name signs; 5. Road lights.

(d) Notwithstanding (a) and (b) above, residential development may occur on a roads not in the state system **or a driveway in a single-user access easement** in accordance with the following conditions:

1. In accordance with an approved PUD development and the requirements in 90-293(3)(h)(1); or
2. As access drives to parking areas serving commercial development, and townhouse or multi-family dwellings.
3. ~~To serve no~~ No more than three single-family lots shall be allowed access by means of a private road in A-1 and R-A zoning districts, provided:
 - i. No more than one private road shall be allowed ~~for to serve~~ any lot or parcel that existed as of January 1, 2013.
 - ii. No more than one private road shall be allowed or shown on any preliminary or final subdivision plat.
 - iii. ~~Private roads shall meet all the geometric design requirements (vertical and horizontal) for a two-way subdivision street having a shoulder and ditch section as given in the latest edition of the VDOT Subdivision Street Design Guide. Gravel surfaces will be acceptable on private roads out of the public right-of-way to which it connects but all surfaces shall be the width prescribed for pavement in the subdivision street design guide. All easement or dedicated right-of-way widths shall be a minimum of 50 feet. All private roads shall have a cul-de-sac or other turnaround as described in the subdivision street design guide or as otherwise approved by the director of planning. Private roads shall be paved in the right-of-way of any public road as required by the corresponding VDOT entrance permit. Private roads shall be designed to meet the drainage requirements of the VDOT drainage manual.~~ Private roads shall meet the standards defined in Section 70-725.

(e) All street or road entrances shall meet VDOT standards and shall be approved by VDOT prior to subdivision plat approval.

Sec. 70-725. – Private roads standards.

- (a) Responsibility for construction is pursuant to Section 70-710 and responsibility for maintenance falls on the property owner(s), as specified in a road maintenance agreement **which shall be recorded with the plat.**
- (b) Shall be constructed within an access easement or existing private right-of-way.
- (c) All new access easements shall be a minimum of 50 feet in width.
- (d) Shall at a minimum meet all the geometric design requirements (vertical and horizontal) **based on Projected Traffic Volume** for a subdivision street having a shoulder and ditch section as given in the latest edition of the VDOT Subdivision Street Design Guide.
- (e) Private roads shall be designed to meet the drainage requirements of the VDOT drainage manual.
- (f) Gravel surfaces are acceptable outside of the public right-of-way to which the private road connects and all surfaces shall be the width prescribed for pavement in the subdivision street design guide.
- (g) A cul-de-sac shall be platted and constructed as described in the subdivision street design guide, or as otherwise approved by the director of planning.
- (h) Acceptable bases shall be as defined in Section 90-862.1(e).
- (i) Private roads shall be paved in the right-of-way of any public road as required by the corresponding VDOT entrance permit.
- (j) Setbacks and yard requirements along private roads shall be measured from the edge of the right-of-way or access easement.
- (k) There shall be adequate notation on the plat to communicate that the subdivider is responsible for road construction according to the standards specified in this section, and that the County is not responsible for road maintenance.
- (l) If a lot fronts on both a public road and a private road, the plat shall clearly indicate where a driveway will access a road.
- (m) **If a lot accesses a private road, the lot is counted toward the three-lot limit, regardless of whether the lot also fronts on a public road, and regardless of who owns the underlying land. The agent may exempt one or two lots from the limit if the lot(s) meet the frontage requirements on a public road and the on-site driveway for each lot departs the private road access easement or right-of-way within the first 50 feet of the public road connection.**
- (n) Road plan. The subdivider shall submit and obtain approval for a road plan for the private road prior to plat approval:
 - i. If a land disturbance permit is required for the complete road project, then an engineering plan is required.
 - ii. If a land disturbance permit is not required, then a road plan with sufficient detail as determined by the director of planning is required.
- (o) Surety for physical improvements. If the road is not completed prior to plat approval, the subdivider shall post surety for the completion of the road construction prior to plat approval.
- (p) Timing of construction. Construction of proposed private roads shall be completed prior to issuance of certificate of occupancy for a dwelling that accesses the road, pursuant Section Sec. 90-862.1(f).

Sec. 70-740. Culs-de-sacs.

- (a) Cul-de-sac length shall be designed and constructed to applicable VDOT standards.
- (b) The paved area of the bulb turnaround at the end of any cul-de-sac shall be a minimum of 90 feet in diameter.
- (c) Rights-of-way or access easements at cul-de-sac bulbs shall be at least five feet beyond the edge of the pavement or the back of the curb.

Sec. 70-756. - Access management.

- (a) ~~Access management is the process of managing access to land development, while simultaneously preserving the flow of traffic on the surrounding public road system. Specific techniques for managing access are available and include: limiting the number of traffic conflicts, separating basic conflict areas, separating turning volumes from through movements, providing sufficient spacing between at-grade intersections, maintaining progressive speeds along roads, and providing adequate on-site storage lanes.~~ VDOT has shall have the authority to regulate highway entrances and manage access to highways and generally regulate highway use. No entrance may be constructed within the right-of-way until ~~the county has approved and~~ VDOT has issued a permit for the entrance. VDOT is not obligated to issue more than one entrance per parcel. All entrances on public roads will shall be designed and constructed in accordance with VDOT standards.
- (b) A maximum of one driveway entrance per lot on public roads is permitted for single-family dwellings; a maximum of two entrances per lot for two-family dwellings. ~~The curb cut for each driveway provided shall be a maximum of 20 feet in width at the right-of-way line. Curb cuts on adjacent lots shall be separated by a minimum of 40 feet, measured from center line to center line.~~ Spacing requirements between entrances on public roads shall be in accordance with VDOT standards.
- (c) Notwithstanding (a) above, a ~~shared access easement~~ shared entrance shall be utilized to the greatest extent practicable ~~provided~~ for all residential lots proposed to front on, and/or have direct or indirect access to collector or arterial roads, as regulated by VDOT. ~~On collector or arterial roads, only one residential driveway curb cut shall be allowed for each three residential lots.~~ This shared ~~access/easement~~ entrance requirement shall not exempt any lot from the requirement to have public street frontage.
- (d) The Agent or VDOT may require that All entrances shall be designed and constructed to accommodate bicycle and pedestrian facilities-, in accordance with an adopted local, regional or state plan.
- (e) Temporary construction entrances may be allowed after consultation and approval by VDOT and the County.
- (f) All entrances constructed from a new or existing street or road shall be in accordance with ~~the "Minimum Standards of Entrances to State Highways" of the Virginia Department of Transportation, as amended from time to time, incorporated by reference except as these may be varied by this section.~~ VDOT standards based on entrance classification and road classification.

Sec. 70-760. - Street lights.

- (a) Street lights shall be provided, by the subdivider, on all new public streets within a subdivision in the Prince George Planning Area.

September 14 Meeting Recap

BOS Decides to Leave the Due Date for the Second Half of Real Estate Taxes and Stormwater Utility Fees the Same

At the Board's July 21 Work Session, Staff brought forward the possibility of changing the second half of real estate taxes and stormwater utility fees due to the concern that the second half of the real estate taxes and all of the personal property taxes are currently due on June 5. The advantages of changing the due dates would be a less taxpayer burden and a better cash flow budget. The disadvantages would be increased printing costs and postage for twice a year billing, collection of delinquencies, and of course, the initial \$4,832,602 revenue loss to the budget. The Treasurer indicated that having an additional due date may cause staffing issues with overtime in her department. In addition, she will need enough time to notify all of the mortgage companies. It would require a public hearing to change the due date because it would be an ordinance amendment. The Board authorized the advertisement of a public hearing at its August 10 regular meeting.

At its September 14 Meeting, the Board held the public hearing and denied the ordinance amendment by a four to one vote, with Chairman Brown dissenting. The Board decided to leave the due dates as they are due to the lack of citizen interest and the additional labor and expense on the Treasurer's Office.

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

- Received a recap on the Back to School Fair.
- Discussed cigarette tax.
- Received a Census update.
- Discussed a resolution in support of changing the name of Fort Lee to Fort Arthur J. Gregg and agreed not to take any action.
- Approved on consent an award of contract and appropriation from debt proceeds (\$2,439 Architectural and Engineering Services, Pre-Bid and IFB Response Phase, County Garage Expansion).
- Approved on consent and presented a proclamation for National Payroll Week for September 6-10.

- Approved on consent a Deed of Dedication of Right-of-Way located on Parcel ID: 230(0A)00-005-0 for State Route 646/Middle Road Improvements and the construction of the new elementary school.
- Approved on consent a Deed of Utility & Access Easement and a Temporary Construction Easement located On Parcel ID: 120(07)00-00A-1 for Romans Road improvements and the construction of the new elementary school.
- Approved on consent a Deed of Temporary Construction Easement located on Parcel ID: 120(07)00-00A-2 for Romans Road improvements and the construction of the new elementary School.
- Approved on consent a Deed of Utility & Access Easement located on Parcel ID: 120(07)00-00A-0.
- Received a roads maintenance report from the Virginia Department of Transportation.
- Received an ARPA Funds update.
- Unanimously postponed appointments to the Youth Task Force.
- Unanimously approved a resolution authorizing the advertisement of a Public Hearing to receive input on whether to change to single member election districts.
- Postponed to September 28 a resolution authorizing to procure Architectural and Engineering Services for a Wastewater Solution (Treatment Plant or Pump Station and Force Main) to serve the Southpoint Business Park and future growth of the County by a three to two vote with Waymack, Carmichael and Hunter in favor of postponement and Brown and Webb dissenting.
- Unanimously approved an appropriation of unexpended FY2020-21 budgets to FY2021-22 (\$612,969.80 Grants and Donations).
- Unanimously authorized the advertisement of a Public Hearing for the appropriation of \$2,666,169.65 in School Federal Coronavirus Relief Funds and American Rescue Plan Act Funds (Budget Amendment).
- Unanimously approved a transfer from General Fund Contingency (\$2,500 Sheriff's Postage Omitted in Error).

- Unanimously approved an appropriation (\$16,525 Insurance Recoveries – Police Vehicle Replacement).
- Unanimously approved an authority to advertise a public hearing for an Ordinance to Amend “The Code of the County of Prince George, Virginia,” as Amended, by amending §§74-301, 74-302 and 74-304 to State that transients staying at a travel campground must pay the Transient Tax and to clarify that the Transient Tax is based on the total price paid by the customer for the use or possession of the room.
- Unanimously approved an award of contract and budget transfer from Repurposed Series 2019 Bonds (\$100,500 Architectural and Engineering Services Jefferson Park Fire Station Renovation).
- Unanimously approved an authority to execute agreement with the Hollingsworth Companies for the Go Virginia Grant received by Virginia’s Gateway Region.
- Unanimously approved an authority to execute agreement with Roslyn Farm Corporation for the Go Virginia Grant received by Virginia’s Gateway Region.
- Unanimously approved an award of contract for Board Room video streaming services to Swagit Productions, LLC.
- Unanimously approved the advertisement of a Public Hearing on a State-funded bonus for sworn funded Sheriff’s Office positions and a County-funded bonus for unfunded Sheriff’s Office positions.
- Unanimously approved an appropriation (\$12,768 from Series 2018 SNAP Investment Interest for replacement of water condenser pumps in County Administration Information Technology server room).
- Unanimously postponed to October 12 two appointments to the Social Services Advisory Board.
- Discussed and scheduled a work session for October 20
- Unanimously approved an authority to execute a contract for Service Center Metals \$350,000 Commonwealth Opportunity Fund (COF) Grant.
- Unanimously authorized Prince George County to Enter into an Agreement with Concept Developments, Inc. and Prince George County Industrial Development Authority for Development of Southpoint Business Park.

- Held a public hearing and unanimously approved the abandonment of 0.28 miles of the 0.40 miles of the State maintained portion of Route 615, Nobles Rd.
- Held a public hearing and unanimously approved the appropriation of unexpended Fall 2019 Series Stormwater Fund Bond Proceeds FY2020-21 Budget to FY2021-22 (\$1,977,050.34).
- Held a public hearing and unanimously approved a resolution to acquire by condemnation, if necessary, a Right-of-Way on Tax Map Parcel Number 230(0A)00-014-0.

September 29 Meeting Recap

BOS Presents a Commendation to Aidan Bryant for his Second Place Win on America's Got Talent Season 16

Aidan Bryant, a Junior at Prince George High School, who is an incredibly talented self-taught aerialist, has made Prince George County proud by becoming a National celebrity for his Second Place Win on America's Got Talent Season 16. Aidan's journey began after watching a concert performed by musical artist Pink doing aerial tricks on silk while she sang. He was then inspired to go into his Grandma's closet and grab a bedsheet and hang it in the tree so he could practice the silk like he saw Pink doing. This became a hobby for him in August 2018 as he continued to watch YouTube videos to learn new tricks and new apparatuses to practice on. Aidan decided to virtually audition for America's Got Talent. He was asked to come audition in-person in Los Angeles in April 2021 and then made it to the Live Shows and performed three times entertaining the entire country with each performance being more difficult and intense as the one before it, to end as Second Place Winner of America's Got Talent Season 16.

Now, his next venture will be in Las Vegas in the America's Got Talent Las Vegas Live Show. Aidan has become a National celebrity making television appearances on various TV shows, including The Ellen Show. The Board presented Aidan with a commendation and a Prince George County flag.

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

- Received a report on the South Central Wastewater Authority Nutrient Project and its impacts on Prince George County.
- Received a report on Stormwater Projects.
- Received an update on the recent water leak.
- Approved on consent an appropriation in the amount of \$5,474.29 for DMV Safety Grant funds.
- Approved on consent an appropriation in the amount of \$5,180.40 in insurance recoveries for Police vehicle repairs.
- Received a quarterly financial report.

- Unanimously postponed appointments to the Youth Task Force to October 26.
- Approved the authorization to procure architectural and engineering services for a wastewater solution for a pump station and force main to serve the Southpoint Business Park and future growth of the County with a three to two vote with Carmichael, Hunter and Waymack in favor and Brown and Webb opposed.
- Unanimously approved an award of contract with Pictometry International Corp. for purchase of aerial imaging, software licensing and related services in the amount of \$292,176.
- Unanimously approved an appropriation in the amount of \$43,583 for insurance recoveries for Fire/EMS Rescue 3.
- Unanimously approved an ambulance purchase and award of contract to Southeastern Specialty Vehicles (\$270,970).
- Unanimously approved an award of annual service contract for the maintenance and repairs of water storage tanks to Utility Service Co., Inc. in the amount of \$1,220,550.
- Held a public hearing and unanimously approved a rezoning request of C&C Packaging Systems LLC to amend proffered conditions relative to the permitted uses and outside storage.
- Held a public hearing and approved a resolution in support of continuing with two election districts with a four to one vote (Carmichael, Hunter, Waymack and Webb in favor and Brown dissenting).
- Held a public hearing and unanimously approved an appropriation in the amount of \$2,666,169.65 in School Federal Relief Funds.