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PLANNING COMMISSION

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

PLANNING COMMISSION REGULAR MEETING

Thursday, February 28, 2019
6:30 p.m. in Board Room

- I. Call to Order
- II. Roll Call
- III. Invocation
- IV. Pledge of Allegiance to the U.S. Flag
- V. Approval of Meeting Minutes – January 24, 2019
- VI. Citizen Comments Period
- VII. Old Business

OA-18-01 Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," by deleting §§ 90-12, and 90-1036, and by amending §§ 90-1, 90-52, 90-53, 90-56, 90-102, 90-103, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, and 90-1039, and to consolidate the requirements for signs by adding Article XIII, "**Signs**" to Chapter 90, "Zoning," §§ 90-591 through 90-601 so as to revise local sign requirements to be consistent with current law and to create a clear and a consistent set of regulations pertaining to signs.

OA-18-02 Adoption of an Ordinance to amend "The Code of the County of Prince George, Virginia," by adding § 70-732 (c) Coordination of **Streets** with existing streets and § 70-746 (b) and (c) Street construction, to allow for coordination with VDOT subdivision street acceptance for maintenance purposes through the Subdivision Ordinance.

New Business – Public Hearing

SPECIAL EXCEPTION SE-19-01 Request of Petersburg Cellular Partnership (d/b/a Verizon Wireless) to construct a 199 foot monopole communication tower pursuant to 90-53 (15) within the A-1, General Agricultural Zoning District. The request property is located east of Anderson Lumber at 15610 James River Drive on the north line of Route 10 and is identified as Tax Map 270(0A)00-036-C. The Comprehensive Plan calls for agricultural uses.

Chairman's Action: Comprehensive Plan Subcommittee Appointments

VIII. Planning Manager's Communications to the Commission

- a. Actions of the Board of Zoning Appeals
- b. Actions of the Board of Supervisors
- c. General Comments to the Commission

IX. Adjournment

The next regularly scheduled meeting will be **Thursday, March 28, 2019**



Planning Commission

County of Prince George, Virginia

Organizational Meeting
January 24, 2019

I. CALL TO ORDER

Douglas Miles, Secretary to the Planning Commission, called to order the 2019 Organizational Meeting of the Prince George County Planning Commission at 6:30 p.m. in the Board Room of the County Administration Building, 6602 Courts Drive, Prince George, Virginia.

II. ATTENDANCE

The following members responded to Roll Call:

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

Also present were: Douglas Miles, Planning Manager, Horace Wade, III, Planner, Andrea Erard, Assistant County Attorney and Missy Greaves-Smith, Administrative Support Staff.

III. ELECTION OF OFFICERS: Chairman and Vice-Chairman

Mr. Miles opened the floor for the nominees for 2019 Chairman of the Planning Commission. Mr. Easter nominated Mr. Simmons for Chairman and there were no other nominations. Mr. Brockwell seconded his motion.

Roll call vote on the motion:

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

Mr. Miles turned the meeting over to Chairman Simmons and he asked for nominees for 2019 Vice-Chairman of the Planning Commission. Mr. Easter nominated Mr. Bresko and Mr. Brockwell seconded his motion.

Roll call vote on the motion:

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

IV. INVOCATION

Mrs. Elder conducted the Planning Commission's Invocation.

V. PLEDGE OF ALLEGIANCE TO THE U. S. FLAG

Mr. Brockwell led in the Pledge of Allegiance to the United States Flag.

VI. APPROVAL OF MINUTES: December 20, 2018

Chairman Simmons asked for the approval of the minutes for the December 20, 2018 Planning Commission meeting. Chairman Simmons noted one typographic correction to the minutes. A motion was made by Vice-Chairman Bresko and seconded by Mr. Joyner and the minutes were adopted noting the typo correction.

Roll call vote on the motion:

In Favor: (7) Elder, Bresko, Brown, Easter, Joyner, Brockwell, Simmons
Opposed: (0) Absent: (0) Abstain: (0)

VII. APPROVAL OF 2019 PLANNING COMMISSION MEETING DATES

Chairman Simmons asked for a review of the proposed meeting dates and a motion of approval for the 2019 Planning Commission. A motion was made by Mrs. Elder and it was seconded by Mr. Brown and the meeting dates were approved as written. Roll was called on the motion.

Roll call vote on the motion:

In Favor: (7) Elder, Bresko, Brown, Easter, Joyner, Brockwell, Simmons
Opposed: (0) Absent: (0) Abstain: (0)

VIII. APPROVAL OF 2018 PLANNING COMMISSION ANNUAL REPORT

Chairman Simmons asked for a motion for approval of the 2018 Planning Commission Annual Report. Chairman Simmons asked for any comments or questions about the 2018 Annual Report and thanked the Planning Staff for all their hard work on the preparing the report. A motion was made by Mr. Easter to approve the 2018 Planning Commission Annual Report and it was seconded by Vice-Chairman Bresko. Mr. Miles indicated that a copy of the report would be sent to the Board of Supervisors.

Roll call vote on the motion:

In Favor: (7) Elder, Bresko, Brown, Easter, Joyner, Brockwell, Simmons
Opposed: (0) Absent: (0) Abstain: (0)

IX. CITIZENS COMMENTS PERIOD

At 6:42 p.m. Chairman Simmons opened the Citizen Comments Period to anyone who wished to speak on any subject not on the agenda. He asked that persons limit their remarks to three (3) minutes. With no one coming forward Chairman Simmons closed the Citizen Comments Period at 6:43 p.m.

X. OLD BUSINESS

REZONING CASE RZ-18-02 Request of Nathaniel E. Dozier Jr. to conditionally rezone 31+/- acres north of County Drive and west of Wells Station Road from R-A, Residential-Agricultural to B-1, General Business Zoning District to permit certain uses. The Comprehensive Plan indicates that the subject properties are appropriate for commercial uses. The subject properties are located at 5200 County Drive and the parcels are known as Tax Maps 340(0A)00-117-0, 118-0 and 119-0.

Mr. Wade addressed the Planning Commission and stated that the Planning Staff recommends approval of this case and that the rezoning request complies with the Comprehensive Plan. He also explained that VDOT has completed their review and recommends approval of the proposed rezoning. Mr. Wade stated that further VDOT review would occur during the administrative Site Plan review process.

Chairman Simmons asked Mr. Wade if the Public Hearing for this case had already been closed. Mr. Wade responded that the Public Hearing was conducted back on October 25th and it had been closed by Chairman Easter. The rezoning case request was deferred by the Planning Commission for VDOT and County staff to have additional time to work with the applicant on addressing the remaining case issues.

Mr. Brown asked Mr. Wade if the applicant were to construct a hotel on the subject property would a Special Exception application request be needed.

Mr. Wade stated that a Special Exception would be needed if the applicant wanted to come back at a later date and request a hotel use on this site as it is not a part of the rezoning case request tonight. The applicant's attorney came forward and indicated that they were in agreement and requested a motion for case approval.

Chairman Simmons asked the Commissioners if they had any further questions or comments. With no other discussion, Chairman Simmons asked the Commission for a motion.

Mr. Easter made a motion to Recommend Approval of the case along with the applicant's revised proffered conditions, dated January 9, 2019 to the Board of Supervisors. The motion was seconded by Mr. Brockwell.

Roll call vote on the motion:

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

Opposed: (0) Absent: (0) Abstain: (0)

XI. NEW BUSINESS:

None

IX: Communications:

Mr. Miles provided the following communication comments:

a. Actions of the Board of Zoning Appeals:

On January 23, 2019, the BZA elected Mr. Charles Leonard as Chair and they elected Mrs. Carol Dois Woodward as Vice-Chair. The BZA approved the proposed meeting dates for 2019 and approved their 2018 Annual Report.

b. Actions of the Board of Supervisors:

The Board of Supervisors at its January 22nd meeting approved a rezoning request of Par 5 Development Group LLC to conditionally rezone 2.5 acres from R-A to B-1 for a proposed Dollar General retail store in Garysville.

c. General Comments to the Commission:

The Planning Commission will hear a Special Exception request next month for a Verizon Wireless tower located east of Anderson Lumber on Route 10.

X. ADJOURNMENT

A Motion was made by Mrs. Elder, seconded by Mr. Brockwell to adjourn the meeting at 7:08 p.m. until Thursday, February 28, 2019 at 6:30 p.m. Roll was called on the motion.

Roll Call vote on the Motion:

In Favor: (7) Joyner, Bresko, Brown, Brockwell, Elder, Easter, Simmons
Opposed: (0) Absent: (0) Abstain: (0)

ORDINANCE TO AMEND "THE CODE OF THE COUNTY OF PRINCE GEORGE, VIRGINIA," BY DELETING §§ 90-12, and 90-1036, AND BY AMENDING §§ 90-1, 90-52, 90-53, 90-56, 90-102, 90-103, 90-202, 90-242, 90-292, 90-295, 90-342, 90-392, 90-395, 90-442, 90-446, 90-492, 90-496, 90-546, AND 90-1039, AND TO CONSOLIDATE THE REQUIREMENTS FOR SIGNS BY ADDING ARTICLE XIII, "SIGNS" TO CHAPTER 90, "ZONING," §§ 90-591 THROUGH 90-601 SO AS TO REVISE LOCAL SIGN REQUIREMENTS TO BE CONSISTENT WITH CURRENT LAW AND TO CREATE A CLEAR AND A CONSISTENT SET OF REGULATIONS PERTAINING TO SIGNS.

Sec. 90-1 Definitions.

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

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

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

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

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

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

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

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

Parapet wall: Wall that extends above the top of a flat roof.

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

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

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

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

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

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

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

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

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

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

Computer controlled, variable electronic message center (EMC): Sign with copy that can be changed or altered by means of computer-driven electronic impulses, excluding fixed message electronic signs.

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

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

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

Sign, outdoor advertising: Sign or structure used as an outdoor display for the purpose of making anything known, when the matter advertised or displayed is not

related to the premises where such sign is located. Outdoor advertising signs do not include the off-site signs specifically permitted in this chapter.

Sign, permanent: Sign attached to the ground or a structure, intended to exist for the life of the structure or use and which cannot be easily removed.

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

Sign, structure: An assembly of materials used to support a sign, including the exterior form and finishes that define sign copy area.

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

Sign, traffic control: Sign solely regulating safe driving, parking or traffic movement.

Sign, under canopy: Sign mounted perpendicular to a building face located under, and attached to, the ceiling of a building mounted canopy.

Sign, window: Sign attached to a door or window that is legible from the exterior of the building.

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

ARTICLE XIII. SIGNS

Sec. 90-591. General description; intent.

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

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

Sec. 90-592. Prohibited Signs.

The following shall be prohibited:

Moving signs intended to attract attention, regardless of whether or not the sign has a written message or whether all or part of it moves by means including, but not limited to, rotating, fluttering or being set in motion by the movement of the atmosphere. This sign prohibition includes pennants, but does not include commercial or noncommercial flags, the routine operation of the hands of a clock or computer controlled, variable electronic message center (EMC) signs.

Internally lighted awnings or canopies constructed of translucent material.

Commercial signs held or carried to attract attention; persons dressed in costumes and acting to attract attention to a commercial activity; and sound or smoke producing signs.

Attention getting devices such as pennants, streamers, balloons, or inflatable devices of any configuration acting to attract attention to any use other than noncommercial activity at a residential use.

Signs with flashing lights, intermittent lights or lights with changing degrees of intensity; excluding computer controlled, variable electronic message center (EMC) signs.

Commercial signs on a parked automobile, motor vehicle, tractor trailer or trailer when used primarily for the purpose of, and serving the function of, a sign, except when parked in the operator's driveway, when loading or unloading or when parked to the side or rear of a nonresidential building and not visible from the adjacent roads.

Signs greater than 48 square inches on a parked automobile, motor vehicle, tractor trailer or trailer, which display a commercial message that is unrelated to an activity or enterprise of the owner or operator of the vehicle or trailer.

Outdoor Advertising signs.

Sec. 90-593 Sign Permits.

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

Sec. 90-594 General Regulations.

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

1. Except as otherwise specified in this chapter, commercial signs shall be related to the premises.
2. A noncommercial message may be substituted, in whole or part, for the message displayed on any sign which conforms to this chapter without consideration of message content. Such substitution of message may be made without any additional approval, permitting, registration or notice. The purpose of this provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech, or favoring any particular noncommercial message over any noncommercial message. Whenever a property has not used all of its permissible sign area, then the unused portion may be used for the display of signs displaying noncommercial messages. Any on-site commercial message may be substituted, in whole or part, for any other on-site commercial message.
3. Signs posted by, or required to be posted by any government or government agency shall be exempted from this chapter.
4. Signs posted solely for traffic control, public safety, or hazard warnings shall be exempt from this chapter.
5. Signs shall be structurally safe and maintained in good condition.
6. Signs shall not obstruct an opening intended to provide light, air, or building ingress or egress.
7. Freestanding signs shall not overhang any portion of a building.
8. Signs shall not unreasonably obstruct the view of other signs from roads.
9. Signs shall not be posted on trees, utility poles or traffic control devices.
10. Sign position, shape and color shall not interfere with, obstruct the view of, or cause confusion with, a traffic sign, traffic signal or other traffic control device.
11. Sign lighting shall not impair a driver's vision, obstruct police surveillance, or cause direct glare into or upon, property other than that on which the sign is located.
12. Signs shall not obstruct firefighting access.

13. For signs requiring a sign permit, a survey prepared by a registered civil engineer or surveyor certifying the location, height, and area of the sign shall be submitted following erection of the sign, if requested by the administrator.
14. Unless otherwise specified in this chapter, signs shall be permanent.
15. All Signs within thirty (30) days of the previous tenant vacating the property shall either be refaced through a Sign Permit or have the existing sign panel reversed or a blank sign panel inserted into the sign box. There shall be no exposed sign box areas permitted; or exposed internal lighting permitted.

B. Comprehensive Sign Package for Nonresidential Communities

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

All signs shall conform to the following: letter style and graphic display of signs shall be similar; area, location, and material of signs shall substantially conform to building and site design; freestanding sign structures shall be similar; a single type of building mounted display shall be used; background colors of sign boxes shall be similar; and other than the primary sign, signs for each individual use shall have the same background color which shall be one of the colors of the primary sign.

C. Sign Area and Measurements:

Each property shall be permitted a maximum area of three hundred (300) square feet of sign area; where four (4) or more nonresidential uses occupy the same property, an additional three hundred (300) square feet of sign area is permitted for nonresidential communities as the number of uses increase on the property.

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

Projecting Sign. The area of a rectangle or square encompassing the extreme limits of each individual sign face, including all background visible from any direction at any one time;

Canopy or Awning Sign. The area of the surface upon which the sign copy is located;

Individually mounted or Painted Copy Sign. If the copy is not emphasized by an architectural or painted element of the building, the sum of the area within a series of rectangles or squares encompassing each individual figure. If the copy is emphasized by an architectural or painted element of the building, the area shall be determined in accordance with the requirements for Other Building Mounted Signs as outline below; and

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

2. Freestanding.

Area. The area of a sign shall be that of a rectangle, square, circle, triangle or combination thereof encompassing the extreme limits of copy. The area of a two (2) or more sided sign, where the interior angle between sides exceeds 90 degrees, shall be the sum of the area of the copy on all sides.

Height. Except as stated herein; sign height shall be the vertical distance from grade to the top of the sign copy: the height of a sign installed on an artificially created berm, mound or similar feature shall include the height of such feature; or the height of sign adjacent to a road and installed below the grade of the nearest travel lane shall be the vertical distance from such lane grade to the top of the sign copy.

Sec. 90-595 Sign Setbacks and Lighting.

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

In addition to the signs outlined in B, the following signs may be placed within the right-of-way, if approved by the Virginia Department of Transportation (VDOT): signs posted by, on behalf of, or with permission of, a governmental agency or public utility provider; noncommercial signs within a median strip at the entrances to residential, nonresidential or mixed-use communities.

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

1. Road Setbacks. Except as outline herein, setbacks shall be measured from the existing right-of-way. If a sign is permitted to be located within an ultimate right-of-way shown in the comprehensive plan, or an existing right-of-way, the

owner shall be responsible for relocating the sign to conform to the setback requirements at such time that the road is widened.

Signs shall conform to the following setbacks:

- a. Except as outlined in b, signs shall be setback as follows: ten (10) feet from the edge of the pavement or face of curb as is applicable, but in no case less than one (1) foot from the right-of-way.
- b. Along the following roads, signs may be located within the ultimate right-of-way shown in the comprehensive plan if the right-of-way is dedicated, free and unrestricted, to the county, if a permit is obtained from VDOT, as may be applicable, provided the signs are setback ten (10) feet from the edge of the pavement or face of the curb, as applicable:

James River Drive (SR 10) between the Hopewell corporate limits and Jordan Point Road (SR 106/156)

Oaklawn Boulevard (US 36) between the Petersburg corporate limits and the Hopewell corporate limits

County Drive (US 460) between the Petersburg corporate limits and Prince George Drive (SR 156)

South Crater Road (US 301) between the Petersburg corporate limits and east side of Interstate 95 at Exit 45

C. Sign Lighting.

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

Sec. 90-596 Building Mounted Signs.

A. Nonresidential Use-Signs Generally.

1. If the side or rear lot line adjoins R or MHR property or A-1 or R-A property designated in the comprehensive plan for residential use, no building mounted sign shall be visible from such property unless the sign is located a minimum of 150 feet from such property.
2. Sign raceway colors shall match that of the building face on which the sign is mounted and as provided within the overall sign package.
3. Building mounted signs shall not project above the building's roofline or parapet wall. A roofline or parapet wall shall not be artificially extended to accommodate signage on the building.
4. A projecting sign shall not extend more than 36 inches from the building, roof, or canopy to which it is attached, exceed a face-to-face thickness of 8 inches, or exceed the height of the fascia or parapet wall. The sign shall be attached so as to maintain a minimum clearance of eight (8) feet above grade.
5. Permitted building mounted signage may be placed on a drive-through canopy fascia. The area of a drive-through canopy fascia shall be included in determining total building mounted signage unless the color of the fascia is one of the following colors, excluding the color of any sign copy: black, white, or a significant color or significant accent color of the building.

B. Other Nonresidential Use Building Mounted Signage. The following signs shall be permitted and shall not be included in the permitted aggregate area of building mounted signs:

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

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

C. Residential Use-Signs Generally.

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

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

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

Sec. 90-597 Freestanding Signs.

1. Sign Structure. Except for limited duration signs, freestanding sign structures shall be either be covered with a material as a monument-style base having a similar color and finish to the principal building, be covered with a material and color used elsewhere on the sign, or be an architectural detail such as a column or a decorative wall.
2. Area of Changeable Copy. Permitted sign area may be increased by 25 percent for the purpose of including covered changeable copy, provided the area of the changeable copy is limited to one-half or less of the total area of the sign face; and where possible, should be covered to avoid being altered through vandalism.
3. Freestanding Sign Landscaping. The base area of the freestanding sign shall be landscaped with groundcover consisting of native flowers and shrubs that is also consistent with the site landscaping and it shall be irrigated on a regular basis.

B. Except as otherwise permitted in this chapter, the following Freestanding Signs shall meet the square footage in area and the sign height requirements as outline below:

1. Mixed Use Community. One hundred (100) square feet in area and a height of fifteen (15) feet.
2. Nonresidential Community. One Hundred (100) square feet in area and a height of twenty (20) feet.
3. Outparcel in a Nonresidential Community. Thirty-two (32) square feet in area and a height of eight (8) feet.

4. Property Outside of a Nonresidential Community. One Hundred (100) square feet in area and a height of fifteen (15) feet.
5. Property in A-1, R-A, R, MHR with a Nonresidential Use, excluding a Farm Use. Fifty (50) square feet in area and a height of fifteen (15) feet.
6. Property in A-1 or R-A with a Farm Use. Thirty (32) square feet in area and a height of eight (8) feet. The sign square footage may be displayed in more than one (1) sign provided the total area of all signs does not exceed the permitted square footage and the signs may be limited duration signs for temporary events.
7. Residential Community Entrance. Thirty-two (32) square feet in area and a height of eight (8) feet. One (1) such sign shall be permitted for each road entrance into the community, provided that two (2) signs shall be permitted if each sign is attached to a decorative fence or wall located on opposite sides of the entrance, with each sign being limited to thirty-two (32) square feet in area.
8. Property in A-1, R-A, R, MHR with a Residential Use. Thirty-two (32) square feet and a height of eight (8) feet. Noncommercial signage may be provided in more than one (1) sign, provided that the aggregate area of all such signs shall not exceed thirty-two (32) square feet; with a maximum of one (1) such sign as a commercial sign not to exceed twenty (20) square feet and they may be limited duration signs.

Sec. 90-598 Additional Signs.

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

1. Freestanding Sign at Entrances to Properties in B and M Districts. Two (2) on-site signs, each not to exceed four (4) square feet and a height of five (5) feet, shall be permitted at each road entrance to a property. Signs shall be limited to two (2) colors, one for lettering and one for background. Lighting shall be limited to internal means.
2. Freestanding Signs at Entrances to Properties in B and M Districts Located Outside a Nonresidential Community that Share Access to a Road. Where two (2) establishments are required by VDOT to share access to a road, each establishment shall be allowed one (1) sign, either on- or off-site, along the shared access. Each sign shall not exceed four (4) square feet and a height of five (5) feet.
3. Freestanding Off-Site Signs for Specific Public and Semi-Public Places. Assembly Hall uses exceeding 10,000 gross floor area, hospitals on greater than

twenty-five (25) acres, transit uses or other public uses without a direct entrance to a road shall be permitted one (1) off-site sign; and such sign shall not exceed seven (7) square feet and a height of seven (7) feet.

4. Drive-through Facility Stacking Lane Signs. Adjacent to each stacking lane, two (2) signs shall be permitted provided they are not legible from off-site. Signs shall be limited to fifty (50) total square feet in area and a height of six (6) feet.
5. Establishments Accommodating Orders from Parking Spaces or Fueling Stations. One (1) sign not to exceed four (4) square feet shall be permitted adjacent to each parking space or fueling station. The sign shall be attached to columns supporting a canopy. The color of the sign box shall match the color of the column on which the sign is mounted.
6. Fuel Dispenser Mounted Signs. Eight (8) square feet of signage, attached to, or immediately above, each fuel dispenser shall be permitted.

Sec. 90-599 Limited Duration Signs.

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

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

1. Noncommercial Freestanding Signs. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) noncommercial signs. Each sign shall not exceed thirty-two (32) square feet and seven (7) feet in height. Each sign shall be displayed for no longer than ninety (90) consecutive days. Display of such signs on each community or property shall be limited to a total of one hundred eighty (180) days within any calendar year.
2. Commercial Freestanding Signs on Occupied Property. A mixed use or nonresidential community, or property not located within a mixed use or nonresidential community shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of seven (7) feet. Display of each sign shall be limited to sixty (60) consecutive days. Display of such signs by an individual tenant or owner shall be limited to a total of one hundred twenty (120) days within any calendar year. The administrator may approve time extensions on property with vacancies or real estate for sale.
3. Building Mounted Banners on Nonresidential Community. A nonresidential community shall be permitted one (1) banner not to exceed fifty (50) square feet. Display of the banner shall be limited to sixty (60) consecutive days. Display of

such banner by an individual tenant or owner shall be limited to a total of one hundred twenty (120) days within any calendar year.

4. Building Mounted Banners on Property Outside of a Nonresidential Community or Outparcel within a Nonresidential Community. A property outside of a nonresidential community or outparcel within a nonresidential community shall be permitted one (1) banner not to exceed 50 square feet. Display of such banner shall be limited to a total of one hundred twenty (120) days within any calendar year.
5. Commercial Signs on Vacant Property. A vacant property shall be permitted two (2) commercial signs, each not to exceed thirty-two (32) square feet and a height of seven (7) feet. A property fronting two (2) roads shall be permitted one (1) sign as described above on each road. Signs shall be removed at such time that the activity which it advertises ceases.

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

1. Noncommercial Signs at Residential Community Entrances. At each entrance into a residential community, one (1) noncommercial sign, not to exceed thirty-two (32) square feet and a height of seven (7) feet, shall be permitted. Display of each sign shall be limited to sixty (60) days. Display of such signs on each community shall be limited to one hundred twenty (120) days within any calendar year.
2. Banners for Nonresidential Use on Property not Occupied by a Residential Use. On a property not occupied by a residential use, one (1) banner, not to exceed thirty-two (32) square feet and a height of seven (7) feet, shall be permitted. A property fronting two (2) roads shall be permitted such signage along each road. Display of each banner shall be limited to sixty (60) consecutive days. Display of such banners on each property shall be limited to one hundred twenty (120) days within any calendar year.
3. Commercial Signs on Vacant Property. On a vacant property, one (1) sign, not to exceed sixteen (16) square feet and a height of ten (10) feet, shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Signs shall be removed at such time that the activity which it advertises ceases.

4. **Noncommercial Signs on Vacant Property.** On a vacant property, one (1) sign not to exceed sixteen (16) square feet and a height of ten (10) feet, shall be permitted. A property fronting two (2) roads shall be permitted signage along each road. Display of each sign shall be limited to one hundred (100) consecutive days. Display of such signs shall be limited to one hundred twenty (120) days within any calendar year.
5. **Off-Site for Commercial Use of Limited Duration.** Three (3) off-site signs, each not to exceed six (6) square feet and a height of seven (7) feet, shall be permitted for a commercial use lasting for three (3) or fewer days on an R or MHR property or on A-1 or R-A property designated in the comprehensive plan for other than nonresidential use. One (1) such sign shall be displayed on a property. Display of signs shall be limited to forty-eight (48) hours prior to commencement, and forty-eight (48) hours after cessation, of the use or activity advertised.

Chapter 90 Zoning Ordinance – Sign Ordinance Sections to be Deleted

90-1 Definitions:

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

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

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

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

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

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

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

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

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

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

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

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

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

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

Sec. 90-56 A-1 Setback regulations.

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

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

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

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

~~(16) Business sign~~

~~(17) Directional sign~~

~~(18) Home Occupation sign~~

Sec. 90-106. Setback regulations.

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

Sec. 90-202 R-1 Permitted uses.

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

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

~~(9) Nonbusiness directional signs~~

Sec. 90-242 R-2 Permitted uses.

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

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

~~(10) Nonbusiness directional signs.~~

Sec. 90-292 R-3 Permitted uses.

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

~~(14) Directional signs.~~

~~(15) Home occupation signs.~~

Sec. 90-295 R-3 Setbacks

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

Sec. 90-342 MHR Permitted uses.

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

~~(4) Nonbusiness directional signs.~~

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

~~(23) Business signs.~~

~~(24) General advertising signs.~~

~~(25) Location signs.~~

Sec. 90-395 B-1 Setbacks.

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

Sec. 90-442 M-1 Permitted uses.

~~(16) Business signs.~~

~~(17) General advertising signs.~~

~~(18) Location signs.~~

Sec. 90-446 M-1 Setbacks.

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

Sec. 90-492 M-2 Permitted uses.

~~(16) Business signs.~~

~~(17) General Advertising signs.~~

~~(18) Location signs.~~

Sec. 90-496 M-2 Setbacks.

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

Sec. 90-546 M-3 Setbacks.

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

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

~~Notwithstanding any other provision of this chapter, a sign shall be located 20 feet or more from any street or road right of way or easement; this shall be known as the setback line. There shall be excepted from this setback requirement residential identification signs, signs advertising the sale or rent of the premises and signs in~~

~~which the lowest portion of the advertising area is a minimum of ten feet above the ground surface, which signs may be erected up to the property line. No sign shall be required to be setback from the street or road right-of-way or easement a distance greater than the setback of the existing main structure on the lot.~~

Sec. 90-1039. PUD Planned unit developments.

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

**PRINCE GEORGE COUNTY, VIRGINIA
SPECIAL EXCEPTION SUMMARY REPORT**

CASE NUMBER: SE-19-01

APPLICANT: Petersburg Cellular Partnership (Verizon Wireless)

PROPERTY LOCATION: East of 15610 James River Drive

TAX MAP: 270(0A)00-036-C / Five (5) Acre Parcel

REQUESTED ACTION: Special Exception to permit a Tower

PROPOSED USE: Tower per Zoning Section 90-53 (15)

TOWER DATA: 199' Tower to be located about 162' from SR 10

EXISTING ZONING: A-1, General Agricultural Zoning District

EXISTING USE: Vacant

SURROUNDING ZONING:

North; East; and West: A-1, General Agricultural; Single Family Dwellings
South: R-1, Limited Residential; Single Family Dwellings

UTILITIES: Not applicable for an unmanned tower structure use

REAL ESTATE TAXES: No County real estate taxes owed by property owner

MEETING INFORMATION:

Planning Commission: February 28, 2019 at 6:30 pm

Board of Supervisors: March 26, 2019 at 7:30 pm

Board of Zoning Appeals: April 17, 2019 at 6:30 pm

RECOMMENDATION:

Staff supports the proposed tower request along with the recommended conditions

1. Special Exception Application and Narrative Statement
2. Map of the Subject Property and the Area
3. Staff Report and Recommended Conditions

PLANNING COMMISSION STAFF REPORT

SPECIAL EXCEPTION CASE SE-19-01

PETERSBURG CELLULAR PARTNERSHIP

PUBLIC HEARING: FEBRUARY 18, 2019

Request:

Petersburg Cellular Partnership (Verizon Wireless) is requesting a Special Exception to permit the construction, operation, and maintenance of a monopole communications tower up to one hundred ninety-nine (199) feet within the A-1, General Agricultural District.

Project Summary:

Verizon Wireless is proposing a new communications tower to improve the capacity of data services and to assist with voice capacity in the future. The proposed use is a monopole communications tower that will support co-location by other carriers. The proposed tower will be located on its own five (5) acre parcel that has been created and recorded by the property owner to keep the tower site and the existing lumber business operations separated from one another as commercial business land uses.

Tower Site Selection Criteria Summary:

Verizon Wireless has provided the site selection process information that was conducted for the site:

In building out its network, Verizon Wireless seeks first to collocate on existing structures as it is the desire of most local governments and it is typically less expensive than constructing a new wireless communications facility. However, collocation was not an option as there are no existing towers or tall structures within the one (1) mile search ring and there are three (3) existing towers within 1.3, 2.7 & 3 miles from the center of the search ring that do not accomplish Verizon Wireless' coverage objectives.

Verizon Wireless (VZW) is thereby proposing a new 199' monopole communications tower and the proposed height will not only allow VZW to achieve its coverage objective but it will allow at least two other positions for other wireless carriers to collocate onto the proposed tower. The tower equipment compound at the base of the structure will be designed to accommodate three (3) providers to have ground mounted equipment and it will be properly screened from view from the public right-of-way.

Comprehensive Plan:

The Comprehensive Plan states that this area is suitable for agricultural uses. The construction and operation of the proposed tower will provide additional data and voice capacity and coverage for the surrounding county residents and business owners, public safety officers, and the general travelling public in Prince George County along the James River Drive Route 10 Corridor and surrounding area.

Planning Review and Analysis:

The applicant has completed all aspects of Prince George County's Tower Siting Policy since the initial pre-application meeting on June 14, 2018 with Planning and VDOT Staff where the proposed site was discussed for the new tower. Three (3) communication towers within a three (3) mile radius were explored as a part of their search ring but none of them provided adequate co-location coverage.

The proposed communications tower will be compatible with the surrounding properties if the staff recommended conditions are implemented as shown in the Staff Report. The applicant proposes to have a 70' x 70' fenced compound area for the tower and served by a 12' gravel access road out to James River Drive (SR 10) with an approved VDOT entrance. The tower site is located on a wooded five (5) acre parcel that will screen the compound from the road and additional landscaping would be installed in the future if the existing vegetation were to be removed surrounding the proposed tower.

Virginia Department of Transportation reviewed the Special Exception request and they would like to have the applicant to orient the proposed entrance so that it is perpendicular to SR 10. Otherwise, they do not have any other concerns relative to the proposed low volume of traffic generated on site.

Recommended Conditions:

1. The Special Exception is granted for a tower and it shall not exceed 199 feet and it shall be designed to accommodate co-location opportunities onto the tower.
2. The applicant shall provide, prior to issuance of a building permit, a statement from a registered engineer certifying that non-ionizing electromagnetic radiation ("NIER") emitted from communication towers, like the applicant's tower, does not result in ground level exposure at any point outside such facility that exceeds the maximum permissible NIER exposure as set by the Federal Communication Commission ("FCC"). In addition, when equipment on the tower is altered in such a way to increase the amount of radiation emitted from the facility, the applicant or its designee shall submit a statement from a registered engineer certifying that the ground level exposure does not exceed the maximum permissible NIER exposure as set by the FCC.
3. The tower shall have a non-reflective galvanized finish that is gray or another color that is acceptable to Prince George County Planning. The tower shall not contain any advertising or any signage other than small warning or safety signs on the tower compound fencing. The tower shall be designed and constructed as a monopole structure.
4. The base of the tower shall be enclosed by a minimum six (6) foot high fence and be designed to preclude trespassing. The base of the tower shall be landscaped using one (1) small evergreen tree or shrub planted for each ten (10) linear feet in two offset rows with the result being a small evergreen tree or shrub being

planted for each five (5) linear feet. Each small evergreen tree or shrub shall have a height of at least six (6) feet at the time of planting and an ultimate height of fifteen (15) feet or greater within five (5) years or less.

5. No communications equipment or tower structure shall be installed which will in any way interfere with the County's Emergency Communication System. The applicant shall be responsible for the elimination of said interference within twenty-four (24) hours of receipt of notice from Prince George County should any equipment associated with this facility or the tower structure itself be found to have such an impact.
6. The applicant, within one hundred eighty (180) days after the tower ceases to be used for communications purposes for a period of twelve (12) consecutive months, shall dismantle and then remove the tower and all associated equipment from the property, except the footers.
7. This permit may be revoked by the Prince George County Board of Supervisors or its designated agent for failure by the applicant to comply with any of the listed conditions or any provision of Federal, State or Local regulations.



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

February 15, 2019

PLANNING COMMISSION - NOTICE OF PUBLIC HEARING

Dear owner, agent, or occupant of each parcel involved that is abutting property and property immediately across the street or the road from the property affected:

This is notification that the Prince George County Planning Commission will hold a public hearing on **Thursday, February 28, 2019 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-19-01 Request of Petersburg Cellular Partnership (d/b/a Verizon Wireless) to construct a 199 foot monopole communication tower pursuant to 90-53 (15) within the A-1, General Agricultural Zoning District. The request property is located east of Anderson Lumber at 15610 James River Drive on the north line of Route 10 and is identified as Tax Map 270(0A)00-036-C. The Comprehensive Plan calls for agricultural uses.

A copy of the related materials may be examined in Planning and Zoning in the County Administration Building or call 804.722.8678 and the department is open from 8:30 am to 5:00 pm Monday - Friday. All interested persons shall have the opportunity to be heard at said public hearing. We have attached a copy of the general location of the request site for your use.

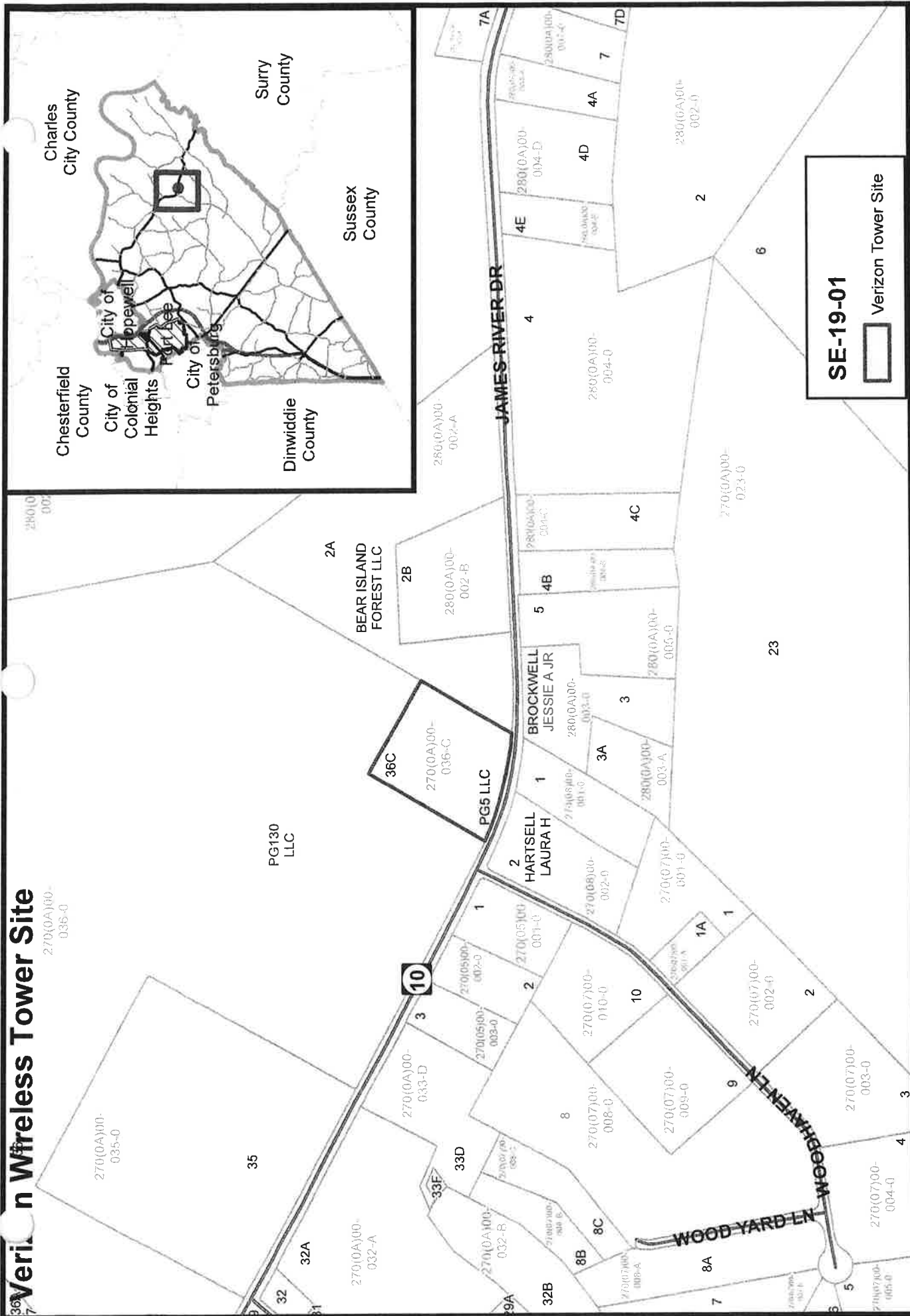
Sincerely,

Douglas Miles

Douglas Miles, AICP
Planning Manager

Attachment

Verizon Wireless Tower Site





County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

Memorandum

To: Angela Blount, Environmental Program Coordinator
Dean Simmons, Building Official and Fire Official
Chief Keith Early, Prince George Police Department
Paul Hinson, VDOT – Petersburg Residency Office

C: Percy C. Ashcraft, County Administrator
Jeff Stoke, Deputy County Administrator
Julie C. Walton, Department Director

From: Douglas Miles, Planning Manager 

Date: January 31, 2019

Subject: **Petersburg Cellular Partnership Tower (Verizon Wireless) – Route 10**

Please find the Verizon Wireless Special Exception application and their textual statement requesting a 199' monopole communications tower to be constructed north of Route 10 and east of Anderson Lumber located at 15610 James River Drive on a five (5) acre tower parcel.

Please review the attached information and provide any staff report comments that you deem appropriate for this Special Exception. I have provided the previous Verizon Wireless Tower Staff Report located on Hines Road to provide you with further information on tower requests. **Please provide comments by Monday, February 11th to dmiles@princegeorgecountyva.gov**



APPLICATION FOR SPECIAL EXCEPTION - CONDITIONAL USE PERMIT

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

OFFICE USE ONLY

APPLICATION #:

SE-19-01

DATE SUBMITTED:

JAN 22 2019

ZONING ORDINANCE

SECTION:

90-53(15)

(PLEASE FILL-IN ALL BLANKS)

LEGAL OWNER(S) OF PROPERTY REQUESTED FOR PERMIT:

PG5 LLC

ADDRESS:

15610 James River Drive

CITY:

Disputanta

STATE:

VA

ZIP CODE:

23842

PHONE NUMBER:

E-MAIL ADDRESS:

TAX MAP OF SUBJECT PARCEL:

270(0A)00-036-C

RECORDED IN THE CIRCUIT COURT CLERK'S OFFICE:

Instrument #18003591 & P.B. 26, PGS 218-219

DEED BOOK

PAGE

Date

DEED RESTRICTIONS:

ACREAGE:

5 ac.

PARTIAL PARCEL:

☐ YES

☒ NO

SUBDIVISION:

N/A

PRESENT USE:

vacant

ZONING CLASSIFICATION

LAND USE CLASSIFICATION:

Agriculture

PRESENT ZONING:

A-1 (General Agricultural District)

AGENT OR REPRESENTATIVE OF PROPERTY OWNER(S), IF ANY (SPECIFY INTEREST):

NAME:

Jeff Holland, Network Building + Consulting, LLC (agent for Verizon Wireless)

ADDRESS:

4435 Waterfront Drive, Suite 100

CITY:

Glen Allen

STATE:

VA

ZIP CODE:

23060

PHONE NUMBER:

(757) 817-6628

E-MAIL:

jholland@nbcllc.com

PROVIDE A GENERAL DESCRIPTION OF THE PROJECT: (ATTACH A SEPARATE LETTER IF NECESSARY)

See attached cover letter and project narrative.

AFFIDAVIT

- A. The undersigned (1) Property Owner or (7) 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.

SIGNED: SEE ATTACHED SIGNATURE PAGE DATE: _____

MAILING ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE NUMBER: _____

E-MAIL ADDRESS: _____

STATE BELOW THE NAME, ADDRESS, AND PHONE NUMBER OF PERSON(S) TO BE CONTACTED REGARDING THIS APPLICATION IF OTHER THAN ABOVE PERSON(S):

NAME: Jeff Holland, Network Building + Consulting, LLC (agent for Verizon Wireless)

MAILING ADDRESS: 4435 Waterfront Drive, Suite 100

CITY/STATE/ZIP: Glen Allen, VA 23060

PHONE NUMBER: (757) 817-6628

E-MAIL ADDRESS: jholland@nbcllc.com



STATE OF VIRGINIA

COUNTY OF: PRINCE GEORGE

Subscribed and sworn before me this 8th day of JANUARY, 20 19.

KELSEY CHASE

Notary Public

My Commission expires: APRIL 30, 20 22

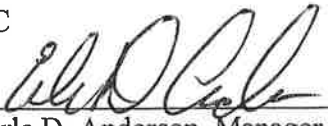
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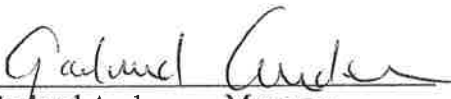
SIGNATURE PAGE FOR
APPLICATION FOR SPECIAL EXCEPTION -CONDITIONAL USE PERMIT

Tax Map of Subject Parcel: 270(0A)00-036-C

The undersigned Property Owner 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.

PG5 LLC

By: 
Erle D. Anderson, Manager

By: 
Garland Anderson, Manager

Mailing Address: 15610 James River Drive

City/State/Zip: Disputanta, Virginia 23842

Phone Number: (804) 347-6313

Email Address: padro1@aol.com



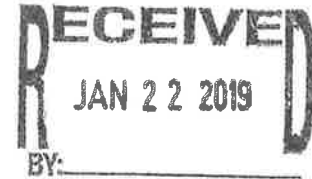
Network Field Engineering

1831 Rady Court
Richmond, VA 23222

Hand Delivery

January 22, 2019

Mr. Douglas C. Miles, AICP, CZA
Planning Manager and Zoning Administrator
Prince George County Community Development
Post Office Box 68 - US Mail / 6602 Courts Drive
Prince George, Virginia, USA 23875-0068



RE: Application for Special Exception and Variance made by Petersburg Cellular Partnership (d/b/a Verizon Wireless) concerning the installation of a new 199' Wireless Communication Facility (Site Name: Hardwood Mulch) at James River Drive, Disputanta, VA, TAX MAP #270(0A)00-036-C

Dear Douglas:

As an agent for Verizon Wireless, I am pleased to submit on behalf of Petersburg Cellular Partnership (d/b/a Verizon Wireless) ("Applicant") the attached Applications for Special Exception and Variance regarding the installation of a new 199' wireless communication facility along James River Drive, Tax Map #270(0A)00-036-C in Prince George County, Virginia ("Subject Property"). Pursuant to the Prince George County Tower Siting Policy, a Special Exception is required for a wireless communication facility. Pursuant to Section 90-61 of the Prince George County Zoning Ordinance, the maximum height in the A-1 (General Agricultural District) is 35 feet, thus a Variance is needed.

Verizon Wireless ("VZW") has retained Network Building + Consulting, LLC ("NB+C") to act as its agents in connection with this application. In addition, Verizon Wireless has retained the legal services of LeClairRyan in connection with this application. Should you have any questions regarding this application, please let either Mr. Stephen Romine or myself know.

Jeff Holland, NB+C – (757) 817-6628 or jholland@nbcllc.com
Stephen Romine, LeClairRyan – (757) 441-8921 or Stephen.Romine@leclairryan.com

The Subject Property is located in the A-1 (General Agricultural District) and is located in the Brandon Magisterial District. The Subject Property consists of 5.0 acres, while only a portion of the Subject Property consisting of approximately 13,000 square feet (0.30 acres) will be used by the Applicant. The proposed wireless communication facility will be a monopole tower design with a total height of 199 feet (195 feet monopole + 4 foot lightning rod). The facility will meet all setbacks and will be designed to have a fall zone of 50 feet. Thus, in case of a collapse, the facility will fall within the Subject Property.

Please note that VZW is requesting two (2) waivers from the requirements of Section (D)6 of the Prince George County Tower Siting Policy. The two (2) waivers are stated on page 6 of the enclosed project narrative.

In accordance with the Prince George County policy, I have enclosed one (1) paper copy of the following documents unless otherwise noted. Please note that a digital copy of everything will be emailed to the Planning Department.

- Special Exception application;
- Variance application;
- Special Exception fee (\$700; check #2613);
- Variance fee (\$350; check #2614);
- Limited Power of Attorney (from VZW);
- Limited Power of Attorney (from property owner);
- Project Narrative;
- List of VZW's existing facilities in Prince George County;
- TOWAIR Report;
- Photo Simulations (12 color paper copies); and
- 11"x17" zoning drawings.

Thank you in advance for your consideration and please do not hesitate to contact Mr. Romine or myself to further discuss any of the application materials. I look forward to working with you and the Prince George County Planning Commission, Board of Zoning Appeals and Board of Supervisors regarding these applications.

Sincerely,



Jeff Holland, AICP
Senior Land Use Specialist
Network Building + Consulting, LLC
(agent for Verizon Wireless)

cc: Stephen Romine, Attorney at Law, LeClairRyan (agent for Verizon Wireless)

**Applicant: Petersburg Cellular Partnership (d/b/a Verizon Wireless)
Special Exception Permit Application – Prince George County
Tower Siting Policy Narrative
Site Name: Hardwood Mulch
(Parcel # 270(0A)00-036-C)
James River Drive, Disputanta, VA 23842**

Zoning Ordinance requirements

The subject property is located on tax map parcel 270(0A)00-036-C and is zoned A-1, General Agricultural District. In accordance with Sec. 90-53(15) of the Zoning Ordinance, towers are permitted subject to an approved special exception permit. The Tower Siting Policy regulates wireless sites. The submission requirements listed in this section are as follows:

(C) Application requirements

1. All potential applicants for towers shall meet with county planning staff at least thirty (30) days prior to submitting an application for a proposed tower use. The applicant shall present information to the staff on the system objectives, proposed coverage areas, and alternative sites considered and rejected during this meeting. The county planning staff shall provide the potential applicant information on all Prince George County policies and standards for towers and shall discuss with the applicant possible alternatives to tower construction during this meeting.

Verizon Wireless (VZW) as the applicant had a pre-application meeting with staff on 6/14/18. Steve Romine with LeClairRyan and Jeff Holland with Network Building + Consulting, LLC represented VZW at this meeting.

2. In addition, all applicants for towers shall provide the following information:
 - a. The location of all other proposed tower sites considered and rejected, and the specific technical, legal or other reasons for the rejection of those tower sites.

In building out its network, VZW seeks first to collocate on existing structures (wireless communications facilities, transmission power towers, rooftops, etc.) within a search ring. VZW places a strong emphasis on co-location for these reasons: 1) it is the desire of most local governments and 2) it is typically less expensive than constructing a new wireless communications facility.

- b. The location of all other possible co-location sites considered and rejected, and the specific technical, legal or other reasons for the rejection of those tower sites.

Collocation was not an option for this site for the following reasons:

- *There are no existing towers or tall structures within the 1 mile search ring that met Verizon Wireless' height objective of 199 feet.*
- *According to the County list of existing telecommunication facilities, there are three (3) facilities in the general vicinity of VZW's proposed tower. However, none of them are a viable candidate for collocation because:*

1. *300' monopole – TM#270(06)00-00B-0 – located approximately 2.7 miles from the center of the search area ring – this wireless communications facility is located outside of the search ring and will not accomplish VZW's coverage objective.*
 2. *195' monopole tower – TM#280(0A)00-012-0 – located approximately 1.3 miles from the center of the search area ring – this wireless communications facility was approved, but never constructed (according to Staff).*
 3. *225' lattice tower – TM#290(0A)00-021-0 – located approximately 3 miles from the center of the search area ring – this wireless communications facility is located outside of the search ring and will not accomplish VZW's coverage objective.*
- c. Photographic simulations showing the relationship of the proposed tower and associated antenna to the surroundings. Photographic simulations shall also be prepared showing the relationship of any new or modified road, access or utility corridors constructed or modified to serve the proposed tower site.

See enclosed photographic simulations of the proposed wireless communications facility.

- d. Information on how the proposed tower site relates to the applicant's existing tower communication system, including the number of other sites within the county or the surrounding area and the location of the antennas at each site.

See enclosed list of existing VZW's facilities in Prince George County.

- e. All tower applicants shall be required, at their expense, to conduct an on-site "balloon" or comparable test prior to the required public hearings on the Special Exception request. The purpose of this test shall be to demonstrate the potential visual impact of the proposed tower. The dates and periods of these tests shall be established with the applicant at the pre-application consultation meeting.

VZW conducted a balloon test on October 15, 2018.

- f. Written verification that all required submittals to the Federal Aviation Administration (FAA) have been submitted on the proposed tower site.

According to the TOWAIR, there are no airports within five (5) miles of the proposed wireless communication facility, and the proposed facility is less than 200 feet in height so VZW was not required to register it with the FAA. See enclosed TOWAIR report.

3. The applicant shall be responsible for all fees associated with the filing of the application including the reasonable cost of any independent analysis deemed necessary by the county to verify the need for the new tower.

Duly noted. However, in the recently passed state law (HB1258) in Section § 15.2-2316.4:1. Zoning; other wireless facilities and wireless support structures:

B. A locality may charge a reasonable fee for each application submitted under subsection A or for any zoning approval required for a standard process project. The fee shall not include direct payment or reimbursement of third-party fees charged on a contingency basis or a

result-based arrangement. Upon request, a locality shall provide the applicant with the cost basis for the fee. A locality shall not charge market-based or value-based fees for the processing of an application. If the application is for:

- 1. An administrative review-eligible project, the fee shall not exceed \$500; and*
- 2. A standard process project, the fee shall not exceed the actual direct costs to process the application, including permits and inspection.*

(D) General standards

1. The maximum height of any proposed tower and associated antennas shall be made as a condition of the Special Exception request. It is recommended that the tower and/or antennas not exceed one hundred ninety-nine (199) feet in height.

VZW is proposing a 199 foot wireless communication facility. This height will not only allow VZW to achieve its coverage objective, but it will also allow at least two other positions for other wireless carriers to collocate.

2. The setback for any proposed tower shall conform to the height requirements for principal structures for the proposed zoning district. However, in no case shall the minimum setback from the base of the tower to any residential structure on an adjoining lot be less than forty (40) percent of the height of the tower, measured from the closest structural member of the tower, excluding guy lines.

The wireless communication facility will meet all applicable setbacks of the A-1 zoning district. It will be approximately 162' from James River Drive. The facility will be designed with a 50' fall zone radius, and thus will be designed to collapse on the subject parcel. The closest residential structure is located approximately 362' from the proposed tower on TM#280(0A)00-003-0.

3. Towers shall not be illuminated with any type of lighting apparatus, unless such lighting is a requirement of either the FAA or FCC. When lighting is proposed to conform to federal requirements, the county shall contact the federal agency to verify the necessity of lighting and to determine the minimal amount and type of lighting necessary to comply with the federal guidelines. Low level security lighting may be installed on buildings and structures associated with a tower.

VZW does not propose lighting for the wireless communications facility unless required by the FAA or FCC.

4. Any tower approved shall be structurally designed to carry sufficient loading and the site approved shall be sized to accommodate the additional antenna equipment necessary for at least three (3) providers of communications services in order to minimize the proliferation of new towers in the vicinity of the requested site. In addition, by applying and being granted the Special Exception request, the applicant and the owner of the land shall agree to make the tower and tower site available for additional leases within the structural capacity of the tower and at reasonable costs adequate to recover the capital, operating and maintenance costs of the tower location required for the additional capacity.

The wireless communications facility and equipment compound at the base of the structure will be designed to accommodate at least three (3) providers of communications services including VZW.

5. A monopole tower design is recommended. The Board may approve an alternative tower design if it finds that an alternative type of structure has less of a visual impact on the surrounding community and Prince George County and/or based upon accepted technical and engineering data a monopole design is not technically feasible. Cost shall not be a criterion for determining tower design.

A monopole design is proposed for the wireless communications facility.

6. By applying and being granted the Special Exception request, the applicant and the owner of the land agree to dismantle and remove the tower and associated facilities from the site within ninety (90) days of the tower no longer being used for wireless communications. Dismantling and removal from the tower shall only be required after notice by the County. If the antennas on any approved tower are relocated to a lower elevation, the tower shall be shortened to the height of the highest antenna.

VZW respectfully requests a term of one hundred eighty (180) days to dismantle and remove the tower upon notice from the County. Ninety (90) days is not sufficient time to remove the tower.

VZW respectfully requests a waiver for the requirement to shorten the tower to the height of the highest antenna if any antennas are relocated to a lower elevation. VZW cannot predict other carriers' needs in the future and reducing the tower height limits future vertical space for collocations. This also places an undue financial hardship on VZW if another carrier sought to collocate at a higher RAD center on the facility after it was shortened.

7. All tower structures and associated hardware, antennas, and facilities shall be a flat matted finish so as to reduce visibility and light reflection unless otherwise required by the FCC or FAA.

The wireless communication facility will have a galvanized steel finish that will reduce visibility and light reflection.

8. No business signs shall be allowed on the property identifying the name of, or services offered by, any business associated with the tower.

There will be no business signs on the property identifying the name of, or services offered by, any business associated with the tower.

(E) General review policies

All Special Exception requests for new towers, including the replacement or modification of existing towers shall be reviewed by the County planning staff, the Commission and the Board on the basis of the following criteria:

1. The extent to which the tower proposal conforms to the general Special Exception criteria contained in the zoning ordinance, and the intent, the application requirements, and general standards for towers found within this policy

See narrative and zoning drawing.

2. The demonstrated willingness of the applicant to evaluate possible co- location opportunities within the proposed communication service area for coverage.

In building out its network, VZW looks first to collocate on existing structures (telecommunication towers, transmission power towers, rooftops, etc.) within a search ring. VZW places a strong emphasis on co-location for these reasons: 1) it is the desire of most local governments and 2) it is typically less expensive than constructing a new tower. For this search ring, there are no existing collocation options.

3. Tower locations already served by existing roads and utilities are preferred due to the potential detrimental environmental and visual impacts resulting from the construction of new road and utility corridors

The wireless communication facility will be served by a 12' gravel access drive that will connect to James River Drive (Route 10). There will be minimal tree clearing for the proposed for a 12' access drive and the 70'x70' fenced-in compound. See zoning drawing.

4. Within the needed service area, the availability of other existing structures that are, based upon independent analysis, of suitable height, design, and location for the needed antenna.

Not applicable.

5. The visibility of the tower from the surrounding community and neighborhood, compatibility of the tower as determined by the submitted computer simulations and balloon test or a comparable test.

The area surrounding the subject parcel is zoned A-1. In the A-1 district, wireless communication facilities are permitted subject to an approved special exception permit. The A-1 district is characterized by limited residential development, farm land and large vacant parcels. A wireless communication facility is a compatible use in this district due to its low intensive use. The proposed wireless communications facility is located on a heavily wooded parcel and the compound will practically not be visible from the public right of way on James River Drive (Route 10). See enclosed photo simulations.

6. The degree to which the proposed tower location, the site design and facilities, including fencing, and other ground mounted equipment and new or modified road, access or utility corridors are all located, designed and will be constructed to be compatible with the surrounding neighborhood that the tower proposes to serve with proper coverage.

The proposed wireless facility will be compatible with the neighborhood for the following reasons:

- *Wireless technologies are increasingly being utilized in vehicles, businesses and residential homes. The wireless communication facility will enhance the existing wireless network by supporting these wireless technologies and, therefore, improve quality of life in the area;*
- *The wireless communication facility will blend with the existing area that consists of a mix of single family residences, agricultural uses including the subject parcel (a mulching business), and large wooded vacant parcels.*

- *The equipment compound will not be visible from the public right of way along James River Drive (Route 10) due to the existing trees and vegetative cover that will effectively screen the base of the compound from the road.*

List of Requested Waivers:

1. Section (D)6 of the Prince George County Tower Siting Policy, *By applying and being granted the Special Exception request, the applicant and the owner of the land agree to dismantle and remove the tower and associated facilities from the site within ninety (90) days of the tower no longer being used for wireless communications. Dismantling and removal from the tower shall only be required after notice by the County.*

Verizon Wireless respectfully requests a term of one hundred eighty (180) days to dismantle and remove the tower upon notice from the County. One hundred eighty (180) days will give them sufficient time to properly remove the tower.

2. Section (D)6 of the Prince George County Tower Siting Policy, *If the antennas on any approved tower are relocated to a lower elevation, the tower shall be shortened to the height of the highest antenna.*

VZW respectfully requests a waiver for the requirement to shorten the tower to the height of the highest antenna if any antennas are relocated to a lower elevation. VZW cannot predict other carriers' needs in the future and reducing the tower height limits future vertical space for collocations. This also places an undue financial hardship on VZW if another carrier sought to collocate at a higher RAD center on the facility after it was shortened

Compliance with Comprehensive Plan

The subject parcel is designated as Agriculture on the County's Future Land Use Map. The proposed wireless communication facility is consistent with the Comprehensive Plan such that:

- The subject parcel is located in the Rural Conservation Area Planning Area. This is the County's designated conservation area designed to achieve the County's conservation and preservation objectives. One of the Land Use Goals is to achieve a balanced land use system that provides sufficient and compatible land areas for all community land use needs, while protecting sensitive natural environments and important local historic and cultural resources. A wireless communication facility is a low-intensive use that only requires minimal clearing of existing vegetation. The subject parcel is over 135 acres and is heavily wooded except for the existing commercial use (mulching business). The property owners subdivided a 5 acre lot in which the wireless communication facility will be located on. The 5 acre lot and the original subject parcel will maintain its heavily wooded character. The wireless communication facility will also meet the need for improved cell phone service in the area along James River Drive which is a major thoroughfare in the County.
- James River Drive (Route 10) is designated as one of the "Gateways to the County". Maintaining and enhancing the natural viewsheds and character of development visible along these gateways is critical to the success of the County's economic development and marketing activities. There will

be minimal clearing for the wireless communication facility and the equipment compound will practically not be visible from James River Drive.

- Developing a strong and diversified tax base through guided office, commercial retail and industrial development is one of the objectives in enhancing the County's economic base. Having improved wireless services along a major thoroughfare not only helps residents and businesses, but it also is a very low-intensive compatible use in areas that are designate as Agriculture on the Future Land Use Map.

February 12 Meeting Recap

BOS Holds Public Hearing and Approves Ordinance Allocating \$.02 of the Real Estate Tax for Fire Apparatus Replacement

The Board of Supervisors at its February 12 meeting approved an ordinance allocating \$.02 of the Real Estate tax for Fire Apparatus Replacement for the Coordinated Fire and EMS System. Since the fiscal year 2014, as part of the Board approval of an annual budget, the Board has committed revenue from \$.02 of the real estate tax to be used for fire apparatus replacement for the coordinated Fire/EMS System. The approved ordinance will make such an allocation permanent in a way that provides long-term predictability and a dedicated funding stream for certain fire apparatus replacement.

Other matters to come before the BOS at its Worksession and Meeting:

- Received an update from County Engineer Frank Haltom on various Utility matters.
- Received a presentation by Human Resources Director Corrie Hurt on the Commonwealth of Virginia (COVA) 457 Plan.
- Unanimously approved an appropriation in the amount of \$14,057.65 for District 19 Adult Education FY2019 Revenue and Expenditure Increases.
- Unanimously approved a Proclamation of February, 2019 as "Black History Month."
- Received a report from VDOT.
- Received a report on Property Maintenance and Inoperable Vehicles.
- Unanimously approved January 22, 2019 Regular Minutes.
- Unanimously approved personnel policy revisions.
- Received the Department Head 2018 Annual Reports.

- Unanimously approved proposed changes to the Crater Workforce Investment Board Agreement.
- Unanimously approved authority to advertise a public hearing to consider condemnation of temporary construction easement.
- Unanimously approved authority to advertise a public hearing for an appropriation of \$1,583,633.35 for FY2019 School Impact Aid Funds.
- Unanimously authorized Fire and EMS to complete and submit a grant application to Virginia Office of EMS for two Zoll X Series Manual Monitor/Defibrillators.
- Unanimously approved award of contract for Route 10 Fire Station generator.
- Unanimously approved authority to advertise a public hearing to consider approval to lease a portion of the Central Wellness Center to The Woman's Club of Prince George County.
- Unanimously approved authority to advertise a public hearing authorizing the issuance of general obligation bonds in the maximum principal amount of up to \$9,450,000.
- Unanimously approved authority to advertise a public hearing for the appropriation of up to \$8,238,473 in debt proceeds to the Capital Projects Fund.
- Unanimously appointed Chief Keith Early to the John Tyler Alcohol Safety Action Program.
- Unanimously appointed Stephen Brockwell to the Board of Grievance Appeals.
- Unanimously appointed County Administrator Percy Ashcraft to the Appomattox River Water Authority.