



PLANNING COMMISSION REGULAR MEETING  
WEDNESDAY, JANUARY 8, 2020  
6:00 PM

153A Morton Lane, Appomattox, VA 24522  
[www.AppomattoxCountyVA.gov](http://www.AppomattoxCountyVA.gov)

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## Call to Order

### Determination of Quorum

1. [19-1412](#) **Organization of Commission**

1. Election of Officers

Per the By-Laws, the Chairman and Vice-Chairman shall rotate according to the alphabetical order of the election districts. Following this order, Mr. Almond (Appomattox River) and Mr. Conner (Courthouse) should be voted on for Chair and Vice-Chari. If either person desires not to serve, the process will rotate to the next district (Falling River).

2. Consent Agenda

The annual meeting schedule and By-Laws may be adopted by consent. The regular meeting schedule would be the second Wednesday of each month beginning at 6:00 p.m. with the meeting location being the Board of Supervisors meeting room, 132 Carver Lane, Appomattox, Virginia.

Documents: [PC-By Laws 2020.pdf](#), [2020 Planning Commission Calendar.pdf](#)

### Approval of Minutes

2. [19-1413](#) **Approval of Minutes**

The minutes from the December 11, 2019 meeting are available for your consideration.

Documents: [December11 minutes.pdf](#)

### Discussion of Petition/Public Hearing

3. [19-1414](#) **Public Hearing-CUP190852-William and Mary Alvis, Verizon Wireless**

**CUP190852-William and Mary Jane Alvis (property owner), Verizon Wireless/Jeff Holland (applicant/agent)**, has requested a Conditional Use Permit to locate a 199 foot tall wireless communication facility (WCF) on property located off Trinity Road (Route 611), near the intersection of Vineyard Road in the Stonewall area. The parcel totals approximately 75 acres and is identified as Tax Map Identification Number 24 (A) 19. The WCF lease area (approximately 10,000 sf) will be located approximately 1,000 feet south of Trinity Road. The property is zoned A-1, Agricultural Zoning District and is designated as Rural Preservation Area (RPA) by the Comprehensive Plan.

Documents: [CUP190852 Alvis Packet.pdf](#)

4. [19-1415](#) **Discussion- CUP190852-William and Mary Alvis, Verizon Wireless**

### Old Business

Discussion of the proposed changes to the Wireless Communications Facilities section of the Zoning Ordinance will continue at the February meeting.

### Adjournment

Next Meeting, Wednesday, February 12, 2020 at 6:00 p.m.

**BYLAWS AND RULES OF PROCEDURE  
APPOMATTOX COUNTY JOINT PLANNING COMMISSION**

**ARTICLE 1 - OBJECTIVES**

- 1-1 This Commission, established in conformance with the resolution adopted by the Board of Supervisors of Appomattox County, Virginia, on July 10, 1963, has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Code of Virginia, 15.2-2210 et seq.
- 1-2 The official title of this commission shall be the “Appomattox County Joint Planning Commission.”

**ARTICLE 2 – MEMBERS**

- 2-1 Membership requirements shall be dictated by Chapter 19.1 of the Appomattox County Code and by the joint agreement with the Town of Pamplin, Virginia, as directed by Chapter 19.1.

**ARTICLE 3 - OFFICERS AND THEIR SELECTION**

- 3-1 The officers of the Planning Commission shall consist of a Chairman, a Vice Chairman and a Clerk. Beginning with the January, 2016 selections, the Planning Commission shall rotate the Chairman and Vice-Chairman by election district following alphabetical order of the districts. The Town of Pamplin representative shall be placed in the rotation following the Wreck Island District representative. The At-Large representative shall be placed at the end of this rotation following the Town of Pamplin representative. Any member may decline the opportunity to serve as an officer. In such event, the next member in the district alphabetical order may serve.
- 3-2 Nomination of officers shall be made from the floor at the annual organizational meeting each year held in January. There is no requirement that a nomination be seconded. Election of officers shall follow immediately. So long as the Clerk is an agent of the Board of Supervisors (i.e. Planner, Zoning Administrator, etc.) annual appointment shall not be required, otherwise, the Clerk shall be appointed annually along with all other officers.
- 3-3 A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected. He or she shall take office immediately and serve for the remainder of the calendar year or until a successor shall take office.
- 3-4 Vacancies in office shall be filled immediately by the following election procedure. Nominations for each office shall be made by the membership during open meeting; there

is no requirement that a nomination be seconded. The Chairman shall receive all nominations for the open office or offices. In the event of an election for Chairman, the Clerk shall receive nominations. Once nominations have been received, the membership shall vote on each until a candidate receives a majority vote of the membership.

#### **ARTICLE 4 - OFFICERS**

4-1 The Chairman shall be a member of the Commission and shall:

- 4-1-1 Preside at all meetings.
- 4-1-2 Appoint committees, special and/or standing.
- 4-1-3 Rule on all procedural questions (subject to a reversal by a two-thirds [2/3] majority vote of the members present).
- 4-1-4 Be informed immediately of any official communication and report same at the next regular meeting.
- 4-1-5 Carry out other duties as assigned by the Commission.

4-2 The Vice Chairman shall be a member of the Commission and shall:

- 4-2-1 Act in the absence or inability of the Chairman to act.
- 4-2-2 Have the powers to function in the same capacity as the Chairman in cases of the Chairman's inability to act.

4-3 The Clerk shall be the County Planner, Zoning Administrator, or other agent appointed by the Board of Supervisors, and shall:

- 4-3-1 Keep a written record of all business transacted by the Commission.
- 4-3-2 Notify all members of all meetings.
- 4-3-3 Keep a file of all official records and reports for the Commission.
- 4-3-4 Certify all maps, records, and reports of the Commission.
- 4-3-5 Give notice of all hearings and public meetings.
- 4-3-6 Attend to the correspondence of the Commission.
- 4-3-7 Keep a set of minutes.
- 4-3-8 Prepare and be responsible for the publishing of advertisements relating to public hearing.

#### **ARTICLE 5-QUORUM AND MANNER OF VOTING**

A majority of the Commission membership shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance shall adjourn to a later time when a quorum is present to transact business.

No ordinance or resolution shall be passed except by a recorded affirmative roll call vote of a majority of all the members present at the time of the vote.

## **ARTICLE 6 - STANDING AND SPECIAL COMMITTEES**

- 6-1 The following standing committees shall be appointed by the Chairman when needed. Necessary committees should be appointed when needed.
- 6-1-1 A Comprehensive Plan Committee shall be composed of at least three members. They shall coordinate the work of the other committees as it progresses and relate it to the overall program and keep the Comprehensive Plan developing in a realistic and reasonable manner.
- 6-1-2 A Zoning Committee shall be formed for the County and Town of Pamplin. The Zoning Committee shall be composed of at least three (3) County representatives and the member of representing the Town of Pamplin. The Zoning Committee shall be responsible for reviewing and developing amendments to the respective zoning ordinances. The committee, at their discretion, may also meet to discuss issues germane to their localities and present recommendations on such issues to the Commission.
- 6-1-3 A Capital Improvements Committee shall be composed of at least five (5) members. The committee shall be responsible for reviewing the Appomattox County Capital Improvements Plan and associated staff reports, and making recommendations on its adoption to the full Commission.
- 6-2 Standing committees may be appointed for one (1) year at the annual organizational meeting of the Commission. Vacancies shall be filled by the Commission Chairman.
- 6-3 Special committees may be appointed by the Chairman for purposes and terms approved by the Commission.

## **ARTICLE 7 - MEETINGS**

- 7-1 Regular meetings of the Commission shall be held on the second Wednesday of each month at 6:00 PM. When a meeting date falls on a legal Holiday, the meeting shall be held on the day following unless otherwise designated by the Commission. The Commission shall hold regular meetings on such days as may be prescribed at the annual organizational meeting in January of each year. The Commission shall give notice of the date, time, and location of its meetings by placing a notice in a public location at which notices are regularly posted, or in the office of the Clerk to the Commission. The Clerk may publish meeting notices by electronic means. The meeting date, time, location may be changed by a majority vote of the membership. Notice of such change shall be posted in a public location at which notices are regularly posted or in the office of the Clerk to the Commission, at least three working days prior to the meeting to be held pursuant to the change. The Clerk shall give written notice to the members, personally or by registered mail, any change from the regular meeting days established by this section.

- 7-2 All regular meetings of the Commission shall be open to the public, except when the Commission is in closed session pursuant to Section 2.2-3711 of the Virginia Code. All regular meetings, except closed session, shall be open to the media, freely subject to recording by radio, television, and photography at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting under such rules as the Commission may prescribe.
- 7-2 Special meetings shall be called at the request of the Chairman or at the request of a quorum of the membership. Written notice of meetings shall be given to each member at least five days prior to such meetings. It shall state the time of the meeting, date, and the purpose for which such meeting is called. No business shall be transacted at the meeting except such as is stated in the notice, unless all members are present. Notice to the public of a special meeting shall be given contemporaneously
- 7-3 The Chairman, or the Vice-Chairman if the chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the Commission members to attend a regular meeting, the regular meeting shall be continued until the following month's regular meeting. Such conditions shall be communicated to the members of the Commission and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted on the continued meeting and no further advertisement is required.
- 7-4 A majority of the membership of the Commission shall constitute a quorum. The number of votes necessary to transact business shall be a majority of the members present. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.
- 7-5 Closed session may be held in accordance with the provisions of the Virginia Freedom of Information Act and pursuant to Section 2.2-3711 of the Virginia Code.
- 7-6 Minutes of all regular and special meetings shall be recorded by written and/or electronic means. Minutes shall be maintained in the office of the Clerk of the Commission. The minutes shall reflect the date, time, and place of the meeting; the members present or absent; a general description of all matters proposed, discussed, or decided; and a record of any votes taken.

Approval of minutes of all but closed sessions shall be considered at a regular Commission meeting. It shall not be necessary to read aloud the minutes prior to approval. Prior to approval, any member may request the privilege of amending or correcting the minutes to accurately reflect the substance of the prior meeting. If objection is made by any Commission member to such amendment or correction, a majority vote of the Commission shall be necessary for adoption of the correction or amendment. The Chair shall sign the adopted minutes.

7-7 Regular meetings shall be adjourned no later than 9:00 P.M. If the Commission desires to extend the meeting, a motion unanimously adopted by the members present shall be required. Any items not acted on prior to the 9:00 P.M. deadline shall be deferred to the next regular meeting or an adjourned meeting of the Commission.

## **ARTICLE 8 - ORDER OF BUSINESS**

8-1 The order of business for a regular meeting shall normally be:

- 8-1-1 Call to Order
- 8-1-2 Determination of Quorum; Attendance
- 8-1-4 Approval of Minutes
- 8-1-5 Public Hearing(s)/Discussion of Petitions
- 8-1-6 Old business
- 8-1-7 New business
- 8-1-8 Informational Items
- 8-1-9 Adjournment

8-2 Motions shall be restated by the Chairman before a vote is taken. The names of persons making and seconding motions shall be recorded. The final tally shall be recorded with those members dissenting being recorded.

8-3 The proceedings of the Commission, except as otherwise provided within these bylaws and applicable State law, shall be governed by Robert's Rules Of Order, Newly Revised and more specifically, the provisions which pertain to the conduction of business for small boards, except as follows: 1) the section indicating that the minutes are accessible to Commission members only is hereby deleted, 2) all motions will require a second, and 3) the Chairman may make and second motions.

8-4 The Clerk shall prepare the agenda for each regular meeting conforming with the agenda format outlined in Article 8-1. Except as permitted by at the discretion of the Clerk, every item to be placed on the agenda shall be received in the Office of the County Administrator before the close of business on the Wednesday of the week prior to any regular meeting of the Commission.

8-5 The agenda packages shall be transmitted by the Clerk by the close of business on the Friday prior to the regular meeting using whatever means of delivery the Clerk deems best suitable to insure that the Commission members have the agenda packages prior to the regular meeting.

## **ARTICLE 9- HEARINGS AND PUBLIC APPEARANCES**

9-1 In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.

- 9-2 All public hearings shall follow the requirements set forth in Code of Virginia, Chapter 15.2-2200 et seq.
- 9-3 The case before the Commission shall be summarized by the Chairman, other member delegated by the Chairman, or by the Clerk. Interested parties shall have the privilege of the floor. Records or statements shall be recorded or sworn to, as evidence for any court of law, only after notice is given to the interested parties.
- 9-4 A record shall be kept of those speaking before the hearing.
- 9-5 Public Hearings

It is the purpose and objective of the Planning Commission to give each citizen an opportunity to express his/her views during public appearances and on matter(s) at hand at public hearings. It is the intent to give all speakers equal treatment and courtesy. While it is often necessary to have a presentation by the applicant and/or staff, it is the desire of the Commission to hear from the public, and therefore, the applicant and staff presentations should be as brief as possible. In order to accomplish this objective, it is necessary that certain rules of order prevail at all hearings. The rules and procedures are as follows:

- 9-5-1 Public hearing order of business shall be as follows:
- a. Chairman opens public hearing
  - b. Staff Report
  - c. Questions from the Commission to Staff
  - d. Petitioner's Comments/presentation
  - e. Citizen's Comments
  - f. Petitioner's Rebuttal
  - g. Chairman closes public hearing
  - h. Chairman presides over Planning Commission discussion
  - i. Motion
  - j. Next Public hearing, if necessary, repeat a through h
- 9-5-2 On land use matters a reasonable and sufficient time will be afforded that petitioner to properly and fairly present the subject matter. Ten (10) minutes shall be allocated to the petitioner's presentation. The petitioner shall be allocated five (5) minutes for rebuttal. If additional time is believed to be necessary, then petitioner should contact the Director of Community Development prior to the public hearing. Any member of the Commission may ask the applicant to respond to a specific question. The Chairman, at its discretion, may extend the time allotment for the petitioner.
- 9-5-3 Each speaker will have up to five (5) minutes available whether speaking as an individual or a representative of any group or organization. However, should the

number of registered speakers on any item exceed ten (10), then the time will be adjusted to three (3) minutes for each speaker. Unless instructed by the majority of the Commission present and voting to do otherwise, the Chairman shall enforce the time limits, as appropriate.

9-5-4 Order of speakers will be determined on first to register, first to speak basis. A speaker does not necessarily have to register, however, it is encouraged.

9-5-5 Speakers will be limited to a presentation of their points of view except that the Chairman may entertain questions for clarification.

9-5-6 Debate is prohibited.

9-5-7 All comments must be directed to the Planning Commission as a body.

9-5-8 Decorum will be maintained. This includes common courtesy from the audience, staff, and Commission to the speaker and from the speaker to the audience, staff, and Commission. Statements, which are demeaning or inappropriate, shall be ruled out of order. Article 13-Conduct of the Public, must be followed.

9-5-9 In the event of a large number of speakers resulting in the continuation of the hearing, any persons not heard at the initial public hearing will be the first to speak at the continued hearing.

9-5-10 Speakers are requested to leave written statements and/or comments with the Clerk.

9-5-11 The Commission shall have the discretion to act on a matter appearing on a public hearing; or the Commission, by majority vote, may defer the matter to the next regular meeting. It shall be the policy of the Commission to leave the record open to receive written comments following a public hearing up until the time that a vote is taken.

## **ARTICLE 10- CORRESPONDENCE**

10-1 It shall be the duty of the Clerk to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

10-2 It shall be the duty of the Clerk to communicate by telephone or other electronic means when necessary to make communications that cannot be carried out as rapidly as required through direct correspondence.

10-3 All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman, Vice Chairman, or Clerk.

## **ARTICLE 11 - AMENDMENTS**

11-1 These rules may be changed by a recorded majority vote of the entire membership after thirty (30) day prior notice of change. Notice shall be to the membership and does not require public notification of any kind.

## **ARTICLE 12- RECONSIDERATION OF MOTIONS**

12-1 At any meeting of the Commission, when any vote upon any motion, resolution, ordinance, or question has been announced, it shall be in order for any member of the Commission voting with the prevailing side or who has not voted on the motion, resolution, ordinance or question to offer a motion for reconsideration thereof during the same or succeeding meeting.

## **ARTICLE 13- CONDUCT OF THE PUBLIC**

The efficient and dignified conduct of public business is the ultimate concern of the Commission. Accordingly, it is the policy of the Commission that its meetings be conducted with the highest degree of order and decorum. The Commission's integrity and dignity will be established and maintained at all times during the conduct of public business, and the Commission will permit no behavior which does not comply with this policy. Prohibited conduct at meetings shall include:

1. Campaigning for public office
2. Soliciting of funds
3. Promoting private business ventures
4. Using profanity, vulgar language or gestures
5. Using language which insults or demeans any person or which, when directed at a public official or employee is not related to his/her official duties
6. Making non-germane or frivolous statements
7. Discussions of a sectarian or partisan nature
8. Smoking or eating in the Board Room
9. Addressing question(s) or statement(s) to anyone other than that Chairman. Questions shall be presented to the Chairman, who will, at his/her discretion solicit a response from the appropriate member or staff.
10. Standing in the back or side isles of the Board Room as long as there are sufficient seats available, except for law enforcement personnel.
11. Persons in attendance at the meeting addressing the Commission while members of the Commission are considering a motion, resolution, or ordinance preliminary to vote on the same, except at the discretion of the Chairman.
12. Any person addressing comments or questions to someone other than the Chairman.
13. Wearing hats, caps or other types of headgear.
14. Applause, except following a formal presentation, award, proclamation, or special

recognition.

The Chairman shall preserve order and decorum at all meetings. The Chairman may order the expulsion of any person for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Commission. Any person who has been so expelled and who at a later meeting again engages in words or actions justifying expulsion may be barred from attendance at future meetings of the Commission for a specified and reasonable period, not to exceed six (6) months, or upon a still subsequent expulsion, a period not to exceed one (1) year either by the Chairman, subject to appeal to the full Commission or by motion passed by the full Commission. Full Commission shall mean all members being present and able to vote.

#### **ARTICLE 14 – CONFLICTS OF INTEREST**

14-1 The Appomattox Joint Planning Commission shall be governed by the provisions of the Conflict of Interests Act, Code of Virginia, as amended, §2.2-3100 et seq.

14-2 A Commissioner shall have a conflict of interest in the following situations:

14-2-1 When a member of a Commissioner's immediate family has a financial or ownership interest in a subject property or business that is before the Commission. Immediate family includes (i) a member's spouse, (ii) any of the member's dependents, and (iii) any relative of whom the member is a dependent.

14-2-2 When a member of a Commissioner's immediate family may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of Commission action.

14-2-3 When a Commissioner has a direct financial interest in a subject property or business that is before the Commission.

14-2-4 When a Commissioner is actively serving as an agent or employee of the property owner that has brought a matter before the Commission.

14-2-5. When a Commissioner has actively served as an agent or employee of the property owner that has brought a matter before the Commission, but is not currently serving as an agent or employee and has not served in either role within a period of twelve (12) months.

14-3 When a Commissioner has a conflict of interest, he or she shall make this fact known to the Chairman in open session prior to any deliberations or discussion of the pertinent subject. The Commissioner shall read a statement which clearly identifies said conflict or reasons for claiming a conflict under Section 2.2-3100 et seq of the Virginia Code. The Commissioner shall be disqualified from voting on the pertinent subject, and the Commissioner's official action on the subject shall be noted as "abstained for conflict of

interest” in the meeting record.

14-4 Commissioners disqualified from voting by reason of conflict of interest shall be permitted to engage in discussion on the pertinent subject upon recognition by the Chairman.

14-5 A Commissioner may, at their sole discretion, abstain from voting on a pertinent subject for reasons not set forth in this Article as a conflict of interest, but in order to avoid any appearance of impropriety. In the case, the member’s official action on the subject shall be noted as “abstained” in the meeting record.

#### **ARTICLE 15-MISCELLANEOUS**

15-1 Only members of the Commission, Board of Supervisors, County Administrator, County Attorney, administrative staff, and other persons expressly invited shall be entitled to enter the area behind the Dais.

15-2 Cameras from the press are encouraged to be set up on the west side of the Boardroom. Members of the press shall not interview the public or staff in the Boardroom while meetings are in session.

**Adopted March 17, 2003**  
**Revised January 20, 2009**  
**Revised June 14, 2011**  
**Revised January 14, 2014**  
**Revised April 10, 2019**

## 2020 Planning Commission Calendar

Wednesday, January 8, 2020

Wednesday, February 12, 2020

Wednesday, March 12, 2020

Wednesday, April 8, 2020

Wednesday, May 13, 2020

Wednesday, June 10, 2020

Wednesday, July 8, 2020

Wednesday, August 12, 2020

Wednesday, September 9, 2020

Wednesday, October 14, 2020

Wednesday, November 11, 2020

Wednesday, December 9, 2020

\*All meetings are held in the Board of Supervisors meeting room at Carver Price Educational Complex unless otherwise noted.

\*\*Meetings begin at 6:00 p.m.

\*\*\* Meetings may be cancelled by the Chairman, depending on the workload.

## MINUTES

### APPOMATTOX COUNTY PLANNING COMMISSION MEETING BOARD OF SUPERVISORS MEETING ROOM APPOMATTOX, VIRGINIA

Wednesday, December 11, 2019

Members Present: (Quorum)

George Almond  
Earl Dickerson  
Al Sears  
Annie Trent  
Steve Conner  
Susan Hudson

Members Absent:

Joshua Mills

Also Present:

Johnnie Roark, Director of Community Development

Mr. George Almond, Vice-Chairman, called the meeting to order at 6:00 p.m.

Mr. Almond determined there was a quorum and circulated the attendance sheet.

#### **Review/Approval of Minutes**

Mr. Dickerson motioned, with a second by Ms. Trent, to approve the October 9, 2019 minutes. The motion carried unanimously (Sears, Conner not present for vote).

#### **Public Hearing**

**RZ190804-Shelia M. Roper, Trustee (property owner)**, has requested to rezone property from B-1, General Commercial Zoning District to A-1, Agricultural Zoning District on property located off Richmond Highway (Route 460) and Wades Lane, east of Mountain Cut Road, in the Evergreen area. The parcel totals 3 acres and is identified as Tax Map Identification Number 77 (A) 45. The property is designated as part of the Richmond Highway Eastern Commercial Corridor by the 2016 Comprehensive Plan.

Mr. Almond opened the public hearing and asked if anyone wished to speak either for or against the petition. Staff provided a brief overview of the petition.

Mr. Sears arrived during the public hearing.

Hearing no speakers, Mr. Almond closed the public hearing.

#### Discussion-RZ190804-Shelia M. Roper, Trustee

Mr. Dickerson motioned, with a second by Mr. Sears to recommend approval of the rezoning petition as submitted. The motion carried unanimously (Conner not present for vote).

#### **Public Hearing**

**CUP190811-Emmette Drinkard (property owner), US Cellular/Emilee Lauer (applicant/agent)**, has requested a Conditional Use Permit to locate a 164 foot tall wireless communication facility (WCF) on property located off Piney Mountain Road (Route 608), near the intersection of Oakville Road in the Oakville area. The parcel totals 73.7 acres and is identified as Tax Map Identification Number 38 (4) E. The WCF lease area (approximately 10,000 sf) will be located approximately 936 feet south of Piney Mountain Road. The property is zoned A-1, Agricultural Zoning District and is designated as Rural Preservation Area (RPA) by the Comprehensive Plan.

Mr. Almond opened the public hearing and asked if anyone wished to speak either for or against the petition. Staff provided a brief overview of the petition.

Hearing no speakers, Mr. Almond closed the public hearing.

#### Discussion-CUP190811-Emmette Drinkard

Mr. Dickerson motioned, with a second by Ms. Trent that for reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of US Cellular (Emmette Drinkard, property owner) to locate a 164' tall Wireless Communication Facility, with the following conditions:

1. The wireless communication facility will be constructed in general conformance with the concept plan submitted with the application dated November 12, 2019 (concept plan dated November 8, 2019).
2. Tower height, including antennae, lightning rod and other appurtenances is limited to a maximum height of 164 feet from average grade.
3. A fifteen (15) foot buffer of existing pine trees/vegetation shall remain around the perimeter of the fenced compound area to block the view of the compound from Piney Mountain Road. Leyland Cypress or native pine trees shall be used to compliment/fill-in any areas deemed necessary upon final inspection of the Zoning Administrator. Said inspection shall occur prior to the issuance of a Certificate of Occupancy. Any new plantings shall be a minimum of six (6) feet tall at the time of the planting.

The motion carried unanimously (Conner not present for vote).

Mr. Conner arrived following the vote.

#### **Public Hearing**

**CUP190812-Jeffery Carwile (property owner), US Cellular/Emilee Lauer (applicant/agent)**, has requested a Conditional Use Permit to locate a 159 foot tall wireless communication facility (WCF) on property located off Hancock Road (Route 644), near the intersection of Berry Lane and Central Church Road in the Chap area. The parcel totals 7.84 acres and is identified as Tax Map Identification Number 107 (15) 6. The WCF lease area (approximately 10,000 sf) will be located approximately 430 feet south of Hancock Road. The property is zoned A-1, Agricultural Zoning District and is designated as Rural Preservation Area (RPA) by the Comprehensive Plan.

Mr. Conner stated that he would recuse himself from voting on this petition as he had a bona fide conflict of interest based on his real estate business. Mr. Conner moved to the audience.

Mr. Almond opened the public hearing and asked if anyone wished to speak either for or against the petition. Staff provided a brief overview of the petition.

Hearing no speakers, Mr. Almond closed the public hearing.

#### Discussion-CUP 190812-Jefferey Carwile

Mr. Dickerson motioned, with a second by Mr. Sears that for reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of US Cellular (Jeffery Carwile, property owner) to locate a 159' tall Wireless Communication Facility, with the following conditions:

1. The wireless communication facility will be constructed in general conformance with the concept plan submitted with the application dated November 12, 2019 (concept plan dated November 5, 2019).
2. Tower height, including antennae, lightning rod and other appurtenances is limited to a maximum height of 159 feet from average grade.
3. A fifteen (15) foot buffer of existing pine trees/vegetation shall remain around the perimeter of the fenced compound area to block the view of the compound from Hancock Road. Leyland Cypress or native pine trees shall be used to compliment/fill-in any areas deemed necessary upon final inspection of the Zoning Administrator. Said

inspection shall occur prior to the issuance of a Certificate of Occupancy. Any new plantings shall be a minimum of six (6) feet tall at the time of the planting.

The motion passed unanimously (Conner recused, Conflict of Interest).

**Discussion-Comprehensive Plan Amendment Regarding Utility-Scale Solar**

Mr. Roark briefed the Planning Commission on a slight adjustment to the language presented at the October meeting concerning an amendment to the Comprehensive Plan. Mr. Roark stated that in addition to the guidance stating that utility scale solar energy farms are best sited in certain zoning districts, it would be helpful to include a reference to the land use development areas in the Future Land Use Map. The areas suggested for siting would be designated as commercial, industrial and primary growth areas.

Mr. Conner motioned with a second by Mr. Dickerson to recommend the proposed amendment to the Comprehensive Plan as stated in the resolution.

**A RESOLUTION TO AMEND THE COMPREHENSIVE  
PLAN OF APPOMATTOX COUNTY IN ACCORDANCE  
WITH VIRGINIA CODE SECTION 15.2-2229, BY ADOPTING  
THE PROPOSED AMENDMENT RELATED TO UTILITY-SCALE SOLAR ENERGY PROJECTS**

**WHEREAS**, the Code of Virginia (1950), as amended, Title 67, Section 67-103, Role of Local Governments in Achieving Objectives of the Commonwealth Energy Policy, addresses the regulatory arraignment in the Commonwealth of Virginia as to renewable energy; and

**WHEREAS**, The General Assembly of the Commonwealth of Virginia has enacted statutes that limit the locality’s ability to establish ordinances regarding renewable energy facilities by requiring such ordinances to:

1. Be consistent with the provisions of the Commonwealth Energy Policy pursuant to subsection C of §67-102; and
2. Provide reasonable criteria to be addressed in the siting of any renewable energy facility that generates electricity from wind and solar resources. The criteria shall provide for the protection of the locality in a manner consistent with the goals of the Commonwealth to promote the generation of energy from wind and solar resources; and
3. Include provisions establishing reasonable requirements upon the siting of any renewable energy facility, including provisions limiting noise, requiring buffer areas, and setbacks, and addressing the decommissioning of the facility; and

**WHEREAS**, under Code of Virginia §15.2-2229, from time to time, the Board of Supervisors may amend its Comprehensive Plan; and

**WHEREAS**, the Planning Commission has seen a need to study the siting and development of Utility-Scale Solar Energy Projects; and

**WHEREAS**, the Planning Commission analyzed various studies and data, considered current trends, studied the physical and financial impact to the county, and debated future outcomes; and

**WHEREAS**, the Planning Commission has reviewed the Commonwealth of Virginia Energy Plan, which encourages the development and use of renewable energy; and

**WHEREAS**, the Planning Commission developed the following amendment for inclusion in the Growth Management section of the Comprehensive Plan;

“Appomattox County endeavors to promote the development of renewable energy resources, such as properly sited utility-scale solar energy farms and wind energy facilities. The purpose of such facilities is for the generation of electricity in a clean, efficient, and renewable manner. Each facility should promote the public health, safety and general welfare of the citizens of the Appomattox County and the Commonwealth of Virginia in an environmentally friendly approach through its design, construction, and eventual decommissioning. These facilities are best sited in areas of the county zoned either A-1, Agricultural, M-1, Industrial, and IP, Planned Industrial and should be reviewed as a conditional use within said district. In conjunction with the underlying zoning district classification, siting conformity should overlap areas designated by the Future Land Use Map as planned for commercial, industrial and/or primary growth. Areas designated by the Future Land Use Map as rural transition, rural preservation and/or primary conservation are considered to be undesirable for such land use regardless of the underlying zoning district classification. Several planning factors to deliberate when considering siting such a facility are 1). The scope and scale of the project relative to the character of the surrounding community; 2).The proximity to other electrical power generation facilities; 3). The proximity to population centers; 4). The proximity to the industry/business to be served by the facility; 5). The proximity to other public infrastructure directly impacted in Appomattox County; and 6) The impacts to Cultural and Historical Resources. These factors are not exclusive or limiting, but should be included in the overall deliberation, as part of generally accepted good zoning practices. Any siting of either a utility-scale solar energy farm or a wind energy facility should have a direct, positive impact on the citizens of Appomattox County and should be consistent with the current Commonwealth of Virginia Energy Plan, as well as, the Appomattox County Comprehensive Plan.”, and;

**WHEREAS**, the Planning Commission duly advertised and held a public hearing on October 9, 2019 on the proposed amendment to the Comprehensive Plan; and

**WHEREAS**, the Planning Commission concludes that the adoption of this Comprehensive Plan amendment will help guide and coordinate the development of renewable energy projects in Appomattox County and best promote the public health, safety, convenience, prosperity, and general welfare of the citizens of Appomattox County;

**NOW, THEREFORE BE IT RESOLVED** that the Appomattox County Planning Commission hereby forwards this proposed amendment to the Appomattox County Board of Supervisors with a recommendation to adopt said amendment related to renewable energy projects, as advertised.

The motion passed unanimously.

### **Discussion-Text Amendments to the Zoning Ordinance**

After tabling the matter in October, the Planning Commission members generally discussed the changes to the land use categories, definitions, recreational vehicles and the utility-scale solar energy farm regulations.

Mr. Almond asked if there was a motion. Mr. Conner motioned, with a second by Mr. Dickerson to recommend the zoning text amendments for approval and to forward them on to the Board of Supervisors for consideration.

### **SUMMARY OF TEXT AMENDMENTS TO DISTRICT LAND USE CATEGORIES**

**ADD** to Section 19.6-67 **A-1**, Agricultural District, subsection B, **Permitted Uses**  
*Small Scale or Residential Solar Energy Collection System*

**ADD** to Section 19.6-67 **A-1**, Agricultural District, subsection C, **Conditional Uses**  
*Utility Scale Solar Energy Farm*

**ADD** to Section 19.6-68, **R-1**, Low Density Residential District, subsection B, **Permitted Uses**  
*Small Scale or Residential Solar Energy Collection System*

**ADD** to Section 19.6-69, **R-2**, Medium Density Residential District, subsection B, **Permitted Uses**  
*Small Scale or Residential Solar Energy Collection System*

**ADD** to Section 19.6-73, **M-1**, Industrial District, subsection C, **Conditional Uses**  
*Utility Scale Solar Energy Farm*

**ADD** to Section 19.6-74, **IP**, Planned Industrial District, subsection C, **Conditional Uses**  
*Wind Energy Systems*  
*Utility Scale Solar Energy Farm*

### **ADD TO ADDITIONAL REGULATIONS**

#### **§19.6-97 Utility Scale Solar Energy Farm**

##### **§19.6-97.1 Applicability, permitting**

The requirements set forth in this section govern the siting, development, construction, installation, operation, and decommissioning of utility scale solar energy facilities in the county. A Conditional Use Permit (CUP) is required for each utility scale solar energy farm proposed to be constructed, installed, or operated in the county. Small scale solar energy arrays and associate apparatus used for individual residential dwellings, not connected to the electrical grid, shall be considered an accessory use to the principal dwelling and permitted as such.

##### **§19.6-97.2 Applications and Required Information for a Utility Scale Solar Energy Farm**

In addition to the material required for a Conditional Use Permit petition, applications for utility scale solar energy facilities (farms) shall include the following information:

- A. **Project Narrative:** A narrative identifying the applicant, facility owner, property owner, and the operator of the facility. The narrative should include an overview of the project and its location, the size of the site and the project area; the current use of the site, the estimated time for construction, including a proposed date for commencement of construction; the maximum rated capacity of the facility; the approximate number, types and expected footprint of the solar equipment to be constructed to include photovoltaic panels, ancillary facilities, fencing, buffering, where the electricity generated at the facility will be transmitted, and the location of the proposed electrical grid interconnection.
- B. **Site Development Plan:** A site development plan of a scale and specification, in accordance with the requirements found in the Conditional Use Permit application shall be submitted with the application. Additional information may be required, as determined by the Zoning Administrator, such as scaled elevation view or other supporting drawings, photographs of the site, photographic simulations or modeling of the proposed solar energy facility, specifically from sensitive locations, as deemed necessary by the

Zoning Administrator, aerial imagery or other mapping of the site or any other technical report necessary for the proper review of the Conditional Use Permit petition. If the petition is granted, then a full site development plan shall be required in accordance with the regulations found elsewhere in this ordinance.

- C. Documentation of right to use property for the proposed facility: Documentation shall include proof of control over the proposed site or possession of the right to use the proposed site in the manner requested. Any sensitive financial or confidential information may be redacted.
- D. Decommissioning plan; security
  - 1. The applicant shall provide a detailed decommissioning plan that provides procedures and requirements for removal of all parts of the solar energy generation facility and its various structures at the end of the useful life of the facility or if it is deemed abandoned or unsafe. The plan shall include the anticipated life of the facility, the estimated overall cost of decommissioning the facility in current dollars, the methodology for determining such estimate, and the manner in which the project will be decommissioned. The decommissioning plan and the estimated decommissioning cost shall be update every five (5) years, from the date of the certificate of occupancy or upon request of the Zoning Administrator; however, the updated costs shall be no more than twice every ten (10) years.
  - 2. Prior to receiving a certificate of occupancy to begin operation, the applicant must provide security in the amount of the estimated cost of the decommissioning. Options for security shall include a cash escrow, a performance surety bond, or an irrevocable letter of credit. The security must remain valid until the decommissioning obligations have been met. The security may be adjusted up or down by the county if the estimated cost of decommissioning the facility changes. The security must be renewed or replaced, if necessary, to account for any changes in the total estimated cost of decommissioning if deemed by the updated estimates. Security is a mandatory condition of all conditional use permits for utility scale solar energy farms.
  - 3. The decommissioning plan, cost estimates, and all updates to plans and estimates shall be sealed by a professional engineer licensed to do business in the Commonwealth of Virginia.
- E. Economic Analysis: An economic impact analysis, prepared by a qualified third-party that reports any expected change in the value of the subject property, expected employment during the construction of the facility, any expected impact on the county's tax revenues, the estimated costs to the county associated with the facility in the form of additional services, and information on any other economic benefits or burdens from the project.
- F. Review fees: The county may retain qualified third-parties to review portions of the conditional use permit petition or the site development plan that are outside of the county's areas of expertise and do not have adequate state and federal review. Any costs incurred by the county for such review by qualified third-parties shall be bill to the applicant and must be paid in full prior to the issuance of a certificate of occupancy.
- G. Community meeting: A public meeting shall be held prior to the county's public hearing with the Planning Commission to give the community the opportunity to hear from the petitioner and ask questions regarding the proposed facility. The meeting shall be held at a location within a reasonable distance to the project and must be advertised in a newspaper with local circulation for two consecutive weeks prior to the meeting. The petitioner shall provide the Zoning Administrator with the date, time and place of the meeting, a copy of the advertisement, and a summary of any input/comments received from members of the public. Such information shall be provided to the Zoning Administrator no less than seven (7) business days prior to the Planning Commission public hearing.

### **§19.6-97.3 Visual Impacts, Setbacks, and Buffering**

The petitioner shall demonstrate through project siting, and if necessary, through mitigation, that the solar project minimizes impacts to viewsheds from all residential areas, and any areas of scenic, historical, cultural or recreational significance. The following should be adhered to in placement, buffering and/or setback:

1. A vegetative buffer sufficient to mitigate the visual impact of the facility is required along all areas adjacent to public roadways. The buffer shall consist of a twenty (20) foot wide landscaped strip to include trees, shrubs and other vegetation considered native to the area. The landscaped strip may be located within the setback area and should run around or near the perimeter fence. Tree plantings in the buffer strip shall be a minimum of five (5) feet in height at the time of planting, no more than fifteen (15) feet between trees. Trees may be staggered. Existing trees and vegetation may be maintained within the buffer areas and may supplement and satisfy landscaping requirements. An alternative to tree plantings is to construct an earthen berm, minimum height of six (6) feet high. Berm must be stabilized with native grasses and/or plantings. The landscaped buffer must be maintained in good condition for the life of the project.
2. The solar panel arrays shall be set back from each parcel boundary a minimum of five hundred (500) feet. All other structures or infrastructure shall meet the minimum setback for the underlying zoning district. Solar panel arrays shall be set back a minimum of five hundred (500) feet from any stream or wetland area. Existing wells shall be abandoned in accordance with current Virginia Department of Health regulations.
3. The solar panel array area shall be enclosed by a security fence. The fence shall not be less than six (6) feet in height and should be equipped with appropriate anticlimbing devices such as strands of barbed wire at the top. Fencing should be installed on the interior of the buffer area so that it is screened from adjacent property. The fence shall be maintained in good repair for the life of the project.

**§19.6-97.4 Processing of Application**

The conditional use permit petition will follow the normal and customary process for such petitions, meaning, a duly advertised public hearing before the Planning Commission, followed by a recommendation, and then a duly advertised public hearing before the Board of Supervisors, followed by final consideration. Petitions are subject to any action afforded any other conditional use permit as enumerated elsewhere in the zoning ordinance.

**§19.6-97.5 2232 Review For Utility Scale Solar Energy Farm**

In accordance with the Code of Virginia, all utility scale solar energy farm petitions are subject to review against the county's Comprehensive Plan. Prior to the petition being considered by the Planning Commission, the Planning Commission shall make a determination as to conformity with the Comprehensive Plan.

**§19.6-97.6 Unsafe or Abandoned Projects; Decommissioning**

1. If the utility scale solar energy facility is determined to be unsafe by the Building Official, then the facility shall be required to be repaired by the facility owner, site owner, or operator. Repairs shall be made in a timely manner as established by the Building Official. Should the repairs not be completed in the timeframe provided, then the owners or operators will be instructed to commence decommissioning in accordance with the approved decommissioning plan.
2. If the facility is not operated for a continuous period of twelve (12) months, then the county may notify the owner/operator by registered mail and provide forty-five (45) days for the owner/operator to respond. If no response is provided, then the owner/operator will be instructed to commence decommissioning in accordance with the approved decommissioning plan.
3. If the facility is abandoned, the owner/operator is required to notify the Zoning Administrator in writing.
4. Within one (1) year of the date of said notification, or if determined to be abandoned by the Zoning Administrator in accordance with the above subsections, then the county may pursue legal action to have the facility removed at the expense of the facility owner, site owner, or operator, each of whom shall be

jointly and severally liable for the expense of removing or repairing the facility. The county may also call upon the decommissioning security to remove the facility.

#### §19.6-86 Recreational Vehicles

##### **Current Reads as: (to be deleted)**

~~Recreational vehicles placed on sites either: (i) Be on the site for fewer than one hundred eighty (180) consecutive days, be fully licensed and ready for highway use, or (ii) Meet the permit requirements for placement and the elevation and anchoring requirements for manufactured homes as contained in the Uniform Statewide Building Code. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.~~

##### **Proposed to Read as:**

1. Recreational Vehicles placed on any lot or parcel in any zoning district shall:
  - a. Be the personal property of the owner, tenant, or guest thereof residing on the property; and
  - b. Be operable and in good repair; and
  - c. Be licensed and registered as required by State law; and
  - d. Be parked
    - i. either within the driveway/parking area; or
    - ii. behind the leading edge of the principal dwelling; or
    - iii. if on an undeveloped lot, then a minimum of 100 feet from any public right of way; and
  - e. Not encroach upon any property line; and
  - f. Be parked or stored in a road ready position. Road ready shall mean on its wheels or internal jacking system, fully licensed, and attached to the site only by quick disconnect type utilities and having no permanently attached additions.
2. Recreational Vehicles shall not be used for living, sleeping, housekeeping or business purposes, except as provided herein. Use of the recreational vehicle for more than ninety (90) days (whether consecutively or non-consecutively) within any twelve-month period of time shall constitute living and the recreational vehicle will be deemed a dwelling, subject to the permit requirements for placement, elevation, and anchoring for manufactured homes as contained elsewhere in this ordinance and in the Uniform Statewide Building Code.
3. Notwithstanding the provisions in subsection 2, one (1) recreational vehicle may be used for a temporary residence in an A-1 zone, subject to the following;
  - a. The recreational vehicle is located on the same lot on which a primary residence is currently being constructed;
  - b. The temporary residential use shall be allowed for a period not to exceed six (6) months;
  - c. The recreational vehicle shall have available onboard electrical service, plumbing, and waste management facilities;
  - d. Proper building, water and septic permits have been issued for the building of the primary residence.

#### **Amended Terms**

~~**Accessory Apartment-** A second dwelling unit within a detached single family dwelling which is clearly incidental and subordinate to the main dwelling. An ancillary apartment is considered an accessory apartment. A secondary dwelling unit established in conjunction with and clearly subordinate to, the principal dwelling unit on a lot, contained within or attached as a part of the same structure as the principal dwelling unit on the same lot.~~

~~**ACCESSORY BUILDING OR STRUCTURE-** A building or structure detached from a principal building on the same lot and customarily incidental and subordinate to the principal building or use. Where an accessory building or structure is attached to the principal building in a substantial manner, as by a wall or roof, such accessory building shall be considered a part of the principal building (i.e. garage, satellite dish, above ground pool, well house). *Garages, carports, and storage sheds are examples of common accessory structures on residential lots. Pole barns, hay sheds, and the like are examples of accessory structures on farms.*~~

~~**AMATEUR RADIO TOWER-** A structure on which an antenna is installed for the purpose of transmitting and receiving amateur radio signals; erected and operated by an amateur radio operator licensed by the FCC. An antenna, or any combination of a mast plus an attached or mounted antenna, that transmits noncommercial communications signals and is used by an amateur radio operator licensed by the Federal Communications Commission.~~

~~**ANTIQUÉ AND GIFT SHOPS** -A commercial establishment which is used primarily for the indoor display and retail sale of merchandise, primarily furniture, silverware, glassware and other curios and collectibles, the value of which is derived from the age, rarity and materials of such items or the workmanship of a particular historic period of which 80 percent or more are over 50 years old or have collectible value; flea markets, furniture stores, secondhand stores, and thrift stores shall not be included in the is use group.~~

~~**AUTOMOBILE REPAIR SERVICES-** Repair of construction equipment, commercial trucks, agricultural implements, and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops, oil and lubrication services, and other similar uses where minor repairs and routine maintenance are conducted. An establishment primarily engaged in providing repair and maintenance services for automotive vehicles such as passenger cars, sports utility vehicles, pickup and other light trucks, small vans, and motorcycles. This use includes oil change and lubrication shops, automotive glass shops, and general automotive repair garages or shops, which provide a wide range of mechanical and electrical repair and maintenance services.~~

~~**BREWERY:** A facility for the production of beer. See also "Farm Brewery, Limited" and "Micro brewery". An establishment primarily engaged in brewing ale, beer, malt liquors, and nonalcoholic beer with a capacity of greater than 315,000 gallons per year. A brewery may include a restaurant or public tasting room as an accessory use.~~

**BUFFERING or SCREENING** - Any device or natural growth, or a combination thereof, which shall serve as a barrier to vision or noise between adjoining properties wherever required by this chapter. Whenever used for screening or buffering purposes, natural growth shall be taken to mean evergreen trees, bushes and shrubbery. *A strip of land with existing vegetation retained and/or supplemental vegetation added with trees/shrubs and maintained to provide transition and separation, to reduce noise and glare and to partially obstruct the view between adjacent land uses or properties. Buffers are undeveloped space, not to be cleared, graded, or excavated.*

**CAMPGROUND**- Facilities providing camping or parking areas and incidental services for travelers in recreational vehicles and/or tents. *A lot or group of lots under common ownership designed and used to accommodate short-term, overnight guests using recreational vehicles, tents, or some other form of temporary lodging and not for permanent residential use. Temporary lodging or short-term lodging for the purpose of the Ordinance shall mean less than thirty (30) consecutive calendar days.*

**CAR WASH or Auto Detailing**- Washing and cleaning of vehicles. Typical uses include automatic conveyor machines and self-service car washes and/or bays. *A commercial establishment providing the exterior washing and cleaning of vehicles where vehicles are manually driven into, or pulled by a conveyor through, a system of rollers and/or brushes, or by systematic manual hand washing/cleaning for commercial purposes. Interior cleaning and/or exterior drying may be conducted manually by the vehicle operator or an on-site attendant(s).*

**CONTIGUOUS**- Parcels of land sharing a common border not separated by a state maintained road, *railroad, or public utility right of way.*

**CORRECTION FACILITIES**- A public or privately operated use providing housing and care for individuals legally confined for violation of criminal law, designed to isolate those individuals from a surrounding community. *Such uses may include cafeteria, housing for facility staff, and facilities for the production of goods or materials for sale so long as it is enclosed within the secured area.*

**DEVELOPMENT** - A tract of land developed or to be developed as a unit under single ownership or unified control which is to be used for any business or, industrial purpose, or multiple residential dwelling units. ~~or is to contain five (5) or more residential dwelling units.~~ The term "development" shall not be construed to include any property which will be principally devoted to agricultural production. ~~As applicable to Article XIII, any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage or equipment or materials.~~ *The term shall include, but not be limited to the following:*

- *A change in the type of use of a building, structure, or land;*
- *Disturbance of land through the removal of trees or ground cover;*
- *Division of land into two (2) or more parcels;*
- *Dredging, filling, or grading;*
- *Construction or enlargement of a building or structure;*
- *Material increase in the intensity of use of land, including the number of businesses, dwelling units, offices, or manufacturing establishments;*
- *Demolition of a structure;*
- *Commencement or expansion of agricultural or horticultural or forestall activities;*
- *Commencement or expansion of resource extraction activities such as mining or drilling;*
- *Deposition of refuse or solid or liquid waste on land;*
- *Storage of buildings, equipment, materials or other structures;*
- *Alteration or disturbance of land, shore, bank, or channel of any stream, lake or body of water, including the alteration of any wetland.*

**DISTILLERY**: ~~A facility for the production of distilled spirits.~~ *An establishment primarily engaged in distilling and blending of potable liquors, including mixing them with other ingredients, with a capacity greater than 5,000 gallons of finished product per year. A distillery may include a restaurant or tasting room as an accessory use.*

**HOUSEHOLD PET**-Animals that are kept for personal use or enjoyment, *either inside or outside of a home in conjunction with a residential dwelling land use.* Household pet shall include, but not be limited to dogs, cats, birds, and/or rodent or similar animals.

**JUNKYARD**- An establishment or place of business which is maintained, operated or used for storing, keeping, buying or selling junk or for the maintenance or operation of an automobile graveyard. *(Land Use Category: Scrap & Salvage Services).*

**LAND DISTURBING ACTIVITY** ~~Any land change which may result in soil erosion from water or wind and the movement of sediments into state waters or onto lands in the Commonwealth, including but not limited to clearing, grading, excavating, transporting, and filling of land.~~ *Any man-made change of the land surface, including removing vegetative cover, excavating, filling and grading, and the construction of any structure-but not including minor modifications to landscaping or agricultural activities such as planting, cultivating, and harvesting crops or trees, or growing or tending of gardens. The term shall not include those exemptions specified in the Code of Virginia § 62.1-44.15:34. (Land Use Category: Temporary Use).*

**LOT LINE (PROPERTY LINE)** – *A line forming the boundary of a lot.*

**MANUFACTURED HOME** - ~~A manufactured house that is nineteen (19) or more feet in width, on a permanent foundation and on an individual lot.~~ *A structure subject to federal regulation, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to required utilities. Also see Mobile Home.*

**MOBILE HOME PARK** - A parcel of land under single common ownership ~~or which is operated as a business engaged in providing a place for manufactured homes,~~ upon which ~~twelve (12) more three (3) or more mobile homes~~ are located on a continual, *non-transient living or sleeping purposes,* non-recreational, basis together with any structure, equipment, road or other facility intended for use incidental to the occupancy of the mobile homes, but shall not include premises used solely for storage or display of uninhabited mobile homes or premises occupied solely by a land owner and members of his/her family.

**SIGN, ATTACHED-** Any sign that is affixed directly to a wall, roof, canopy, awning, marquee, mansard wall, parapet wall, or porch of a building, and whose face is parallel to the building element to which it is attached. Attached signs have only one face visible from the public right-of-way. *Also referred to as a building mounted sign.*

### **New Terms**

**Abandonment-**For the purpose of this Ordinance, abandonment shall mean the stopping or halting of a use or occupancy of a non-conformity for a period of two (2) years or more.

**Abattoir-**A building or structure where livestock is slaughtered and prepared for distribution to butcher shops or retail sales establishments such as grocery stores. A slaughterhouse is designed to accommodate the confinement and slaughtering of live animals and may include packing, treating, storage, or sale of the product on the premises.

**Abutting-**The condition of two (2) adjoining parcels of land having a common property line or boundary including cases where two (2) or more parcels of land adjoin a corner, but not including cases where adjoining parcels of land are separated by a street or alley.

**Accessory Dwelling (Detached)-**A secondary dwelling unit established in conjunction with, and clearly subordinate to, the principal dwelling unit on a lot, as a detached structure on the same lot for the use by immediate family only. Also called "Second Dwelling".

**Adjacent-**A parcel of land that shares all or part of a common lot line or boundary with another parcel of land, or a parcel of land that would abut another parcel of land, but for the fact a street or right of way divides the parcels.

**Administrative Services-**Governmental offices providing administrative, clerical, or public contract services that deal directly with the citizens. Typical uses include federal, state, county, and town offices.

**Adult Day Care Center-**Any facility that provides supplementary care and protection during only part of the day to four (4) or more aged, infirmed, or disabled adults who reside elsewhere, except (i) a facility or portion of a facility licensed by the State Board of Health or the Department of Behavioral Health and Developmental Services, and (ii) the home or residence of an individual who cares for only persons related to him/her by blood or marriage. Included in this definition are any two (2) or more places, establishments, or institutions owned, operated, or controlled by a single entity and providing such supplementary care and protection to a combined total of four (4) or more aged, infirmed, or disabled adults.

**Adult Motion Picture Theatre-**An enclosed building or outdoor facility used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or relating to "specified sexual activities" or "specified anatomical areas" , for observation by patrons therein. (Land Use Category: Adult Entertainment).

**Agricultural Support (Direct)-**Uses that provide support and services to animal and crop production and dairying, or other related agricultural use, which are limited to and that operate on the site of on-going agricultural uses. These uses include: agricultural processing, agri-education, animal care businesses, customer operators (haymaking, brush hogging, crop storage, hauling, fencing, barn construction); direct market businesses for the sale of products produced on-site (e.g. pick your own), farm co-ops, farm based tourism events, farm machinery repair, pet farms, products combining recreation and consumption of agricultural products, portable sawmills, stables, wetlands mitigation banks, and similar uses. (Land Use Category: Agricultural Services).

**Agricultural Support (Indirect)-**Uses that provide support and services to animal and crop production and dairying, or other related agricultural use, either on the site of the agricultural use or off-site. These uses include: agricultural research facility, animal care businesses, central farm distribution hub for agricultural products, farm machinery repair, farm machinery sales, rental and service, mill feed, and farm supply centers, and other similar uses. (Land Use Category: Agricultural Services).

**Airstrip-**A runway without normal air base or airport facilities. (Land Use Category: Aviation Facility, public/private).

**Aisleway, parking-**A passage for vehicular traffic within a parking area, through a parking bay.

**Alley-**A narrow street or thoroughfare giving access to the rear of lots or buildings.

**Amusement Park-**A facility, primarily outdoors and open to the public for a fee, that includes structures and buildings for providing entertainment including rides, booths for the conduct of games or sale of items, buildings for shows and entertainment, and restaurants and souvenir sales. (Land Use Category: Commercial Outdoor Entertainment).

**Animal Grooming-**Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health, and for which a fee is charged. (Land Use Category: Veterinary Hospital/Clinic).

**Animal Production (other than Intensive Farming)-**A facility and its supporting lot area used for propagation, rearing, exercising, feeding, or general raising of livestock or other living animals for animal husbandry purposes, and not including intensive farming confinement facilities or dairies. (Land Use Category: Agriculture).

**Animal Shelter-**A facility, other than a private residential dwelling and its surrounding grounds, that is used to house or contain animals and that is owned, operated, or maintained by a nongovernmental entity including a humane society, animal welfare organization, society for the prevention of cruelty to animals, or any other organization operating for the purpose of finding permanent adoptive homes for animals. (Land Use Category: Agriculture).

**Applicant-**A person or entity who submits a development application/petition requesting approval of a permit or development plan approval under this Ordinance.

**Application or Petition**-The completed form or forms and all accompanying documents, exhibits, and fees required by this Ordinance to be submitted for review when a person or entity requests approval of a permit, change in zoning classification, or development plan.

**Arena, Stadium, or Amphitheater**-A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings, which is partially or entirely surrounded by tiers of seats for spectators. Such uses may or may not include lighting facilities for illuminating the field or stage area, ticket booths, concessions, restrooms, parking facilities, and maintenance areas. (Land Use Category: Commercial Indoor or Outdoor Entertainment).

**Art Gallery**-An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. (Land Use Category: Cultural Services).

**Art, Crafts, Music, Dance, Photography, or Martial Arts Studio/School**-An establishment with space used for the production of or instruction in, art, crafts, music, dance, photography, or martial arts. (Land Use Category: Fine Arts Studio).

**Asphalt or Concrete Plant**-An industrial facility used for the production of asphalt or concrete, or asphalt or concrete products, used in building or construction, and includes facility for the administration or management of the business, the stockpiling of bulk materials used in the production of asphalt or concrete or finished products manufactured on the premises and the storage and maintenance of equipment used in production of the finished product.

**Assessed Value**-The monetary price that a parcel of land, portion of land, improvement on land, or other commodity is assigned by the Commissioner of Revenue's office for the purposes of taxation.

**Assisted Living Facility**-A public or private congregate residential facility that provides personal and health care services, 24-hour supervision, and assistance (scheduled and unscheduled) for the maintenance or care of four or more adults who are aged, infirmed, disabled, and who are cared for in a primarily residential setting. This does not include a home or residence of an individual who cares for or maintains only persons related by blood or marriage or a residential facility for eight (8) or fewer individuals who are treated as a single family in accordance with §15.2-2291 of the Code of Virginia, (1950), as amended.

**Auction Facility**-A structure or structures in combination used for the conduct of personal property auctions on a temporary basis by an auctioneer licensed by the Commonwealth of Virginia.

**Auditorium or Stage**-A building or structure designed or intended for use for presentation of dramatic, musical, or live performances, other entertainment and cultural events, and/or other public gatherings, all occurring inside an enclosed structure typically limited to a capacity of 500 or fewer seats. This used does not include motion picture theaters.

**Authorized Agent**-A person with express written consent to act upon another's behalf.

**Automatic Teller Machine (ATM)**-A mechanized device operated by a bank or financial institution that allows pedestrian customers or customers in motorized vehicles to perform banking or financial transactions at locations remote from the controlling bank or financial institution. Where an ATM is provided on site with the bank or financial institution, it shall be considered part of the principal use. Where an ATM is provided at other locations, such as a shopping center, it shall be considered an accessory use to the principal use of the location. (Land Use Category: Financial Institution).

**Automotive Painting or Body Shop**-A facility providing collision repair and painting services for automobiles, pickup and other light trucks, or trailers, including bodywork, framework, welding, and major painting and undercoating work. (Land Use Category: Automobile Repair Services).

**Automotive Wrecker Service**-An establishment providing towing and temporary storage on-site of no more than nine (9) wrecked or inoperable vehicles for a period of no longer than sixty (60) days. If an establishment exceeds the number of vehicles or duration of storage, then it shall be considered a junk/salvage yard. (Land Use Category: Automotive Repair Services).

**Aviation Facilities, Private**-Any area of land used or intended for the landing and taking off of aircraft for personal use of the tenant or owner of the site, not available for public use or commercial operations. Aircraft includes helicopters, all fixed-wing planes and gliders, but not hang gliders.

**Aviation Facilities, Public**-Landing fields, aircraft parking and service facilities and related facilities for operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, and including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security. This facility is available for public use or commercial operation.

**Awning**-A roof-like cover extending over, or in front of, a place as a shelter.

**Bank**-An establishment that provides retail banking services, mortgage lending, or similar services to individuals or businesses. Also see Financial Institution.

**Brewpub**-An establishment that is primarily a restaurant where ale or beer is brewed on premises as an accessory use. Also see Microbrewery.

**Building Permit**-An approval statement signed by the Building Official authorizing the construction, alteration, reconstruction, or demolition of all or part of any building or structure because the proposed development complies with this Ordinance and the Building Code.

**Caliper**-A measurement of the diameter of a tree trunk measured 4.5 feet above ground level.

**Canopy**-A structure that is not enclosed and is made of rigid or flexible material, that provides overhead protection from rain or sun for drive through service activity, including nonresidential establishments with drive-through service and gas pump islands at gas stations. The canopy may be attached or adjacent to a nonresidential building.

**Certificate of Occupancy**-A certificate granted by the Building Official which permits the use of a building or structure in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulations or conditions of the Building Permit. A building may not be occupied without the issuance of a Certificate of Occupancy.

**Check Cashing Establishment**-Any person or establishment engaged in the business of cashing checks, drafts, or money orders for compensation, and registered with the State Corporation Commission pursuant to §6.1-443, Code of Virginia, (1950), as amended. (Land Use Category: Financial Institution).

**Child Day Care Center**-See Day Care Center.

**Civic Center**-A facility designed to accommodate 500 or more persons and used for conventions, conferences, seminars, product displays, recreation activities, and entertainment functions, along with accessory functions including temporary outdoor display, food and beverage preparation and service for on-site consumption. Similar structures with a capacity less than 500 persons constitute a conference center or training center.

**Clubhouse**-A building or room used for social or recreational activities by members of an organization or club (e.g. golf course clubhouse) or occupants of a residential or other development (e.g. home owners association).

**Code**-The Code of Appomattox County.

**College or University**-A public or private, non-profit institution for post-secondary education offering courses in general or technical education which operates within buildings or premises on land owned or leased by the institution for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, lecture halls, libraries, student centers, athletic fields, dormitories, and other facilities which further the educational mission of the institution. (Land Use Category: Educational Facilities, College/University).

**Commercial Landscape Operation**-The provision of tree, lawn, and landscaping services including planting, pruning, mulching, and tree/lawn/grounds maintenance using landscaping materials grown on the property and landscape materials produced off-site such as top soil and mulch. Includes greenhouses, office building, and equipment necessary for the operation of such services. (Land Use Category: Landscaping and Lawn Care Services).

**Commercial Feedlots**- A feedlot whose primary enterprise is to feed cattle and market them for slaughter.

**Communications Services**- Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded from this use type are facilities classified as Utility Services or Wireless Communications Facilities. Typical uses include television studios, telecommunication service centers, telegraph service offices, or film and sound recording facilities.

**Community Center**-A building used for recreational, social, educational, and/or cultural activities, open to the public or a designated part of the public, usually owned and operated by a public or nonprofit group or agency. Includes uses for senior citizens and/or youth.

**Community Garden**-A private or public facility for the cultivation of fruits, flowers, vegetables or ornamental plants by more than one person, household or family, with produce used exclusively by said person, household or family within the common community, for the greater good of the common community. (Land Use Category: Accessory Use/Structure).

**Composting**-The agricultural process by which organic waste (i.e. yard trimmings, food wastes, manures) are combined in proper ratios; adding bulking agents (i.e. wood chips) as necessary, to provide air space; controlling temperature, moisture, and oxygen to achieve accelerated decomposition; thus producing a stable humus material.

**Conditional Rezoning**-A change in the zoning classification of a parcel of land or portion thereof, in which voluntary conditions, otherwise known as proffers, are placed on the approval of change in zoning classification.

**Conditional Use Permit**-A permit issued by the Board of Supervisors for a land use that is not listed under the permitted uses for the zoning district in which the land is located, but which the zoning ordinance does list for that zoning district as a 'conditional use', a 'special use' or words of similar import, signifying that the use is to be permitted only after being submitted to governmental scrutiny in each case, in order to ensure compliance with standards designed to protect neighboring properties and the public. The term 'conditional use permit' is used interchangeably with 'special use permit' and 'special exception'.

**Conference or Training Center**-A facility designed to accommodate fewer than 500 persons and used for conferences, seminars, product displays, recreational activities, and entertainment functions, along with accessory functions such as food and beverage preparation and service for on-site consumption. (Land Use Category: Business or Trade School).

**Conservation Easement**-The recorded grant of property rights establishing limitations that run with the land for a minimum of forty (40) years duration that prohibit subdivision of non-farm development on the tract other than one single family dwelling. Such easements shall be held by an entity authorized to hold easements in the Commonwealth of Virginia.

**Construction**-The erection of any building or structure or any preparations, including land disturbing activities.

**Continuing Care Retirement Community**-An integrated development that offers senior citizens a full continuum of housing options and assistance, ranging from fully independent dwelling units, to assistance with personal care in assisted living facilities, to long-term skilled nursing care in a nursing home facility.

**Contractor's Office**-A building or portion of a building used by a building, heating, plumbing, electrical, or other development contractor both as an office and for the storage of a limited quantity of materials, supplies, or equipment inside the building. (Land Use Category: Contractor Yard).

**Contractor Yard**-Areas or facilities used for the outside storage of materials and equipment for businesses engaged in construction activities. This use type typically does not provide for office space or any enclosed facility.

**Convenience Center, County**-A facility that accepts residential solid wastes generated by and transported from individual uses for temporary transport to a processing or disposal facility. Facility is operated by Appomattox County.

**Crisis Center**-A facility providing temporary protective sanctuary for victims of crime or abuse including emergency housing during crisis intervention for victims of rape, child abuse, or physical beatings for a length of time not to exceed thirty (30) days.

**Crop Production**-Agricultural and horticultural uses, including, but not limited to the commercial production of grains, field crops, vegetables, fruits, flower fields, and seed production, ornamental crops, tree and sod farms.(Land Use Category: Agriculture).

**Cupola**-A small structure, ornamental in nature, built on top of a roof.

**Dairy**-A commercial establishment for the manufacture, processing, or sale of dairy products.

**Data Center**-An establishment primarily engaged in providing infrastructure (e.g. computer systems and associated components such as telecommunications and storage systems) for data processing and storage, web hosting, application hosting, streaming services, and related services. Use includes server farms, telecom hotel, carrier hotel, telehouse co-location center, or any other term applicable to facilities which are used for these specified purposes.

**Density**-The ratio of the total number of residential dwelling units on a lot to total lot area.

**Driveway**-A road, usually private, made of a minimum of gravel, a minimum of ten (10) feet in width, which provides access from a street, public or private, to a dwelling unit or a commercial business.

**Drugstore or Pharmacy**-An establishment, either freestanding or part of a shopping center, usually with drive-through service, that is engaged in the retail sale of prescription. (Land Use Category: Retail Sales).

**Elevated Building**- A non-basement building built to have the lowest floor elevated above ground level by means of fill, solid foundation, perimeter walls, pilings, or columns (post and piers).

**Estate Sale/Auction**-A public sale or auction to dispose of the majority of the materials owned by a person who is deceased or will be moving. (Land Use Category: Temporary Use).

**Expansion**-An increase in the floor area of an existing structure or building, or the increase in the area of a use.

**Fabrication**-The act or process associated with metal manufacturing or manipulation. (Land Use Category: Industrial Manufacturing).

**Façade**-The front of a building.

**Facility Owner**-The person or entity that owns all or a portion of a solar energy facility (farm), whether or not it owns the site on which the facility is located.

**Farm**- An area of land and its buildings used for growing crops and rearing animals; making one's living by growing crops or keeping livestock, from which \$1,000 or more of agricultural products are produced and sold, or normally would be sold, during a calendar year. (Land Use Category: Agriculture).

**Farm Winery**-An establishment with facilities for fermenting and bottling where the owner or lessee of the facility manufactures wine that contains not more than 18 percent alcohol by volume and is either (1) located on a farm with a producing vineyard, orchard, or similar growing area or (2) located in the state with a producing vineyard, orchard, or similar growing area or that has agreements to purchase grapes or fruits from agricultural growers within the state. Accessory uses associated with this use include wine tasting, related food sales and related retail areas. (Land Use Category: Winery).

**Farmer's Market**-A public market held in a structure or open area where farmers primarily sell produce and other farm products they have grown, gathered, or raised directly to consumers. (Land Use Category-Retail Sales).

**Fenestration**-The arrangement, proportions, and design of windows and doors along the façade of a building.

**Fire or EMS Station**-A facility for the provision of local rapid response emergency services such as firefighting and mobile medical emergency services, including areas of storage and maintenance of emergency vehicles, and equipment and facilities for the housing and feeding of emergency personnel while on duty. (Land Use Category: Safety Services Public or Private).

**Fish Hatchery**- A place for artificial breeding, hatching, and rearing through the early life stages of animals—finfish and shellfish in particular, primarily to support the aquaculture industry where they are transferred to on-growing systems, such as fish farms, to reach harvest size.

**Flea Market**-A market held in an open area or structure where individual sellers offer goods for sale to the public. Such sellers may set up temporary stalls or tables for the sale of their products, which may be new or used.

**Floor Area (Gross Floor Area)**-The sum of the gross horizontal areas of each covered floor of a building, measured from the outside faces of exterior walls or from the centerline of party walls separating two buildings, but not including areas devoted to vehicle parking, uninhabitable basements, attics, or service/mechanical equipment rooms. Also not included in this calculation are areas open to the sky or unenclosed on two or more sides (e.g. balconies, open porches, breezeways, patios, etc.).

**Floor Area Ratio**-The ratio of gross floor area of all buildings on the lot to the total lot area.

**Foot Candle**-A quantitative unit of measure referring to the measurement of illumination incident to a single point. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

**Forestry and Logging**-A use of land whereby forests are tended, harvested, and reforested either by natural or artificial reforestation, or both and where timber is cut and sorted on-site for commercial purposes. (Land Use Category: Temporary Use).

**Funeral Home**-An establishment that provides human funeral services, including embalming and memorial services. Crematories are an accessory use to a funeral home.

**Garage or Yard Sale**-The temporary and occasional use of the garage and/or yard of a residential dwelling for the casual sale of miscellaneous items of personal property to the general public. (Land Use Category: Temporary Use).

**Grocery Store**-An establishment engaged in retail and/or wholesale sale of food, foodstuffs, sundries, or other common household items to members of the public. (Land Use Category: Retail Sales).

**Hedge**-A fence or a boundary formed by a dense row of shrubs or low trees.

**Helicopter Landing Facility**-An identifiable area of land or water, or elevated on a structure, that is licensed or approved for the landing and takeoff of helicopters or other rotorcraft, and which may include ancillary facilities such as parking, waiting rooms, fueling station or maintenance equipment.(Land Use Category: Aviation Facility, Public/Private).

**Historic Landmark**-Any landmark listed on the Virginia Landmarks Register by the Historic Resources Board according to the procedures set out in the Code of Virginia.

**Historic Structure**-Any structure that is listed on the National Register of Historic Places, or listed on the Virginia Landmarks Register, or listed on an inventory of historic places developed by the county. Such buildings or structures have contributed to the historic significance of the community, state or nation.

**Home Garden**-Use of land on a residential lot for the outdoor cultivation of vegetables, fruits, flowers, or other small plants as accessory to the principal residential use, for consumption by the occupants of the use. (Land Use Category: Temporary Use).

**Homeless Shelter**-A facility with support and supervisory personnel that provides temporary living accommodations for homeless persons.

**Homeowners Association**-A non-profit organization operating under recorded land agreements through which each landowner is automatically a member and each lot is automatically subject to the covenants or rules, and may be charged a proportionate share of the expenses for the organizations activities.

**Horse Board and Equestrian Training**-An establishment where horses are boarded and cared for, where instruction in riding, jumping, and showing is offered, and where horses may be hired for riding. Use may include a livery stable and riding academies. (Land Use Category: Stable, Commercial)

**Industrial Manufacturing**-Enterprises in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Use may include processing, manufacturing, compounding, assembling, packaging, treatment or fabrication of materials and products, bottling, printing plants, pharmaceuticals, cosmetics, solvents and/or other chemicals, and the production of items made of stone, metal or concrete.

**Infill Development**-The development of vacant or partially developed parcels that are surrounded by or in close proximity to areas that are substantially or fully developed.

**Interpretation**- An explanation of the meaning of the text, uses, or other provisions of this Ordinance, or the boundaries of the Official Zoning Map or of the conditions of approval imposed on a permit or development approval.

**Land**-The earth, water, and air, above, below, or on the surface and includes any improvements or structures attached hereto.

**Landowner**-Any owner of a legal or equitable interest in real property, including heirs, devisees, successors, assigns, and agent or personal representative of the owner.

**Livestock Sales & Auction**-An enclosure or structure designed or used for holding livestock for the purposes of sale or transfer by auction, consignment, or other means. Also known as a Livestock Market.

**Logo**-any display of emblems, lines or colors, or any combination thereof used as a symbol of an organization or business.

**Lot Area**-The total horizontal land area within the lot lines of a lot, excluding any area within existing or proposed public street rights-of-way.

**Lot Line Adjustment**-An adjustment or reconfiguration of lot lines to an existing lot. Also known as a Boundary Line Adjustment.

**Lot Line, Front**-The lot line separating the lot from an abutting street right-of-way or private road easement.

**Lot Line, Rear**-The lot line along the edge of a property opposite its front lot line.

**Lot Line, Side**- A lot line not abutting a street and connecting the lot's front and rear lot lines.

**Lot of Record**-A lot, which may or may not be part of a subdivision, that a plat of said lot has been recorded in the office of the Clerk of Circuit Court, or a lot described by metes and bounds, the description of which has been so recorded.

**Lumen**-A standard unit of measurement referring to the amount of light energy emitted by a light source without regard to the effectiveness of its distribution.

**Major Recreational Equipment**-A boat, boat trailer, pick-up truck camper, motor coach, motorized dwelling, tent trailer, or similar recreational vehicle or equipment, as well as, cases or boxes used for transporting recreational equipment, whether or not occupied by such equipment.(Land Use Category: Accessory Use/Recreational Vehicle).

**Manufactured Home, Accessory**-A manufactured home that is subordinate to a single-family dwelling or a manufactured home on a single lot and is used for storage. The structure must be altered to a point of being uninhabitable as determined by the Building Official.

**Massage Clinic**-Any establishment other than a regularly licensed hospital where nonmedical and nonsurgical manipulative exercises are practiced on the human body for reasons other than cosmetic or beautifying purposes by anyone that is not a physician or surgeon or has a similarly registered professional status.

**Meat Packing Plant**-The processing of meat products and by-products, primarily for commercial purposes, directly from live animals or offal from dead animals.

**Medical or Dental Clinic**-A small-scale facility where patients are admitted for examination and treatment by one or more physicians, dentists, or other health practitioners on a short-term basis. Examples include, but not limited to,

**Model Sales Home**- A dwelling, dwelling unit, or other marketable unit of a new development that is used for real estate sales or leasing activities associated with the development pending construction of the development and the initial sales of homes or units in the development. (Land Use Category: Retail Sales).

**Motion Picture Theater**-A building or part of a building devoted to showing motion pictures. Use may include an open lot or part of an open lot with auxiliary facilities primarily for showing motion pictures on a paid admission basis to patrons. (Land Use Category: Commercial Indoor Entertainment).

**Motorsports Park**-A facility, primarily outdoors and open to the public, for a fee, designed for motor vehicle sporting activities. This includes automobiles, trucks, go-carts, motorcycles, tractors, dirt bikes, all-terrain vehicles (ATV) and similar vehicle types. (Land Use Category: Commercial Outdoor Entertainment).

**Museum**-A building serving as a repository for a collection of natural, scientific, historical, or literary curiosities or works of art, and arranged, intended and designed to be used by members of the public for viewing, with or without and admission charge, and may include as an accessory use in the limited retail sale of goods, services, or products to the public. (Land Use Category: Cultural Services).

**Natural Disaster**-Any event in which damage to a use or structure is caused by flooding, wind, hail, lightning strike, tornado damage, explosion, falling trees, or falling tree limbs.

**Nightclub**-A place of entertainment offering alcoholic beverages for consumption on the premises that may also provide on-site entertainment in the form of live performances, dancing, billiards, comedic performances, or other entertainment activities. This use does not include Adult Entertainment uses. (Land Use Category: Dance Hall).

**Nonconformity**-A nonconforming use, structure, lot of record, sign, or site feature.

**Notice of Violation**-A notice indicating a violation of the Zoning Ordinance.

**Office Park**-A development that contains more than one separate office building, along with supporting uses, and/or open space, all of which are designed, planned, constructed and managed on an integrated and coordinated basis.

**Open Area**-The portion of a lot not used for buildings, structures, parking, loading, or streets, which may be set aside for landscaping and/or recreation.

**Operator**-The person or entity responsible for the overall operation and management of a solar energy facility (farm), if different from the facility owner.

**Ordinary Maintenance and Repairs**-Work performed on a building or structure to correct any deterioration or decay of, or damage to, the building or structure, or any part thereof, and restore the building or structure as nearly as practical to its condition prior to deterioration, decay or damage.

**Outdoor Display and Sale of Merchandise**-The placement of products or materials for sale outside the entrance of a retail or wholesale establishment. Use is permitted as an accessory or ancillary use to the primary retail or wholesale sales use.

**Outdoor Gatherings**-Any temporary organized gathering expected to attract 500 or more people at one time in open spaces outside of an enclosed structure. Included in this use type would be music festivals, church revivals, carnivals and fairs, and similar transient amusement and recreational

activities not otherwise listed in this ordinance. Such activities held in public parks or on public school property shall not be included within this use type.

**Outdoor Seasonal Sales**-A temporary outdoor business enterprise that is conducted primarily outside and offers items for retail sale during a relatively short peak season. Examples include Christmas trees, pumpkins, produce, flowers, and fireworks. (Land Use Category: Temporary Use).

**Parcel of Land**-Any quantity of land capable of being described with such definiteness that its location and boundaries may be established which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

**Parent Tract**-Any lot or parcel of land which was lawfully recorded by plat of subdivision and/or deed(s) in the office of the Clerk of the Court of Appomattox County prior to August 22, 1988.

**Park or Greenway**-Land used for recreation, exercise, sports, education, rehabilitation, or similar activities or land intended for the enjoyment of natural features or natural beauty. A greenway is typically a linear park that links various parts of the community with bicycle and pedestrian facilities or paths.

**Person**-Any individual, corporation, government agency, business trust, partnership, two or more persons having joint interest, or any other legal entity.

**Photometric Plan**-A point by point depicting the intensity and location of lighting on the property.

**Photovoltaic or PV**-Materials and devices that absorb sunlight and convert it directly to electricity.

**Place of Worship**-A building or structure, together with its accessory buildings and uses, where people regularly assemble to conduct religious worship, ceremonies, rituals, and education. Examples include chapels, churches, mosques, shrines, synagogues, tabernacles, temples, and other similar religious places of assembly. (Land Use Category: Religious Assembly).

**Planned Unit Development**-A form of development characterized by unified site design for a variety of housing types and densities, clustering of buildings, common open space, and a mix of building types and land uses in which project planning and density calculation are performed for the entire development rather than on an individual lot basis.

**Printing or Other Similar Reproduction Facility**-A commercial establishment primarily engaged in lithographic (offset), gravure, flexographic, screen, quick, digital, or other method of printing or reproduction of stock materials on a job order basis.

**Public Assembly/Use**-Facilities owned and operated by a public or quasi-public agency accommodating public assembly for sports, amusement, or entertainment purposes. Typical uses include auditoriums, sports stadiums, convention facilities, fairgrounds, and incidental sales and exhibition facilities.

**Public Maintenance and Service Facilities**- A facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment services centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

**Public Parks and Recreational Areas**-Publicly owned and operated parks, picnic areas, playgrounds, indoor or outdoor athletic facilities, game preserves, and open spaces.

**Quarrying or Soil Extraction**-An area used for the purpose of removing or extracting stone, rock, soil, or similar materials from an open excavation for financial gain and to be used for building or construction purposes. (Land Use Category: Resource Extraction).

**Railroad Facilities**-Railroad yards, equipment servicing facilities, and terminal facilities.

**Rated Capacity**-The maximum capacity of a solar energy facility (farm) based on the sum total of each photovoltaic system's nameplate capacity.

**Repair**-The restoration to a good or sound condition of materials, systems and or components of a structure that are worn, deteriorated, or broken using materials or components identical to or similar to existing materials or components.

**Roadside Stand**-A building or structure used for the retail sale of fruits, vegetables, flowers, herbs or plants grown on same parcel of land where the stand is located. Such use may also include accessory sales of other unprocessed foodstuffs, home processed food products such as jellies, jams, pickles, sauces, or baked goods and homemade crafts. No commercially packaged goods, handicrafts or foodstuffs shall be sold.

**Satellite Dish**-A round or parabolic antenna and its supporting structure for the purposes of sending and/or receiving radio or electromagnetic signals. (Land Use Category: Accessory Structure).

**Second Dwelling**-Any building or portion thereof which is designed for and used for residential purposes as a single-family dwelling, additional to the primary single-family dwelling and is subject to meeting certain criteria outlined elsewhere in this ordinance.

**Shipping Container**-A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted on a rail car, or mounted to the chassis for movement by truck trailer or loaded on a ship. When placed on a parcel, unrelated to its natural use, and used for storage, whether privately or commercially, it shall be deemed an accessory structure.

**Sight Triangle**-An area of unobstructed sight distance along the approaches of a street or driveway to an intersection.

**Sign, Obsolete**-Any sign which advertises a business, use, service, or activity that once occurred but is no longer occurring on the property in which the sign is located.

**Sign, Unified**-A freestanding sign used to identify multiple business uses within a shopping center, office park, business park, or industrial park.

**Small Wind Energy System**-A wind energy conversion system consisting of a rotating wind turbine and related control or conversion equipment that converts the kinetic energy in wind into mechanical energy and is intended primarily to reduce on-site consumption of energy for homes or businesses.

**Solar Energy Collection System or Solar Energy Farm, Utility Scale**-A renewable energy system consisting of solar panels and related equipment (e.g. heat exchanger, pipes, inverter, wiring, storage) that collects solar radiation and transfers it as heat and converts it to electricity for transfer to an electricity grid. The term applies to solar photovoltaic systems equal to or greater than one (1) acre in size or having a rated capacity equal to or greater than 200 kilowatts (kw).

**Solar Energy Collection System, Small Scale or Residential**--A renewable energy system consisting of solar panels and related equipment (e.g. heat exchanger, pipes, inverter, wiring, storage) that collects solar radiation and transfers it as heat and converts it to electricity for direct on-site use or in accordance with Virginia's net metering law. The term applies to solar photovoltaic systems less than one (1) acre in size or having a rated capacity up to 20 kilowatts (kw). This land use shall be considered an accessory use when installed in association with a residential land use.

**Stop Work Order**-An order issued by the Zoning Administrator or Building Official that directs the person responsible for a development activity or other act in violation of this Ordinance to cease and desist such activity or act.

**Street Grade**- The top of the streets roadway at its centerline.

**Structure Height**-The vertical distance from the average elevation of the existing finished grade of a structure at the front of the structure to the top of the roof for a flat roof, to the deck line for a mansard roof, or the mean height between the eaves and ridge for a gable, hip cone, gambrel or shed roof.

**Swimming Pool, Spa, or Hot Tub**-An above or below ground structure that is filled with water and used for swimming or soaking, relaxation, massage, or hydrotherapy.

**Tattoo or Body Piercing Establishment**-An establishment whose principle business activity is to practice one or more of the following: 1). Placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person or (2) using ink or other substances that result in the permanent coloration or alteration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin. (Land Use Category: Personal Services).

**Taxidermy Shop**-A business for the preparation, stuffing, and mounting of animal skins. (Land Use Category: Retail Sales).

**Television or Radio Antenna**-An omnidirectional antenna tuned to the broadcast frequency assigned to television or commercial radio. Does not include Amateur radio antenna or satellite dish. (Land Use Category: Wireless Communication Facility).

**Temporary Business**-A commercial use established on a short-term basis at a particular location, usually for less than 30 days.

**Temporary Use**-Any commercial use which is conducted for a period not exceeding thirty (30) consecutive days and which is not re-established within a period of ninety (90) days.

**Turkey Shoot**-A shooting match or similar activity conducted by a non-profit organization, non-commercial, or community service organization involving the discharge of firearms at a target or targets with the object of such activity being to determine a winner of a prize, such as a turkey, ham or other prize. (Land Use Category: Temporary Use).

**VDOT**-The Virginia Department of Transportation.

**Vocational or Trade School**-A public or private school offering vocational or trade instruction to students in subjects such as electrical, plumbing, brick laying, computer science, HVAC, etc. (Land Use Category: Educational Facility, Primary/Secondary).

**Watercourse**-A lake, river, creek, stream, wash, channel, or other topographic feature on or over which water flows at least periodically.

**Wetlands**-Areas inundated or saturated by surface water or groundwater at a frequency or duration sufficient to support a prevalence of vegetation typically adopted for life in saturated soil conditions. Examples include swamps, marshes, bogs, and similar areas.

**Woodworking**-An establishment primarily engaged in millwork and other manufacturing of wood products, such as windows, doors, moldings, or flooring. (Land Use Category: Custom Manufacturing).

**Yard, Required**-The area within a lot extending inward from the front, side, or rear lot lines for the minimum yard depth applicable in the zoning district in which the lot is located and that is required to remain unoccupied and unobstructed from the ground upward.

**Zoning District**-An area delineated on the Official Zoning Map, which a prescribed set of development standards are applied to various types of development.

**Zoning District, Overlay**-A zoning district superimposed over one or more underlying zoning districts that imposes additional standards and regulations.

The motion carried unanimously.

Mr. Dickerson suggested a change to the Zoning Ordinance related to Wireless Communication Facilities. Mr. Dickerson asked if staff could provide some additional information on this topic. After some discussion, the Planning Commission agreed by consensus to continue the discussion about making the process for cell tower approval less complicated.

**Adjournment**

Having no further business, Mr. Almond asked for a motion to adjourn.

Mr. Dickerson made a motion, with Mr. Conner seconding, that the meeting be adjourned. The motion carried unanimously. The meeting adjourned at 6:55 p.m.

Approved As Written,

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George Almond, Vice-Chairman  
Appomattox County Planning Commission

Attest:

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Johnnie Roark, Clerk  
Director of Community Development

**County of Appomattox  
Department of Community Development  
Staff Report**

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**To:** Planning Commission  
**From:** Johnnie Roark   
Director of Community Development  
**Date:** January 8, 2020  
**RE:** Conditional Use Permit Application CUP190852-Verizon Wireless (applicant),  
William & Mary Alvis (owner), Jeff Holland (agent)

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**SYNOPSIS**

Verizon Wireless is requesting a conditional use permit to locate a 199' Wireless Communication Facility (WCF, cell tower) on property located off Trinity Road in the Stonewall community.

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**Specifics**

**Applicant:** Jeff Holland (agent), Verizon Wireless  
**Property Owner:** William & Mary Alvis  
**Current Use:** Pasture/Wooded  
**Proposed Use:** add Wireless Communication Facility (Height= 199')  
**Surrounding Uses:** Residential, Agricultural, Woodlands  
**Parcel Size:** Approximately 75 acres (lease area of 100' X 100')  
**Zoning:** A-1, Agricultural  
**Surrounding Zoning:** A-1, Agricultural  
**Tax Map Number(s):** 24 (A) 19

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**BACKGROUND AND ANALYSIS**

This property is located on Trinity Road (Route 611) approximately 500 feet from the intersection of Vineyard Road (Route 721). The applicant is proposing to build a 199' tall cell tower that will hold the cellular array. The leased area will be 100' X 100' that will house the monopole and support equipment. The tower will provide a much needed boost to cellular and data service in this part of the county. The nearest tower within Appomattox is located approximately 6 miles east/southeast of this site. This tower will be below the minimum required to be lighted. This tower will provide a significant signal boost to the heavily populated northwestern portion of the county.

As part of the information provided, you will find simulation photos that illustrate this new structure. A balloon test has been conducted. Along Trinity Road, the tower will be visible in the immediate vicinity. The site location on the property is approximately 1000 feet south of the road. The site will be in the edge of the existing woods along the edge of a pasture. Several houses are nearby, the closest being approximately 1050 feet to the north and east. They will be able to see the tower. The site will be accessed by a 20' wide easement running from Trinity Road. A small turnaround/parking area will be located just outside of the compound gate.

## **PROJECT IMPACTS**

A balloon test was conducted. You will find photo simulations in the packet. The tower compound may be visible from Trinity Road but will be largely blocked by the mature hardwoods on three sides. The side facing Trinity Road will be exposed. A staff recommended condition will address this. The monopole design will reduce the profile of the tower and the non-reflective galvanized finish will help decrease the tower's visibility against the sky line. Due to the topography and land cover in the area, the upper portions of the tower will be visible in the immediate area (within a quarter mile).

## **TRANSPORTATION**

Trinity Road (Route 611) is a rural two-lane surface treated roadway. The Average Annual Daily Traffic (AADT) is 280 vehicles per day per the most recent VDOT traffic count (2018).

The proposed use will have little to no impact on the amount of traffic on this road once construction is complete.

## **ENVIRONMENTAL**

The site will be subject to the County's Land Disturbance ordinance, Chapter 19.3 Erosion and Sediment Control. This ordinance will regulate the effective control of soil erosion and sedimentation deposits to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources **during construction activities**. The site will not be required to obtain a Virginia Stormwater Management Permit (VSMP) through the Virginia Department of Environmental Quality (VDEQ).

## **ZONING**

In the Appomattox County Code, Section 19.6-2 states the purpose of the Zoning Ordinance: "The General Assembly of the Commonwealth of Virginia empowers the County to enact a zoning ordinance, and to provide for its administration, enforcement, and amendment; and the Board of Supervisors of Appomattox County deems it necessary, for the purpose of promoting the health, safety, convenience, and general welfare of the County to enact such an ordinance; and the Board of Supervisors of Appomattox County appointed a Planning Commission to recommend the boundaries of the districts and appropriate regulations to be enforced therein; and the zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan for Appomattox County, and for the purpose of promoting the health, safety, and general welfare of the public and of further accomplishing the objectives and purposes of §15.2-2200, §15.2-2280 and §15.2-2283 of the Code of Virginia (1950), as amended. To these ends, this ordinance is designed to

1. Provide for adequate light, air, convenience of access, safety from fire, flood, impounding structure failure, crime and other dangers;
2. Reduce or prevent congestion in the public streets;
3. Facilitate the creation of a convenient, attractive, and harmonious community;

4. Expedite the provision of adequate police and fire protection, disaster, evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, and other public requirements;
5. Protect against destruction of or encroachment upon historic areas; and
6. Protect against one or more of the following: overcrowding of land, undue densities of population in relation to the community facilities existing or available, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, impounding structure failure, panic or other dangers;
7. Encourage economic development activities that provide desirable employment and enlarge the tax base;
8. Provide for the preservation of agricultural and forestal lands and other lands of significance for the protection of the natural environment;
9. Encourage and accommodate affordable housing suitable for meeting the current and future housing needs of the County;
10. Protect surface water and groundwater resources;
11. Provide safety from crime;

The Code further states that the governing body of any county may by ordinance classify territory under its jurisdiction or any substantial portion thereof into districts of such number, shape, and size as it may deem best suited to carry out the purposes of such article, and in each district it may regulate, restrict, permit, prohibit, and determine the following:

12. The use of land, buildings, structures and other premises for agricultural, business, industrial, floodplain, and other specific uses;
13. The size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing or removal of structures;
14. The areas and dimensions of land, water, and air space to be occupied by buildings, structures, and uses, and of courts, yards, and other open space to be left unoccupied by uses and structures, including variations in the sizes of lots based on whether a public or community water supply or sewer system is available and used;
15. The excavation or mining of soil or other natural resources.”

The parcel are currently zoned A-1, Agricultural Zoning District. The proposed use, Wireless Communication Facility is a conditional use within the zoning district. A conditional use is a use that would not be permitted generally or without restrictions throughout the zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, or prosperity. Such uses may be permitted in such zoning districts as conditional uses, if specific provisions for such uses are made in this ordinance. The Board of Supervisors reserves the right to grant conditional use permits.

Wireless Communication Facility is defined by the Appomattox County Zoning Ordinance as “A facility generally designed to provide or facilitate a link in a wireless communications

system serving a specific area or region, typically consisting of any or all of the following: antenna arrays, microwave dishes, tower or monopole structures, equipment structures.”

§19.6-92 Wireless Communications Facilities contains additional standards for the location of towers. Specifically, the following factors should be considered when reviewing a conditional use permit for a new tower:

- (1) Height of the proposed tower;
- (2) Proximity of the tower to residential structures and residential district boundaries;
- (3) Nature of the uses on adjacent and nearby properties;
- (4) Surrounding topography;
- (5) Surrounding tree coverage and foliage;
- (6) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- (7) Proposed ingress and egress;
- (8) Co-location policy;
- (9) Language of the lease agreement dealing with co-location;
- (10) Consistency with the comprehensive plan and the purposes to be served by Zoning;
- (11) Availability of suitable existing towers and other structures;
- (12) Need for tower because of gaps in wireless service to the proposed coverage area.

The surrounding land is all zoned A-1, Agricultural Zoning District. Most adjoining parcels are larger agricultural lots with sporadic housing. Along Trinity Road there are several homes at or near the 1000 foot mark. The area is relatively undeveloped and very rural in nature. Several houses are located directly across the road from the site and will be impacted visually.

### **LAND USE**

The Alvis property (75 acres) has not generated any land use permits, therefore we are not aware of any previous land use activity on this parcel. The parcel has existed for more than 30 years and was purchased by the Alvis' in 1984. The closet dwelling is approximately 1000 feet to the north and east.

### **COMPREHENSIVE PLAN**

Authority for local government planning in Virginia is contained in Title 15, Section 15.2-2223 through 15.2-2232 of the Code of Virginia. The current plan was prepared in accordance with these provisions. By state law, the plan shall be general in nature and is advisory in nature only. It does not possess the force of law, unlike the Zoning Ordinance and the Subdivision Ordinance. The plan shall designate the approximate location, character, and extent of each feature shown and may indicate where existing lands or facilities are proposed to be extended, removed, relocated, vacated, narrowed, abandoned, or changed in use. The Comprehensive Plan does not supersede the existing zoning or associated regulations for any particular parcel within the county. The Code of Virginia only mandates that a community have a comprehensive plan. It does not mandate that the plan be implemented nor does the Code of Virginia mandate consistency between the plan and the implementation tools (Zoning and Subdivision Ordinances).

The current Comprehensive Plan was updated in 2016 with a planning horizon of 2040. The plan is required to be reviewed every five (5) years.

Part of the Comprehensive Plan is the Growth Management section, which contains the Future Land Use Map (FLUM). The FLUM is a visual depiction of the preferred development pattern and is used to guide land use decisions. The FLUM designates this area as part of the Commercial Rural Preservation Area. These areas encompass land(s) with special natural characteristics that make their preservation in open space particularly important to the county's environmental health. These areas include active and passive farmland, stream or river areas, steep slopes, trails, forestland or other passive recreational areas.

Other goals in the 2016 Comprehensive Plan that may be relevant to this petition are:

Economic Development Goal: Attain an environmentally sound, diversified, and stable economy which improves the quality of life and lessens the tax burden of county residents and businesses.

Economic Development Objective 7: Enhance digital communications services throughout the county.

Growth Management Goal: Maintain and protect the rural and historical nature of the County while simultaneously encouraging controlled development in specified areas.

## **PLANNING CONSIDERATIONS**

The Appomattox County Zoning Ordinance lists the following standards by which a conditional use should be evaluated.

1. **Will be harmonious with and in accordance with the general objectives or with any specific objective of Appomattox Comprehensive Plan and/or this chapter.**  
*This use is a conditional use in the A-1, Agricultural Zoning District. The use furthers the general goals and objectives of the Comprehensive Plan.*
2. **Will be designed, operated and maintained so as to be harmonious and appropriate with the existing or intended character of the general vicinity; and that such use will not change the essential character of the same area.**  
*The proposed use is being designed to mitigate any impact to the greatest extent. The site does meet setback guidelines and the lower portion of the tower and compound will be obscured due to the proposed buffer condition.*
3. **Will not be hazardous or disturbing to existing or future neighborhood uses.**  
*The proposed use will not be hazardous to the existing neighborhood. The use will greatly improve cellular/data availability in this portion of the county.*
4. **Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.**  
*The impact on public facilities is negligible.*

5. **Will not create excessive additional requirements at public costs for public facilities and services; and will not be detrimental to the economic welfare of the community.**

*Use will not negatively impact public facilities or services. Use provides added benefit by possibly enhancing emergency services communication in the area. §19.6-92.9 (C) of the Zoning Ordinance requires the holder of the CUP to provide the County with co-location opportunities as a community benefit for radio and emergency services.*

6. **Will have vehicular approaches to the property which shall be so designed so as not to create any interference with traffic on surrounding public streets or roads. Minimal traffic will be associated with this use.**

7. **Will not result in the destruction, loss or damage of a natural, scenic, or historic feature of major importance.**

*The proposed use will not negatively impact natural, scenic or historic features based on the balloon test.*

### **RECOMMENDED CONDITIONS**

1. The wireless communication facility will be constructed in general conformance with the concept plan submitted with the application dated December 10, 2019 (concept plan dated October 30, 2019).
2. Tower height, including antennae, lightning rod and other appurtenances is limited to a maximum height of 199 feet from average grade.
3. A fifteen (15) foot buffer shall be installed around the perimeter of the fenced compound area to block the view of the compound from Trinity Road. Leyland Cypress or native pine trees shall be used to compliment/fill-in any areas deemed necessary upon final inspection of the Zoning Administrator. Said inspection shall occur prior to the issuance of a Certificate of Occupancy. Any new plantings shall be a minimum of six (6) feet tall at the time of the planting. Existing vegetation may be used in lieu of new plantings.

### **PLANNING COMMISSION ACTION**

The following motions are available for the Planning Commission:

#### **To approve as submitted:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Verizon Wireless (William and Mary Alvis, property owner) to locate a 199' tall Wireless Communication Facility, as submitted.

#### **To approve with conditions:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to recommend approval of the Conditional Use Permit petition of Verizon Wireless (William and Mary Alvis, property owner) to locate a 199' tall Wireless Communication Facility, with the following conditions:

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**To deny:**

For reason of public necessity, convenience, general welfare, and good zoning practice, the Appomattox County Planning Commission moves to deny the Conditional Use Permit petition of Verizon Wireless (William and Mary Alvis, property owner) to locate a 199' tall Wireless Communication Facility , as the petitioner has failed to show the following:

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**Appomattox County**

Department of Community Development  
153A Morton Lane  
P.O. Box 863  
Appomattox, VA 24522  
(434) 352-8183~Fax (434) 352-4214  
[www.appomattoxcountyva.gov](http://www.appomattoxcountyva.gov)



**Development Application**

- Conditional Use Permit       Rezoning       Conditional Rezoning
- Rezoning with concurrent Conditional Use Permit

**General Information:**

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Conditional uses are uses, which are generally compatible with the other land uses in the zoning district, but require individual review for their intensity, location, design, and configuration. Conditions may be imposed by the Board of Supervisors in order to ensure the appropriateness of the use and to mitigate concerns that may otherwise make the use incompatible in the zoning district.

Conditional Use Permits may be approved upon a finding by the Board of Supervisors that the use will not be detrimental to the character and development of the adjacent land and will be in harmony with the purpose and intent of the Zoning Ordinance.

Rezoning, or the amendment to the zoning classification of a parcel, must be justified in need and effect on the property, surrounding property, and public services. The appropriateness of the change as it is set forth at the beginning of the zoning district classification shall be considered, as well as, the general planning program of the county and whether the rezoning will further the purposes of the zoning ordinance and the general welfare of the community.

Each application for Conditional Use and/or Rezoning is forwarded to the Planning Commission for consideration. The Planning Commission will hold a public hearing on the petition. The applicant or a representative is required to attend the public hearing. After the public hearing, the Planning Commission will make a recommendation and forward this recommendation to the Board of Supervisors.

The Board of Supervisors will hold a public hearing on the petition. The applicant or a representative is required to attend the public hearing. After the public hearing, the Board of Supervisors may approve or deny the petition. If the petition is a conditional use, the Board may impose conditions, which in its opinion will mitigate the impacts of the requested conditional use. If the petition is a rezoning, the applicant may voluntarily proffer conditions, which may mitigate the impacts of the rezoning petition. If proffers are voluntarily submitted this is known as a Conditional Rezoning.

General examples of some conditions that may be established are as follows:

- 1). Abate or restrict noise, smoke, dust, or other elements that may affect surrounding properties.
- 2). Provide for adequate parking, ingress and egress to public streets and roads.
- 3). Provide adjoining property with buffers or screening to mitigate visual or noise impacts.
- 4). Establish enhanced setbacks or require street/road improvements to mitigate traffic congestion related to this development.

Any previously approved conditional use permit may be revised by the Board of Supervisors following the same process of public hearings and recommendations.

### **Application Procedure:**

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1. **Consultation with Planning Staff:** You are required to meet with County staff to discuss the feasibility of your request prior to submission.
2. **Completion of Application:** Fill out, sign and date the application form. If the applicant is not the property owner, attach a notarized letter of consent from the property owner authorizing the applicant to act as the owner's agent for the application.
3. **Boundary Survey:** The applicant must provide a copy of a boundary survey of the land for which the conditional use or rezoning is proposed.
4. **Adjacent Property Owners:** The applicant must provide the names and addresses for all adjacent property owners, including those immediately across the street(s) from the property. This list is used for the notification to the adjacent owners for the public hearing.
5. **Concept Plan:** A concept plan (minimum 8.5" X 11") is required in accordance with §19.6-45 of the Appomattox County Zoning Ordinance. The petitioner may prepare the Concept Plan or have a professional engineer, architect, or surveyor assist them. The plan shall meet the minimum standard, as described by the checklist on page 4 of this application.
6. **Impact Statements:** If necessary, the applicant is responsible for submitting impact statements with the application. Impact studies may address traffic volumes, public utility capacities, noise, dust, smoke emissions or any other relevant matter that may arise during the initial consultation with planning staff. A Traffic Impact Analysis (TIA) is required should the site meet the VDOT requirements for TIA's under 24 VAC 30-155.
7. **Planning Commission:** The Planning Commission will hold a public hearing and review the application in order to make a recommendation to the Board of Supervisors.

8. **Board of Supervisors:** The Board of Supervisors will hold a public hearing and review the application in order to make a decision on the request. In the case of a conditional use permit, the Board may attach any conditions necessary to insure that the proposal meets the specific and general standards for the proposed use.
9. **Application Fee:** Conditional Use Permit= \$200.00 Rezoning= \$300.00 Rezoning with concurrent Conditional Use Permit = \$500.00 Please make checks payable to Appomattox County Treasurer.

**APPLICATION CHECKLIST**

N/A Complete

- Consultation with Staff
- Project Information and Contacts
- Project Description
- Project Justification
- List of Adjoining Property Owners
- Impact Statements (if necessary)
- Owner's Authorization Letter (if necessary)
- Boundary Survey
- Concept Plan
- Certification and Statement of Understanding signature(s)

**FOR OFFICIAL USE ONLY**

RECEIVED

12/10/19  
Date

[Signature]  
Initials

CHECKED FOR COMPLETENESS

12/16/19  
Date

[Signature]  
Initials

- Application fee paid
- Application found to be complete
- Application found to be incomplete

### Checklist for Concept Plan

In accordance with §19.6-45 of the Appomattox County Code, a Concept Plan is required for new development in every zoning district, including uses reviewed by the Planning Commission for conditional use or rezoning. A Concept Plan is a Site Development Plan drawn to slightly lesser detail that does not address impacts such as erosion and sediment control, landscaping or stormwater management. The petitioner may prepare the Concept Plan. However, the petitioner may opt to have the Concept Plan prepared by a professional engineer, architect, or land surveyor registered by the Commonwealth of Virginia, depending on the complexity of the project, or if the petitioner cannot provide a level of detail needed for the Planning Commission to adequately evaluate the project.

N/A

Complete

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Date of drawing  |
| <input checked="" type="checkbox"/> | North Arrow  |
| <input checked="" type="checkbox"/> | Scale  |
| <input checked="" type="checkbox"/> | Legend of all symbols used   |
| <input checked="" type="checkbox"/> | Location/vicinity map showing the general location   |
| <input checked="" type="checkbox"/> | Boundary lines of the property covered by the application  |
| <input checked="" type="checkbox"/> | Name and Address of property owner, applicant and person preparing the drawing                       |
| <input checked="" type="checkbox"/> | Tax Map Identification Number  |
| <input checked="" type="checkbox"/> | Tax Map Identification Number and name(s) of adjoining property owners                               |
| <input checked="" type="checkbox"/> | Current and proposed land use  |
| <input type="checkbox"/>            | Current zoning district of parcel and adjoining parcels  |
| <input checked="" type="checkbox"/> | Names, Route Numbers, location of streets adjacent to or within the development                      |
| <input checked="" type="checkbox"/> | Access point(s), driveways, crossovers, etc.   |
| <input checked="" type="checkbox"/> | Parking accommodations, including number of spaces and Handicapped spaces, loading spaces, or aisles |
| <input checked="" type="checkbox"/> | Building(s) location, setbacks, height of building(s) for proposed and/or existing building(s)       |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> Location of proposed signs, utilities, lighting                  |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> Buffer yards, screening, or fencing                              |

JH

Applicant/Agent/Professional Initial(s) to acknowledge checklist items are provided.

**PROJECT INFORMATION**

Note: If the applicant is not the property owner, then an owner's authority letter must be submitted with the application.

<u>Verizon Wireless - Stonewall</u>	<u>A1</u>
PROJECT NAME	ZONING
<u>Trinity Road, Concord, VA 24538</u>	DISTRICT
ADDRESS, IF AVAILABLE, OR STREET LOCATION	<u>75 ac.</u>
	TOTAL SITE
<u>24-A-19</u>	ACRES
TAX MAP IDENTIFICATION NUMBER	

<b>APPLICANT/AGENT</b>	<input checked="" type="checkbox"/> Agent		
	<input checked="" type="checkbox"/> Primary Contact		
<u>Jeff Holland, NB+C, LLC (agent for Cellco Partnership (d/b/a Verizon Wireless))</u>			
NAME			
<u>4435 Waterfront Drive, Suite 100, Glen Allen, VA 23060</u>			
ADDRESS	CITY	STATE	ZIP
<u>(757) 817-6628</u>	<u>jholland@nbcllc.com</u>		
PHONE	EMAIL		

<b>OWNER (IF DIFFERENT)</b>	<input type="checkbox"/> Same As Applicant		
<u>William and Mary Jane Alvis</u>			
NAME			
<u>630 Deer Haven Drive, Lynchburg, VA 24501</u>			
ADDRESS	CITY	STATE	ZIP
PHONE	EMAIL		

<b>PROFESSIONAL (ENGINEER, SURVEYOR, ETC.)</b>	<input type="checkbox"/> Primary Contact		
<u>Derek R. Marshall, P.E.</u>	<u>Dewberry Engineers, Inc.</u>		
NAME	COMPANY		
<u>4805 Lake Haven Drive, Suite 200, Glen Allen, VA 23060</u>			
ADDRESS	CITY	STATE	ZIP
<u>(804) 290-7957</u>	<u>dmarshall@dewberry.com</u>		
PHONE	EMAIL		



**JUSTIFICATION**

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The Planning Commission and Board of Supervisors will study the request to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Attach additional information, if necessary.

Please explain how the request furthers the purpose of the Zoning Ordinance and the zoning district classification for which the project is proposed. You may find a copy of the Appomattox County Zoning Ordinance at [www.appomattoxcountyva.gov](http://www.appomattoxcountyva.gov), navigate to the Community Development Page.

See attached Project Narrative

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Please explain how the project conforms to the general guidelines and policies contained in the Appomattox County Comprehensive Plan. You may find a copy of the plan at [www.appomattoxcountyva.gov](http://www.appomattoxcountyva.gov), navigate to the Community Development page.

See attached Project Narrative

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Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as, impact(s) on the public services and facilities, including water, sewer, roads, schools, parks/recreation, and fire/rescue.

See attached Project Narrative

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**CERTIFICATION AND STATEMENT OF UNDERSTANDING**

I, as owner/agent of the property subject to this application, do hereby certify that I have read and understand the requirements for the submission of a conditional use permit petition or rezoning petition as provided under the Appomattox County Code, and further, that this application is complete, in compliance with the requirement of the Appomattox County Code, and accurate to the best of my knowledge.

William Alvis 11-18-19      William Alvis  
Signature of Owner/Agent      Date      Printed Name

\_\_\_\_\_  
Signature of Owner/Agent      Date      Printed Name

**Right of Entry**

I, as owner/agent of the property subject to this application, do understand and hereby grant permission to the staff, Planning Commission and/or Board of Supervisors of Appomattox County, Virginia for the right of entry to the subject property for the purpose of study and analysis of this petition.

William Alvis 11-18-19      William Alvis  
Signature of Owner/Agent      Date      Printed Name

Mary Jane Alvis 11-18-19      Mary Jane Alvis  
Signature of Owner/Agent      Date      Printed Name

**Application Timeline**

Applications submitted by close of business (4:30 p.m.) on or before the 10<sup>th</sup> of each month, or next business day if on a weekend or holiday, will be scheduled for the next available Planning Commission meeting. The next available Planning Commission meeting is typically the following month, second Wednesday, at 5:30 p.m. This allows for proper advertisement of the required public hearing in accordance with §15.2-2204 of the Code of Virginia, as amended. The public hearing at the Board of Supervisors meeting will not be scheduled or advertised until the Planning Commission has offered a recommendation. Generally, this is one month following the Planning Commission meeting. These dates/times are subject to change.

OWNER'S AUTHORITY LETTER

STATE OF VIRGINIA  
CITY/COUNTY OF Appomattox

This 18 day of November, 2019

I, William Allen Mangrove, Jr. the owner of  
24-A-19

(Describe land by Parcel Identification Number, address, etc.)

make, constitute, and appoint Jeff Holland, NB+C, LLC and my true and lawful  
Mark Kronenthal, Roth Jackson  
agent and in my name, place, and stead giving unto said person full power and  
authority to do and perform all acts and make all representation necessary, without any  
limitations whatsoever, to make application for said rezoning/conditional use permit.

(circle one)

The right, powers, and authority of said agent herein granted shall commence  
and be in full force and effect on November 6, 2019, and shall  
(date)

remain in full force and effect thereafter until actual notice, by certified mail, return  
receipt requested, is received by the Appomattox County Department of Community  
Development stating that the terms of this power have been revoked or modified.

William Allen Mangrove, Jr.  
Owner

COMMONWEALTH OF VIRGINIA:

County of Campbell  
Subscribed and sworn to before me this 18<sup>th</sup> day of November, in my County and  
State aforesaid, by the aforementioned Principal.

Tara O. Nelson  
Notary Public

My Commission Expires: 3/31/2022



**LIST OF ADJOINING PROPERTY OWNERS**

The applicant is required to provide a list of owners as shown on the current real estate tax assessment books of all abutting properties and properties immediately across the street or road from the property to be rezoned or issued a Conditional Use Permit. This information can be found at the Commissioner of Revenue's office or by utilizing the County's GIS website. If necessary, use additional pages.

<i>See attached list</i>		
_____	_____	_____
Tax Map Number	Name	
_____		
Mailing Address (Street, Post Office Box)		
_____		
_____	_____	_____
City	State	Zip

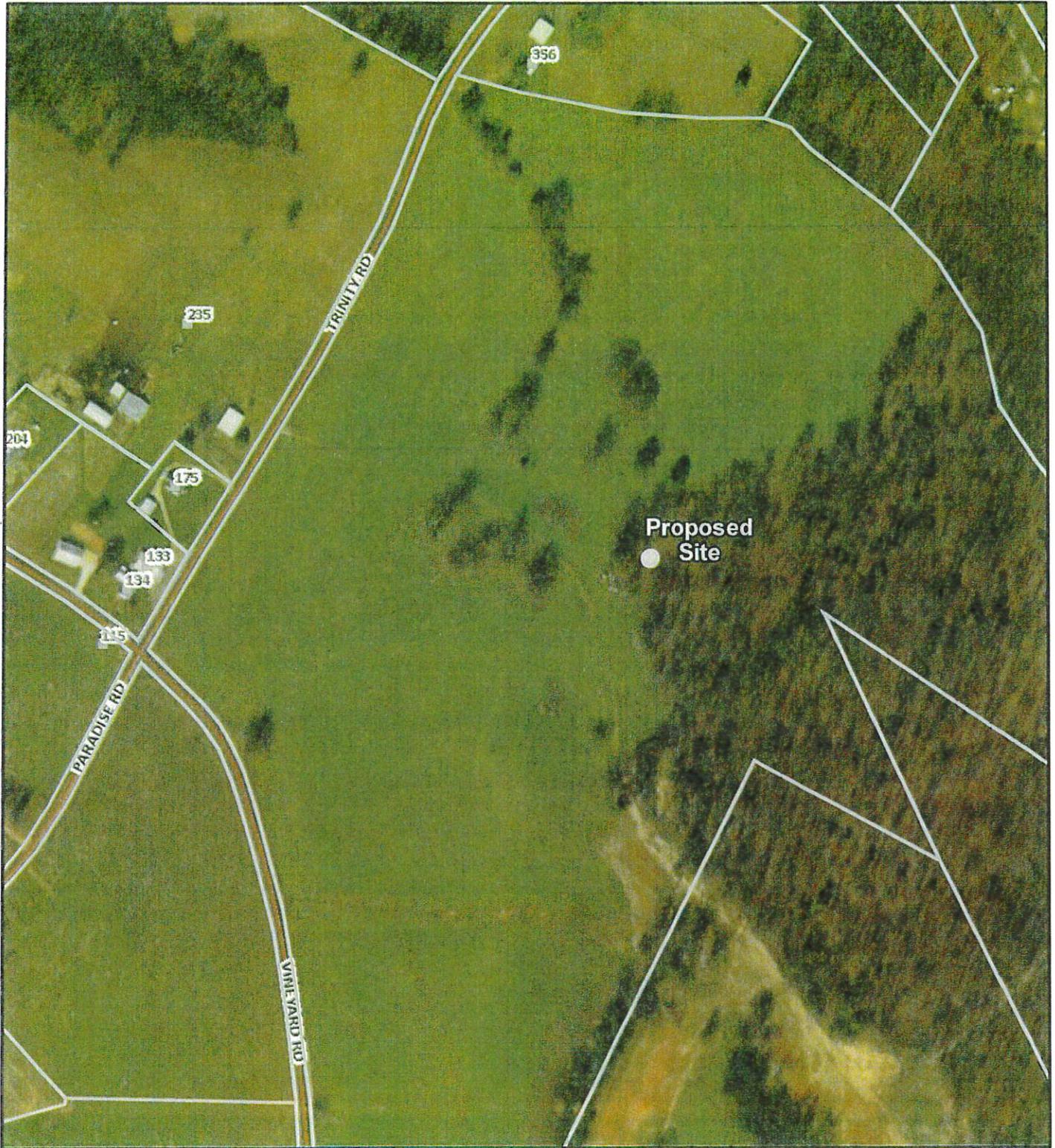
_____		
_____	_____	_____
Tax Map Number	Name	
_____		
Mailing Address (Street, Post Office Box)		
_____		
_____	_____	_____
City	State	Zip

_____		
_____	_____	_____
Tax Map Number	Name	
_____		
Mailing Address (Street, Post Office Box)		
_____		
_____	_____	_____
City	State	Zip

**Applicant: Cellco Partnership (d/b/a Verizon Wireless)**  
**Conditional Use Permit Application – Appomattox County**  
**Wireless Communications Facility**  
**List of Adjacent Property Owners**  
**Site Name: Stonewall**  
**Tax Map Parcel #: 24-A-19**  
**Trinity Road, Concord, VA 24538**

TM#	Name	Mailing Address	City	State	Zip
24-A-20	For His Glory Mission, c/o Barry Edwards	434 Trinity Rd	Concord	VA	24538
24-2-1	Donna M. Mayberry	506 Trinity Rd	Concord	VA	24538
24-2-4	Harvey G., III & Shelley B. Morgan	576 Trinity Rd	Concord	VA	24538
35-A-48	William H. Alvis	630 Deer Haven Dr	Lynchburg	VA	24501
35-7-1A	George D. & Darlene M. Stratton	709 Spanish Oaks Rd	Concord	VA	24538
35-A-43	William H. Alvis	630 Deer Haven Dr	Lynchburg	VA	24501
35-6-1	Harvey G., Sr. & Jeanette T. Morgan	1293 Vineyard Rd	Concord	VA	24538
35-1-1	Kay T. Bondurant	P.O. Box 753	Concord	VA	24538
24-A-15	Kay T. Bondurant	P.O. Box 753	Concord	VA	24538
24-A-16	Glenn A. & Sue M. Doss	134 Stone Ridge Rd	Concord	VA	24538
24-A-17	Brandon A. & Karen Sue Moore Doss	175 Trinity Rd	Concord	VA	24538
24-A-9	Troy A. & Tara O. Nelson	642 Porter House Rd	Concord	VA	24538
24-A-10	Troy A. & Tara O. Nelson	642 Porter House Rd	Concord	VA	24538
24-A-7	Weyerhaeuser Company, Attn: Dale Wilkins	100 Professional Center	Brunswick	GA	31525

# CUP190852



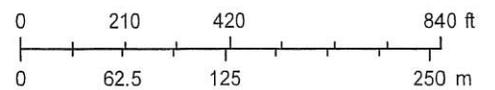
December 17, 2019

## pointLayer

- Override 1
- Parcels
- Structure
- Structure Label

- Centerlines
- Town Boundary
- County Boundary

1:4,514





**Applicant: Cellco Partnership (d/b/a Verizon Wireless)**  
**Conditional Use Permit Application – Appomattox County**  
**Wireless Communications Facility**  
**Project Narrative**  
**Site Name: Stonewall**  
**Tax Map Parcel #: 24-A-19**  
**Trinity Road, Concord, VA 24538**

**Zoning Ordinance requirements**

Verizon Wireless (VZW) (the “Applicant”) proposes a 199’ wireless communications facility on Tax Map parcel 24-A19 (the “subject parcel”). The subject parcel is zoned A-1, Agricultural District. In accordance with Section 19.6-92 of the Appomattox County Code (the “Ordinance”), wireless communications facilities (“WCF”) are permitted subject to an approved conditional use permit. The submission requirements for a WCF conditional use permit listed in the applicable section of the Ordinance are as follows:

**Section 19.6-92.2. Requirements for submittal.**

All applications for both permitted and conditional uses under this section must include the following information. Failure to provide all or part of this information may result in the denial of the permit application.

A. Towers:

- (1) Site plan: A detailed site plan must be submitted showing structural design, setback distances from property lines, and proposed equipment buildings.

*See enclosed site plan drawings.*

- (2) Service provider report: a listing of service provider(s) that have contracted with the tower owner to utilize the proposed tower, including dates of lease execution and expiration, including copies of the front and back pages of the lease for each service provider. This is to ensure that the applicant is not constructing a tower to "attract" potential lessees.

*Verizon Wireless (VZW) will own the tower and operate their antennas at the top centerline position on the WCF.*

- (3) Proof of infeasibility of co-location: written evidence demonstrating that the applicant's telecommunications equipment cannot be accommodated on an existing or approved tower or other structure within a one-mile search radius (one-half mile search radius for towers under 120 feet in height, one-fourth mile search radius for towers under 80 feet in height) of the proposed tower due to one or more of the following reasons:
  - (a) The planned equipment would exceed the structural capacity of the existing tower or other structure and the existing tower or other structure cannot be reinforced, modified or replaced. This information must be prepared by a licensed professional engineer.



- (b) The applicant's proposed telecommunication facility would cause electromagnetic interference with other equipment on the existing tower, or other structures would cause interference with the applicant's proposed telecommunications facility. Documentation must show that the interference cannot be prevented at a reasonable cost. This information must be prepared by a licensed professional engineer.
- (c) Existing towers within the search radius are not of sufficient height to function reasonably. This information must be prepared by a licensed professional engineer.
- (d) The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding any new tower construction over the term of the formal lease period are presumed to be unreasonable.
- (e) Tower site inventory report. An inventory of existing sites within the County or within five miles of the border thereof must be submitted, including specific information about location, height, existing use, and available capacity of each tower (propagation map).

*In building out its network, VZW generally first looks to collocate on existing structures (communications towers, transmission power towers, rooftops, etc.) within a search ring. VZW places a strong emphasis on collocation for two reasons: 1) it is the desire of most local governments and 2) it is typically much cheaper than building a new site. Collocation was not an option for the following reasons:*

- *There are no existing communications facilities within the search ring;*
- *The surrounding area is primarily agricultural and there are no existing structures tall enough to meet the coverage objective.*

*In accordance with recently adopted state law (HB1258) effective on July 1, 2018, the Applicant respectfully submits that propagation maps and an inventory of existing sites within the County are not required to be submitted with this application.*

- B. Co-location: All co-locations must provide a site plan showing structural design of the equipment to be located on an existing tower or structure, including any additions to the total height of the tower or structure. The site plan must also show any equipment to be installed at the base of the tower or structure and the setback distances from the property lines.

*The WCF will be designed to have three (3) collocations including the primary user (VZW). VZW will install equipment and a backup generator inside the fenced compound. See enclosed site plan drawings.*

- C. Additional requirements for all applications:

- (1) Propagation maps (or "cell size") of provider's equipment at different heights.
- (2) Propagation maps of provider's equipment on other nearby towers.
- (3) Evidence of Federal Communications Commission (FCC) and Federal Aviation Administration (FAA) approval, where applicable.

*In accordance with recently adopted state law (HB1258) effective on July 1, 2018, the Applicant respectfully submits that propagation maps are not required to be submitted with this application.*



*Since the WCF will not be taller than 199 feet, it will not have to be lighted or marked per the FAA. See enclosed FAA approval issued September 24, 2019.*

**Section 19.6-92.3. Permitted uses.**

- A. Co-locations in the following zoning districts: A-1, M-1, and IP, provided that the height of the existing structure is not increased more than 20 feet of its original permitted height.
- B. New-construction towers that do not exceed 50 feet that are proposed for siting in all districts except for H-1 and the Floodplain Overlay (FPO) District.
- C. New-construction towers that do not exceed 199 feet in height that are proposed for siting in M-1 and IP Zoning Districts, provided the site does not border a lot zoned H-1, R-1, R-2, R-3 or V-1. New-construction towers are allowed in B-1 Zoning Districts regardless of height.
- D. If, in the Zoning Administrator's opinion, an application for permitted use may have an adverse impact on surrounding properties, whether adjacent to the applicant's parcel or not, the Zoning Administrator may require the applicant to obtain a conditional use permit. Adverse impact may include, but is not limited to, proximity to nearby homes and businesses or areas of historical interest.

*Not applicable.*

**Section 19.6-92.4. Conditional uses.**

- A. New-construction towers that do not exceed 199 feet in height that are proposed for siting in an A-1, M-1, or IP Zoning District bordering an H-1, R-1, R-2, R-3 or V-1 District.
- B. New-construction towers that exceed 199 feet in height that are proposed for siting in an A-1, M-1, or IP Zoning District.

*The Applicant is proposing a 199 foot WCF on the subject parcel that is zoned A-1.*

**Section 19.6-92.5. Additional requirements for conditional use permit submittals.**

- A. Factors for review. In determining whether to issue a conditional use permit under this section, the Board of Supervisors shall consider the following factors:

- (1) Height of the proposed tower;

*The proposed WCF is proposed to be 199 feet (195' + 4' lightning rod).*

- (2) Proximity of the tower to residential structures and residential district boundaries;

*All adjacent parcels are zoned A-1 and the closest residential structures are 1000+ feet away from the proposed location of the WCF.*

- (3) Nature of the uses on adjacent and nearby properties;

*All adjacent parcels are zoned A-1 and are either vacant agricultural land or have residential structures on them.*



- (4) Surrounding topography;

*The subject parcel is relatively flat, but some of the adjacent parcels have significant elevation change on them.*

- (5) Surrounding tree coverage and foliage;

*The subject parcel is heavily wooded in the rear of the parcel. The remainder of the subject parcel is open and used as pasture.*

- (6) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;

*The WCF will be a monopole tower design and will have a galvanized steel finish. A galvanized steel finish blends in the best with the natural blue sky.*

- (7) Proposed ingress and egress;

*The WCF and fenced compound will be accessed by a new 12' wide gravel access drive that will connect to an existing gated entrance located off of Trinity Road.*

- (8) Co-location policy;

*See enclosed VZW collocation policy.*

- (9) Language of the lease agreement dealing with co-location;

*See enclosed memorandum of lease.*

- (10) Consistency with the Comprehensive Plan and the purposes to be served by zoning;

*Appomattox County has adopted policies expressing the County's need for better wireless service in its Comprehensive Plan. The proposed WCF will provide quality wireless service for County residents and will not generate or increase traffic. The proposed WCF also advances two (2) Objectives adopted by the County in the Comprehensive Plan:*

*"Growth Management Objective #10 - Encourage development projects that demonstrate efforts to blend into their surroundings, i.e., preserving existing timber, use of forested buffers, wetlands replacement, and innovative design criteria." The proposed WCF will require very limited clearing of existing vegetation while providing a valuable service to residents. The location of the WCF is more than 900 feet from the public road (Trinity Road) and will*

*Economic Development Objective #7 - Enhance digital communications services throughout the County. The proposed WCF will improve wireless service and thus communications services in the western part of the County*



*Further, the improved wireless service will also help to improve tourism and economic development in the area by providing access to cultural and travel destination information at the visitors' fingertips without the cost of County wayfinding infrastructure. Not having a strong wireless network will be detrimental to the County if visitors cannot locate destinations or areas of interest while visiting. The proposed WCF will also provide the County an opportunity to collocate the County's E-911 antennas on the WCF (if the County deems it necessary). Appomattox County needs improved telecommunications systems to benefit response times and coordinated communications for emergency personnel.*

- (11) Availability of suitable existing towers and other structures;

*There are no existing communications facilities within the search ring, and the surrounding area is primarily agricultural and there are no existing structures tall enough to meet the coverage objective.*

- (12) Need for tower because of gaps in wireless service to the proposed coverage area.

*The Applicant has identified a gap in their coverage in this area of Appomattox County and the proposed WCF will improve coverage in the area.*

- B. All applicants for a conditional use shall comply with the standards set herein for the submittal of a conditional use permit applicant. Additionally, all applicants for a conditional use permit shall address the factors for review noted above.

***Noted.***

- C. "Stealth design" option. The "stealth design" option conditional use process allows an applicant to site a new construction tower in the H-1, R-1, R-2, R-3 and V-1 Districts upon the filing and approval of a site plan that incorporates stealth design elements. Applicants who choose this option must also comply with the submission requirements outlined herein. A tower proposal will fall within the stealth design option if it meets the following:

- (1) The tower is disguised to fit in aesthetically with its surroundings and to conceal its presence.
- (a) This includes but is not limited to the following:
- [1] Designed as a tree to be placed among similar-looking trees;
  - [2] Designed as a functional flagpole, light pole, or utility pole for placement at a commercial or industrial facility, public building, or within an existing utility easement;
  - [3] Designed as a new or concealed within an existing bell tower, church steeple or clock tower.
- (b) The above designs and any alternative designs offered by the applicant are subject to the review and approval of the Planning Commission.

***Not applicable. The WCF will be a monopole tower design with a galvanized steel finish.***



- (2) All utility buildings and structures accessory to a tower are architecturally designed to blend in with the surrounding environment.

*The Applicant does not intend on using any utility buildings within the fenced compound. All equipment will be screened by existing dense vegetation and will not be visible from public view.*

- (3) Landscaping requirements.

- (a) Tower sites shall be landscaped with a buffer of plant materials that effectively screens the view of the tower site from adjacent properties.
- (b) The standard buffer shall consist of a landscaped strip at least four feet wide outside the perimeter of the security fencing. The Zoning Administrator or Planning Commission shall provide guidelines as to the height and type of buffer to be constructed or planted and may require additional buffers in situations where the standard buffer would be inadequate.
- (c) In locations where the visual impact of the tower would be minimal, the landscaping requirement may be reduced or waived altogether.
- (d) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

*The WCF and fenced compound is proposed to be strategically placed in a heavily wooded area of the Subject Parcel. The existing dense vegetation will screen the fenced compound from public view. Only the minimal amount of clearing will be done for the fenced compound and 12' wide gravel access drive to the compound. See enclosed site drawings.*

- D. Preapplication meeting. Prior to submitting an application for a conditional use permit for a tower or co-location, the applicant shall meet with the County Planner or designee to discuss the proposed location of the tower, the location of all existing and planned towers which the applicant owns, operates, or co-locates on within the County, the feasibility of co-locating (in the case of new tower applications), and other project elements. Failure to schedule and attend a preapplication meeting shall preclude the acceptance and processing of a conditional use permit application.

*The Applicant's representatives, Mr. Jeff Holland, Network Building + Consulting, LLC, and Mr. Mark Kronenthal, Roth Jackson, met with Mr. Johnnie Roark on October 29, 2019.*

- E. Historical impact. Where a proposed tower site is within 1,000 feet of the Appomattox County Historical Park, the Board of Supervisors shall request and consider input from the United States Department of the Interior to determine the level of adverse impact upon the park. The Board of Supervisors can disapprove a conditional use permit application based upon any adverse impact that a proposed tower may have on the park.

*Not applicable. The proposed WCF is not located within 1000 feet of the Appomattox County Historical Park.*



**Section 19.6-92.6. Prohibited uses.**

- A. New construction under 199 feet and co-locations are not permitted by right or conditional use in the H-1, R-1, R-2, R-3 or V-1 District unless application is made under the "stealth design" option conditional use procedure.
- B. New construction towers that exceed 199 feet proposed for siting in the H-1, R-1, R-2, R-3 or V-1 District.
- C. Towers of any height are not permitted in the Floodplain Overlay (FPO) District.

*Not applicable. The Subject Parcel is zoned A-1 and is not located in the FPO District.*

**Section 19.6-92.7. Setbacks.**

All towers shall be set back 110% of the height of the proposed tower from all property lines, except as follows. The setback requirement may be reduced subject to a written opinion being provided by a professional engineer that the allowable reduction would be appropriate and provide the methodology by which the engineer reached his/her finding. Additionally, a fall zone easement may be obtained from an adjoining property owner to satisfy the setback requirement. The applicant shall provide, at the time of submittal, a copy of the easement, and evidenced as duly recorded in the Clerk of the Court's office. Guy wires, fencing, and accessory facilities must also satisfy the minimum setback requirements of the district in which the siting is proposed. Also, new construction towers shall be set back a minimum of 200% of the height of the tower from any nearby residential structure, and in no case less than 400 feet.

*The WCF will meet all setbacks from the property lines. The closest it will be is approximately 270 feet from the rear property line. The closest existing residential structure is over 1000 feet away.*

**Section 19.6-92.8. Signage, lighting, and fencing.**

- A. The use of any portion of a tower for signs, other than warning or equipment information signs, is prohibited. Signs are permitted on the equipment buildings, fencing, or on the ground, provided that the sign complies with all other County signage regulations.

*There will be no signs on the proposed WCF other than required by the FCC.*

- B. Towers shall not be artificially lighted unless required by the Federal Aviation Administration (FAA) or the County. If lighting is required, the Planning Commission may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views. When incorporated into the approved design of the tower, light fixtures used to illuminate ballfields, parking lots, or similar areas may be attached to the tower.

*The WCF will not be lighted or marked.*

- C. Tower sites shall be enclosed by security fencing and shall be equipped with an appropriate anti-climbing device sufficient to deter the general public from obtaining access to the site.

*There will be anti-climbing device (barbed wire) on the 9 foot fence surrounding the compound. See enclosed site drawings.*



**Section 19.6-92.9. Accommodation of future co-location uses.**

- A. Any proposed telecommunications tower and tower site shall be designed structurally, electrically, and in all respects to accommodate co-location of both the applicant's telecommunications facility and comparable telecommunications facilities for at least two additional users if the tower height is 199 feet or less, and three additional users if the tower height is 200 feet or greater. Towers and tower sites shall be designed to allow for future rearrangement of telecommunications facilities upon the tower, to accept telecommunications facilities mounted at varying heights, and to accommodate supporting buildings and equipment on the tower site.

*The proposed WCF is proposed to be 199 feet (195' + 4' lightning rod) and will be designed to have three (3) collocations including the primary user (VZW). There is sufficient space in the 40'x40' fenced compound to locate other carrier's equipment. Further, the fenced compound can be expanded, if needed, since the VZW lease area with the property owner is 100'x100'.*

- B. The holder of a conditional use permit for a tower shall not make co-location on the tower and tower site for additional users economically or technically unfeasible. If additional user(s) provide credible evidence that the holder of a tower permit has made co-location on such tower and tower site economically or technically unfeasible, the Zoning Administrator shall issue a notice of zoning violation. Failure to comply or to appeal the decision to the Board of Supervisors shall result in the revocation of the conditional use permit.

*Noted.*

- C. Local government access. Upon request, the holder of a conditional use permit for a tower shall provide the County with co-location opportunities as a community benefit for radio and emergency services.

*In accordance with recently adopted state law (HB1258) effective on July 1, 2018, the Applicant respectfully submits that providing space on the facility at no cost to the County is not required. However, consistent with the applicable state law, the County can request space on the facility in accordance with the Applicant's collocation policy (see enclosed).*

**Section 19.6-92.10. Removal of abandoned facilities and towers.**

Any tower that is not operated for a continuous period of 12 months shall be considered a nuisance. In such circumstances, the following shall apply:

- A. The owner of such communications facility or tower or owner(s) of the property where the tower site is located shall remove the communications facility and/or tower, including all supporting equipment and building(s), within 90 days of receipt of an abandonment notice from the County Building Official. If removal to the satisfaction of the Zoning Administrator does not occur within 90 days, the County may remove and salvage the communications facility or tower and all supporting equipment and building(s) at the property owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. Any such owner affected by this provision shall have the opportunity to appeal the Zoning Administrator's decision to the Board of Zoning Appeals within 30 days of receipt of an abandonment notice.

*Noted.*



- B. The applicant for a permit under this chapter shall submit a copy of a signed agreement between the property owner and the owner of the tower, telecommunications facility or facilities, and supporting equipment and building(s) detailing requirements for abandonment and subsequent removal. The agreement shall also identify that the agreement shall be binding on future property owner(s) and future owner(s) of a tower, telecommunications facility or facilities, and all supporting equipment and building(s).

*Noted.*

**Section 19.6-92.11. Review fees.**

Any costs incurred for review by a licensed professional engineer or other technical expert for any of the above required information shall be paid by the applicant. It shall also be the applicant's responsibility to pay all costs associated with stealth design conditional use applications.

*Noted.*

**Section 19.6-92.12. Appomattox County Public Safety Communications System.**

- A. The tower owner shall be responsible for correcting any frequency problems which affect the Appomattox County Public Safety Communications System caused by a permitted or conditional use granted under this chapter. Corrections shall be made immediately upon notification by certified mail from the Appomattox County Administrator's office. Failure to correct can result in the revocation of zoning and/or conditional use permits for the tower in question and fines provided by this chapter.

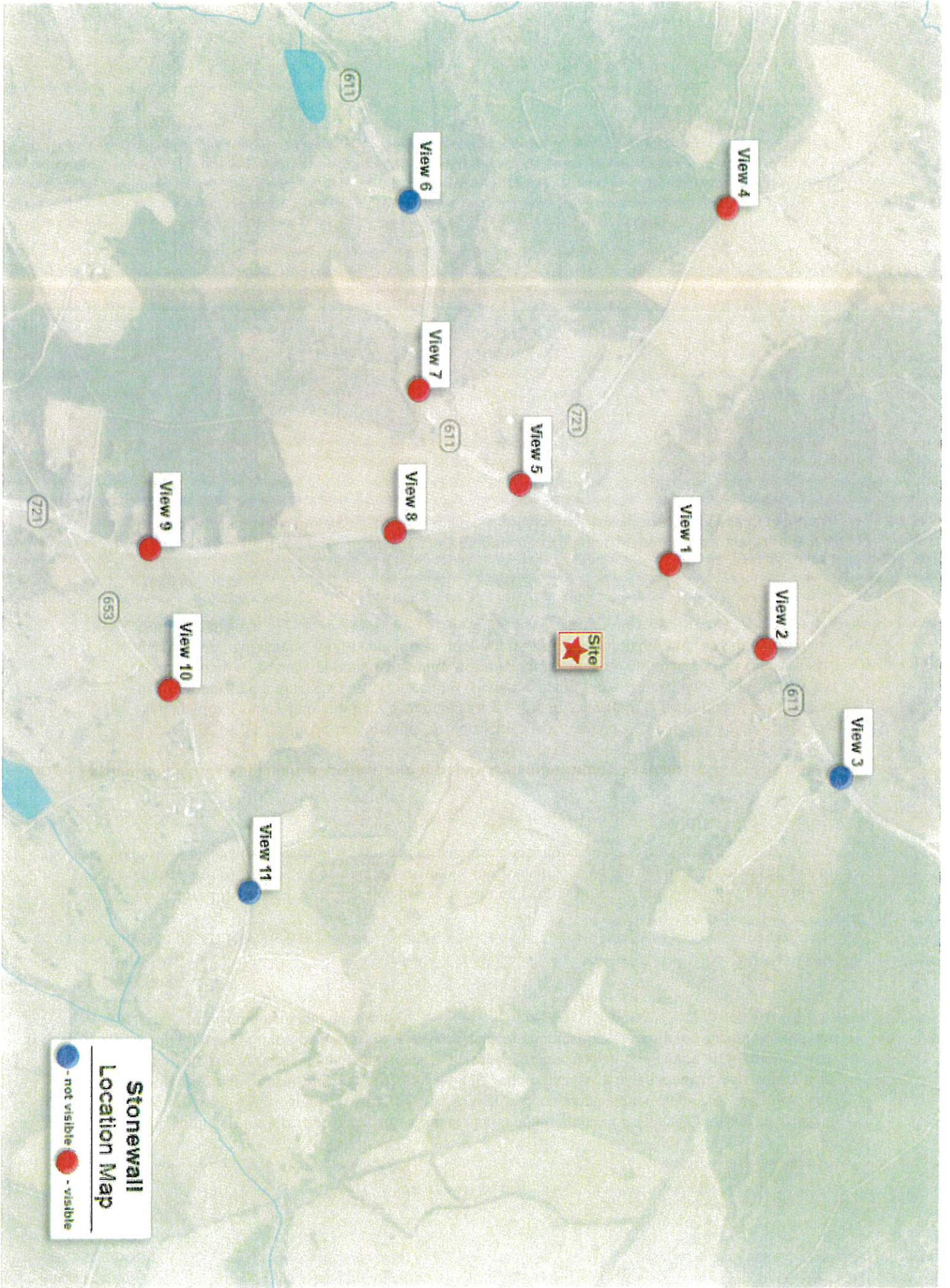
*Noted.*

- B. Tower owners shall comply with all County requirements pertaining to the reception and processing of wireless communications calls by the County's Public Safety Answering Point (PSAP) facilities.

*Noted.*

**Stonewall  
Location Map**

● - not visible  
● - visible





**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 1 - Trinity Road  
View from the Northwest  
**Showing the Existing Site**

**NEC**  
TOTALLY COMMITTED



**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 1 - Trinity Road  
View from the Northwest  
**Showing the Proposed Site**

**NBC**  
TOTALLY COMMITTED

Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 2 - Trinity Road  
View from the North  
**Showing the Existing Site**





**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

*Photograph Information:*  
View 2 - Trinity Road  
View from the North  
**Showing the Proposed Site**





**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 3 - Trinity Road  
View from the Northeast  
**SITE NOT VISIBLE**





Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 4 - State Rd 721  
View from the Northwest  
Showing the Existing Site

**NBC**  
TOTALLY COMMITTED.



Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 4 - State Rd 721  
View from the Northwest  
Showing the Proposed Site





Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 5 - State Rd 721 & Trinity Rd  
View from the West  
Showing the Existing Site





**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 5 - State Rd 721 & Trinity Rd  
View from the West  
**Showing the Proposed Site**

**NBC**  
TOTALLY COMMITTED.

Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 6 - Trinity Road  
View from the Southwest  
**SITE NOT VISIBLE**

**NBC**  
TOTALLY COMMITTED.





Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 7 - Trinity Road  
View from the Southwest  
Showing the Existing Site

**NBC**  
TOTALLY COMMITTED.



**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 7 - Trinity Road  
View from the Southwest  
**Showing the Proposed Site**

**NBC**  
TOTALLY COMMITTED

Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 8 - State Rd 721  
View from the Southwest  
Showing the Existing Site

**NBC**  
TOTALLY COMMITTED.

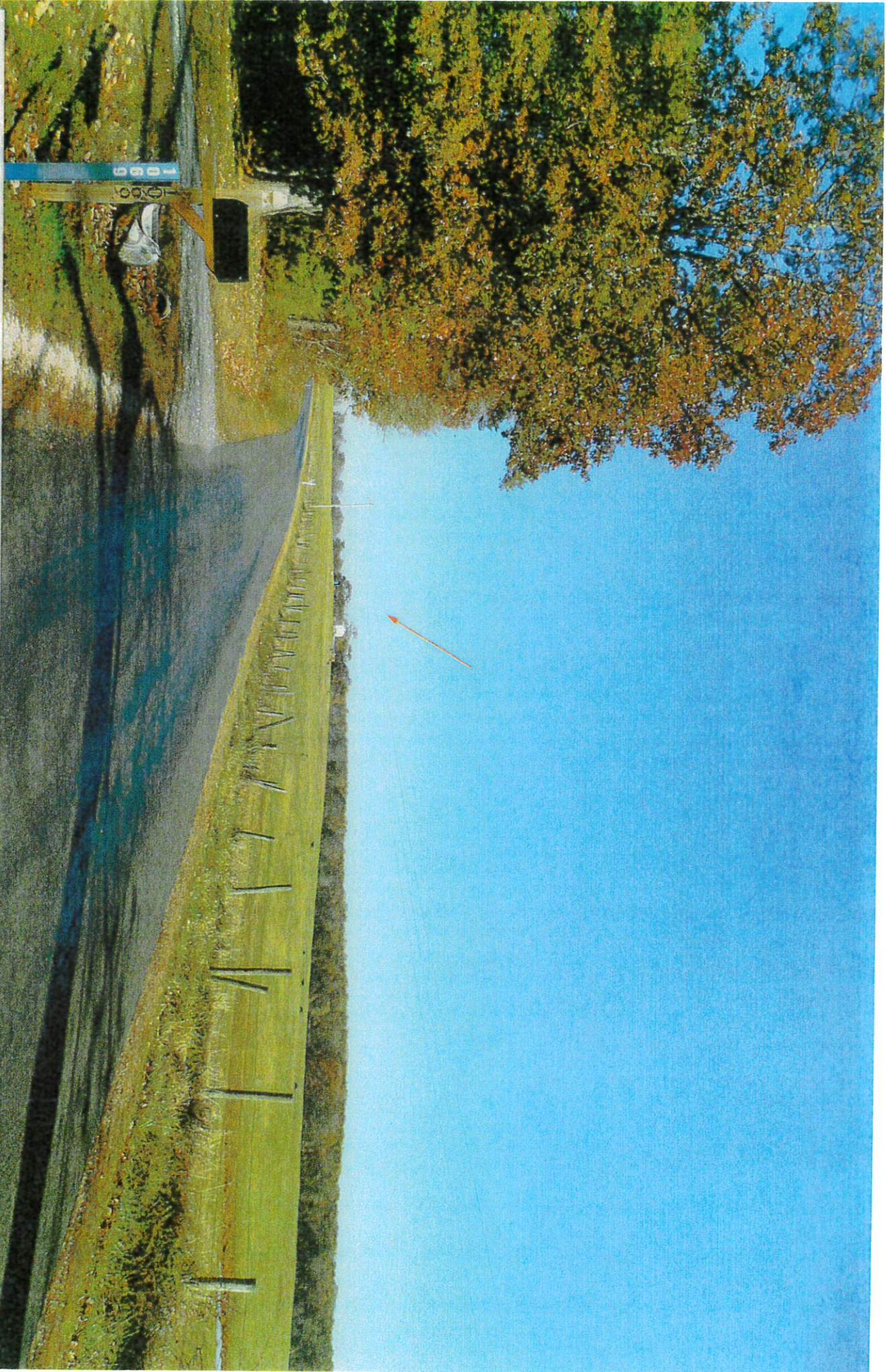




Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 8 - State Rd 721  
View from the Southwest  
Showing the Proposed Site





Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 9 - State Rd 721  
View from the South  
Showing the Existing Site





**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 9 - State Rd 721  
View from the South  
**Showing the Proposed Site**

**NBC**  
TOTALLY COMMITTED



**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

**Photograph Information:**  
View 10 - State Rd 653  
View from the South  
**Showing the Existing Site**





Site Name: Stonewall  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

Photograph Information:  
View 10 - State Rd 653  
View from the South  
Showing the Proposed Site



**Site Name: Stonewall**  
Wireless Communication Facility  
Trinity Road  
Concord, VA 24538

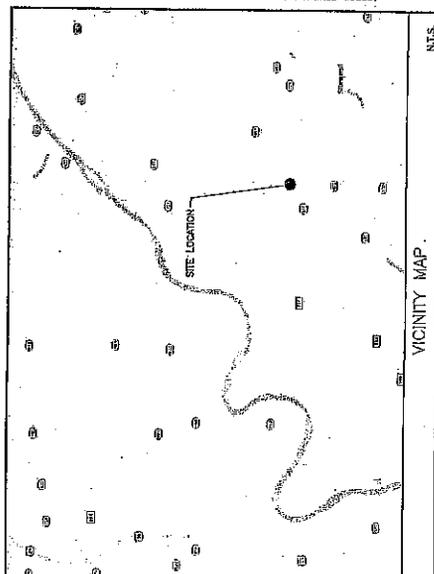
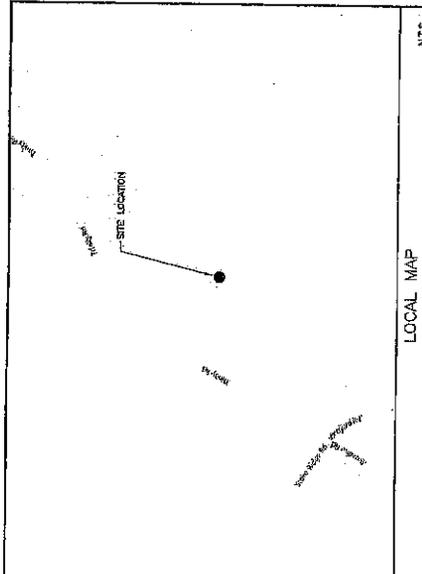
*Photograph Information:*  
View 11 - State Rd 653  
View from the Southeast  
**SITE NOT VISIBLE**

**NBC**  
TOTALLY COMMITTED.



# verizon

DIRECTIONS  
 FROM VA-266/STONEMAN RD. 4.5 MI. BEAR LEFT ONTO WESTWARD RD. 1.5 MI. TURN RIGHT ONTO TRINITY RD. 0.5 MI. BEAR LEFT AT TRINITY RD. DESTINATION WILL BE ON THE RIGHT  
 FROM VA-266/STONEMAN RD. 4.5 MI. BEAR LEFT ONTO WESTWARD RD. 1.5 MI. TURN RIGHT ONTO TRINITY RD. 0.5 MI. BEAR LEFT AT TRINITY RD. DESTINATION WILL BE ON THE RIGHT  
 FROM VA-266/STONEMAN RD. 4.5 MI. BEAR LEFT ONTO WESTWARD RD. 1.5 MI. TURN RIGHT ONTO TRINITY RD. 0.5 MI. BEAR LEFT AT TRINITY RD. DESTINATION WILL BE ON THE RIGHT



## TRINITY ROAD CONCORD, VIRGINIA 24538

E911 ADDRESS YES  NO

**PROJECT DESCRIPTION**  
 THE SITE WILL CONSIST OF A NEW 100'x100' LEASE AREA AND AN 40'x40' FENCED COMPOUND. LOCATED WITHIN THE FENCED COMPOUND WILL BE A NEW 195' MONOPOLE, EQUIPMENT, GENERATOR, AND H-FRAME.

**UTILITIES INFO:**  
 POWER: CENTRAL VIRGINIA ELECTRIC COMPANY  
 800.397.2832  
 TELEPHONE: VERIZON  
 877.287.7818

**2 WORKING DAYS BEFORE YOU DIG**  
 TOLL FREE MISS UTILITY

**EMERGENCY INFO:**  
 JURISDICTION: APPOMATOX COUNTY  
 434.532.6666  
 LOCAL POLICE: 434.382.2666

**PROJECT TEAM**  
 REAL ESTATE: SANNATHA JETER  
 ZONING: JEFF HOLLAND  
 CONSTRUCTION: MIKE REYNOLDS  
 UTILITIES: MIKE REYNOLDS  
 ENVIRONMENTAL CONSULTANT: ANDREW HENDRICKS

PHONE NUMBER: 804.837.5584  
 PHONE NUMBER: 757.817.6828  
 PHONE NUMBER: 434.841.0752  
 PHONE NUMBER: 434.841.0752  
 PHONE NUMBER: 703.476.0055

REV. NO.	DESCRIPTION	BY	DATE
0	FOR ZONING APPROVAL	HRS	10/30/19

REV. NO.	DESCRIPTION	BY	DATE

### A & E CONSULTING TEAM

ARCHITECTURE: ADRIAN KONIGER  
 4625 LAKE BRACK DRIVE, SUITE 200  
 CLER ALLEN, VA 23060  
 CONTACT: DREW MARSHALL, PE, LEED AP

### PROJECT SUMMARY

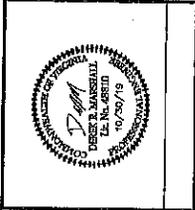
PROPERTY OWNER: JIMMY CHEN  
 600 DEER HARBOR DRIVE  
 LYNCHBURG, VIRGINIA 24501

CANDIDATE NAME: STONEMAN  
 APPLICANT INFO:  
 VERIZON WIRELESS  
 RICHMOND, VA 23222  
 PHONE: 942.816.6882  
 CONTACT: JARG CORRELL

PROJECT DATA:  
 ZONING: AT  
 TAX PARCEL: 45  
 ACCESS: 75 ACRES  
 JURISDICTION: APPOMATOX COUNTY  
 HISTORICAL SITE TYPE: MONUMENT  
 OVERALL HEIGHT: 195'  
 LEASE AREA: 10,000 SF  
 AREA OF IMPROVEMENT: 2,000 SF

ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED:  
 - 2015 INTERNATIONAL BUILDING CODE (IBC)  
 - 2014 NATIONAL ELECTRICAL CODE (NEC)  
 - MANUAL OF STEEL CONSTRUCTION, 14th EDITION  
 - AMERICAN CONCRETE INSTITUTE  
 - ATRNA SUPPORTING STRUCTURES AND ANTENNAS HAVE BEEN DESIGNED IN ACCORDANCE WITH THE IBC 2015 SECTION 1905 THIRD CHANCE, EXCEPTION #9 REFERENCING 1A-222

GENERAL OF PROPOSED TOWER:  
 LATITUDE: 37° 37' 57.51" N  
 LONGITUDE: 77° 07' 42.97" W  
 ELEVATION: 271'  
 \*FOR PPA 2-C REPRODUCTION BY INDEPENDENT ENGINEERS INC. DATED SEPTEMBER 12, 2018  
 THIS DOCUMENT HAS BEEN REPRODUCED FROM THE ORIGINAL SITE CONDITIONS MAP. THIS DOCUMENT IS NOT TO BE USED FOR ANOTHER SITE OR FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN PERMISSION OF THE ISSUER.  
 ALL COMPANIES:  
 LIABILITY IS UNLIMITED AND NOT FOR HUMAN NUISANCE.



**Dewberry**  
 Dewberry Engineers Inc.  
 2001 Park Road One, Suite 200  
 Richmond, VA 23220  
 Phone: 804.771.2000  
 Fax: 804.771.2000

ZONING DRAWINGS

D	10/30/19	REV. ZONING APPROVAL
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STONEMAN

**verizon**  
 VERIZON WIRELESS  
 1831 BROADY COURT  
 RICHMOND, VA 23222

DESIGN BY:	HRS
REVIEWED BY:	DPH
CHECKED BY:	DPH
PROJECT NUMBER:	50119086
SITE ADDRESS:	

TRINITY ROAD  
 CONCORD, VIRGINIA 24538

SHEET TITLE

TITLE SHEET

SHEET NUMBER



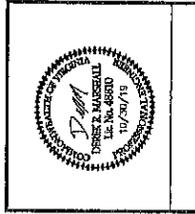
STONEWALL

ZONING DRAWINGS

0 10/20/19 FOR ZONING APPROVAL



Dewberry Engineers Inc.  
 10000 Westhampton Road, Suite 200  
 Westhampton, VA 23062  
 Tel: 804-762-2200  
 Fax: 804-762-2202  
 www.dewberry.com



DESIGNED BY:	MMV
REVIEWED BY:	BAR
CHECKED BY:	DRM
PROJECT NUMBER:	S0118956
SITE ADDRESS:	

TRINITY ROAD  
 CONCORD, VIRGINIA 24538

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBER

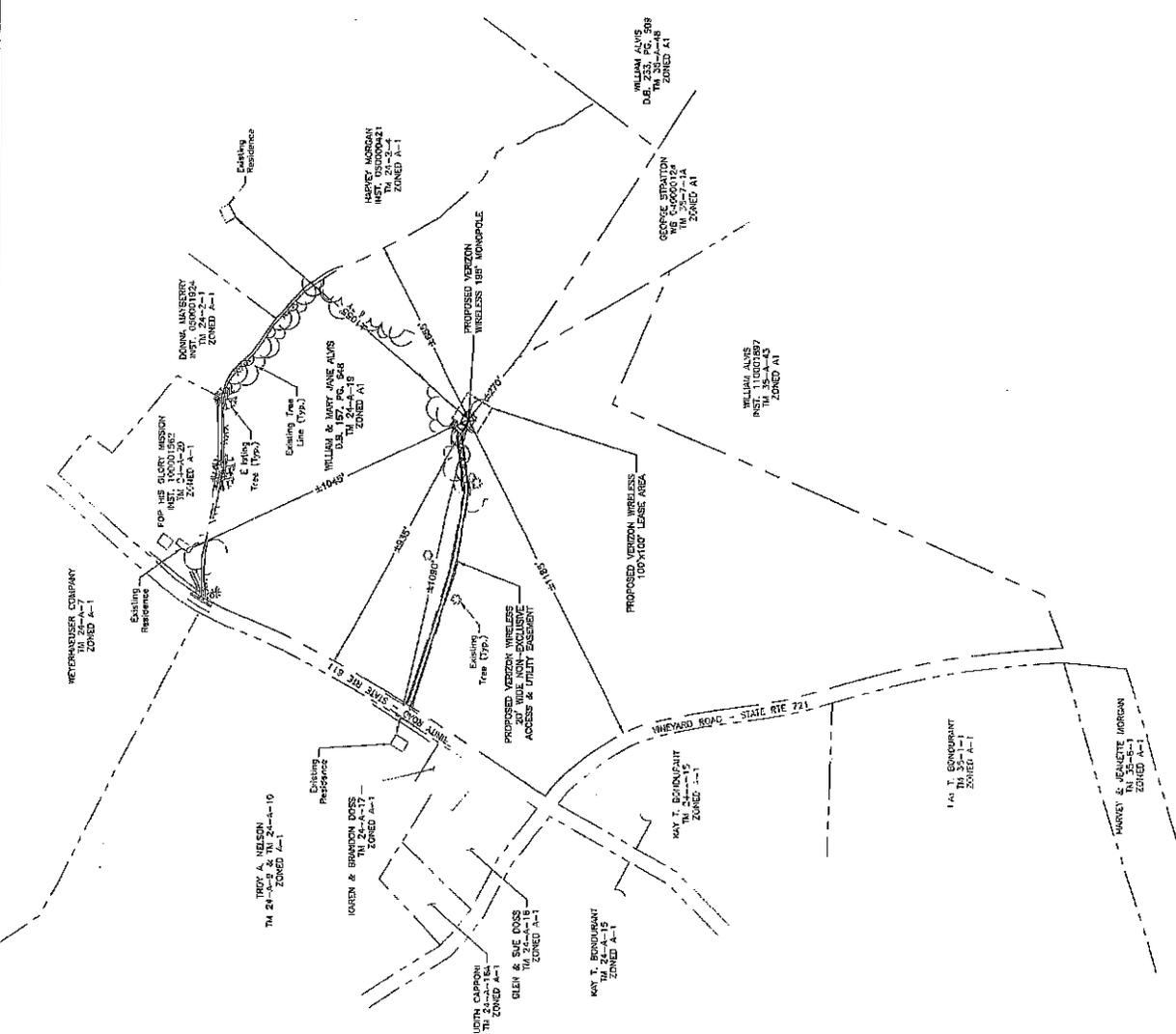
C-1

**LEGEND**

Existing Property Line	---
Existing Boundary	---
Existing Tree Line	---
Existing Fence	---
LOCUS PROPERTY LINE	---
PROPOSED ROAD	---
PROPOSED TREE LINE (APPROX)	---
PROPOSED FENCE	---
PROPOSED ACCESS/UTILITY EASEMENT	---
PROPOSED LEASE AREA	---
PROPOSED UNDERGROUND CONDUIT	---

- NOTES:**
- SOME EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
  - EXISTING ADJACENT PROPERTY PARCELS BASED ON SURVEY INFORMATION FROM AN ADJACENT COUNTY GIS. DEWBERRY HAS NOT PERFORMED A SURVEY OR RESEARCHED ADJACENT PARCELS.
  - TOWER AND FOUNDATION DESIGN BY OTHERS.

**OVERALL SITE PLAN**  
 SCALE: 1"=200' FOR 11x17  
 SCALE: 1"=200' FOR 22x34  
 0 200' 400'

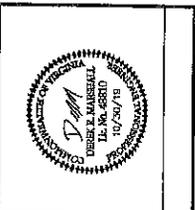


**STONEWALL**

ZONING DRAWINGS

D	10/26/18	FOR ZONING APPROVAL
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**Dewberry**  
 Dewberry Engineers Inc.  
 4020 Lake Forest Drive, Suite 200  
 Fairfax, VA 22031  
 Phone: 703.261.2000  
 www.dewberry.com



DRAWN BY:	MMH
REVIEWED BY:	BAW
CHECKED BY:	DPH
PROJECT NUMBER:	00110066
SITE ADDRESS:	

TRINITY ROAD  
 CONCORD, VIRGINIA 24538

SHEET TITLE

ENLARGED SITE PLAN

SHEET NUMBER

C-2

**LEGEND**

Existing Property Line	---
Existing Recovery	~ ~ ~
Existing Tree Line	~ ~ ~
Existing Fence	— x — x —
LOCUS PROPERTY LINE	---
PROPOSED ROAD	— x — x —
PROPOSED TREE LINE (APPROX.)	~ ~ ~
PROPOSED FENCE	— x — x —
PROPOSED ACCESS/UTILITY BASINENT	— x — x —
PROPOSED LEASE AREA	---
PROPOSED UNDERGROUND CONDUIT	---

- NOTES:**
1. DATE EXISTING & PROPOSED INFORMATION NOT SHOWN FOR CLARITY.
  2. EXISTING ADJACENT PROPERTY PARCELS BASED ON INFORMATION PROVIDED BY APPOINTIX COUNTY GIS. DEWBERRY HAS NOT PERFORMED A SURVEY OR RESEARCHED ADJACENT PARCELS.
  3. TOWER AND FOUNDATION DESIGN BY OTHERS.

**ENLARGED SITE PLAN** 1

SCALE: 1"=10' FOR 11x17  
 1"=50' FOR 22x34

