

## **Use Permit Application No. 21-00011**

### **Communication Tower**

Cellco Partnership (d/b/a Verizon Wireless)  
4 N Curry Street  
Hampton, VA 23663

#### **1. Issuance of Permit**

The Use Permit applies only to 4 N Curry St [LRSN 12001894], and is not transferable to another location.

#### **2. Building Permit**

Prior to the issuance of a building permit for the tower, the applicant shall provide a structural analysis report to the City's Building Official that demonstrates the tower can structurally support a total of at least two (2) carriers.

#### **3. Site Design**

The site shall be constructed in substantial conformance with the conceptual site plan packet entitled "Site Name: Fort Monroe Verizon Rawland" prepared by NB+C Engineering Services, LLC., and dated July 12, 2021 ("The Site Plan"). Changes to the site plan may be made to accommodate environmental, engineering, architectural, topographic, or other development conditions, or site plan approval requirements, as required by law and subject to the approval of the Director of the Department of Community Development. A copy of the final approved site plan shall be placed in the file with the Planning and Zoning Division of the Department of Community Development and shall supersede all previously filed site plans. Conformance shall include, but is not be limited to:

- a. The existing stadium lights, or stadium lights which are consistent in type, lumens, and color temperature with the surrounding stadium lights, shall be mounted and maintained on the proposed communication tower at a height consistent with the existing stadium lights and shall be compliant with the City of Hampton's Outdoor Lighting Policy & Procedures.
- b. The property line dividing 4 N Curry St and 11 N Willard Ave shall be vacated prior to Site Plan approval.
- c. The tower shall be of a galvanized steel monopole design in substantial conformance with The Site Plan.
- d. The monopole antenna mount design shall be close-mounted, with a maximum outward mount projection no greater than 18", as indicated on The Site Plan.
- e. The tower height shall be no more than 134', which includes all projections such as a lightning rod.

- f. A fence shall be installed, and maintained, so as to completely surround the equipment compound. The fence shall be at a height no greater than six (6) feet, and the material shall include black vinyl coating.
- g. The fence, gate, netting, and other elements of the compound enclosure shall be maintained in working order and in compliance with the Virginia Maintenance Code.
- h. All landscaping shall be installed and maintained as required by the City of Hampton's Landscape Guidelines and Hampton City Code.

#### **4. Tower Accessibility**

Vertical access to the tower shall be designed to prevent access from the ground by the general public.

#### **5. Primary Use of Site and Tower Operation**

The use of the property for the communication tower shall be considered accessory to the recreational facilities and shall not interfere with the recreational facilities as the primary use.

#### **6. Compliance with Applicable Laws**

Prior to issuance of building permit and construction of tower, the tower site and tower must comply with all applicable local, state, and federal regulations as it related to compliance with the Federal Aviation Administration (FAA) and Federal Communications Commission (FCC). Evidence of such compliance shall be submitted to the Director of the Department of Community Development or his designee prior to issuance of a building permit. Furthermore, this Use Permit may be terminated for violation of any applicable federal, state, or local law.

#### **7. Public Safety**

At no time may any equipment associated with the communication tower produce interference with the City of Hampton Public Safety Radio System. Any interference will be rectified by the tenant or carrier within 30 days of written notice by the City of Hampton.

#### **8. Removal of Tower**

Should the tower cease to operate for a period of twenty-four (24) consecutive months, the use permit shall be considered nullified as set forth in condition #9 below, and the tower shall be considered abandoned and must be removed by the responsible party.

#### **9. Nullification**

The use permit shall automatically expire and become null and void under any of the following conditions:

- a. No building permit to construct the authorized improvements has been issued within twenty four (24) months of the date of the approval by City Council. Construction shall commence within 24 months of approval of the use permit.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of twenty-four (24) consecutive months

**10. Revocation**

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in Chapter 20 of the Zoning Ordinance.