

# CONDITIONS

Use Permit Application No. 24-0456  
Communications Tower, Commercial | Virginia Electric and Power Company  
902 G Street Hampton, VA 23661

## 1. Issuance of Permit

This Use Permit is for a Communication Tower, Commercial as that use is defined in the Hampton Zoning Ordinance, applies only to the location at 902 G Street [LRSN: 1000699] ("Location") as identified on **Exhibit A** attached hereto.

## 2. Site Design

The structure shall be constructed in substantial conformance with the plan packet entitled "Dominion Energy, Site Name: Hampton Office" prepared by Tower Engineering Professionals (TEP), with a revised date of November 1, 2024 ("The Site and Equipment Plan"). Changes to the plans 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. Notwithstanding the foregoing, changes to the Site and Equipment Plan may be made to accommodate the collocation of wireless facilities on the tower, in accordance with federal, state, and local law.

## 3. Height

The overall tower height shall be no more than 180 feet.

## 4. Tower Accessibility

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

## 5. Removal of Towers

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.

## 6. 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.

## 7. Compliance with Laws

- a. Applicant shall obtain and maintain all applicable licenses to conduct the business authorized by this Use Permit prior to engaging in any such business.

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- b. In addition, if the applicant is a legal entity, other than an individual person or persons, including, but not limited to a limited liability company or corporation, applicant shall also be authorized to transact business in Virginia as a domestic or foreign business entity prior to engaging in the permitted use; and shall provide proof of registration to the Zoning Administrator, upon request. Applicant shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect.
- c. This Use Permit may be terminated for any violation of federal, state, or local law.

## 8. 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 14 of the Hampton Zoning Ordinance (as amended).

## 9. Nullification

The Use Permit shall automatically expire and become null and void under any of the following conditions:

- (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the Use Permit;
- (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

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## EXHIBIT A

