

SEC. 30-71. EP EXPLORE PARK DISTRICT.

Sec. 30-71-1. Purpose.

- (A) The purpose of this district is to establish an area within the county that is designated and reserved solely for activities associated with ~~the~~ Explore Park, (hereafter referred to as the Park). These district regulations are designed to permit current Park uses while facilitating, through adequate public review, the development of the Park as a ~~family~~ **regional** destination ~~resort~~ which incorporates significant natural areas within its boundaries. They are also designed to ensure that the facilities and services are adequate to ensure the safe and efficient operation of the Park with a minimum of impact on the surrounding neighborhood and the larger community.

Sec. 30-71-2. Applicability.

- (A) These regulations shall only apply to land in the County of Roanoke owned or leased by the Virginia Recreational Facilities Authority (VRFA), ~~Virginia Living Histories, Inc. or the County of Roanoke associated with Explore Park~~, and to any facilities, and/or operations on such land.

Sec. 30-71-3. Permitted Uses.

- (A) The following uses are permitted by right subject to all other applicable requirements contained in this ordinance. An asterisk (*) indicates additional, modified or more stringent standards are listed in Article IV, Use and Design Standards, for those specific uses.

- 1. *Agricultural and Forestry Uses*

- Agriculture

- Stables, Commercial *

- Wayside Stand ***

- 2. *Residential Uses*

- Single Family Dwelling, Detached**

- ~~3.~~ *Civic Uses*

- Administrative Services

- Camps *

- Cultural Services

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Educational Facilities, College/University *

Post Office

Public Assembly

Public Maintenance and Service Facilities

Public Parks and Recreational Areas *

Religious Assembly *

Safety Services *

Utility Services, Minor

4. Office Uses

Financial Institutions *

General Office

5. Commercial Uses

Antique Shops

Automobile Rental/Leasing

Automobile Repair Service, Minor *

Bed and Breakfast *

Bed and Breakfast Inn *

Business Support Services

Campgrounds

Commercial Indoor Amusement

Commercial Indoor Entertainment

Commercial Indoor Sports and Recreation

Commercial Outdoor Entertainment

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Commercial Outdoor Sports and Recreation

Communication Services

Convenience Store *

Gasoline Station *

Golf Course *

Hotel/Motel/Motor Lodge

Marina

~~Restaurant/Family~~

Recreational Vehicle Sales and Service *

~~Restaurant~~, General

~~Restaurant~~, Drive-in or Fast Food *

Retail Sales *

Special Events Facility *

Studio, Fine Arts

6. *Industrial Uses*

Industry, Type I

7. *Miscellaneous Uses*

Shooting Range, Outdoor *

Wind Energy System, Small *

(B) ~~The following uses are permitted by right, subject to all other applicable requirements contained in this ordinance. These uses are recognized as necessary and appropriate accessory uses within Explore Park. The character and scale of these uses, however, must be subordinate and incidental to the permitted uses set forth in (A) above. An asterisk (*) indicates additional, modified or more stringent standards are listed in article IV, use and design standards, for those specific uses. The following uses are allowed only by special use permit pursuant to section 30-19. An asterisk (*) indicates additional, modified or~~

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more stringent standards as listed in article IV, use and design standards, for those specific uses.

~~1. Civic Uses~~

~~Religious Assembly*~~

~~Public Maintenance and Service Facilities *~~

~~2. Office Uses~~

~~Financial Institutions *~~

~~General Office~~

~~3. Commercial Uses~~

~~Automobile Rental/Leasing, with a special use permit*~~

~~Automobile Repair Services, Minor *~~

~~Business Support Services *~~

~~Convenience Store *~~

~~Gasoline Station *~~

~~4. Industrial Uses~~

~~Transportation Terminal *~~

1. *Miscellaneous Uses*

Broadcasting Tower *

(C) Within the Park, there shall be limits on developed areas in order to ensure that at least 30% of the acreage of the Park, within the jurisdiction of the County of Roanoke, consists of open space, forested space, trails, buffers or natural areas. To achieve that objective, those uses which are identified in subsection (A) and (B) above ~~as permitted uses~~ shall not exceed 70% of the Park's acreage in the County of Roanoke.

1. Calculation of Developed Area ratio.

a. Buildings and other structures, streets and other paving, utilities, filling, grading, and excavating shall be included in the calculation of developed area.

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b. Any pasture, crop land, forested areas, trails, ponds other than stormwater detention areas, recreated natural features, buffers and similar open or yard areas shall not be calculated as developed areas.

~~e. During site development review, the limits of disturbance for each development shall be identified in order to calculate developed areas. In addition, the identification and calculation of open space, forested space, trails, buffers and natural areas shall be provided on an ongoing basis in order to confirm compliance with the 70%/30% ratio.~~

~~d. So long as the 70%/30% ratio is maintained, the location of open space, forested space, trails, buffers or natural areas may be shifted as development proceeds.~~

~~(D) The following uses are allowed only by special use permit pursuant to section 30-19. An asterisk (*) indicates additional, modified or more stringent standards as listed in article IV, use and design standards, for those specific uses.~~

~~1. Miscellaneous Uses~~

~~Broadcasting Tower *~~

~~Wind Energy System, Small *~~

(D) Development Regulations.

1. Setbacks. Minimum setback requirements for structures from exterior lot lines and public roads:
 - a. Front yard: 30 feet, or 20 feet when all parking is located behind the front building line.
 - b. Side yard: 10 feet.
 - c. Rear yard: 15 feet.
2. Height. Maximum structure height shall be 45 feet including rooftop mechanical. The maximum height may be increased provided each required yard (front, side, rear, or buffer) from an exterior property line is increased two (2) feet for each foot in height over forty-five (45) feet, up to a maximum height of 125 feet. Zip line towers shall be exempt from this section.
3. Signage. All visible signs from public right-of-way shall be no higher than 25 feet and shall have a consistent design treatment.

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4. Buffers. When Explore Park development adjoins a residential or civic use type exterior to the Explore Park District boundaries, a Type C buffer yard in accordance with section 30-92 shall be provided along the property line which adjoins the residential or civic use type.
5. Lighting. All exterior lighting fixtures shall be designed, located and arranged so as not to direct glare on adjoining streets or surrounding properties. The lighting intensity at adjoining properties exterior to the Explore Park District shall not exceed 0.5 foot candles.
6. Roads. Roads within the Explore Park District may be public or private. Private roads shall provide for emergency access.

~~Sec. 30-71-4. Rezoning Application Process.~~

- ~~(A) Prior to submitting an application for review and approval under these provisions, the applicant and the county staff shall confer to discuss the requirements of this section. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process.~~
- ~~(B) Any application to rezone land to the EP designation shall constitute an amendment to the zoning ordinance pursuant to Section 30-14. Once the board of supervisors has approved the master plan described below, all submitted and accepted proffers shall constitute conditions pursuant to the provisions of this ordinance. Development shall occur in substantial conformity with the specifics set out in the master plan.~~
- ~~(C) To initiate an amendment, the applicant shall complete a rezoning application packet. This information shall be accompanied by graphic and written information which shall constitute a master plan. All information submitted shall be of sufficient clarity, detail, and scale to clearly and accurately identify the location, nature and character of the proposed district. The information shall include:
 - ~~1. A legal description of the proposed site. This may be a metes and bounds description and plat, or a tabular summary of all tax map parcels proposed for rezoning. If tax parcels are used, a composite plan shall be submitted, showing the limits of the proposed district and the location of each parcel within the district. Should survey or title work disclose that any parcel or portions thereof were erroneously included in the rezoning application, then the applicant may remove said parcels from the application without invalidating the rezoning of the other submitted parcels~~
 - ~~2. Current information on the existing zoning and land use of each parcel proposed for the Park.~~
 - ~~3. A topographical survey of the proposed site including information on flood plains and natural water courses.~~~~

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- ~~4. Minimum buffers between the Park and its neighbors and general details on the landscaping within such buffers.~~
 - ~~5. Information on open space, including how such space might be utilized for hiking, biking and riding trails or other park uses.~~
 - ~~6. Generalized statements pertaining to architectural and community design guidelines.~~
 - ~~7. Description of transportation objectives, identifying current and proposed connections with state maintained roads with maintenance responsibility for non-state maintained roads identified. Include connections to intermodal transportation systems as shown in the Community Plan.~~
 - ~~8. Information on proposed plans for public utilities.~~
 - ~~9. Inventory of historic resources.~~
- ~~(D) The completed rezoning application and supporting master plan shall be submitted to the planning commission for review and analysis. The commission shall review this information and make a report of its findings to the board of supervisors. The commission shall as part of its review hold a public hearing pursuant to section 15.2-2204 of the Code of Virginia, as amended.~~
- ~~(E) The commission shall make a report of its findings to the board of supervisors within 90 days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The commission's report shall recommend approval, approval with modifications, or disapproval of the master plan for the Park. Failure of the commission to make a report of its findings to the board of supervisors within this period shall constitute a commission recommendation of approval.~~
- ~~(F) If the commission recommends denial of the master plan or approval with modifications, the applicant shall, upon its request, have up to sixty (60) days to make any modifications. If the applicant desires to make any modifications to the master plan, the board of supervisors' review and action shall be delayed until such changes are made and submitted for review.~~
- ~~(G) The board of supervisors shall review the master plan and act to approve or deny the plan within ninety (90) days from the date of the planning commission's action unless the applicant requests or agrees to an extension of this time frame. The plan approved by the board of supervisors shall constitute the approved master plan for the Park. Once approved by the board of supervisors, the administrator shall authorize the revisions to the official zoning map to indicate the establishment of the EP district.~~

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~~(H) Should major changes to the master plan be desired, the applicant has the right to amend the master plan by following the process detailed in sections D through G above.~~

~~(I) Following the approval of the master plan (which approval signifies that the proposed site is rezoned to the EP district), the applicant shall be required to submit preliminary and final site development plans prior to construction for approval. Final site development plans for any phase or component of the Park that involves the construction of structures or facilities shall be approved prior to the issuance of a building permit and the commencement of construction.~~

ARTICLE IV – USE AND DESIGN STANDARDS

SEC. 30-80. USE AND DESIGN STANDARDS.

SEC. 30-83. CIVIC USES.

~~**Sec. 30-83-7.5. Public Maintenance and Service Facilities.**~~

~~(A) In the EP district, these facilities shall be used to service and maintain only EP district properties and/or access thereto.~~

SEC. 30-85. COMMERCIAL USES.

~~**Sec. 30-85-4.5. Automobile Rental/Leasing.**~~

~~(A) In the EP district:~~

- ~~1. Shall be permitted only with a special use permit.~~

Sec. 30-85-6. Automobile Repair Services, Minor.

(A) General standards:

1. Exterior display or storage of new or used automobile parts is prohibited.
2. Equipment and vehicles stored overnight on the premises shall be behind the front building line or at least thirty-five (35) feet from the public right-of-way, whichever is greater.

~~(C) Additional standards in the EP district.~~

- ~~1. There shall be a maximum of four (4) service bays, one (1) of which may be oversized to permit a bus or recreational vehicle to pull through for service.~~

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~~2. Where adjoining a residential or civic use type, a minimum one hundred foot setback shall be required.~~

~~3. No independent advertising through local media shall call attention to the Explore Park location of the business.~~

~~Sec. 30-85-8.5. Business Support Services.~~

~~(A) In the EP district, the following shall apply:~~

~~1. No independent advertising through local media shall call attention to the Explore Park location of the business.~~

Sec. 30-85-13. Convenience Store.

(A) General standards:

1. Limited sale of foods prepared on the premises may be allowed provided no more than twenty (20) percent of the floor areas is devoted to seating facilities. Seating areas in excess of this shall constitute a fast food restaurant.
2. Exterior display of merchandise for sale is allowed under the following conditions:
 - a. On a paved walkway within three (3) feet of the building.
 - b. Ice machines and soft drink vending machines, in operating condition, shall be stored under roofed areas.
3. The display of vehicles "for sale" is prohibited.

~~(D) Additional standards in the EP district:~~

~~1. No convenience store shall exceed three thousand (3,000) square feet of gross floor area.~~

~~2. Where adjoining a residential or civic use type, a minimum one hundred foot setback shall be required.~~

~~3. No independent advertising through local media shall call attention to the Explore Park location of the business.~~

Sec. 30-85-16. Gasoline Station.

(A) General standards:

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1. Bulk storage of fuel shall be underground pursuant to the standards established by the National Fire Prevention Association (NFPA) and the U.S. Environmental Protection Agency (EPA).
2. Fuel dispensers shall be located at least thirty (30) feet from any public street right-of-way, and shall be located at least one hundred (100) feet from any adjoining residential use type.
3. When adjoining a residential use type, a Type C buffer yard in accordance with section 30-92 shall be provided along the property line which adjoins the residential use type.

~~(C) Additional standards in the EP district:~~

- ~~1. No more than four (4) stations designed for dispensing fuel shall be located on site.~~
- ~~2. Where adjoining a residential or civic use type, a minimum one hundred foot setback shall be required.~~
- ~~3. No independent advertising through local media shall call attention to the Explore Park location of the business.~~

Sec. 30-85-24. Restaurant, Drive-in or Fast Food.

(A) General standards:

1. All drive-through windows shall comply with the standards for drive-through facilities contained in Section 30-91-6.
2. A special use permit shall not be required for any fast food restaurant that is located within a shopping center.
3. Expansions of existing uses are permitted by right.

~~(B) In the EP District:~~

- ~~1. A special use permit shall be required for any drive through facilities.~~

Sec. 30-85-24.5. Retail Sales.

(B) In the EP District:

1. A special use permit shall be required for any retail sales use, building or structure that exceeds fifty thousand (50,000) square feet of gross floor area.

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SEC. 30-86. INDUSTRIAL USES.

~~Sec. 30-86-11. Transportation Terminal.~~

~~(A) In the EP district the following standards shall apply:~~

- ~~1. This use is provided to allow various visitor transportation access options to be constructed within the Park.~~
- ~~2. Typical uses include train depot, marina, bus loading and unloading areas, and visitor shuttle services.~~