



ROANOKE COUNTY

PLANNING COMMISSION

Mr. Troy Henderson, Chairman
Mr. Rick James, Vice-Chairman
Mr. Kelly McMurray
Mr. Jim Woltz
Mr. Wayne Bower

Catawba District
Vinton District
Cave Spring District
Windsor Hills District
Hollins District

AGENDA
TUESDAY, APRIL 18, 2023
WORK SESSION: 6:00 P.M. 3rd FLOOR BOARD MEETING ROOM

WORK SESSION

- A. Call to Order
- B. Approval of Agenda
- C. Approval of Minutes: March 23, 2023
April 3, 2023
- D. Discussion of Zoning Ordinance Amendments – Philip Thompson and Rebecca James
- E. Discussion on Roanoke County 200 Plan – Philip Thompson
- F. Citizens' Comments
- G. Comments of Planning Commissioners and Planning Staff
- H. Adjournment



ROANOKE COUNTY

PLANNING COMMISSION

MEETING MINUTES

MARCH 23, 2023

Commissioners Present:

Mr. Rick James, Vice-Chairman
Mr. Wayne Bower
Mr. Kelly McMurray

Commissioners Absent:

Mr. Troy Henderson, Chairman
Mr. Jim Woltz

Staff Present:

Mr. Philip Thompson, Secretary
Ms. Rachel Lower, Senior Assistant County Attorney
Ms. Megan Cronise
Mr. Alexander Jones
Mr. Jake Harding
Mr. Ross Hammes
Mr. Isaac Henry
Ms. Cecelia Thomas, Recording Secretary

Call to Order

Mr. James called the meeting to order at 5:03 p.m.

Invocation

Mr. James led the invocation and the pledge of allegiance.

Public Hearings

1. Proposed Draft of the Roanoke County 200 Plan. The Roanoke County 200 Plan is an update to the County's Comprehensive Plan. It expresses an overarching community vision as well as unique goals for 11 community planning areas within the County. It also provides guidance for public policies about land development, public services and resource protection. Mr. Jones presented the history of the planning process regarding the Comprehensive Plan. Mr. James thanked Mr. Jones for his presentation to summarize the last 25 meetings.

Mr. James opened the public hearing.

Nathan Newman, 8378 Robin Lane Road, noted comments of support regarding items of conservation. He would like to see additional pedestrian accommodations in the Peters Creek Area and continued support for the Economic Development area like the Wood Haven Technology Park.

Louise Belcher, Bending Oak, noted that she supports Roanoke County's goal of completing the West Roanoke River Greenway. She came to speak regarding

Rural Broadband. She noted that she has a neighbor that had to drive ten miles to turn in his homework during the pandemic. She noted that if you need to drive to town to check your email. During the pandemic, it was a very significant issue. She wanted to suggest that all of the rural community centers have hours open during the day to have access to the internet. She noted that they have no cell service and no internet service. She emphasized the danger if the power is out and you have a health issue. She noted that this is a serious concern for them.

Mr. James left the public hearing open to reconvene at the April 3, 2023 meeting.

Citizen's Comments

There were no comments.

Comments of Planning Commissioners and Planning Staff

Mr. Bower thanked staff for the plan, and the fluidity it has. He noted that both speakers brought up some great points, and asked staff if by the next public hearing they could address those concerns. Mr. McMurray thanked staff for their excellent work on the 200 Plan. He hopes that this is an inspiration and a blueprint for other localities moving forward.

Mr. Thompson addressed the additional sidewalks in the Peters Creek Area. Mr. Thompson noted that two sidewalks are going into construction on Peters Creek Road to extend the sidewalk that VDOT built last year. He noted that Roanoke County is in the Capital Improvement Program to look at the Peters Creek/Williamson Road area to look at projects for the area.

Mr. Thompson spoke to Ms. Belcher regarding her comments on Rural Broadband. He noted that one of the major themes during the initial meetings was regarding broadband. He explained that Bill Hunter with the CommIT department has a map online that shows the projects to expand Rural Broadband in Roanoke County. He also noted that the Planning Commission is looking at amending its broadcasting tower zoning ordinance to allow them in more places by right. He explained that these projects are in the works, but it is taking time to get them implemented.

Mr. Thompson updated the Planning Commission that Will Crawford has accepted a position with VDOT.

At the last Board of Supervisors meeting they adopted a resolution to look at the Industry, Type 1 and Industry, Type 2 definitions.

Adjournment

Mr. James adjourned the meeting at 5:51 p.m.

Respectfully Submitted:

Cecelia Thomas
Recording Secretary, Roanoke County Planning Commission

Philip Thompson
Secretary, Roanoke County Planning Commission

Troy Henderson
Chairman, Roanoke County Planning Commission



ROANOKE COUNTY PLANNING COMMISSION

MEETING MINUTES APRIL 3, 2023

Commissioners Present:

Mr. Troy Henderson, Chairman
Mr. Rick James, Vice-Chairman
Mr. Wayne Bower
Mr. Kelly McMurray
Mr. Jim Woltz

Staff Present:

Mr. Phillip Thompson, Secretary
Ms. Rachel Lower, Senior Assistant County Attorney
Ms. Megan Cronise
Ms. Rebecca James
Ms. Alyssa Dunbar
Mr. Alex Jones
Mr. Lionel Cruz-Cruz
Mr. Ross Hammes
Mr. Jake Harding
Ms. Cecelia Thomas, Recording Secretary

Call to Order

Mr. Henderson called the meeting to order at 5:02 p.m.

Invocation

Mr. James led the invocation and the pledge of allegiance.

Approval of Agenda

Mr. James made a motion to approve the agenda, which passed 5-0.

Approval of Minutes

Mr. McMurray made a motion to approve the minutes from February 21, 2023, which passed 4-0-1 with Mr. James abstaining.

Mr. Bower made a motion to approve the minutes from March 7, 2023, which passed 3-0-2 with Mr. Woltz and Mr. McMurray abstaining.

Consent Agenda

1. The petition of Terio and Lisa Comerose to remove the existing proffered conditions on approximately 14.713 acres of land zoned AVCS, Agricultural/Village Center District with Conditions and Special Use Permit, and AR, Agricultural/ Residential District, located at 9651 Bent Mountain Road, 9744 Tinsley Lane, and 9786 Tinsley Lane, Windsor Hills Magisterial District. Ms. Dunbar presented the current zoning, and Future Land Use designation. Mr. Woltz questioned if there are any renderings. Ms. Dunbar

explained that there are no renderings or concept plan for the Convenience Store at this time. Mr. Thompson explained that the Special Use Permit is still valid, but the conditions of the office building and school are being requested to be removed as part of the rezoning process. Mr. Woltz questioned if the homes will be used for rental. Ms. Dunbar noted that one of the proposed homes would be the applicant's primary residence.

2. The petition of Boing US Holdco, Inc., to obtain a special use permit to operate a car wash on approximately 1.97 acres of land zoned C-2, High Intensity Commercial District, located at 3434 Buck Mountain Road and 5147 Franklin Road, Cave Spring Magisterial District, and CVOD, Clearbrook Village Overlay District. Mr. Woltz questioned if they will use Roanoke County water as part of their application. Ms. Dunbar explained that as part of the use and design process of a car wash they have to have certain water recycling processes. Mr. James questioned the concept drawings in the packet meet the guidelines for the Clearbrook Village Overlay District. Mr. James questioned if they have any other facilities in the area, which staff noted that they were not aware of any. Mr. Thompson explained that the architectural guidelines will be in the guidelines and not in the Clearbrook Overlay District standards.

3. The petition of Martie Murphy, to obtain a special use permit to operate a car wash on approximately 5.995 acres of land zoned C-2, High Intensity Commercial District, and C-2C, High Intensity Commercial District with conditions, located at 3939 Valley Gateway Boulevard, Vinton Magisterial District. Ms. Dunbar reviewed the existing zoning and use, and the Future Land Use designation.

4. The petition of Hugo Jimenez to rezone approximately 1.24 acres of land from C-1, Low Intensity Commercial District, to I-1, Low Intensity Industrial District, and to obtain a special use permit to operate a construction yard located at 5681 Starkey Road, Cave Spring Magisterial District. Mr. Cruz-Cruz presented the existing use, and discussed the Future Land Use designation. Mr. Woltz questioned if there is a limit to the density of the vehicles allowed on the property, which Mr. Thompson noted there is not. They are only required to attain a special use permit. Mr. Bower questioned if the construction yard if the closest we have to house a landscape business, which Mr. Thompson confirmed.

Mr. Bower made a motion to approve the consent agenda, which passed 5-0.

Public Hearing (Continued from March 23, 2023)

1. Proposed Draft of the Roanoke County 200 Plan. The Roanoke County 200 Plan is an update to the County's Comprehensive Plan. It expresses an overarching community vision as well as unique goals for 11 community planning areas within the County. It also provides guidance for public policies about land development, public services and resource protection. Mr. Jones presented on the history of the project. Ms. Cronise presented on transportation. Mr. Jones noted that they have had 27 comments so far during the winter 2023 feedback process. Mr. Bower questioned removing unneeded proffers to allow more flexibility. Mr.

Jones clarified that would be part of the process of rewriting the zoning ordinance. Mr. Thompson noted that it would be implemented before the zoning ordinance rewrite. He explained that the removing of proffers comes from the Board of Supervisors strategic plan.

Mr. Henderson resumed the public hearing.

James Ruhland III, 2165 Laurel Woods Drive, commended the staff for their effort and the diligence that went into putting this plan together. He noted that he is excited to see that it is a reflection of the cultural ideals that the people of this area hold dear. He noted that he has read the draft reports in their entirety, and has attended many of the work sessions. He noted that he is excited about the possibilities he sees here. He noted that careful attention has been paid to the comments made by citizens. He thanked the citizens who participated in the process to use their time to directly participate in helping to craft this vision for the County. There is an omnipresent idea that growth should be balanced with the natural resources of the County and it shows on every page. Some people may argue that these are mutually exclusive ideas, but he believes that careful attention to this plan shows that they can be reached through a balance through this. He charged the Planning Commissions that in times of resistance or overwhelming excitement part of their obligation to the County is to weigh all of these things in careful consideration with one another. He noted that keeping the integral pieces of this plan in mind, he noted they will be guided by a very good milestone. To the members of the citizenry of this county that if we are to abide by and usher in this vision into a fruitful reality there is a charge to directly participate with themselves. He noted that he is in favor of the plan.

Christy L. Campbell, 4717 West River Road, noted that she pays 3,000 a year in flood insurance so she can have the river in her backyard. She noted concerns that her peace and serenity is going to be disturbed. She noted concern about the greenway going into her backyard. She noted that these maps do not make sense to her. She noted that she feels that these are political meetings for show, and feels this is a decided matter. She feels that her input is not there because she does not have the knowledge base for these maps.

Mr. Thompson noted that this is the overall Roanoke County Comprehensive Plan. He noted that she is probably referring to the West Roanoke River Greenway Feasibility study, which she confirmed. He explained that is a separate study. Mr. Thompson explained that in the late spring or early summer there will be another community meeting regarding that other study. Mr. Thompson explained that Roanoke County does not use eminent domain for projects.

Nathan Grim, 4110 Blue Jay Circle, explained that he is a resident of the Penn Forrest area he noted that he is lucky to benefit from the best of what Roanoke has to offer with schools, the library, and parks close to his home. He stated that he is glad the County is looking to protect these amenities through the 200 plan.

He noted that as someone who uses a bicycle as one of their main methods of transportation the part of the plan that he wishes to comment on is the County's bicycle accommodations. Since August of last year, he noted that he has been commuting to work on his electric cargo bike, dropping off his 6 year old that sits in the rear child seat at school on the way. It has been a great way to build an active lifestyle into his daily routine and foster a deeper connection with his neighborhood. He explained that he would love to see more people use bike's as transportation more regularly. Unfortunately, for most people, the bike infrastructure in the County is not something that is safe and convenient to use as evidenced by the lack of riders on the 419 and Brambleton Avenue bicycle lanes and elsewhere.

He noted that according to Portland State University only about 7% of people overall would feel safe riding in unprotected painted bike lanes such as the ones on those roads. Less than 1% of people feel safe riding with no bike accommodations, which is usually necessary to access the County's bike lanes and get to many other places throughout the area. He concluded that he is lucky to live and work where he can safely get his daughter to school and get to work on low volume and low speed roads but most people in the County do not have that luxury. As a member of the Pedal Safe ROA Cycling Advocacy Group, he knows many other cyclists do not feel safe using the County's current facilities. Bike infrastructure should be designed to be safe enough for your whole family not only for the most confident and experienced riders. An unprotected, striped bike lane on a multi-lane highway with a 35 mile per hour speed limit and 25,000 vehicles per day is not going to feel safe for anyone and it will not attract cycling traffic and the benefits its brings. He wants to encourage the County to create a bikeway plan to look at where people live and where they want to go, identifies a network of routes that is designed to traverse to and from those places, and then make appropriate safety improvements to those areas. Preferably using the guidelines of designing for all ages and abilities handbook from the National Association of City Transportation Officials (NACTO). These routes do need have to be along main roads as many safe and useful routes can be found on neighborhood streets, which would require little additional improvements and relative low costs. For example, instead of putting bike lanes all the way down 419 from Brambleton to Keagy a bikeway could be designated through the Castle Rock neighborhood that could connect those residents to Oak Grove Plaza, Keagy Village, Oak Grove Elementary, Hidden Valley High School and more. With safety, improvements made to the higher volume neighborhood roads on the route in accordance with the NACTO guidelines.

He stated he appreciates what the County is doing in trying to make more bike lanes on main roads, but does not believe that extending the bike lanes on 419 in their current configuration or adding similar bike lanes to other busy roads is a good use of space or tax payer money as they will continue to go unused for their lack of connectivity and the perception of unsafe and stressful conditions for cyclists. He strongly feels that future projects should take a look at what bike

accommodations the average person who is interested in biking will feel safe using in order to increase the number of people who bike regularly. As investments in biking have shown to lead to significant economic growth, job creation, health benefits, and increased road safety for all users which he knows are all high priorities for the County. He stated that he loves biking and hopes he will get to see others share that love with him in the future.

William Skaff, 4815 Farmington Place Court, noted that his statement is entitled Roanoke County 200 Plan: Underlying Assumptions. The current Roanoke County Comprehensive Plan, the plan about to be replaced, states "there exists a very intrinsic relationship between the natural beauty that exists here and people's perception of quality here in the County". The 12 community planning areas development policies created from community input indicate the natural beauty is of fundamental importance to everyone who lives here. From a recent planning department slide presentation the planning department appears to be in the process of replacing this principle in Roanoke County 200 with "protect and preserve rural and agricultural areas with zoning and future land use designations. Develop and redevelop areas that have infrastructure and development now, suburban and urban growth areas." It is not credible that such difference in part of suburbanized areas would be so frequently articulated in community meetings should rise to such prominence. Few suburban residents would be in favor of ruining their neighborhoods with excessive development in order to spare rural residents. This opposition between rural and suburban appears to have been fabricated and then encouraged by the Planning department. The online survey indicates that suburban and rural residents both want to protect and preserve their nature in their respective areas. Our fear is that Roanoke County 200 will not do that, especially in the execution phase after it is adopted.

Kathy Chandler, 10890 Green Hollow Drive, noted she appreciated all that has been done to come to their neighborhoods and stated that it has been very helpful. She noted that there are two things that her neighbors having planning thoughts, and is sure they will submit something extra. She explained that she would like the Planning Commission to consider seriously in the area of Bent Mountain is protection of something other than the steepest of slopes at 33%. The fact that Bent Mountain resides on a plateau means that much of what there is to conserve is in flatter areas. Even in the path of the Mountain Valley Pipeline (MVP), which she noted is going right through her property—and she noted that she has experienced imminent domain. Even in the criteria for steep slopes with the MVP in surrounding counties like Montgomery County and Giles County the approach is 22%. She would pose to the Planning Commission that the most severe of 33% is not preserving most of what people live on. In that vein, something that is desperately needed is—she noted that when staff came to Bent Mountain on Map 5 there is a box checked for floodways and waterways. She explained that has not been viewed on the Bent Mountain plateau. The 100 year flood and the waterways mapping in Roanoke County stops at Back Creek. She

noted that she just double-checked it on the GIS maps. It has not been mapped on Bent Mountain, and she thinks that the rural corridor that the County wants to improve and rezone on the main highway is going to become a most vulnerable spot. Having seen MVP go through properties, which are relatively flat, you are underestimating the geology and the aquifers of the area. You stand to damage the water at the risk of trying to do something good in Roanoke County. She noted they have already experienced that because of MVP. She noted that in the MVP Advisory Committee, it was brought up years ago. The mapping has not been done on Bent Mountain. The floodways need to be explored before any development happens. She explained that she believes that a study would show a lot of water in very shallow spaces. It is potentially quite hazardous, and could become something that seems like a good idea could become an extra insult to a very pretty area.

Shawn Jadrnick , 617 Allison Avenue SW, explained that he is the Agriculture and Natural Resource agent for Virginia Cooperative Extension Service for Roanoke and Botetourt County. He noted that he was made aware by working with farmers in this area that there is not a lot of prime agricultural land. People are farming on some horrible sites. He explained that they are really struggling because of that. The NRCS classifies soil on a suitability for agriculture. It is a scale of 1 to 7 with one being the best, prime agricultural land. He noted that a seven is only suitable for trees. Recently, a map came out with a GIS layer that identifies all of the prime agricultural land in Virginia, and there is just not a lot of prime land in Roanoke County. He noted that he wanted to bring that to the Planning Commission's attention in hopes that the prime agricultural land be preserved for agriculture. That soil is going to be deep, fertile, well drained and a critical ingredient in the profitability of a farm. It is super rare in this area. He reiterated the GIS layer that identifies those soils, and presented examples to the Planning Commission. Mr. Woltz questioned what area was being shown on the maps given to them. Mr. Jadrnick noted that it is a map of Roanoke, with one pulled back further. The problem is that the best soils do not always line up with the zoning areas that are reserved for agriculture. He continued that if we want to preserve agriculture as a viable option for our community we really need to target soils that are going to be the most productive. He explained that it would be easy to take this layer and look at those sites. He noted that some of them have already been built over, but there are many that have not been that could be preserved. He explained this would help preserve the food system of our region.

Mr. Bower noted that looking back over the past quarter century, he questioned where Mr. Jadrnick sees agriculture in Roanoke County in the next 25 years. Mr. Jadrnick noted that it is hard to afford farmland now and make it work. He sees farms getting smaller. He sees more urban agriculture where people are learning to generate more income off a smaller piece of land. He sees people trying to farm in areas that are not zoned agricultural, so they want to grow food but are unable to sell it.

With no one else wishing to speak, Mr. Henderson closed the public hearing.

Mr. Thompson explained that the comment period is open through April 16, so the Planning Commission is not being asked to take any action on this item. He noted there will be subsequent work sessions to discuss the comments that they received before voting.

Citizen's Comments

There were no comments.

Comments of Planning Commissioners and Planning Staff

Mr. James commented that the recommendations noted that conservation has doubled. Clearly, there is a desire for conservation his worries are for core, commercial, and industrial, and noted that without those bringing in revenue to help decrease the tax burden of the citizens. He also noted how out of the ordinary it is for a Planning department to spend so much time going to each Community Planning Area, and commended staff for their work. Mr. Woltz noted the diversity of Roanoke County that each of the planning areas is different and noted that the Planning Commission needs to be careful with how they handle things.

Mr. Thompson noted the Route 460 Land Use and Connectivity study that the Planning Commission approved at its March 7 meeting was approved by the Board of Supervisors approved at its March 28 meeting.

Mr. Thompson informed the Planning Commission that its next meeting is on April 18, 2023. He noted that the Board of Supervisors expressed interest in the cluster ordinance, and looking at Industry Type I and Type II use definitions.

Adjournment

Mr. Henderson adjourned the meeting at 6:34 p.m.

Respectfully Submitted:

Cecelia Thomas
Recording Secretary, Roanoke County Planning Commission

Philip Thompson
Secretary, Roanoke County Planning Commission

Troy Henderson
Chairman, Roanoke County Planning Commission



ROANOKE COUNTY

PLANNING

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Philip Thompson,
DIRECTOR OF PLANNING

PLANNING
TRANSPORTATION
ZONING

Memorandum

TO: Planning Commission

FROM: Philip Thompson, AICP
Director of Planning

DATE: April 13, 2023

SUBJECT: ***Zoning Ordinance Amendments: Cluster Subdivision***

The Roanoke County Board of Supervisors adopted a resolution (attached) on February 14, 2023, requesting the Planning Commission to study and provide recommendations on amendments to the County's Cluster Subdivision Ordinance. Staff will review with the Planning Commission possible amendments to the Cluster Subdivision Ordinance (attached) at the Commission's April 18th meeting.

If you have any questions, please contact me by phone at (540) 772-2029 or by email at pthompson@roanokecountyva.gov.

Attachments

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, FEBRUARY 14, 2022

RESOLUTION 021423-2 DIRECTING THE ROANOKE COUNTY PLANNING COMMISSION TO STUDY AND PROVIDE RECOMMENDATION REGARDING WHETHER TO AMEND THE PROVISIONS OF SECTION 30-82-13.1 (THE COUNTY'S CLUSTER SUBDIVISION ORDINANCE)

WHEREAS, Section 30-82-13.1 of the Roanoke County Code sets forth the County's "Cluster Subdivision Option" for the development of single-family dwellings; and

WHEREAS, the intent of the ordinance is to facilitate the preservation of viewsheds and conservation areas by allowing, under certain conditions, such areas to be combined with a higher, but more compact level of development; and

WHEREAS, the Cluster Subdivision Ordinance is seldom used in developing neighborhood; and

WHEREAS, it has been proposed that the Board refer this matter to the Planning Commission for review and recommendation as to whether the provisions of this ordinance could be reasonably expanded so as to expand its use while preserving its intent and purpose.

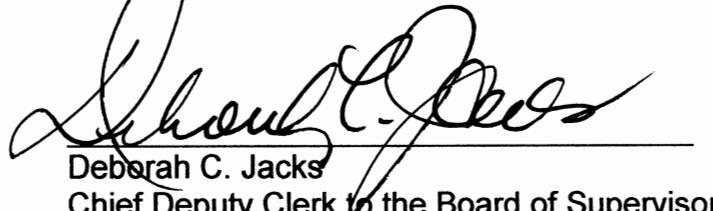
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Roanoke County that this matter (whether to amend Section 30-82-13.1 of the Count Code) be referred to the Planning Commission for study and recommendation.

On motion of Supervisor Mahoney to adopt the resolution, seconded by Supervisor Peters and carried by the following recorded vote:

AYES: Supervisors Peters, Mahoney, North, Radford, Hooker

NAYS: None

A COPY TESTE:



Deborah C. Jacks
Chief Deputy Clerk to the Board of Supervisors

cc: Peter S. Lubeck, County Attorney
Philip Thompson, Director of Planning

ARTICLE III – DISTRICT REGULATIONS

SEC. 30-34. AR AGRICULTURAL/RESIDENTIAL DISTRICT.

Sec. 30-34-2. 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 as listed in article IV, use and design standards, for those specific uses.

2. *Residential Uses*

Single Family Dwelling, Detached (Cluster Subdivision Option) *

ARTICLE IV – USE AND DESIGN STANDARDS

SEC. 30-82. RESIDENTIAL USES.

Sec. 30-82-13.1. Single Family Dwelling, Attached and Detached (Cluster Subdivision Option).

(A) Intent.

1. Establish a method for the county to protect vital natural and historic resources from development and permanent loss.
2. Prevent the destruction of valuable view sheds, ridgetops and wildlife corridors, including but not limited to, the Blue Ridge Parkway and Appalachian Trail, and other resources identified in the comprehensive plan.
3. Reserve, enhance, and add to the existing and proposed greenway system throughout the county, as identified in the comprehensive plan.
4. Provide the citizens of the county additional open space and recreation areas.
5. Encourage the design of creative, innovative developments that utilize the land's natural resources and features and incorporates them into functional preservation and development plans.
6. Offer an alternative to conventional subdivision development by allowing for compact clusters of housing units rather than spaced lots that encompass the entire property.

Zoning Ordinance Amendments – Cluster Subdivision Ordinance

7. The Zoning Administrator shall have the authority to consider the appropriateness of open space and conservation areas on individual site plans in terms of such factors such as location, size, shape and topographic characteristics to meet the intent of this ordinance.

(B) Applicability.

1. Cluster subdivisions proposed in accordance with the standards contained herein shall be a permitted use by-right in **AR**, R-1, R-2, R-3 and R-4 zoning districts, except that cluster subdivisions shall not be permitted within planned residential subdivisions as defined in section 30-28 of the county zoning ordinance.
2. The zoning administrator shall have the responsibility for determining compliance with these standards. Proposals for cluster subdivisions that, in the opinion of the zoning administrator, do not meet one (1) or more of the standards contained herein shall not be permitted by-right. Any such proposal shall be considered a special use and shall require a special use permit pursuant to section 30-19 of this ordinance. As part of the review of any special use permit application for a cluster subdivision, the planning commission may recommend, and the board of supervisors may approve, but shall not be obligated to approve, a waiver to any cluster subdivision standard contained in section 30-82-13.1(C) through 30-82-13.1(H) inclusive.

(C) General standards.

1. Minimum tract size of the cluster subdivision: **Ten (10) Five (5)** acres.
2. Public water and public sewer shall be provided to each lot within the proposed subdivision.
3. Property shall be excluded from the cluster subdivision option where, in the opinion of the zoning administrator, previous land disturbing activities have significantly altered a primary or secondary conservation area, to the extent that important features worthy of conservation have been destroyed or severely modified.
4. Allowable density **and minimum public street frontage requirements shall be based on the amount of minimum open space provided as outlined in the table below. :Five and one half (5.5) dwelling units per acre.**

Minimum Open Space	25% of the gross acreage of the tract	30% of the gross acreage of the tract	35% of the gross acreage of the tract	40% of the gross acreage of the tract	45% of the gross acreage of the tract
Minimum Public Street	50 feet	45 feet	40 feet	35 feet	30 feet

Zoning Ordinance Amendments – Cluster Subdivision Ordinance

Frontage					
Allowable Density	5.0 units per acre	5.5 units per acre	6.0 units per acre	6.5 units per acre	7.0 units per acre

(D) ~~Minimum lot, and~~ setback and frontage requirements.

1. There shall be no minimum lot area or setback requirements, however, the normal front, rear, ~~and~~ or side yard setback requirements must be maintained adjacent to any lot, ~~or portion thereof~~, or existing public street right of way not within the proposed cluster development.
2. ~~Minimum public street frontage: Forty-eight (48) feet~~ Lots shall front on a publicly owned and maintained street except as modified by section 30-82-13.1(F).

(E) Open space and conservation area requirements.

1. Minimum open space: ~~Forty-five (45)~~ Twenty-five (25) percent of the gross acreage of the tract. ~~If the gross acreage of the tract is comprised of conservation areas equaling or exceeding fifty (50) percent, no more than fifty (50) percent of the open space and conservation areas shall be required to be conserved.~~
2. To the greatest degree practicable, open space and conservation areas shall be designed in large blocks, connected wherever possible and designed to constitute a contiguous and cohesive unit of land. Open space and conservation area exemptions include:
 - a. No minimum or maximum lot size,
 - b. No public or private road frontage requirements, or
 - c. No lot width requirement regulations.

For lots with no public or private road frontage, a minimum twenty (20) foot access easement shall be provided for maintenance, pedestrian and emergency access.

3. Open space and conservation lots may be created in compliance with the terms of this ordinance and the Roanoke County Subdivision Ordinance. Any such lot proposed for platting shall be clearly designated on a subdivision plat reviewed and approved by the county. This plat shall contain notations and covenants that clearly forbid, in perpetuity, the use of the conservation lot for any type of residential dwelling, or other use or structure as prohibited by these provisions.

Zoning Ordinance Amendments – Cluster Subdivision Ordinance

4. A sidewalk or trail ~~shall~~ may be provided to and through the provided open space or conservation areas except for the following areas:
 - a. Environmentally sensitive areas that may include locations of species listed as endangered, threatened or of special concern; historic structures and sites; delineated wetlands or riparian zones outside the FEMA study area;
 - b. Unsafe areas including but not limited to sink holes, cliffs and areas prone to rock slides; and
 - c. Other areas if approved by the zoning administrator.

The location of any such trail shall be clearly marked, and the trail shall be constructed of a surface material that is appropriate to the terrain, and distinguishable to the user.

5. Ownership and maintenance of open space and conservation areas shall be one of the following:
 - a. Common land owned in perpetuity by the owners of lots in the development, through a homeowners, condominium or similar association. Provisions for the maintenance of the open space in perpetuity shall be approved by the zoning administrator in conjunction with plat approval.
 - b. Open space or conservation areas privately owned and maintained shall be allowed in order to preserve those attributes that qualify as open space or conservation areas. Deed restrictions and/or covenants shall encumber the property to prohibit further subdivision, development, or any other use of the open space. The following uses may be permitted in privately owned open space or conservation areas:
 1. Agricultural uses in existence prior to application for a cluster subdivision as determined by the zoning administrator; and
 2. Forested areas.
6. If required open space is located within a mapped greenway corridor, as depicted on the Greenway Conceptual Plan, as amended, at the time of submittal of the preliminary plat, then a greenway easement shall be dedicated to the County or their designated agent. The Zoning Administrator, in consultation with the Roanoke Valley Greenway Commission, shall determine the exact location and dimensions of the easement to be dedicated.

Zoning Ordinance Amendments – Cluster Subdivision Ordinance

7. Historic structures or sites may be included in open space or conservation areas. ~~A plan shall be submitted detailing how the historic structure or site will be preserved and maintained in perpetuity.~~
8. No building, building addition, structure, stormwater management area, street, driveway, parking area or any other type of physical land improvement shall be located within a required conservation area. Notwithstanding the above, gazebos, benches, or other sitting areas and trails may be developed in, and historic structures may be located within, conservation areas.
9. During the site review process, the Zoning Administrator shall consider the appropriateness of open space and conservation area configuration in terms of such factors as location, size, shape and topographic characteristics.

(F) Street and access requirements.

1. All residential lots within a cluster subdivision shall have frontage on and access to a publicly dedicated or maintained street or a private street constructed in accordance with the private road standards specified in the Roanoke County Design Handbook.

(G) Public water and sanitary sewer. Public water and sewer shall conform with the Western Virginia Water Authority design and construction standards, as amended.

(H) Cluster development process.

1. The applicant shall meet with the zoning administrator or his/her designee to review the requirements for a cluster subdivision prior to the preparation of the preliminary plat. A site visit shall be arranged to review the site and identify approximate locations of primary and secondary conservation areas. The applicant shall then have drawn, preferably by a licensed engineer/surveyor, architect or landscape architect, a property resource map. At a minimum this map shall include the following:
 - a. Total acreage and acreage of each primary and secondary conservation area and other open space areas.
 - b. Percent slope, in the following increments: Less than fifteen (15) percent, fifteen (15) to twenty-five (25) percent, greater than twenty-five (25) percent.
 - c. Flood plains, wetlands, and riparian zones outside the FEMA study area.
 - d. Historic structures and sites.

Zoning Ordinance Amendments – Cluster Subdivision Ordinance

- e. Designated view sheds and ridgeline preservation areas identified and mapped in the 1998 community plan.
- f. Greenway corridors mapped on the greenway conceptual plan.
- g. Elevations fifteen hundred (1,500) feet or greater above mean sea level.
- h. Healthy woodlands.
- i. Location of species listed as endangered, threatened, or of special concern.
- j. Productive agricultural and forested lands.

2. The applicant shall submit a preliminary plat in accordance with Article II of the county subdivision regulations. The following additional items shall be required to accompany the preliminary plat:

- a. All primary and secondary conservation areas and other required open space areas to be designated as permanent open space, shall be mapped as conservation lots and noted on the plat.
- b. All deed restrictions and covenants applicable to private streets, public services, open space, and cluster subdivision lots.
- c. The location of all building lots to be conveyed.

3. Once approval for the preliminary plat has been given, the applicant shall submit the final plat in accordance with Article III of the county subdivision regulations.



ROANOKE COUNTY

PLANNING

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Philip Thompson,
DIRECTOR OF PLANNING

PLANNING
TRANSPORTATION
ZONING

Memorandum

TO: Planning Commission

THROUGH: Philip Thompson, AICP
Director of Planning

FROM: Rebecca James, CZA, CTM
Zoning Administrator

DATE: April 13, 2023

SUBJECT: ***Zoning Ordinance Amendments: Industrial Use Types***

The Roanoke County Board of Supervisors adopted a resolution (attached) on March 14, 2023, requesting the Planning Commission to review industrial use type definitions in Section 30-29-6 of the Roanoke County Zoning Ordinance. Staff has researched several Virginia localities (information attached) and will review those findings with the Commission as well as the current industrial use type definitions (also attached) at the Commission's April 18th meeting.

Based on its research, staff is proposing the following Zoning Ordinance amendments (attached):

- Adding a definition for "data center" to Section 30-28;
- Amending the Industry, Type I use type definition to include more uses and/or descriptions; and
- Amending the Accessory Uses section for industrial use types.

If you have any questions, please contact me by phone at (540) 772-2134 or by email at james@roanokecountyva.gov.

Attachments

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE COUNTY, VIRGINIA HELD AT THE ROANOKE COUNTY ADMINISTRATION CENTER ON TUESDAY, MARCH 14, 2023

RESOLUTION 031423-6 DIRECTING THE ROANOKE COUNTY PLANNING COMMISSION TO STUDY AND PROVIDE RECOMMENDATION REGARDING WHETHER TO AMEND THE INDUSTRIAL USE TYPES SET FORTH AND DEFINED IN SECTION 30-29-6 OF THE ROANOKE COUNTY CODE

WHEREAS, Section 30-29-6 of the Roanoke County Code sets forth and defines "Industrial Use Types" as applied in the County's Zoning Ordinance; and

WHEREAS, it has been suggested that these use types might benefit from updates to reflect the nature of developing technologies, in order to facilitate desirable economic development in the County; and

WHEREAS, it is proposed that the Board refer this matter to the Planning Commission for review and recommendation.

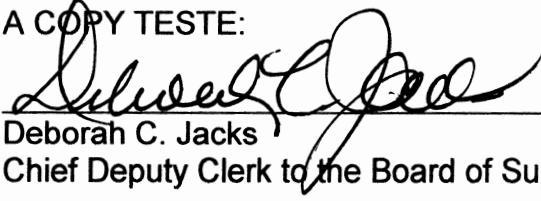
NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Roanoke County that this matter (whether to amend the industrial use types as set forth and defined in Section 30-29-6 of the County Code) be referred to the Planning Commission for study and recommendation.

On motion of Supervisor Mahoney to adopt the resolution, seconded by Supervisor Radford and carried by the following recorded vote:

AYES: Supervisors Peters, Mahoney, North, Radford, Hooker

NAYS: None

A COPY TESTE:


Deborah C. Jacks

Chief Deputy Clerk to the Board of Supervisors

cc: Philip Thompson, Director of Planning

Sec. 30-29-6. Industrial Use Types.

Asphalt plant: An establishment engaged in manufacturing or mixing of paving materials derived from asphaltic mixtures or tar.

Composting: Process by which animal wastes and plant discards are combined and manipulated to produce a soil additive/nutrient. Composting does not include the processing of municipal waste.

Construction yards: Establishments housing facilities of businesses primarily engaged in construction activities, including outside storage of materials and equipment. Typical uses are building contractor's yards.

Custom manufacturing: Establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving the use of hand tools, or the use of mechanical equipment commonly associated with residential or commercial uses, or a single kiln.

Industry, Type I: Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Included would be assembly electrical appliances, bottling and printing plants, and the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical production of items made of stone, metal or concrete.

Industry, Type II: 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. Included in this use type are industries involved in processing and/or refining raw materials such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

Industry, Type III: An establishment which has the potential to be dangerous or extremely obnoxious. Included are those in which explosives are stored, petroleum is refined, natural and liquid gas and other petroleum derivatives are stored and/or distributed in bulk, radioactive materials are compounded, pesticides and certain acids are manufactured, and hazardous waste is treated or stored as the establishment's principal activity.

Landfill, construction debris: The use of land for the legal disposal of construction and demolition wastes consisting of lumber, wire, sheetrock, broken brick, shingles, glass, pipes, concrete, and metals and plastic associated with construction and wastes from land clearing operations consisting of stumps, wood, brush, and leaves.

Landfill, rubble: The use of land for the legal disposal of only inert waste. Inert waste is physically, chemically and biologically stable from further degradation and considered to be nonreactive, and includes rubble, concrete, broken bricks, and block.

Landfill, sanitary: The use of land for the legal disposal of municipal solid waste derived from households, business and institutional establishments, including garbage, trash, and rubbish, and from industrial establishments, other than hazardous wastes as described by the Virginia Hazardous Waste Regulations.

Meat packing and related industries: The processing of meat products and byproducts directly from live animals or offal from dead animals.

Railroad facilities: Railroad yards, equipment servicing facilities, and terminal facilities.

Recycling centers and stations: A receptacle or facility used for the collection and storage of recyclable materials designed and labeled for citizens to voluntarily take source separated materials for recycling.

Resource extraction: A use involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operation, mining, and soil mining. Specifically excluded from this use type shall be grading and removal of dirt associated with an approved site plan or subdivision, or excavations associated with, and for the improvement of, a bona fide agricultural use.

Scrap and salvage services: Places of business primarily engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not intended for reuse in their original forms. Typical uses include towing services, paper and metal salvage yards, automotive wrecking yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.

Transfer station: Any storage or collection facility which is operated as a relay point for municipal solid waste which ultimately is to be transferred to a landfill.

Transportation terminal: A facility for loading, unloading and interchange of passengers, baggage and incidental freight or package express between modes of ground or water transportation, including bus terminals, railroad stations, marinas and public transit facilities.

Truck terminal: A facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.

Warehousing and distribution: Uses including storage, warehousing and dispatching of goods within enclosed structures, or outdoors. Typical uses include wholesale distributors, storage warehouses, moving/storage firms.

Other Locality Research:

Botetourt County:

DIVISION 15. - INDUSTRIAL DISTRICT M-1

Sec. 25-321. - Purpose.

The intent of Industrial District M-1 is to establish and preserve areas for industrial uses of such a nature that they do not create serious problems of compatibility with other kinds of land uses. These uses should be served by public water and sewerage or a suitable, approved community water and sewerage system. This district, and additions to existing districts, should be in proximity to other existing and/or planned commercial, industrial and institutional land use activities with utilities and superior road access.

Sec. 25-322. - Permitted uses.

The following uses are permitted by right, subject to compliance with all other requirements of this chapter,

and all other applicable regulations.

- (1) Manufacture, processing, fabrication and/or assembly of products having characteristics similar to but not limited to: scientific and precision instruments, photographic equipment, communication, computation equipment, drugs, medicines, pharmaceutical, household appliances, musical instruments, toys, novelties, sporting goods and athletic goods, boats, rubber and metal stamps, die-cut paperboard and cardboard, glass products made of purchased glass, pottery and ceramic products using only previously pulverized clay, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio, consumer electronics and TV receiving
- (2) Day care center.
- (3) Agriculture, horticulture, forestry.
- (4) Cabinet, furniture and upholstery shops.
- (5) Radio and television recording studio.
- (6) Monumental stone works.
- (7) Public utility generating, booster or relay stations, transformer substations, transmission

lines and towers and other facilities for the provision and maintenance of public utilities, including railroads and facilities and water and sewerage installations.

(8) Mini-warehouses.

(9) Wholesale businesses and storage warehouses

(10) Offices.

(11) Laboratories, pharmaceutical and/or medical uses

(12) Commuter parking lot

(13) Conference or training center.

(13) Auto body repair.

(14) Telecommunications towers, attached, subject to standards of section 25-441.

DIVISION 18. - PLANNED INDUSTRIAL PARK(PIP)

Sec. 25-381. - Purpose.

A Planned Industrial Park District is established primarily for light and medium industrial uses and necessary sensitive design to accommodate and complement existing natural features including extensive landscaping, low ground coverage by buildings, buildings of moderate height, and careful attention to such aesthetic considerations as location and size of signs, lighting, parking and service areas. This district should be located and developed in concert with locations and policies of the comprehensive plan.

This district, and additions to existing districts, should be in proximity to other existing and/or planned commercial, industrial and institutional land use activities with utilities and superior road access

Sec. 2382. Permitted uses.

(1) (19) Accessory uses in a building with a permitted principal use and occupying not more than twenty (20) percent of the floor area of such building.

a. Central reproduction and mailing services, and the like.

b. Restaurant, including carryout, but excluding drive-through.

c. Establishments for sale of office supplies and service of office equipment.

d. Establishments for sale of concessions and print media.

e. Pharmacies, laboratories, testing, engineering, research and developmental offices,

and establishments for the production, fitting or sale of optical or prosthetic appliances.

- (b) Sec. 25-383. - Uses permissible by special exception.
- (c)
- (d) The following uses may be permitted by the board of supervisors as special exception uses, subject to compliance with all other requirements of this chapter, and all other applicable regulations:
 - (e) Manufacture, compounding, processing, packaging or treatment of articles (of sizes less than four hundred (400) cubic feet) or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, clay, shale, stone, metals, shells, straw, textiles, tobacco, wood, yarn and paint.

Loudoun County:

CLI – Commercial Light Industry Attached

Prince George County:

ARTICLE X. - M-1 LIMITED INDUSTRIAL DISTRICT

Sec. 90-441. - General description; intent.

The primary purpose of the M-1 limited industrial district is to permit certain industries which do not in any way detract from residential desirability to locate in any area adjacent to residential uses. The limitations on or provisions relating to height of buildings; horsepower; heating; flammable liquids or explosives; controlling emission of fumes, odors and noise; landscaping; and the number of persons employed are imposed to protect and foster adjacent residential desirability while permitting industries to locate near a labor supply.

Sec. 90-442. - Permitted uses.

In the M-1 limited industrial district, any structure to be erected or land to be used shall be for one or more of the following uses:

- (1) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs. Also the manufacture of small parts, such as coils, condensers, transformers and crystal holders.
- (2) Laboratories, pharmaceutical and medical.
- (3) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods,

candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.

- (4) Manufacture, compounding, assembling or treatment of articles of merchandise from previously prepared materials including bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semiprecious metals or stone, shell, straw, textiles, tobacco, wood, yarn and paint.
- (5) Manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay and kilns fired only by electricity or gas.
- (6) Manufacture of musical instruments, toys, novelties and rubber and metal stamps.
- (7) Feed and feed stores.
- (8) Cabinets, furniture and upholstery shops.

Spotsylvania County:

Industrial/flex means any structure occupied by two (2) or more of the following uses: contractor's offices and shops; establishments for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products; warehousing establishments; wholesale trade establishments; and offices; provided however that the combined area of all office, both as a principal use and as an accessory use, shall not exceed thirty-five (35) percent of the total gross floor area of the structure. For the purpose of this chapter, when any of the above uses are permitted by right in the applicable zoning district, such uses may be combined within a single structure in accordance with the provisions of that district, and shall not be deemed industrial/flex.

Industry, type I means enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Included are assembly of electrical appliances, bottling and printing plants, brewery, winery, cidery, distillery, and the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemical production of items made of stone, metal or concrete.

Industry, type II means 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. Included in this use type are industries involved in processing and/or refining raw materials such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

Louisa County:

Industry, light. Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc. Use may include, but are not limited to, a machine shop, the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, paper products (but not the manufacture of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, any other product of a similar nature.

Industry, medium. 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. Medium industry produces moderate external effects such as smoke, noise, soot, dirt, vibration, odor, etc.

Data center. An enclosed facility, or part thereof, used to house computer systems and associated components, such as telecommunications and storage systems. Data centers generally include redundant or backup power supplies, redundant data communications connections, specialized environmental controls and various security devices.

IND Industrial, I-1 and I-2 attached districts

Nelson County:

ARTICLE 18. LIMITED INDUSTRIAL M-1

Statement of intent.

This district is intended to provide for and encourage limited industries to locate and/or expand in order to foster development of the local economy. These industries are generally light industrial which are office oriented or oriented toward the manufacturing, processing, assembly, warehousing and/or distributing of goods and materials which are dependent upon previously prepared raw materials refined or processed elsewhere. It is expected that uses in this district be to be operated from within a building.

18-1 *Uses—Permitted by right.*

The following uses shall be permitted by right in Limited Industrial Districts subject to the regulations of Article B.

18-1-1 Dwellings and agricultural uses existing at the time the land is zoned in this district

18-1-2 Manufacturing, assembly, data processing, computing, warehousing, research and development, wholesaling, tele-marketing and similar industrial uses provided there is no air discharge requiring smoke stack approval and the use complies with Section 18- 4

18-1-3 Office Complex - a minimum of 100,000 square ft. lot with a minimum aggregate in one (1) or more building of 5,000 square ft. of gross floor area

18-1-4 Public utility: Generating, booster or relay stations, transformer substations, transmission lines with support structures, and other facilities for the provision and maintenance of public utilities, including railroads and facilities, water and sewage installations, water storage tanks, and wooden telephone poles for electric, telephone lines and similar lines O2011-04

18-1-4 Communication towers subject to Article 20, Communication Tower Ordinance 18-1-5 Small wind energy system, per requirements in Article 22 of these regulations O2009-12

18-1-6 Distillery O2014-06

18-1-7 Brewery O2014-06

18-1-8 Winery O2017-02

Albemarle County:

Industrial Matrix Chart attached

Data center. "Data center" means a facility used to house computer systems and associated components, such as telecommunications and storage systems and which may include redundant or backup power supplies, redundant data communications connections, environmental controls such as air conditioning or fire suppression, and security devices.

- a. *Accessory uses and structures.* Accessory uses and structures are permitted within each industrial district, subject to the following:
 1. *When accessory use is permitted.* No accessory use is permitted until the primary use to which it is accessory has been established.
 2. *When accessory structure is permitted.* No accessory structure is permitted until either construction of the primary structure or the primary use to which it is accessory has commenced.
 3. *Prohibited accessory uses and structures.* Parking structures, stand alone parking and drive- through windows are permitted only as provided in subsection (a) and not otherwise as accessory uses. The storage of sludge or toxic wastes, or both, is prohibited as an accessory use; provided that the temporary storage of sludge or toxic wastes awaiting proper disposal is a permitted accessory use.
- b. *Prohibited primary uses and structures.* The following uses and structures are prohibited as primary uses within each industrial district:
 1. *Incinerators.* The establishment or use of an incinerator.
 2. *Manufacture of certain products.* The manufacture of acetylene gas, acid, ammonia, bleaching powder, chlorine, detergent and cleaning preparations made from animal fats, explosives, fireworks, fish meal, nitrogenous tankage, paints, varnish, shellac that requires distillation or heating ingredients, vinegar that is not derived from an agricultural product, phosphates, and turpentine.
 3. *Sludge.* The storage of sludge.
 4. *Toxic wastes.* The disposal or storage of toxic wastes regulated under the federal Toxic Substances Control Act (15 U.S.C. § 2601 *et seq.*), provided that placing toxic wastes for their lawful collection and disposal by a third party is not prohibited.

Roanoke City:

I-1, I-2 Permitted Use Chart attached.

Manufacturing—Beverage or food processing: A facility where beverages or foods, excluding poultry and animal slaughtering and dressing, are processed and packaged for local, regional, or national distribution. Bottling facilities are included in this use type.

Manufacturing—General: An establishment engaged in the processing, fabrication, assembly, or mixing of materials to create a new product, and the incidental storage, sales, and distribution of such products, but excluding any use or establishment which is otherwise listed specifically in the Use Tables in [Article 3](#) of this chapter.

Manufacturing—Wood products: A facility where logs or partially processed cants are sawn, split, shaved, stripped, chipped, or otherwise processed to produce wood products. This use type includes lumber mills, sawmills, and planing mills.

King George County:

Data center. A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

Prince William County:

M-1 and M-2 Districts and secondary uses

Hazardous material or process (HAZMAT) shall mean, for the purposes of this chapter, a hazardous material or process shall be any substance or activity involving any substance listed in 40 CFR Part 355, Appendix A, as an Extremely Hazardous Substance (EHS) when that substance is stored, generated, used or released in quantities equal to or greater than the lowest quantity listed for either the Threshold Planning Quantity (TPQ) or Reporting Quantity (RQ) for the substance.

Manufacture, manufacturing shall mean the processing and converting of raw, unfinished materials or products, into articles or substances of different character, or for a different purpose.

Manufacturing plant reuse shall mean any plant conversion or retooling causing a change in production process from one involving non-hazardous material/waste to one involving hazardous material/waste or a change from one use permitted in the zoning district to a different use.

Non-HAZMAT: See "Hazardous material or process (HAZMAT)".

Research and development shall mean a facility primarily used for the administration and conduct of investigation, examination, prototype production, experimentation, testing, and/or training aimed at the discovery and interpretation of facts, theories, and/or the practical application of the above to products or processes. Prototype manufacturing shall be permitted as an accessory use.

Testing and experimental laboratories (HAZMAT) shall mean testing and production facilities, including storage, (not specifically mentioned elsewhere) involving significant amounts of hazardous materials or operations. See "Hazardous material or process".

Data Center shall mean a use involving a building/premise in which the majority of the use is occupied by computers and/or telecommunications and related equipment, including supporting equipment, where information is processed, transferred and/or stored.

Montgomery County:

M-L Attached

- (a) Manufacture of musical instruments, toys, novelties, rubber and metal stamps.
- (b) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
- (c) Manufacturing, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, rubber, precious or semiprecious metals or stones, shell, straw, textiles, tobacco, wood, yarn and paint.

Section 3-900**CLI - Commercial Light Industry.****3-901**

Purpose. The purpose of the CLI district is to accommodate a mix of similar and compatible office and industrial uses, and related supportive commercial retail and service uses along the Route 50/John Mosby Highway Corridor. The CLI district shall have limited traffic and aesthetic impacts on surrounding properties and on supporting public facilities and utilities. The CLI district is intended to generate development through the use of creative design that will enhance the character of the surrounding area and contribute to the development of a distinctive gateway along the Route 50 corridor. The district may allow tourist supportive uses to serve visitors and maximize on opportunities afforded by its proximity to the Air and Space Museum.

3-902

Size and Location. The CLI district is mapped only along the eastern end of Route 50 as depicted on the Zoning Map. The rezoning of land to CLI in other areas of the County shall not be permitted.

3-903

Permitted Uses. The following uses shall be permitted in the CLI district subject to the requirements of these regulations including, but not limited to Section 3-907(F), unless otherwise stated, and all other applicable Performance Criteria of Section 3-907.

- (A) Adult day care facility.
- (B) Animal hospital.
- (C) Bakery, commercial.
- (D) Business service establishment, pursuant to Section 5-661.
- (E) Child care center, pursuant to Section 5-609(B).
- (F) Church, synagogue and temple.
- (G) Conference and Training Center.
- (H) Dwelling, single family, accessory to permitted or special exception uses.
- (I) Educational institution.
- (J) Establishments for assembly, fabrication, processing, production and/or manufacturing of goods or products, pursuant to Section 3-907(J).
- (K) Fire and/or rescue station.

- (L) Flex industrial uses, pursuant to Section 5-608.
- (M) Funeral home or mortuary.
- (N) Health and fitness center.
- (O) Hotel/Motel, 75 rooms or greater, pursuant to Section 5-611.
- (P) Mass transit facilities.
- (Q) Medical care facility, outpatient only.
- (R) Nursery, commercial, pursuant to Section 5-605.
- (S) Office, administrative, medical, business and professional.
- (T) Park, public.
- (U) Police Station.
- (V) Post office, drop off and pick up.
- (W) Postal service, including overnight mail distribution facility.
- (X) Printing service.
- (Y) Public utility service center, without outdoor storage.
- (Z) Research, experimental, testing or development activities.
- (AA) Sewer pumping station.
- (BB) Telecommunications antenna, pursuant to Section 5-618(A).
- (CC) Telecommunications monopole, pursuant to Section 5-618(B)(1).
- (DD) Utility substation, dedicated.
- (EE) Utility substation, distribution, pursuant to Section 5-616.
- (FF) Veterinary service.
- (GG) Warehousing facility.
- (HH) Water pumping station.
- (II) Wholesale trade establishment, pursuant to Section 5-663.

- (JJ) Facility for lessons in dance, gymnastics, judo and sports training.
- (KK) **Reserved.**
- (LL) Kennel, indoor, pursuant to Section 5-606.
- (MM) Convention or exhibition facility, 25,000 sq. ft. or less, with no direct access to Route 50.
- (NN) Auxiliary uses, pursuant to Section 3-907(O).
- (OO) Accessory uses, pursuant to Section 3-907(E).
- (PP) Museum or Exhibition Facility, with no direct access to Route 50.
- (QQ) Antique shop; Art gallery, pursuant to Section 5-650(B)(1) and (2).
- (RR) Banquet/Event Facility, 25,000 sq. ft. or less, with no direct access to Route 50.

3-904

Special Exception Uses. The following uses may be permitted by the Board of Supervisors and, if approved, may be subject to certain conditions, pursuant to the provisions in Section 6-1300. In addition, the uses listed below shall be developed in accordance with Section 3-907(F) and all other applicable Performance Criteria.

- (A) Automotive Service Station.
- (B) Bank or Financial Institution, pursuant to Section 5-659.
- (C) Convenience food store with or without gas pumps, pursuant to Section 5-617.
- (D) Convention or exhibition facility.
- (E) Car wash.
- (F) Contractor Service Establishment, pursuant to Section 5-662.
- (G) Distribution Facility.
- (H) Heliport or helistop.
- (I) Motor vehicle rental.
- (J) Motor vehicle sales.
- (K) Motor vehicle service and repair, light.

- (L) Personal service establishment.
- (M) Private club or lodge.
- (N) Public utility service, with outdoor storage.
- (O) Radio, radar and/or television tower.
- (P) Restaurant, including fast-food, with or without drive-through, not otherwise permitted per 3-907(E) and 3-907(O).
- (Q) Retail sales establishment.
- (R) Sewage treatment plant.
- (S) Telecommunications monopole, pursuant to Section 5-618(B)(2).
- (T) Telecommunications tower, pursuant to Section 5-618(C)(2).
- (U) Utility substation, transmission, pursuant to Section 5-616.
- (V) Utility transmission lines, overhead.
- (W) Water storage tank.
- (X) Water treatment plant.
- (Y) Library.
- (Z) Banquet/Event Facility.
- (AA) Continuing Care Facility, pursuant to Section 3-907(P).
- (BB) Craft Beverage Manufacturing, pursuant to Section 5-668, by Minor Special Exception.
- (CC) Data center, pursuant to Section 5-664.

3-905

Lot Requirements.

- (A) **Size.** One (1) acre minimum. Any lot less than two (2) acres shall have no direct access to Route 50, regardless of whether Section 3-907(F) is met.
- (B) **Width.** 200 feet minimum.
- (C) **Depth.** 200 feet minimum.

(D) Yards.

- (1) **Adjacent to Roads.** Except where a greater setback is required by Section 5-1403(B), thirty five (35) feet for building; twenty five (25) feet for parking.
- (2) **Adjacent to Parcel Boundaries.**
 - (a) **With Other Nonresidential Districts.** Fifteen (15) feet minimum for buildings; ten (10) feet minimum for parking, outdoor storage, and loading areas, and areas for the collection or storage of refuse, except where a greater yard is required by Section 5-1400. In the event that a single parcel is zoned for more than one non-residential zoning district, the applicable yard requirement shall be applied only at the property line and not at the zoning district line. The Zoning Administrator may waive the parking yard requirement when necessary to permit shared parking and access arrangements between uses on individual parcels.
 - (b) **With Residential Districts.** Twenty-five (25) feet minimum. No building, parking, loading/unloading areas, outdoor storage, or areas for the collection or storage of refuse shall be permitted in any required yard adjacent to a residential zoning district.

3-906

Building Requirements.

- (A) **Lot Coverage.** .45 maximum; up to .60 maximum by Special Exception.
- (B) **Building Height.** Sixty (60) feet maximum provided that a building may be erected to a maximum height of one hundred (100) feet if it is set back from streets or from lot lines that do not constitute boundaries of districts with lower maximum height restrictions, in addition to each of the required minimum yard dimensions, a distance of not less than one (1) foot for each additional one (1) foot of building height that exceeds the sixty (60) foot limit. Additional height limitations for areas or building sites or lots directly under an airport runway flight path may be imposed in accordance with applicable Federal Aviation Administration regulations.
- (C) **Base Floor Area Ratio (FAR).** 0.40 maximum.

(D) Adjusted Base Floor Area Ratio (FAR).

(1) The base floor area ratio in the CLI district may be increased on certain parcels by approval of the Zoning Administrator, upon demonstration of one or more of the following:

(a) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties is located within 600 feet of the right-of-way of Route 50 if:

(i) Such properties are not located at an existing median break of such road; and

(ii) The owner(s) of such properties permanently relinquish direct access to Route 50; and

(iii) The owner(s) of such properties form shared access agreements with the owner(s) of adjoining properties that enable controlled access to such road for multiple uses. Such shared access agreements shall remain in effect in perpetuity or until future public road improvements provide alternative access to the subject parcels that alleviates the need for the original shared access agreement. The shared access agreement shall be depicted on the site plan(s) for the subject parcels and shall include all infrastructure improvements necessary to enable the safe and efficient access of each parcel as determined by the Department of Transportation and Capital Infrastructure and VDOT.

(b) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties are located within 600 feet of the right-of-way of Route 50 if the owner(s) of such properties file a unified plan for development with contiguous parcels of land which, when combined, total at least 20 acres. For the purposes of this Section, a unified plan for development shall mean: (1) development involving multiple parcels that is approved with a single site plan application and (2) all parcels subject to the unified plan for development shall share no more than one point of

access onto Route 50. Single entity ownership is not required, but a single commercial owners association shall be formed as evidenced by a Declaration of Covenants that sets forth maintenance, design standards, etc.

- (c) A density increase of 0.1 FAR above the base floor area ratio shall be granted to properties where any portion of such properties are located within 600 feet of the right-of-way of Route 50 if the owner(s) of such properties maintain a parking setback of 150 feet and a building setback of 300 feet from the right-of-way of Route 50.
- (2) The density increase can be granted singly or cumulatively, up to a maximum of .60 FAR.

3-907

Performance Criteria. The purpose of the following sections is to achieve a design whereby buildings are located, oriented and designed to respect the natural landscape, principles of energy conservation, relationships to surrounding properties and buildings, views from major arterials, site access and circulation needs, and the desired overall character of the district as a principal gateway into Loudoun County.

- (A) **Transportation Design.** Transportation elements shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular or pedestrian traffic at intersections with traffic controls such as traffic lights, stop signs or traffic calming features. Left-turn storage and right turn lanes and/or traffic dividers shall be required where existing or anticipated heavy flows indicate need. In general, minor streets shall not be connected with streets outside the district in such a way as to encourage the use of such minor streets by substantial amounts of through traffic. To the maximum extent feasible, land development applications shall identify opportunities and methods for shared access and inter-parcel linkages.
- (B) **[RESERVED]**
- (C) **Landscaped Open Space.** Minimum landscaped open space on any individual lot shall not be less than .10 times the buildable area of the lot.
- (D) **Off-Street Parking and Loading Facilities.** All off-street parking spaces shall be within 500 feet by safe and convenient pedestrian routes of entrances to the buildings the parking spaces are intended

to serve. No off-street parking or loading facilities shall be located in required landscaped yards. Off-street parking areas shall, to the maximum extent feasible, be located to the rear of the buildings.

(E) **Accessory Uses.** The following accessory uses shall be permitted in the district:

- (1) Warehousing, indoor storage and distribution associated with a permitted use, but excluding the bulk storage of gasoline, petroleum products, natural gas and chemicals.
- (2) Retail sales and personal service uses for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the floor space of the principal use of the building.
- (3) Outdoor storage for permitted and/or special exception uses, not to exceed twenty-five percent (25%) of the gross lot area. No storage of any kind shall be permitted within any required yard.
- (4) Restaurant and restaurant carry-out.

(F) **Access Limitation for Certain Uses.** For all uses listed in Section 3-903 unless otherwise stated, and all uses listed in Section 3-904, such uses shall be permitted to have direct access to Route 50 (i) only if the property owner can demonstrate that the subject property does not have legal access to any public road other than Route 50 and does have legal access to the location of a planned Route 50 Parallel Road, as shown on the Countywide Transportation Plan (CTP), as amended, and (ii) provided that such access, if permitted, shall be limited to right-turn-in and right-turn-out entrances to and from Route 50 only as approved by VDOT. Prior to approval of a site plan for these uses, property owners must execute and record an instrument, in form as reviewed and approved by the County, which obligates such owner and successors to relinquish all such direct access rights and close off all direct access to Route 50, at no cost to the County or VDOT, or permit the County or VDOT to close off all direct access without compensation, when alternative access to the site becomes available via public or private street adjacent to the owner's parcel or via other means, such as an available private access easement that provides access to any such public or private street.

(G) **Vehicular Access and Circulation.** Primary access and through vehicular traffic impacting residential neighborhoods shall be avoided. Minor streets shall not be connected with streets outside

the district in such a way as to encourage the use of such minor streets by through and construction traffic.

(H) **Pedestrian Access and Circulation.** Pedestrian ways shall be incorporated into each development so as to minimize conflicts with vehicular traffic and to enable safe and convenient pedestrian access to all buildings, parking and other facilities. Pedestrian ways shall be extended to adjacent properties and shall connect uses within individual developments. Land development applications shall delineate the on-site pedestrian system and provide connections to such systems in adjacent developments as well as public networks, if applicable.

(I) **Utility Requirements.** All new utility distribution lines in the CLI district shall be placed underground.

(J) **Prohibited Uses.** The following manufacturing uses shall not be permitted:

- (1) Distillation of coal, wood or bones.
- (2) Fertilizer manufacture.
- (3) Fireworks.
- (4) Garbage incineration other than in municipal plants.
- (5) Mixing or batching plants for asphalt, concrete, brick or other paving and construction materials.
- (6) Petroleum, alcohol or asphalt refining, mixing or manufacture or storage.
- (7) Material recovery facility.
- (8) Any other use similar to the above excepted uses which is likely to be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other causes.

(K) **Uniform Landscaping for Front Yard Areas Adjacent to Route 50.**

- (1) All parcels with frontage on Route 50 shall include landscaping in accordance with the Gateway Corridor Buffer Yard under Section 5-1403(E).

(L) **Compatibility.** Architectural treatment of buildings, to include materials, color, and style, shall be compatible with buildings located within the same project. Compatibility may be achieved through the use of similar building massing, scale, materials, colors, and other architectural features. For the purposes of this section, a project is defined as a development that is planned, developed or managed as a unit.

(M) **Building Orientation.** The front facade and principal public entrance of all buildings shall be oriented toward an adjacent public street.

(N) **Screening of Mechanical Equipment.** Mechanical equipment, whether ground level or rooftop, shall be screened from view from adjacent properties and public rights-of-way in accordance with Section 5-1406 and designed to be perceived as an integral part of the principal building. For the purposes of this section, mechanical equipment shall include, but not be limited to, satellite dishes, exhaust fans, HVAC equipment, and roof access ladders. In cases where parapets are used to screen rooftop equipment, the maximum height of the parapet shall be equal to the top of the highest mechanical unit but shall not exceed the maximum height allowed in the district by more than 3 feet.

(O) **Auxiliary Uses.** The uses listed below shall be permitted on a stand-alone basis, if they are auxiliary to the district and are developed as part of a unified plan for development, in accordance with Section 3-906(D)(1)(b), that contains at least one of the following permitted uses: (i) Establishment for assembly, fabrication, processing, production and/or manufacturing of goods or products; (ii) Flex-industrial uses; (iii) Office, administrative, medical, business and professional; (iv) Research, experimental, testing or development activities; (v) Educational institution; (vi) Hotel/motel; (vii) Museum or Exhibition Facility.

- (1) Restaurant, including fast food with drive-through.
- (2) Convenience food store.
- (3) Bank or financial institution, pursuant to Section 5-659.
- (4) Personal service establishments.
- (5) Banquet/Event Facility, 25,000 sq. ft. or less.

(P) **Continuing Care Facility.** Continuing Care Facilities shall be permitted in the CLI zoning district subject to the following additional provisions:

- (1) **Size, Density and Location.** The maximum lot size shall not exceed twenty (20) acres. The maximum density shall not exceed 16 units per acre. The use shall only be located as follows:
 - (a) In areas served by public water and sanitary sewer.
 - (b) With access only from a collector road.
 - (c) Buildings and parking shall be setback a minimum of three hundred (300) feet from Route 50.
- (2) **Required Uses.** All continuing care facilities located in the CLI zoning district shall provide the following, subject to the requirements and limitations of these regulations:
 - (a) A minimum of two (2) of the following types of care shall be provided:
 - (i) Congregate Living Facility, limited to a maximum of sixty-five percent (65%) of the total number of units provided.
 - (ii) Adult Assisted Living.
 - (iii) Nursing Home.
 - (b) Clubhouse or common areas, solely for the residents, employees and their guests, including but not limited to meeting rooms, auditorium, theater, business office, and recreational facilities and other uses related to adult age-restricted community living.
 - (c) Ancillary retail uses only for continuing care facilities, such as grocery/convenience food store, pharmacy, medical services, barber shop, beauty shop, personal care facilities, eating and drinking establishments, library, bank and financial institutions (without drive-through), business services, laundry, cleaners, or other similar retail uses. The floor area for retail and community service uses shall not exceed ten percent (10%) of the gross residential floor area of the buildings.

- (d) Swimming pool.
- (e) Health and fitness center.
- (f) Bus shuttle service.
- (g) A minimum of thirty-five percent (35%) of the total land area shall consist of parks and/or open space.

(3) **Yard Requirements.** Notwithstanding the requirements found in Section 3-905(D), the following yards shall be provided:

- (a) **Adjacent to roads.** Except where a greater setback is required by Section 5-1403(B), thirty-five (35) feet for buildings and twenty-five (25) feet for parking. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and streets where such uses are visible from any road.
- (b) **Adjacent to Nonresidential Districts and Uses.** No building shall be permitted closer than fifty (50) feet to any nonresidential district, any existing or planned nonresidential district, or land bay or lot allowing nonresidential uses. No parking shall be permitted closer than twenty-five (25) feet to any such area. No parking, outdoor storage, areas for collection of refuse, or loading space shall be permitted in areas between buildings and such nonresidential districts, existing or planned nonresidential districts, or land bays allowing nonresidential uses where such uses are visible from said nonresidential areas.

(4) **Development Criteria.** The following recreational, educational, and cultural facilities solely for the residents, employees and their guests shall be located on site or within ten (10) miles of the site. If facilities are not provided on site, a guaranteed use of and vehicular or other guaranteed means of transportation to such facilities for the residents of the development shall be provided.

- (a) Golf course (minimum 18 holes).
- (b) Chapel.

- (c) Medical care facility, outpatient only.
- (d) Recreation space, passive.

(5) **Age of Residents.** Continuing care facilities in the CLI zoning district shall be subject to a homeowner's association, as evidenced by a Declaration of Covenants reviewed and approved by the County that specifies the age-restricted nature of the proposed use. A development designated for an age-restricted development shall be in accordance with Virginia Code, Section 36-96.7, as amended, and shall include in the homeowner's association Declaration of Covenants policies and procedures which:

- (a) Ensure that at least eighty percent (80%) of the units are occupied by at least one person 55 years of age or older per unit; and
- (b) Demonstrate intent by the owner or manager to provide housing for persons 55 years of age or older.

Sec. 86-239. - Industrial (IND) district—Statement of intent; policy guidance.

The primary purpose of the industrial (IND) district is to establish areas where the principal use of land is for light or medium industrial operations, that are capable of controlling external effects and that may not be particularly compatible with residential, institutional and neighborhood commercial service establishments. The specific intent of this district is to:

- (1) Encourage the development of and the continued use of land designated for light or medium industrial purposes; and
- (2) Discourage residential and general commercial use of the land, and to discourage any other use which would substantially interfere with the development, continuation or expansion of heavy commercial and industrial uses in the district; and
- (3) Apply only to properties currently zoned industrial (IND), as of December 12, 2007, and prohibit any additional properties to be reclassified to this industrial (IND) zoning district.

Sec. 86-240. - Permitted uses—Generally.

In the industrial district (IND), any building to be erected or land to be used shall be for one or more of the following uses:

AGRICULTURAL

Agricultural activity passive

Brewery, major

Distillery, major

Forestry

Sawmill, temporary

Sawmill, temporary non-commercial

Winery, major

RESIDENTIAL**CIVIC**

Utility service, minor

COMMERCIAL

Contractor's offices and shop

Financial institution

Funeral home

General office

Guidance services

Medical office

Veterinary hospital/clinic

INDUSTRIAL

MISCELLANEOUS

Amateur radio tower

Solar generation facility, small-scale

Sec. 86-241. - Accessory uses.

The following named uses may be permitted in the industrial (IND) district as accessory to the primary use of the subject property:

- (1) Uses and structures, which are customarily accessory and clearly incidental and subordinate to the principal uses and structures on site, and which are not explicitly prohibited by this ordinance.
- (2) Retail or commercial uses, which involves the sale or trade of products that are manufactured or assembled on site, along with products or services that are directly related to the primary use of the property.

Sec. 86-242. - Permitted uses with a conditional use permit.

The following named uses may be permitted in the industrial district (IND) upon issuance of a conditional use permit by the board of supervisors:

AGRICULTURAL

Abattoir

Agricultural operation

Sawmill, permanent

RESIDENTIAL

CIVIC

Civic use

Emergency shelter

Post office

Public maintenance and service facility

Recycling center

Religious assembly

Refuse collection site

Shelter

Utility service, major

COMMERCIAL

Business or trade school

Clinic

Communications service

Construction sales and service

Construction yard

Consumer repair service

Custom manufacturing

Equipment sales and rental

Halfway house

Hospital

Kennel, commercial

Mini-warehouse

Parking facility

Shooting range, indoor

Shooting range, outdoor

Surplus sales

Transportation terminal

Truck terminal

INDUSTRIAL

Industrial, light

Industrial, medium

Laboratory

Motor vehicle towing services

Railroad facility

Research and development

Resource extraction

Salvage and scrap service

Transfer station

Warehousing and distribution

MISCELLANEOUS

Aviation facility

Broadcasting or communication tower

Outdoor gathering

Solar generation facility, minor scale

Solar generation facility, utility scale

(Res. of 1-18-22(2022-2))

Sec. 86-243. - Requirements for permitted uses.

Before a building permit shall be issued or construction commenced on any permitted use in the industrial district (IND), or a zoning permit issued for a new use, the plans, drawn in sufficient detail to show the operations and processes, shall be submitted to the zoning administrator for study. The administrator

shall refer these plans to the planning commission for its recommendation. Modification of the plans may be required before a permit is issued.

Sec. 86-258. - Industrial limited (I-1) district—Statement of intent; policy guidance.

The primary purpose of the industrial limited (I-1) district is to establish areas where the principal use of land is for light or medium industrial operations, that are capable of controlling external effects and that may not be particularly compatible with residential, institutional and neighborhood commercial service establishments. The specific intent of this district is to:

- (1) Encourage the development of and the continued use of land designated for light or medium industrial purposes; and
- (2) Prohibit residential and general commercial use of the land, and to prohibit any other use which would substantially interfere with the development, continuation or expansion of light or medium industrial uses in the district.

Industrial (I-1) development in the rural areas of the county should primarily be permitted upon the issuance of a conditional use permit by the board of supervisors. This provides a means by which suitable development standards can be required to shield adjoining and adjacent agricultural areas from the more intensive industrial development.

Sec. 86-259. - Permitted uses—Generally.

AGRICULTURAL

Agricultural activity passive

Brewery, major

Distillery, major

Forestry

Sawmill, temporary

Sawmill, temporary non-commercial

Winery, major

RESIDENTIAL

CIVIC

Utility service, minor

COMMERCIAL

Contractor's office and shop

Financial institution

Funeral home

General office

Guidance services

Medical office

Veterinary hospital/clinic

INDUSTRIAL

MISCELLANEOUS

Amateur radio tower

Solar generation facility, small-scale

Sec. 86-260. - Accessory uses

The following named uses may be permitted in the industrial limited (I-1) district as accessory to the primary use of the subject property:

- (1) Uses and structures, which are customarily accessory and clearly incidental and subordinate to the principal uses and structures on site, and which are not explicitly prohibited by this ordinance.
- (2) Retail or commercial uses, which involves the sale or trade of products that are manufactured or assembled on site, along with products or services that are directly related to the primary use of the property.

Sec. 86-261. - Permitted uses with a conditional use permit.

AGRICULTURAL

Abattoir

Agricultural operation

Sawmill, permanent

RESIDENTIAL

CIVIC

Civic use

Emergency shelter

Post office

Public maintenance and service facility

Recycling center

Refuse collection site

Religious assembly

Shelter

Utility service, major

COMMERCIAL

Business or trade school

Clinic

Communications service

Construction sales and service

Construction yard

Consumer repair services

Custom manufacturing

Equipment sales and rental

Halfway house

Hospital

Kennel, commercial

Mini-warehouse

Parking facility

Shooting range, indoor

Shooting range, outdoor

Surplus sales

Transportation terminal

Truck terminal

INDUSTRIAL

Industrial, light

Industrial, medium

Laboratory

Motor vehicle towing services

Railroad facility

Research and development

Resource extraction

Salvage and scrap service

Transfer station

Warehousing and distribution

MISCELLANEOUS

Aviation facility

Broadcasting or communication tower

Outdoor gathering

Solar generation facility, minor scale

Solar generation facility, utility scale

(Res. of 1-18-22(2022-2))

Sec. 86-262. - Requirements for permitted uses.

Before a building permit shall be issued or construction commenced on any permitted use in industrial limited (I-1) district, or a zoning permit issued for a new use, the plans, drawn in sufficient detail to show the operations and processes, shall be submitted to the zoning administrator for study. The administrator shall refer these plans to the planning commission for its recommendation. Modification of the plans may be required before a permit is issued.

Sec. 86-276. - Industrial general (I-2) district—Statement of intent; policy guidance.

The primary purpose of the industrial general (I-2) district is to establish areas where the principal use of land is for medium or heavy industrial operations, that may create some nuisance, and that are not properly associated with, nor compatible with residential, institutional and neighborhood commercial service establishments. The specific intent of this district is to:

- (1) Encourage the development of and the continued use of land designated for medium or heavy industrial purposes; and
- (2) Prohibit residential and general commercial use of the land, and to prohibit any other use, which would substantially interfere with the development, continuation or expansion of medium or heavy industrial uses in the district.

Industrial (I-2) development in the rural areas of the county should primarily be permitted upon the issuance of a conditional use permit by the board of supervisors. This provides a means by which suitable development standards can be required to shield adjoining and adjacent agricultural areas from the more intensive industrial development.

Sec. 86-277. - Permitted uses—Generally.

AGRICULTURAL

Agricultural activity passive

Brewery, major

Distillery, major

Forestry

Sawmill, permanent

Sawmill, temporary

Sawmill, temporary non-commercial

Winery, major

RESIDENTIAL

CIVIC

Utility service, minor

COMMERCIAL

Contractor's offices and shop

INDUSTRIAL

MISCELLANEOUS

Amateur radio tower

Solar generation facility, small-scale

Sec. 86-278. - Accessory uses.

The following named uses may be permitted in the industrial general (I-2) district as accessory to the primary use of the subject property:

- (1) Uses and structures, which are customarily accessory and clearly incidental and subordinate to the principal uses and structures on site, and which are not explicitly prohibited by this ordinance.
- (2) Retail or commercial uses, which involves the sale or trade of products that are manufactured or assembled on site, along with products or services that are directly related to the primary use of the property.

Sec. 86-279. - Permitted uses with a conditional use permit.

AGRICULTURAL

Abattoir

Agricultural operation

RESIDENTIAL

CIVIC

Public maintenance and service facility

Recycling center

Refuse collection site

Religious assembly

Utility service, major

COMMERCIAL

Construction sales and service

Construction yard

Custom manufacturing

Shooting range, indoor

Shooting range, outdoor

Surplus sales

INDUSTRIAL

Industrial, light

Industrial, medium

Industrial, heavy

Laboratory

Motor vehicle towing services

Railroad facility

Research and development

Resource extraction

Salvage and scrap service

Transfer station

Warehousing and distribution

MISCELLANEOUS

Aviation facility

Broadcasting or communication tower

Solar generation facility, minor scale

Solar generation facility, utility scale

(Res. of 1-18-22(2022-2))

Sec. 86-280. - Requirements for permitted uses.

Before a building permit shall be issued or construction commenced on any permitted use in the industrial general (I-2) district, or a zoning permit issued for a new use, the plans, drawn in sufficient detail to show the operations and processes, shall be submitted to the zoning administrator for study. The administrator shall refer these plans to the planning commission for its recommendation. Modification of the plans may be required before a permit is issued.

Sec. 26.2 - Permitted primary and accessory uses and structures; prohibited uses and structures.

(Formerly Application, Repealed 4-3-13)

Uses and structures within the industrial districts are permitted as follows:

a. *Primary uses and structures.* Primary uses and structures within the industrial districts are permitted by right, by special use permit, and by special exception as provided in the following table, subject to the applicable requirements of this chapter:

Use	LI	HI	PD- IP Cat. 1	PD- IP Cat. 2
Manufacturing/Processing/Assembly/Fabrication/Recycling*	BR	BR	BR	BR
Asphalt mixing plants.	N	SP	N	SP
Brick manufacturing, distribution.	SP	BR	SP	BR
Cement, lime gypsum manufacture or processing.	N	SP	N	SP
Chemical, plastics manufacture or processing.	SP	SP	SP	SP
Dry cleaning plants (reference 5.1.49).	SP	BR	SP	BR
Foundries (reference 5.1.50).	N	SP	N	SP
Inorganic fertilizer manufacture or processing.	N	SP	N	SP
Materials recovery facilities, privately owned and operated.	SP	BR	SP	BR
Organic fertilizer manufacture or processing.	SP	BR	SP	BR
Petroleum, gasoline, natural gas and manufactured gas bulk storage (reference 5.1.20).	SP	BR	SP	BR
Petroleum refining, including by-products (reference 5.1.20).	N	SP	N	SP

Pulp or paper manufacture or processing.	N	SP	N	SP
Recycling processing center.	SP	BR	SP	BR
Rendering plants (reference 5.1.53).	SP	BR	SP	BR
Sawmills, temporary or permanent; planing mills; wood yards (reference 5.1.15).	SP	BR	SP	BR
Storage/Warehousing/Distribution/Transportation*	BR	BR	BR	BR
Airports.	SP	SP	SP	SP
Heavy equipment and heavy vehicle parking and storage yards.	SP	BR	SP	BR
Heliports (reference 5.1.01).	SP	SP	SP	SP
Helistops (reference 5.1.01).	SP	SP	SP	SP
Junk yards (reference 5.1.10).	N	SP	N	SP
Warehouse facilities where there may be the storage of gasoline, kerosene or other volatile materials, dynamite blasting caps and other explosives, pesticides and poisons, and other materials which may be hazardous to life in the event of accident.	SP	BR	SP	BR
Wholesale businesses where there may be the storage of gasoline, kerosene or other volatile materials, dynamite blasting caps and other explosives, pesticides and poisons, and other materials which may be hazardous to life in the event of accident.	SP	BR	SP	BR
Laboratories/Research and Development/Experimental Testing	BR	BR	BR	BR

Offices**				
Independent offices; within structure existing or vested on or before April 3, 2014.	BR	BR	BR	BR
Independent offices; within structure not established or not vested until after April 3, 2014.	SP	SP	SP	SP
Independent offices; within expanded portion of structure where expansion not established or not vested until after April 3, 2014.	SP	SP	SP	SP
Industrial offices.	BR	BR	BR	BR
Public Uses, Utilities and Services, and Telecommunications Uses**				
Energy and communications transmission facilities (reference <u>5.1.12</u>).	SP	SP	SP	SP
Fire, ambulance and rescue squad stations (reference <u>5.1.09</u>).	BR	BR	BR	BR
Personal wireless service facilities, Tier I (reference <u>5.1.40</u>).	BR	BR	BR	BR
Personal wireless service facilities, Tier II (reference <u>5.1.40</u>).	BR	BR	BR	BR
Personal wireless service facilities, Tier III (reference <u>5.1.40</u>).	SP	SP	SP	SP
Public uses (reference <u>5.1.12</u>).	BR	BR	BR	BR
Stormwater management facilities shown on an approved final site plan or subdivision plat.	BR	BR	BR	BR
Water, sewer, energy, communications distribution facilities (reference <u>5.1.12</u>).	BR	BR	BR	BR
Temporary Uses**				

Temporary construction headquarters (reference <u>5.1.18</u>).	BR	BR	BR	BR
Temporary construction storage yards (reference <u>5.1.18</u>).	BR	BR	BR	BR
Temporary events sponsored by local nonprofit organizations (reference <u>5.1.27</u>).	SP	SP	SP	SP
Temporary industrialized buildings (reference <u>5.8</u>).	BR	BR	BR	BR
Commercial Uses**				
Uses permitted by right or by special use permit in the Commercial (C-1), Commercial Office (CO) and Highway Commercial (HC) districts (collectively, "general commercial uses" as used in <u>section 26.3</u>) not otherwise expressly authorized by this section either by right or by special use permit; within structure existing or vested on April 3, 2013.	SP	SP	SP	SP
Farmers' markets conducted in a permanent structure established after May 5, 2010 (reference <u>5.1.47</u>).	SP	SP	SP	SP
Farmers' markets conducted outdoors or within a temporary or a permanent structure existing on May 5, 2010 (reference <u>5.1.47</u>).	BR	BR	BR	BR
Hotels, motels, inns.	SP	SP	SP	SP

Outdoor storage, display and/or sales serving or associated with a permitted use, other than a residential, agricultural or forestal use, any portion of which would be visible from a street within the entrance corridor overlay district to which it is contiguous or from any other street within the entrance corridor overlay district which is located within 500 feet; provided that review shall be limited to determining whether the outdoor storage, display and/or sales is consistent with the applicable design guidelines.	SP	SP	SP	SP
Subordinate retail sales for any use permitted by right; use does not exceed 25% of the gross floor area of the primary industrial use.	BR	BR	BR	BR
Subordinate retail sales for any use permitted by right; use exceeds 25% of the gross floor area of the primary industrial use.	SE	SE	SE	SE
Supporting commercial; use does not exceed 25% of the gross floor area of the freestanding building or multiple buildings on an industrial site.	BR	BR	BR	BR
Supporting commercial; use exceeds 25% of the gross floor area of the freestanding building or multiple buildings on an industrial site.	SE	SE	SE	SE
Parking**				
Parking structures, as part of an occupied structure (reference <u>4.12, 5.1.41</u>).	BR	BR	BR	BR
Parking structures, stand alone (reference <u>4.12, 5.1.41</u>).	SP	SP	SP	SP
Parking area, stand alone (reference <u>4.12, 5.1.41</u>).	SP	SP	SP	SP

Uses Not Served By Public Water or Public Sewer**				
Uses permitted by right in the Light Industry (LI) or Heavy Industry (HI) districts, not served by public sewer, involving anticipated discharge of sewage other than domestic wastes.	SP	SP	SP	SP
Uses permitted by right in the Light Industry (LI) or Heavy Industry (HI) districts, not served by public water, involving water consumption exceeding 400 gallons per site acre per day.	SP	SP	SP	SP
Miscellaneous				
Dwellings and sleeping quarters, on-site (reference <u>5.1.21</u>).	BR	BR	BR	BR
Fill areas (reference <u>5.1.28</u>)	BR	BR	BR	BR
Waste areas (reference <u>5.1.28</u>)	BR	BR	BR	BR

*Applies to all uses within this use classification, as defined, except for those uses expressly identified in unshaded text below that use classification.

**Heading is for organizational purposes only and is not a use classification.

BR: The use is permitted by right.

SP: The use is permitted by special use permit.

SE: The use is permitted by special exception.

N: The use is not permitted.

- b. *Planned industrial parks and proffered industrial districts approved prior to April 3, 2013.* Within the following planned industrial parks and proffered industrial districts, the uses permitted by right, by special use permit, and by special exception shall be as follows:
 - 1. *Uses in planned industrial parks.* The uses permitted by right and by special use permit in any planned development -industrial park (PD-IP) district approved prior to April 3, 2013, any industrial park approved as a planned development prior to December 10, 1980 are those uses permitted by right and by special use permit in effect when the zoning map amendment was approved and those uses delineated in subsection (a), regardless of any election made for a planned development district under subsections 8.5.5.2(a) and (b).

2. *Uses in proffered industrial districts.* The uses permitted by right and by special use permit on any site within an industrial district for which proffers either specifying or prohibiting particular uses were accepted prior to April 3, 2013, are those uses permitted by right and by special use permit in effect when the zoning map amendment was approved and those uses delineated in subsection (a), provided that any use not allowed by right or by special use permit by a proffer shall be prohibited.
3. *Certain non-industrial uses in planned industrial parks and proffered industrial districts.* In the planned industrial parks and proffered industrial districts delineated in subsections (b)(1) and (2), no supporting retail sales or subordinate commercial use that would exceed the by right thresholds in subsection (a) shall be expanded without a special exception as required by subsection (a).

c. *Accessory uses and structures.* Accessory uses and structures are permitted within each industrial district, subject to the following:

1. *When accessory use is permitted.* No accessory use is permitted until the primary use to which it is accessory has been established.
2. *When accessory structure is permitted.* No accessory structure is permitted until either construction of the primary structure or the primary use to which it is accessory has commenced.
3. *Prohibited accessory uses and structures.* Parking structures, stand alone parking and drive-through windows are permitted only as provided in subsection (a) and not otherwise as accessory uses. The storage of sludge or toxic wastes, or both, is prohibited as an accessory use; provided that the temporary storage of sludge or toxic wastes awaiting proper disposal is a permitted accessory use.

d. *Prohibited primary uses and structures.* The following uses and structures are prohibited as primary uses within each industrial district:

1. *Incinerators.* The establishment or use of an incinerator.
2. *Manufacture of certain products.* The manufacture of acetylene gas, acid, ammonia, bleaching powder, chlorine, detergent and cleaning preparations made from animal fats, explosives, fireworks, fish meal, nitrogenous tankage, paints, varnish, shellac that requires distillation or heating ingredients, vinegar that is not derived from an agricultural product, phosphates, and turpentine.
3. *Sludge.* The storage of sludge.
4. *Toxic wastes.* The disposal or storage of toxic wastes regulated under the federal Toxic Substances Control Act (15 U.S.C. § 2601 *et seq.*), provided that placing toxic wastes for their lawful collection and disposal by a third party is not prohibited.

(§ 26.2, Ord. 13-18(1), 4-3-13; § 26.3, 12-10-80; 11-7-84; Ord. 18-18-(1), 1-10-18)

DIVISION 3. - INDUSTRIAL DISTRICTS

Sec. 36.2-320. - Purposes of the I-1 and I-2 Districts.

- (a) The purpose of the I-1 District is to provide for a range of wholesale, warehousing, distribution, storage, repair and service, assembly or processing, fabrication or manufacturing, accessory commercial and office uses, intensive commercial uses, and other types of uses such as flex space. The regulations of the I-1 District are intended to mitigate conflict between adjacent uses within the district and to protect neighboring nonindustrial districts and uses.
- (b) The purpose of the I-2 District is to provide for a range of intensive industrial uses, including manufacturing, assembly, fabrication, bulk storage, and processing as well as limited, closely related support commercial uses. The I-2 District regulations are intended to protect other districts from the potentially harmful effects of permitted I-2 uses.

(Ord. No. 39122, § 1, 5-16-11)

Sec. 36.2-321. - Purpose and applicability of the AD District.

- (a) The purpose of the AD District is to permit and encourage the development of uses dependent on or related to air transportation in the areas in and around the Roanoke Regional Airport. Such uses support airport functions, are dependent on air transportation, are unlikely to pose a threat to flights or airport operations, or are less sensitive to airport operations than most commercial or industrial uses. The AD District is intended to provide space for the efficient layout and operation of Roanoke Regional Airport, including facilities for commercial airline operations, air cargo, general aviation, and an appropriate range of retail and service uses that serve airport customers, and to permit transportation-related and operations-related activities, large-scale research and development and office uses, and certain manufacturing uses in the immediate vicinity of the airport that are compatible with or supportive of the airport facilities whether or not directly airport related.

(b) Applicability.

- (1) The AD District shall apply to those properties owned by the Roanoke Regional Airport Commission and certain properties immediately adjacent to and in the vicinity of the airport that should be used for airport-supportive or airport-related uses.
- (2) The development of properties in the AD District that are owned by the Roanoke Regional Airport Commission and are contiguous to one another shall be exempt from the following regulations:
 - (A) The dimensional standards set forth in Section 36.2-323;
 - (B) The sign regulations set forth in Article 6, Division 6, of this chapter; and

(C) The landscaping and screening regulations set forth in Article 6, Division 4, of this chapter.

(3) Nothing in this Subsection shall be construed to exempt properties owned by the Roanoke Regional Airport Commission that are located within the AD District from the zoning amendment procedures and zoning permit requirements as set forth in Sections 36.2-540 and 36.2-522.

(Ord. No. 39122, § 1, 5-16-11)

Sec. 36.2-322. - Use table for industrial districts.

District	I-1	I-2	AD	Supplemental Regulation Section
<i>Residential Uses</i>				
Dwelling, single-family detached	S			
Dwelling, two family	S			
Dwelling, multifamily	S			
Dwelling, townhouse or rowhouse	S			<u>36.2-431</u>
<i>Accommodations and Group Living Uses</i>				
Hotel or motel			P	
<i>Commercial Uses: Office and Related Uses</i>				
Business service establishment, not otherwise listed	P			
Employment or temporary labor service	P			
Financial institution	P		P	

Laboratory, dental, medical, or optical	P	P	P	
Laboratory, testing and research	P	P	P	
Office, general or professional	P			
<i>Commercial Uses: Miscellaneous</i>				
Animal hospital or veterinary clinic, no outdoor pens or runs	P			
Animal hospital or veterinary clinic, with outdoor pens or runs	S			
Caterer, commercial	P			
Drive-through facility	P			<u>36.2-409</u>
Kennel, no outdoor pens or runs	P			
Kennel, outdoor pens or runs	S			
Live-work unit	S			<u>36.2-416</u>
Mixed-use building	S			<u>36.2-416</u>
Outdoor advertising sign	P	P		<u>36.2-675</u>
Pet crematorium	P			
Studio/multimedia production facility	P			
<i>Commercial Uses: Retail Sales and Service</i>				
Bakery, confectionary, or similar food production, retail	P			

Building supplies and materials, retail	P		P	
Car wash, not abutting a residential district	P			<u>36.2-406</u>
Car wash, abutting a residential district	S			<u>36.2-406</u>
Commercial motor vehicle rental establishment	P			
Commercial motor vehicle sales and service establishment, new	P			<u>36.2-407</u>
Commercial motor vehicle sales and service establishment, used	P			<u>36.2-407</u>
Contractor or tradesman's shop, general or special trade	P	P		
Dry cleaning plant or commercial laundry	P			
Gasoline station	P			<u>36.2-411</u>
General service establishment, not otherwise listed	P			
Lumberyard	P	P		
Manufactured or mobile home sales	P			
Motor vehicle rental establishment, without inventory on-site	P		P	

Motor vehicle rental establishment, with inventory on-site	P		P	
Motor vehicle repair or service establishment	P	P		<u>36.2-419</u>
Nursery or greenhouse, commercial	P			
Recreational vehicle or boat sales	P			
Retail sales establishment, not otherwise listed	P		P	
Storage building sales	P			
<i>Industrial Uses</i>				
Asphalt or concrete plant		S		
Bakery, confectionary, or similar food production, wholesale	P	P		
Borrow or Fill Site	S	S	S	36.2-405.1
Biosolids field		S		
Building supplies and materials, wholesale	P	P	P	
Commercial printing establishment	P	P	P	
Composting facility	S	S		<u>36.2-407.2</u>
Contractor's shop, heavy construction	P	P		

Dairy products, processing, bottling, and wholesale distribution	P	P		
Electrical component assembly, wholesale distribution	P	P	P	
Fuel oil distribution	S	P		
Fueling station, commercial or wholesale	P	P		
Junkyard	S	S		<u>36.2-414</u>
Manufacturing: Beverage or food processing, excluding poultry and animal slaughtering and dressing	P	P		
Manufacturing: Chemical, refining or processing, including the manufacture, refining or processing of ammonia, bleach, bluing, calcimine, chlorine, corrosive acid or alkali, dyes, fats, fertilizer, gutta percha, gypsum, lampblack, oils, oxygen, paints, plaster of Paris, potash, rubber, shellac, tar, turpentine, vinegar, yeast		S		
Manufacturing: Chemical, refining or processing, not otherwise listed in this table	P	P		
Manufacturing: General, not otherwise listed in this table	P	P	P	

Manufacturing: Steel or metal production, fabrication, or processing	S	P	P	
Manufacturing: Wood products, including the shredding or grinding of wood to create mulch.		P		
Meat packing and poultry processing		S		
Milling or feed and flour mills	S	S		
Motor vehicle or trailer painting and body repair	S	P		<u>36.2-418</u>
Outdoor storage lot	S	S	S	
Quarry		S		
Recycling center	S	S		<u>36.2-414</u>
Tire recapping		S		
Towing service	P	P		<u>36.2-430</u>
Welding or machine shop	P	P		
Workshop	P	P	P	<u>36.2-433</u>
Wrecker yard	S	S		<u>36.2-414</u>
<i>Warehousing and Distribution Uses</i>				
Distribution center, not otherwise listed	P	P	P	
Self-storage building	P	P	P	

Self-storage facility	P	P	P	
Storage of commercial motor vehicles	P	P		
Storage of motor vehicles for rental (no on-site rental or leasing facility)	P		P	
Tank farm, petroleum bulk station and terminal, or other aboveground storage of flammable liquids		S		
Warehouse	P	P	P	
<i>Assembly and Entertainment Uses</i>				
Amphitheatre	P		P	
Amusement, commercial, outdoor	P			
Eating establishment	P		P	
Eating and drinking establishment, abutting a residential district	P	P	P	
Eating and drinking establishment, not abutting a residential district	P		P	
Entertainment establishment, abutting a residential district	P		P	
Entertainment establishment, not abutting a residential district	P		P	
Go-cart track	S			
Health and fitness center	P	P	P	

Microbrewery or microdistillery	P	P	P	
Paintball facility, outdoor	S			
Park or playground	P	P	P	
Recreation, indoor	P			
Recreation, outdoor	P	P	P	
Theater, movie or performing arts	P	P	P	

Public, Institutional, and Community Uses

Artist studio	P			
Community garden	P	P	P	<u>36.2-407.1</u>
Educational facilities, business school or nonindustrial trade school	P		P	
Educational facilities, industrial trade school	P		P	
Educational facilities, school for the arts	P	P	P	
Fire, police, or emergency services	P		P	
Government offices or other government facility, not otherwise listed	P		P	
Military reserve or National Guard center	P		P	

Post office	P		P	
Supply pantry	P			
Training facility for police, fire, or emergency services	P		P	
<i>Transportation Uses</i>				
Airport or airport-related commercial and personal service uses			P	
Bus maintenance, including repair and storage	P	P		
Limousine service	P	P	P	
Motor freight terminal or truck terminal	P	P	P	
Parking lot facility			P	
Parking, off-site	P	P	P	<u>36.2-652</u>
Railroad freight yard, repair shop, and marshalling yard		P		
Taxicab business	P	P	P	
Transit station	P			
<i>Utility Uses</i>				
Broadcasting studio or station	P			
Broadcasting tower	S	S		<u>36.2-432</u>

Hazardous materials facility		S		
Utility distribution or collection, basic	P	P	P	
Utility distribution or collection, transitional	P	P	S	
Utility generation or treatment		P		
Utility maintenance and service facility	P	P		
Wireless telecommunications facility, small cell on existing structure	P	P	P	<u>36.2-432</u>
Wireless telecommunications facility, stealth	P	P	P	<u>36.2-432</u>
Wireless telecommunications facility, not otherwise listed	S	P	S	<u>36.2-432</u>
<i>Agricultural Uses</i>				
Agricultural operations	P	P	P	
Animal shelter	P	P		
<i>Accessory Uses</i>				
Accessory uses, not otherwise listed in this Table	P	P	P	<u>36.2-403</u>
Electric Vehicle Charging Station	P	P	P	<u>36.2-403</u>
Outdoor recreation facility lighting or sports stadium lighting	S	S	S	<u>36.2-403</u>

Outdoor storage	P	P	P	<u>36.2-423</u>
Portable storage container	P	P		<u>36.2-403</u>
Recycling collection point	P			<u>36.2-403</u>
Resident manager apartment	P	P		<u>36.2-403</u>
Temporary health care structure				
Solar Energy System	P	P	P	<u>36.2-403</u>
Wind turbine, commercial	P	P		<u>36.2-403</u>
Wind turbine, small	P	P	P	<u>36.2-403</u>

"P" indicates a use permitted as of right.
 "S" indicates a use permitted only by special exception.
 A blank cell indicates the use is not permitted; any use not listed in this table is not permitted in industrial districts.

(Ord. No. 39122, § 1, 5-16-11; Ord. No. 39495, § 1, 9-4-12; Ord. No. 40088, § 1, 10-20-14; Ord. No. 40296, § 1, 7-6-15; Ord. No. 40710, § 1, 12-5-16; Ord. No. 41173, § 1, 6-18-18; Ord. No. 41370, § 1, 1-22-19; Ord. No. 41817, § 1, 7-20-20; Ord. No. 41918, § 1, 11-16-20; Ord. No. 42205, § 1, 11-15-21)

Sec. 36.2-323. - Dimensional regulations for industrial districts.

		I-1	I-2	AD
Lot area (square feet)	Minimum	10,000	20,000	20,000
	Maximum	None	None	None
Lot frontage (feet)	Minimum	100	100	100
	Maximum	None	None	None

Front yard (feet)	Minimum	0	0	0
	Maximum	None	None	None
Side yard minimum (feet)		0	0	0
Rear yard minimum (feet)		0	0	0
Accessory structure minimum setback from rear and side lot lines (feet)		0	0	0
Height maximum (feet)	Property abutting a residential district	1 foot for each foot of setback from any abutting residential lot		
	Property not abutting a residential district	None		
Floor area ratio maximum		2.0	2.0	2.0
Impervious surface ratio maximum (percentage of lot area)		90	90	<u>70</u>
Minimum parking requirement applies	No	No	No	No
Minimum tree canopy (percentage of lot area)	10%	10%	0%	

A numeric entry means the dimension shall apply based on the unit of measurement indicated.

"Yes" means the requirement applies.

"No" means the requirement does not apply.

"None" means there is no requirement.

(Ord. No. 39122, § 1, 5-16-11; Ord. No. 39495, § 1, 9-4-12; Ord. No. 42205, § 1, 11-15-21)

PART 403. - INDUSTRIAL DISTRICTS

Sec. 32-403.10. - M-1, Heavy Industrial District; purpose and intent.

The M-1 District is intended to implement the industrial employment land use classification of the Comprehensive Plan. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for and to encourage development of heavy and intensive industrial processing, manufacturing and storage with limited retail and service uses. Retail or residential and low intensity employment uses are generally incompatible with the nature of uses contemplated in the M-1 District.

(Ord. No. 09-30, 5-19-09)

Sec. 32-403.11. - Uses permitted by right.

The following uses shall be permitted by right in the M-1 District:

1. Alarm systems operations, office.
2. Ambulance service, commercial.
3. Ambulance service maintenance facility.
4. Animal shelter.
5. Assembly (non-HAZMAT).
6. Bakery, industrial.
7. Blacksmith, welding, or machine shop.
8. Boat building and repair yard.
9. Brewery and bottling facility.
10. Building materials sales yard.
11. Catalog sales, contractor; tradesman, and industrial equipment (with or without showroom).
12. Catering, commercial (off premises).
13. Coal, wood, and lumber yards.
14. Cold storage.
15. Company vehicle service facility.
16. Computer and network services.
17. Contractor or tradesman's shop (limited), no trash or refuse removal service.
18. Contractor or tradesman's shop, no trash or refuse removal service.
19. Data Center within the Data Center Opportunity Zone Overlay District.

Distillery-20.

21. Distribution and fulfillment center, less than 80,000 square feet in gross floor area, outside of the E-Commerce Overlay District.
22. Distribution and fulfillment center, less than 350,000 square feet in gross floor area, within the E-Commerce Overlay District.
23. Dry cleaning/garment processing plant, wholesale facility.
24. Dry cleaning/garment processing facility, retail, greater than 3,000 square feet.
25. Electronic equipment and component manufacturing, assembly, processing, and distribution.
26. Equipment and material storage yard; no trash or refuse removal service.
27. Feed and grain storage and distribution center.
28. Flea market.
29. Food service, institutional.
30. Furniture repair, dipping and stripping, upholstery.
31. Greenhouse or nursery, wholesale (not more than 20 percent of lot area may be devoted to garden center uses).
32. Gunsmith shop.
33. Janitorial service.
34. Kennel, commercial.
35. Laundry, industrial.
36. Manufacture and fabrication of signs.
37. Manufacturing, candy/confectioners.
38. Manufacturing, cosmetics and perfume.
39. Manufacturing, electronic components.
40. Manufacturing, fabricated metal.
41. Manufacturing, musical instruments and toys.
42. Manufacturing, pharmaceuticals (non-HAZMAT process).
43. Manufacturing, pottery, ceramics.
44. Marble/tile, processing, cutting and polishing.
45. Masonry and stoneworking.
46. Medical or dental laboratory.
47. Motor vehicle repair.
- 48.

Motor vehicle sales, rental or lease (unlimited), excluding passenger motor vehicles less than 7,500 pounds gross vehicle weight. Floor area devoted to storage of parts inventory used for service and repair shall not be included in secondary retail sales floor area calculations.

49. Motor vehicle service.
50. Moving and storage.
51. Neighborhood retail and fulfillment center.
52. Office.
53. Parking, commercial.
54. Photographic processing laboratory.
55. Publishing and printing.
56. Radio or TV broadcasting station.
57. Railroad freight depot.
58. Railroad passenger station.
59. Recording studio.
60. Recyclable materials separation facility.
61. Recycling collection points, subject to the standards in section 32-250.84.
62. Research and development (non-HAZMAT).
63. Self-storage center, in accordance with the provisions of section 32-400.14.
64. Sheet metal fabrication.
65. Solar energy facility.
66. Taxi or limousine operations and service facility.
67. Tool and equipment rental, service and repair, heavy and minor.
68. Trade, technical or vocational school.
69. Trailer sales (retail), lease, storage, repair and maintenance.
70. Veterinary hospital.
71. Warehouse (non-HAZMAT).
72. Waterfront or maritime uses.
73. Wholesaling (non-HAZMAT).

Except for retail dry cleaning/garment processing facilities greater than 3,000 square feet, no more than 20 percent of the gross floor area of the principal use may be used for accessory retail sales of products made or stored on the premises. The square footage devoted to such accessory retail sales shall be included in calculating the limit on secondary uses permitted by section 32-403.12, below.

(Ord. No. 92-50, 5-5-92; Ord. No. 94-1, 1-11-94; Ord. No. 95-6, 1-3-95; Ord. No. 99-13, 2-16-99; Ord. No. 00-77, 10-17-00; Ord. No. 03-52, 7-1-03; Ord. No. 04-78, 12-21-04; Ord. No. 09-30, 5-19-09; Ord. No. 14-60, Atch., 11-18-14; Ord. No. 16-21, Atch., 5-17-16; Ord. No. 18-15, Atch., 4-10-18; Ord. No. 21-55, Atch., 10-5-21)

Sec. 32-403.12. - Secondary uses.

The following uses shall be permitted by right in the M-1 District, but only in conjunction with, and secondary to, a permitted principal use, either existing or proposed for concurrent construction, in accordance with the provisions of section 32-400.13.

1. Locksmith.
2. Quick service food store.
3. Motor vehicle fuel station (limited to vehicles associated with the primary business or use).
4. Recreation facility, commercial (indoor).
5. Restaurant.
6. Restaurant, carry-out.
7. Retail store.

(Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09)

Sec. 32-403.13. - Special uses.

The following uses shall be permitted in the M-1 District with a Special Use Permit, including any other manufacturing, processing or wholesaling use not otherwise permitted by this chapter; including any use involving the storage of petroleum, propane or natural gas products or hazardous materials.

1. Asphalt/concrete plant.
2. Assembly (HAZMAT).
3. Data Center outside the Data Center Opportunity Zone Overlay District.
4. Day care center.
5. Distribution and fulfillment center, greater than 80,000 square feet in gross floor area, outside of the E-Commerce Overlay District.
6. Distribution and fulfillment center, greater than 350,000 square feet in gross floor area, within the E-Commerce Overlay District.
7. Extraction of mineral resources and related industrial/ wholesaling operations, including operation of crushers and sorting equipment customarily accessory thereto.
8. Heliport.
9. Manufacturing and processing, other (HAZMAT or non-HAZMAT).

10. Marina.
11. Motor vehicle auction (wholesale).
12. Motor vehicle fuel station.
13. Motor vehicle graveyard.
14. Motor vehicle impoundment yard.
15. Motor vehicle sales, secondary to motor vehicle repair.
16. Motor vehicle storage yard.
17. Motor vehicle towing.
18. Range, shooting, indoor or outdoor.
19. Recycling plant.
20. Research and development (HAZMAT).
21. Sawmill.
22. Stadium, arena, or amphitheater, indoor or outdoor.
23. Storage facility (HAZMAT).
24. Testing/experimental laboratories (HAZMAT).
25. Warehouse (HAZMAT).
26. Water transportation facility.
27. Wholesaling/storage and processing (HAZMAT).

(Ord. No. 94-1, 1-11-94; Ord. No. 95-6, 1-3-95; Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09; Ord. No. 16-21, Atch., 5-17-16; Ord. No. 21-55, Atch., 10-5-21)

Sec. 32-403.14. - Development standards.

1. The following standards shall apply in all M-1 Districts:
 - (a) There shall be no minimum lot size.
 - (b) The maximum lot coverage shall be 85 percent, with a required minimum open space area of 15 percent.
 - (c) The maximum floor area ratio (FAR) shall be: 0.50, except as permitted pursuant to section 32-400.04.
 - (d) The maximum height for all structures shall be 75 feet; except as permitted pursuant to section 32-400.03.

(Ord. No. 94-1, 1-11-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.14 derived from Ord. No. 91-127, adopted Oct. 22, 1991, amended pursuant to Ord. No. 92-68 enacted June 23, 1992, Ord. No. 94-1, enacted Jan. 11, 1994, Ord. No. 94-76, enacted Nov. 1, 1994 and Ord. No. 98-62, enacted July 7, 1998, and pertained to provisional uses in the M-1 District. Since the provisional use sections were repealed pursuant to Ord. No. 04-78, adopted Dec. 21, 2004, the uses have been relocated to by-right or special use sections. Former §§ 32-403.15 and 32-403.16 have been renumbered accordingly.

Sec. 32-403.15. - Setbacks.

All buildings and other principal structures shall be set back as follows:

1. At least 20 feet from all street rights-of-way;
2. When the side or rear of a lot within a M-1 District abuts a commercial or office district, a minimum setback of 20 feet from the common property line shall be required for all structures and uses;
3. When the side or rear of a lot within a M-1 District abuts an agricultural or residential district, a minimum setback of 50 feet from the common property line shall be required for all structures and uses;
4. When other provisions of this chapter operate to impose greater setback requirements, than subsections 1., 2. and 3. above, such other provisions shall prevail.

(Ord. No. 94-67, 10-4-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.16 renumbered as set out herein pursuant to Ord. No. 04-78, adopted Dec. 21, 2004.

Sec. 32-403.20. - M-2, Light Industrial Zoning District; purpose and intent.

The M-2 District is intended to implement the flexible use employment center land use classification of the Comprehensive Plan. It is also intended to implement the industrial employment center land use classification as a transition to the flexible use employment center land use classification. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for research and development centers, light industrial manufacturing, warehousing, wholesaling and related office and institutional uses, and not for retail and service uses except in support of the uses primarily intended.

(Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 09-30, 5-19-09; Ord. No. 09-30, 5-19-09; Ord. No. 11-32, Attch., 7-19-11; Ord. No. 12-22, Attch., 3-13-12; Ord. No. 14-44, Attch., 7-15-14)

Sec. 32-403.21. - Uses permitted by right.

The following uses shall be permitted by right in the M-2 District:

1. Alarm system operations, office.
2. Ambulance services, commercial.
3. Artist or photographer's studio, commercial.
4. Assembly (non-HAZMAT).
5. Bakery, industrial.
6. Brewery and Bottling Facility.
7. Business school.
8. Catering-commercial (off premises).
9. Cold storage.
10. College, university or seminary.
11. Computer and network services.
12. Contractor or tradesman's shop (limited), no trash or refuse removal service.
13. Data Center within the Data Center Opportunity Zone Overlay District.
14. Distillery (not to exceed production of 5,000 gallons per year).
15. Distribution and fulfillment center, less than 80,000 square feet in gross floor area, outside of the E-Commerce Overlay District.
16. Distribution and fulfillment center, less than 250,000 square feet in gross floor area, within the E-Commerce Overlay District.
17. Electronic equipment and component manufacturing, assembly, processing and distribution.
18. Greenhouse, nursery (wholesale) (not more than twenty (20) percent of the lot area may be devoted to retail garden center uses).
19. Gunsmith shop.
20. Institute for special education and training
21. Institutional food service.
22. Janitorial service.
23. Locksmith.
24. Medical or dental laboratory.
25. Motor vehicle service (limited).
26. Neighborhood retail and fulfillment center.
27. Office.
28. Pharmaceutical product manufacturing (non-HAZMAT).
29. Photographic processing laboratory.
30. Publishing and printing.

31. Radio or TV broadcasting station.
32. Railroad passenger station.
33. Recording studio.
34. Recycling collection points, subject to the standards in section 32-250.84.
35. Research and development (non-HAZMAT).
36. School of special instruction.
37. Self-storage center, subject to the provisions of section 32-400.14.
38. Solar energy facility.
39. Tool and equipment rental, service and repair (minor).
40. Trade or convention center.
41. Trade, technical or vocational school.
42. Travel agency.
43. Veterinary hospital.
44. Warehouse (non-HAZMAT).
45. Wholesaling (non-HAZMAT).

No more than 20 percent of the gross floor area devoted to any use may be used for accessory retail sales of products made or stored on the premises. The square footage devoted to such accessory retail sales shall be included in calculating the limit on secondary uses permitted by section 32-403.22, below.

(Ord. No. 94-1, 1-11-94; Ord. No. 95-6, 1-3-95; Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 05-65, 9-6-05; Ord. No. 09-30, 5-19-09; Ord. No. 11-32, Attch. A, 7-19-11; Ord. No. 14-60, Attch., 11-18-14; Ord. No. 15-66, Attch., 12-8-15; Ord. No. 16-21, Attch., 5-17-16; Ord. No. 18-15, Attch., 4-10-18; Ord. No. 21-55, Attch., 10-5-21)

Sec. 32-403.22. - Secondary uses.

The following uses shall be permitted by right in the M-2 District, but only in conjunction with, and secondary to, a permitted principal use, either existing or proposed for concurrent construction, in accordance with the provisions of section 32-400.13.

1. Adult day-care facility.
2. Barber shop, beautician studio, tanning and toning salon (one set of toning equipment only).
3. Bus station, commercial.
4. Catalog sales, contractor, tradesman, or industrial equipment (without showroom).
5. Child-care facility.
6. Equipment storage.

7. Financial institution.
8. Helistop.
9. Motor vehicle fuel station (limited to vehicles associated with the primary business or use).
10. Office equipment, sales, lease and service.
11. Quick service food store (not freestanding, unless approved as part of a motor vehicle fuel station, retail).
12. Recreation, commercial (indoor).
13. Restaurant.
14. Restaurant, carry-out.
15. Retail store.
16. Taxi or limousine dispatching.

(Ord. No. 03-52, 7-1-03; Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 05-65, 9-6-05; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09)

Sec. 32-403.23. - Special uses.

The following uses shall be permitted in the M-2 District with a Special Use Permit:

1. Ambulance service maintenance facility.
2. Assembly (HAZMAT).
3. Data Center outside the Data Center Opportunity Zone Overlay District.
4. Distribution and fulfillment center, greater than 80,000 square feet in gross floor area, outside of the E-Commerce Overlay District.
5. Distribution and fulfillment center, greater than 250,000 square feet in gross floor area, within the E-Commerce Overlay District.
6. Donated materials collection center.
7. Flea market.
8. Heliport.
9. Marina.
10. Motor vehicle fuel station.
11. Moving and storage.
12. Parking, commercial.
13. Racetrack (equestrian or motorized).
14. Ranges, shooting, indoor or outdoor.
15. Recreation facility, commercial (outdoor).

16. Recyclable materials separation facility.
17. Research and development (HAZMAT).
18. Stadium or arena, indoor or outdoor.
19. Taxi or limousine operations and service.
20. Testing/experimental laboratories (HAZMAT).
21. Water transportation facility.
22. Wholesale (HAZMAT).

(Ord. No. 92-50, 5-5-92; Ord. No. 95-6, 1-3-95; Ord. No. 00-78, 10-17-00; Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09; Ord. No. 12-22, Atch., 3-13-12; Ord. No. 14-44, Atch., 7-15-14; Ord. No. 16-21, Atch., 5-17-16; Ord. No. 21-55, Atch., 10-5-21)

Sec. 32-403.24. - Development standards.

1. The following standards shall apply in all M-2 Districts:
 - (a) There shall be no minimum lot size.
 - (b) The maximum lot coverage shall be 80 percent, with a required minimum open space area of 20 percent.
 - (c) The maximum floor area ratio (FAR) shall be 0.50 except as permitted pursuant to section 32-400.04.
 - (d) The maximum height for all structures shall be 60 feet; except as permitted pursuant to section 32-400.03.
 - (e) Outdoor storage shall be subject to the standards specified in Sec. 400.12 of this part. No more than 40 percent of the total lot area may be devoted to outdoor storage, provided that all outdoor storage is screened, according to Section 802.49 of the Design and Construction Standards Manual, from adjacent properties and abutting streets.

(Ord. No. 94-1, 1-11-94; Ord. No. 04-78, 12-21-04; Ord. No. 17-84, Atch., 10-17-17)

Editor's note— Former § 32-403.24 derived from Ord. No. 91-127, adopted Oct. 22, 1991, amended pursuant to Ord. No. 92-68, enacted June 23, 1992, Ord. No. 94-76, enacted Nov. 1, 1994 and Ord. No. 98-62, enacted July 7, 1998, Ord. No. 00-78, enacted Oct. 17, 2000; Ord. No. 02-33, enacted Apr. 16, 2002, and pertained to provisional uses in the M-2 District. Since the provisional use sections were repealed pursuant to Ord. No. 04-78, adopted Dec. 21, 2004, the uses have been relocated to by-right or special use sections. Former §§ 32-403.15 and 32-403.16 have been renumbered accordingly.

Sec. 32-403.25. - Setbacks.

All buildings and other principal structures shall be set back as follows.

1. At least 20 feet from all street rights-of-way;
2. When the side or rear of a lot within a M-2 District abuts a commercial or office district, a minimum setback of 20 feet from the common property line shall be required for all structures and uses;
3. When the side or rear of a lot within a M-2 District abuts an agricultural or residential district, a minimum setback of 50 feet from the common property line shall be required for all structures and uses;
4. When other provisions of this chapter operate to impose greater setback requirements than subsection 1. or 2. above, such other provisions shall prevail.

(Ord. No. 94-67, 10-4-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.26 renumbered as set out herein pursuant to Ord. No. 04-78, adopted Dec. 21, 2004.

Sec. 32-403.30. - M/T, Industrial/Transportation; purpose and intent.

The M/T District is intended to implement the industrial employment land use classification of the Comprehensive Plan. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for and encourage development of heavy industrial uses, and in particular for including those which generate considerable truck and/or heavy equipment traffic, or which require access to more than one mode of transportation. Facilities involving specialized transportation and industrial equipment, together with related supporting services, should be located in the M/T District since, by their nature, such uses must be served by transportation facilities capable of handling the type and amount of traffic generated.

(Ord. No. 04-78, 12-21-04; Ord. No. 09-30, 5-19-09; Ord. No. 11-08, 3-1-11; Ord. No. 14-44, Atch., 7-15-14)

Sec. 32-403.31. - Uses permitted by right.

The following uses shall be permitted by right in the M/T District.

1. Alarm systems operations, offices.
2. Ambulance service, commercial.
3. Ambulance service maintenance facility.
4. Animal shelter.
5. Assembly (non-HAZMAT).
6. Bakery, industrial.
7. Blacksmith, welding or machine shop.
8. Boat building and repair yard.

9. Boat sales, rental or lease, storage, service, or repair.
10. Brewery and bottling facility.
11. Building materials sales yard.
12. Catalog sales, contractor, tradesman or industrial equipment (with or without showroom).
13. Coal, wood and lumber yards.
14. Cold storage.
15. Commercial bus terminal.
16. Commercial parking.
17. Company vehicle service facility.
18. Computer and network services.
19. Contractor or tradesman's shop (limited); no trash or refuse removal service.
20. Contractor or tradesman's shop (unlimited); no trash or refuse removal service.
21. Data Center within the Data Center Opportunity Zone Overlay District.
22. Distillery.
23. Distribution and fulfillment center.
24. Dry cleaning/garment processing plant, wholesale facility.
25. Dry cleaning/garment processing facility retail, greater than 3,000 square feet.
26. Electronic component, assembly and repair.
27. Equipment and material storage yard; no trash or refuse removal service.
28. Farmer's market.
29. Feed and grain storage and distribution center.
30. Furniture repair, dipping and stripping, upholstery.
31. Greenhouse or nursery (wholesale) (not more than 20 percent garden center uses).
32. Janitorial service.
33. Kennel, commercial.
34. Laundry, industrial.
35. Marble/tile processing, cutting and polishing.
36. Manufacturing and fabrication of signs.
37. Manufacturing, candy/confectioners.
38. Manufacturing, cosmetics and perfume.
39. Manufacturing, electronic components.
40. Manufacturing, fabricated metal.

41. Manufacturing, musical instruments and toys.
42. Manufacturing, pharmaceuticals (non-HAZMAT process).
43. Manufacturing, pottery, ceramics (using only previously pulverized clay and kiln fired only by electricity or gas).
44. Motor vehicle auction (wholesale).
45. Motor vehicle impoundment yard.
46. Motor vehicle parts, with service.
47. Motor vehicle repair.
48. Motor vehicle sales, rental or lease (recreational).
49. Motor vehicle sales, rental or lease (unlimited).
50. Motor vehicle service.
51. Motor vehicle storage lot.
52. Moving and storage.
53. Neighborhood retail and fulfillment center.
54. Office.
55. Publishing and printing.
56. Radio or TV broadcasting station.
57. Railroad freight depot.
58. Railroad passenger station.
59. Railroad yard.
60. Recording studio.
61. Recyclable materials separation facility.
62. Recycling collection points, subject to the standards in section 32-250.84.
63. Research and development (non-HAZMAT).
64. Self-storage center, in accordance with the provisions of section 32-400.14.
65. Solar energy facility.
66. Taxi or limousine operations and service facility.
67. Tool and equipment rental, service and repair (heavy and minor).
68. Trade, technical or vocational school.
69. Trailer sales (retail), lease, storage, repair and maintenance.
70. Trash and refuse removal service (local only).
71. Truck terminal.
72. Truck wash

73. Veterinary hospital.
74. Warehouse (non-HAZMAT).
75. Waterfront and maritime uses.
76. Wholesaling (non-HAZMAT).

Except for retail dry cleaning/garment processing facilities greater than 3,000 square feet, no more than 20 percent of the gross floor area devoted to any use may be used for accessory retail sales of products made or stored on the premises. The square footage devoted to such accessory retail sales shall be included in calculating the limit on secondary uses permitted by section 32-403.32, below.

(Ord. No. 92-50, 5-5-92; Ord. No. 94-1, 1-11-94; Ord. No. 95-6, 1-3-95; Ord. No. 03-52, 7-1-03; Ord. No. 04-78, 12-21-04; Ord. No. 09-30, 5-19-09; Ord. No. 11-08, 3-1-11; Ord. No. 14-44, Atch., 7-15-14; Ord. No. 14-60, Atch., 11-18-14; Ord. No. 16-21, Atch., 5-17-16; Ord. No. 18-15, Atch., 4-10-18; Ord. No. 21-55, Atch., 10-5-21)

Sec. 32-403.32. - Secondary uses.

The following uses shall be permitted by right in the M/T District, but only in conjunction with, and secondary to, a permitted principal use, either preexisting or proposed for concurrent construction, in accordance with the provisions of section 32-400.13.

1. Locksmith.
2. Motor vehicle fuel station (limited to vehicles associated with the primary business or use).
3. Recreation facility, commercial (indoor).
4. Quick service food store.
5. Restaurant.
6. Restaurant, carry-out.
7. Retail store.

(Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09)

Sec. 32-403.33. - Special uses.

The following uses shall be permitted in the M/T District with a Special Use Permit, including any other manufacturing, processing, or wholesaling use not otherwise permitted by this chapter, including any use involving the storage of petroleum, propane or natural gas products or hazardous materials.

1. Asphalt/concrete plant.
2. Assembly (HAZMAT).
3. Data Center outside the Data Center Opportunity Zone Overlay District.

4. Day care center.
5. Extraction of mineral resources and related industrial wholesaling operations, including operation of crushers and sorting equipment customarily accessory thereto.
6. Heliport.
7. Manufacturing and processing, other (HAZMAT or non-HAZMAT).
8. Marina.
9. Mobile home and office sales, lease or service.
10. Motor vehicle fuel station.
11. Motor vehicle graveyard.
12. Motor vehicle sales secondary to motor vehicle repair.
13. Racetrack (motorized vehicles).
14. Range, shooting (indoor or outdoor).
15. Recycling plant.
16. Research and development (HAZMAT).
17. Sawmill.
18. Stadium, arena, or amphitheater, indoor or outdoor.
19. Storage facility (HAZMAT).
20. Testing/experimental laboratories (HAZMAT).
21. Truck stop, with related facilities.
22. Warehouse (HAZMAT).
23. Water transportation facility.
24. Wholesaling (HAZMAT).

(Ord. No. 94-1, 1-11-94; Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09; Ord. No. 16-21, Atch., 5-17-16)

Sec. 32-403.34. - Development standards.

1. The following standards will apply in all M/T District:
 - (a) There shall be no minimum lot size.
 - (b) The maximum lot coverage shall be 85 percent, with a required minimum open space area of 15 percent.
 - (c) The maximum floor area ratio (FAR) shall be 0.75 except as permitted pursuant to section 32-400.04.
 - (d) The maximum height for all structures shall be 75 feet; except as permitted pursuant to

section 32-400.03.

(Ord. No. 94-1, 1-11-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.34 derived from Ord. No. 91-127, adopted Oct. 22, 1991, amended pursuant to Ord. No. 92-68, enacted June 23, 1992, Ord. 94-1, enacted Jan. 11, 1994, Ord. No. 94-76, enacted Nov. 1, 1994 and Ord. No. 98-62, enacted July 7, 1998, and pertained to provisional uses in the M/T District. Since the provisional use sections were repealed pursuant to Ord. No. 04-78, adopted Dec. 21, 2004, the uses have been relocated to by-right or special use sections. Former §§ 32-403.35 and 32-403.36 have been renumbered accordingly.

Sec. 32-403.35. - Setbacks.

All buildings and other principal structures shall be set back as follows.

1. At least 20 feet from all street rights-of-way;
2. When the side or rear of a lot within a M/T District abuts a commercial or office district, a minimum setback of 20 feet from the common property line shall be required for all structures and uses;
3. When the side or rear of a lot within a M/T District abuts an agricultural or residential district, a minimum setback of 50 feet from the common property line shall be required for all structures and uses;
4. When other provisions of this chapter operate to impose greater setback requirements than subsection 1. or 2. above, such other provisions shall prevail.

(Ord. No. 94-67, 10-4-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.36 renumbered as set out herein pursuant to Ord. No. 04-78, adopted Dec. 21, 2004.

Sec. 32-400.14. - General provisions for secondary uses.

1. When permitted, secondary uses shall meet the requirements of this section as well as any particular standards imposed on such use.
2. Except when specifically exempted, the square footage or area occupied by secondary uses cumulatively shall not exceed 25 percent of the gross floor area of the related principal use.

(Ord. No. 04-78, 12-21-04; Ord. No. 09-30, 5-19-09)

Editor's note— This section was previously denoted as § 32-400.13 amended and renumbered as § 32-400.14 pursuant to Ord. No. 09-30, adopted May 19, 2009.

Sec 10-31 M-L Manufacturing-Light

1. *Purpose.* This district is established to provide for economic development and job opportunities by accommodating a mix of light industrial and business uses and related uses in settings outside of industrial parks but designated for industrial use in the comprehensive plan. Activities in M-L districts shall have limited traffic and other impacts on uses in other districts through proper location on major streets, adherence to ordinance performance standards and provision of space and physical buffers as prescribed. Areas designated for industrial uses in the comprehensive plan are best suited for rezoning to this district.
2. *Qualifying lands.* Lands qualifying for inclusion in the district shall be lands within areas mapped as urban expansion, village, or village expansion in the comprehensive plan which are served by or planned for connections to public sewer and water.
3. *Uses permitted by right.* The following uses are permitted by right, subject to compliance with all approved plans and permits, development standards and performance standards contained in this chapter and with all other applicable regulations:
 - (a) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs, including the manufacture of small parts.
 - (b) Business or trade school.
 - (c) Cabinets, furniture and upholstery shop.
 - (d) Civic club.
 - (e) Conference or training center.
 - (f) Contractor's service establishment.
 - (g) Crematorium.
 - (h) Data Pole.
 - (i) Day care center.
 - (j) Equipment sales and service.
 - (k) Financial services.
 - (l) Fire, police, rescue facility.
 - (m) Flex-industrial use.
 - (n) Homeless shelter.
 - (o) Hotel, motel.
 - (p) Laboratory.
 - (q) Laundry, dry cleaning plant.
 - (r) Manufacture of musical instruments, toys, novelties, rubber and metal stamps.
 - (s) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay and kilns fired only by electricity or gas.
 - (t) Manufacturing, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, food and tobacco products.
 - (u) Monument stone works

- (v) Offices, administrative, business or professional.
- (w) Park and ride lot.
- (x) Pet, household.
- (y) Post office.
- (z) Printing service.
- (aa) Public use, public facility.
- (ab) Public utility lines, other.
- (ac) Public utility lines, water or sewer.
- (ad) Research, experimental, testing or development activity.
- (ae) Retail sales and service incidental to any other permitted use.
- (af) Solar energy system, minor.
- (ag) Telecommunication tower, attached.
- (ah) Veterinary service; animal hospital.
- (ai) Wholesale business, storage warehouses.

4. *Uses permissible by special use permit.* The following uses may be permitted by the board of supervisors as special uses, subject to the requirements of this chapter and with all other applicable regulations:

- (a) Airport.
- (b) Contractor's service establishment with permitted outdoor storage of equipment and/or materials.
- (c) Farm machinery sales and service.
- (d) Feed and seed stores and mill.
- (e) Kennel, indoor.
- (f) Mini-warehouse.
- (g) Motor vehicles rentals.
- (h) Recreation establishment.
- (i) Recycling facility.
- (j) Park and ride lot of more than fifty (50) spaces.
- (k) Public utility plant, other.
- (l) Public utility substation.
- (m) Public utility plant, water or sewer.
- (n) Shooting range, indoor.
- (o) Solar energy system, major.
- (p) Telecommunications facility, micro wireless.
- (q) Telecommunications facility, small cell.

- (r) Telecommunication tower, freestanding.
- (s) Travel center.
- (t) Use listed in subsection (3), if a manufacturing process is to take place outside.
- (u) Use similar to (1) through (14) above.

5. *Lot requirements.*

- (a) *Minimum lot area.* One (1) acre for lots sharing access with another lot, two (2) acres otherwise, except for public utility or public water or sewer installations which shall be in accordance with the Montgomery County Subdivision Ordinance.
- (b) *Lot access.* Lots shall be accessed from a shared access drive connected to a road in the VDOT system wherever possible. Access drives or roads shall be a hard-surfaced road designed by a professional engineer to accommodate projected volumes, loads and vehicle types and approved by the zoning administrator and the fire marshall. Lot access for M-L uses shall avoid impacting residential subdivisions with primary access and through traffic.
- (c) *Minimum width.* Seventy-five (75) feet for lots sharing access with another lot, one hundred fifty (150) feet otherwise. Width requirements for public utility or public water or sewer installations shall be in accordance with the Montgomery County Subdivision Ordinance.
- (d) *Maximum floor area ratio.* 0.40.
- (e) *Maximum coverage by buildings.* Fifty (50) percent.
- (f) *Total impervious surface.* The total impervious surface located on a lot shall not exceed eighty (80) percent of the gross site area.

6. *Building requirements.*

- (a) *Minimum yards.*
 - (1) *Front.* Fifty (50) feet when opposing street frontage is residential district; thirty-five (35) feet otherwise.
 - (2) *Side.* Thirty-five (35) feet when adjacent lot is residential district; ten (10) feet otherwise.
 - (3) *Rear.* Thirty-five (35) feet when adjacent lot is residential district; ten (10) feet otherwise.
- (b) *Maximum building height.* Fifty (50) feet.

7. *Use limitations.*

- (a) *Screening and buffering.* Notwithstanding other buffer, landscaping and screening requirements of this chapter, outside storage areas for materials, equipment or trash must be screened from adjacent streets or from adjacent land not zoned for industrial use. The purpose of such screening shall be to substantially reduce, but not necessarily eliminate, public views of outside storage areas. Acceptable screening shall be approved by the zoning administrator.
- (b) *Off-street parking and loading.*
 - (1) Off-street parking permitted in required front yard.

(2) Must be provided in accordance with section 10-44.

(c) *Indoor/outdoor operations.* All manufacturing operations must take place within a completely enclosed building, unless permission for outside operations is specifically granted by the board of supervisors in a special use permit.

(Ord. No. 1999-12, §§ 2-1100—2-1107, 12-13-99; Ord. No. 2001-08, 6-11-01; Ord. No. 2003-07, 6-9-03; ORD-FY-05-19, 12-13-04; ORD-FY-05-23, 4-11-05; ORD-FY-14-12, 10-16-13; ORD-FY-14-13, 10-16-13; ORD-FY-14-21, 5-27-14; ORD-FY-16-04, 8-24-15; ORD-FY-17-06, 9-12-16)

HISTORY

Amended by Ord. [FY-21-07](#) on 7/27/2020

Amended by Ord. [FY-21-13](#) Data Pole - Telecommunications facility on 9/28/2020

ARTICLE II – DEFINITIONS AND USE TYPES

SEC. 30-28. DEFINITIONS.

Data Center: A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer and/or network equipment, systems, servers, appliances and other associated components related to digital data operations. Such facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at a data center.

SEC. 30-29. USE TYPES; GENERALLY.

Sec. 30-29-6. Industrial Use Types.

Industry, Type I: Enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Included would be assembly electrical appliance **and components, energy, biotechnology, data centers,** bottling and printing plants, and the manufacturing of paint, oils, pharmaceuticals, cosmetics, bakery goods, dairy products, perfumes, fruit, vegetable, food and tobacco products, solvents and other chemical production of items made of stone, **glass,** metal or concrete. This definition includes the further processing of meat products **and the manufacturing, compounding, processing, packing or treatment of articles (of sizes less than four hundred (400) cubic feet) of merchandise of raw, secondary or partially completed materials.**

ARTICLE IV – USE AND DESIGN STANDARDS

SEC. 30-88. ACCESSORY USES AND STRUCTURES.

Sec. 30-88-6. Accessory Uses: Industrial Use Types.

(A) Industrial use types may include the following accessory uses, activities or structures on the same site or lot:

1. Parking for the principal use.
2. Recreational facilities available only to the employees of the industrial use type.
3. Day care facilities available only to the employees of the industrial use type.
4. Cafeterias and sandwich shops available only to the employees of the industrial use type.

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5. Incidental retail sale of goods associated with the industrial use type, provided the square footage does not exceed ten (10) percent of the gross floor area.~~or three thousand (3,000) square feet, whichever is less.~~
6. One accessory dwelling unit occupied by employees responsible for the security of the use.
- ~~7. Other uses and activities necessarily and customarily associated with purpose and function of industrial use types, as determined by the administrator.~~
- ~~87.~~ Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within 30 days of issuance of the final certificate of occupancy for the project.
- ~~98.~~ Micro wind energy systems that project no more than fifteen (15) feet above the highest point on the structure and complies with the height requirement of the zoning district.
- ~~9.~~ Additional accessory uses not listed above in a building with a permitted principal use and occupying not more than twenty (20) percent total of the floor area of such building.