

Zoning Ordinance Update

Supplemental Regulations for Commercial, Ind., & Utility Uses

PC/BOS Joint Meeting

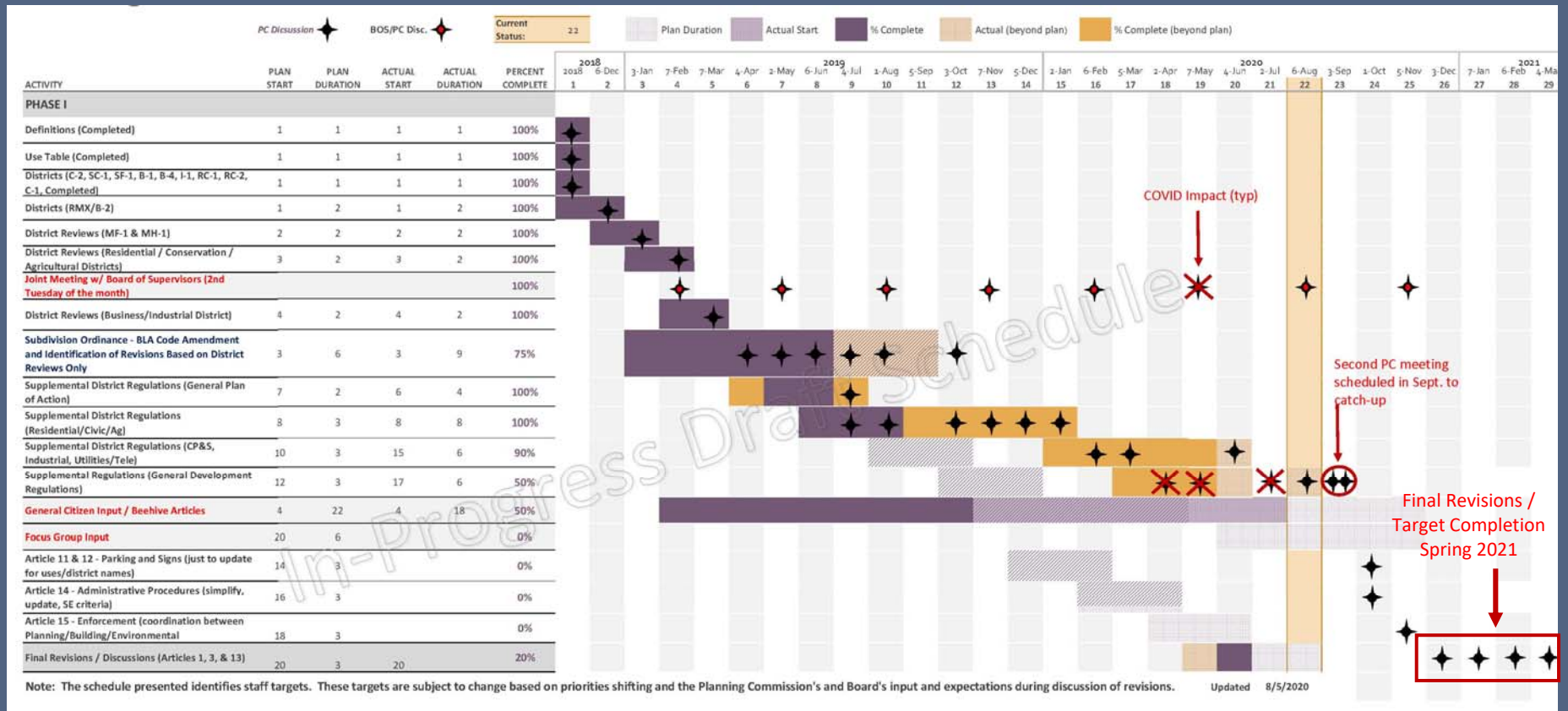
August 13, 2020



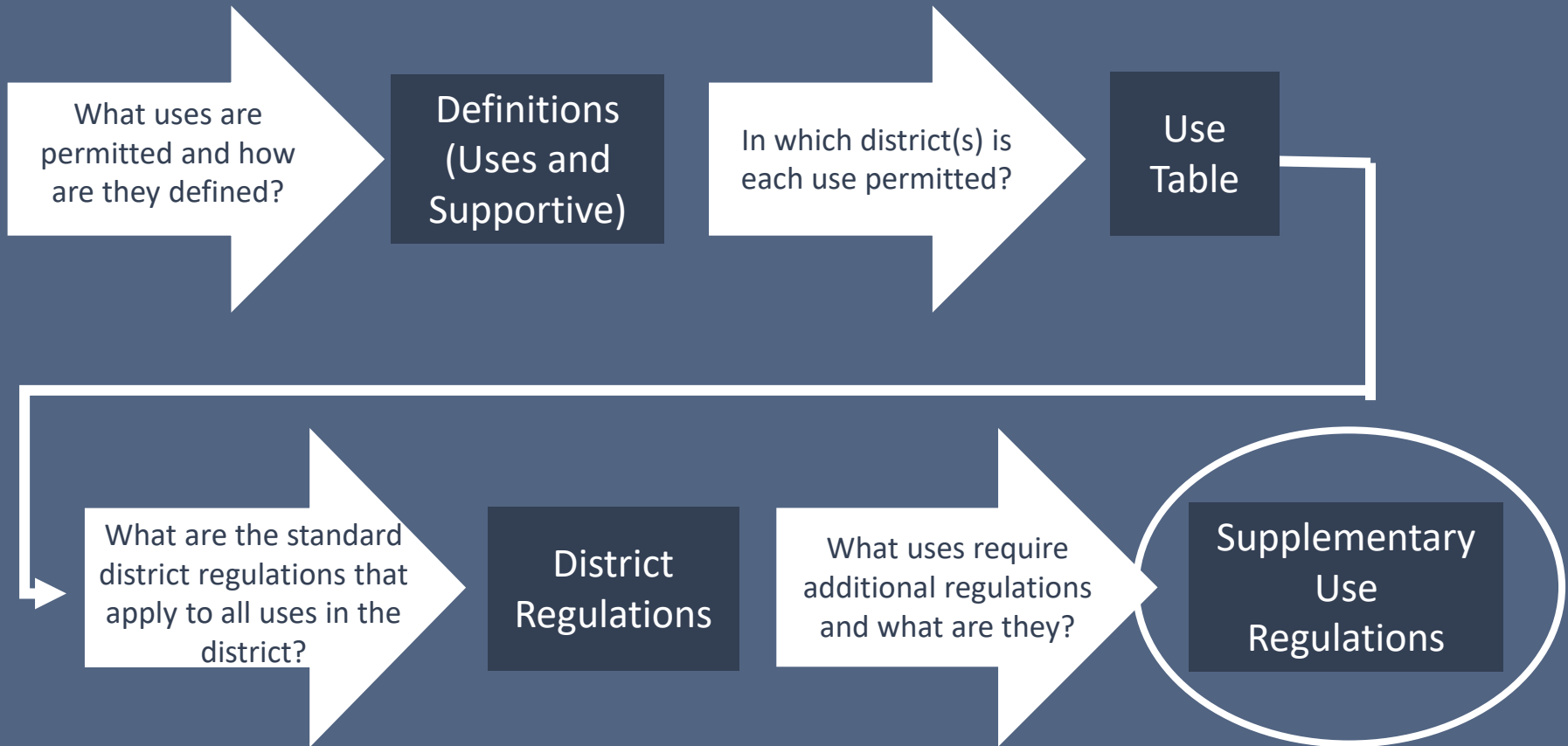
The land of the life worth living.

In Progress Schedule

Anticipated Public Hearings / Adoption Mid 2021



Supplementary Regulations Purpose



Supplementary Regulations Review Status

Completed

- Residential
- Civic & Institutional
- Agriculture
- *Animal
- Outdoor

Tonight

- Consumer Products and Services
- Industrial
- Utilities

In Progress

- Temporary Uses

Consumer Product and Service Uses w/ Supp. Regs.

Existing

Proposed

- Adult business
- Auto impound; Vehicle storage
- Auto towing services; Auto/vehicle service; Engine/equipment repair, small
- Commercial enter/amuse/sports (indoor/outdoor)
- Event facility → • Event facility
- Sales, general store, country
- Sales, indoor/outdoor
- Sales, seasonal → • Sales, seasonal

Existing Automobile Uses



Automobile Uses & the DMV

Automotive Uses

- Automobile impound facility →
- Automobile towing services →
- Automobile vehicles service facility →
- Small engine and equipment repair
- Vehicle storage facility

DMV Licenses

- Salvage Pool License
 - Vehicle Remover Operator
 - Auto Recycler
 - Rebuilder
 - Demolisher
 - Salvage Dealer
 - Scrap Metal Processor
- ↓
Industrial Use – Junkyard or Salvage yard

Automobile Impound Facility

Definition

- An establishment that provides temporary outdoor storage for vehicles that are to be claimed by titleholders or their agents where no motor vehicle is kept for more than ninety (90) days. This use shall include any person or business licensed as a “salvage pool” by the Virginia Department of Motor Vehicles.

DMV: Salvage Pool



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Automobile Impound Facility										<u>P</u> / <u>CUP</u>		<u>P</u>

Automobile Impound Facility

Article 9 - Proposed Supplementary Regs.

1. If located in B-G (B-1) General Business District:
 1. Permitted by-right (P) if below are met; otherwise CUP required
 - Structures & storage - 200' front setback / 50' side setback
 - Meet B-F (below and on next slide)
 2. Vehicle storage shall be screened from public r-o-w and exterior property lines. Shall not be parked in r-o-w, required landscape or setback areas, or RPAs.



Automobile Impound Facility

Article 9 - Proposed Supplementary Regs. Cont.

3. All vehicles shall be stored on a gravel or paved surface
4. On-site demolition or junking of vehicles prohibited
5. Vehicles can not be used as a source of parts
6. Automobile / vehicle service facilities, towing services, and other uses on the same parcel must also meet those regulations.



Automobile Towing Services

Definition

- An establishment that transports vehicles for others for a fee or any person or establishment licensed as a “vehicle removal operator” by the Virginia Department of Motor Vehicles.

DMV: Vehicle Removal Operator

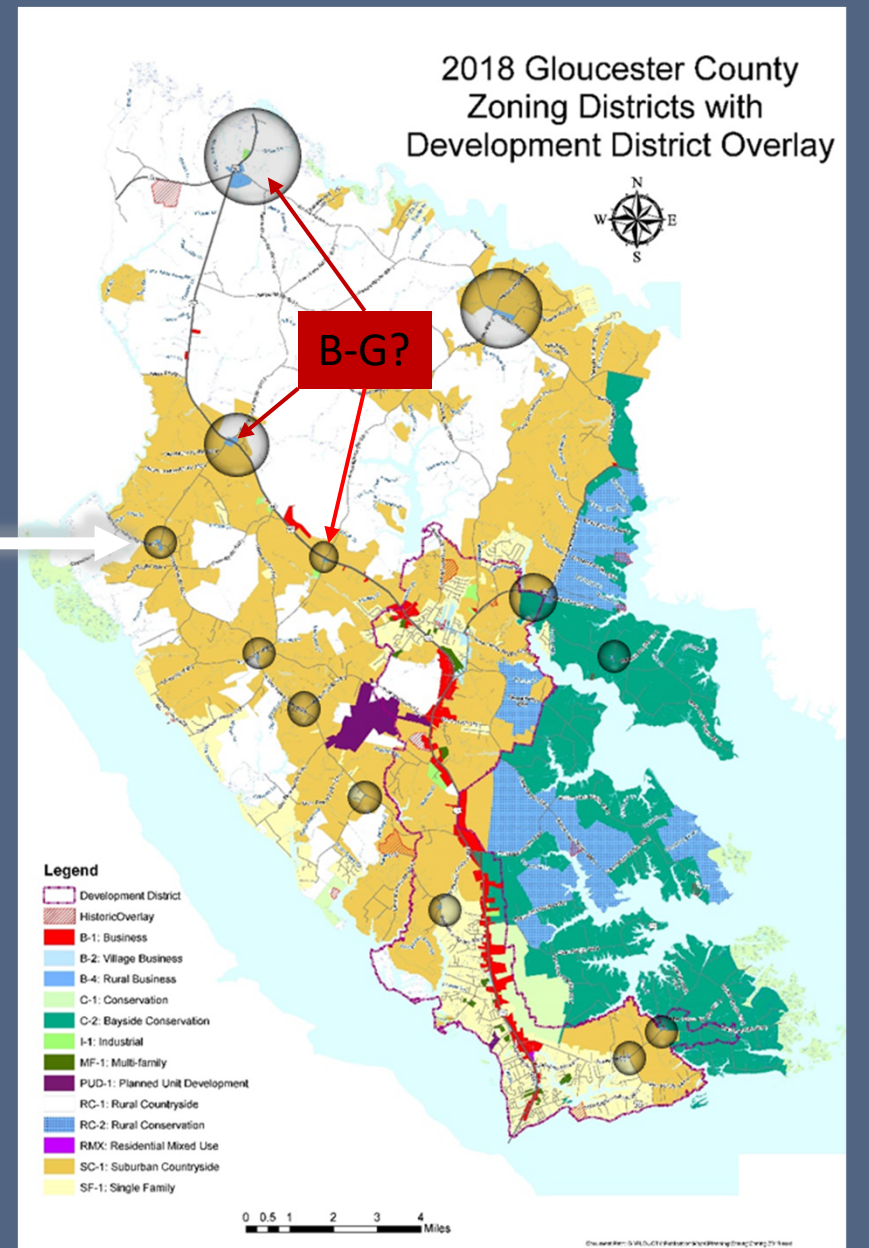
Use	Districts											
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial	
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
* Automobile Towing Services										<u>P</u>	CUP SE	<u>P</u>

* Draft regulations do not allow this use as a home occupation.

Automobile Towing Services

B-R (B-4) typ. →

Do we want to automobile towing services in our Rural Business District?



Automobile Towing Services

Article 9 – Proposed Supplementary Regs.

1. All areas for storing vehicles shall be screened from public r-o-w and exterior property lines. Such vehicles shall not be parked in any public right-of-way, required landscape areas or setbacks and RPA.
2. A minimum of 200 SF/vehicle temporarily stored shall be required and areas shall be identified on a scaled plot plan w/max # of vehicles listed)
3. Demolition or junking of motor vehicles prohibited.
4. Vehicles shall not be stored for more than 30 days or used as a source of parts.



- ~~5. Not permitted as home occupation~~

Automobile/Vehicle Service Facility

Differentiate between:



Repair / Service

Consumer Product/Service Use

- Automobile / vehicle service facility
- Engine / equipment repair, small



Salvage / Recycle

Industrial Use

- Junkyard or salvage yard

Automobile/Vehicle Service Facility

DMV: Rebuilder

Definition

- An establishment that repairs, installs, or maintains the components or the bodies of any motor vehicle, recreational boat, construction equipment, commercial vehicle, agricultural implement and similar heavy equipment or that wash, clean, or otherwise protect the exterior or interior surfaces of these vehicles.

Gasoline and other petroleum products may be sold.

This use shall include facilities that perform heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work or any business licensed by the Virginia Department of Motor Vehicles as a “rebuilder”.

Automobile / Vehicle Service Facility



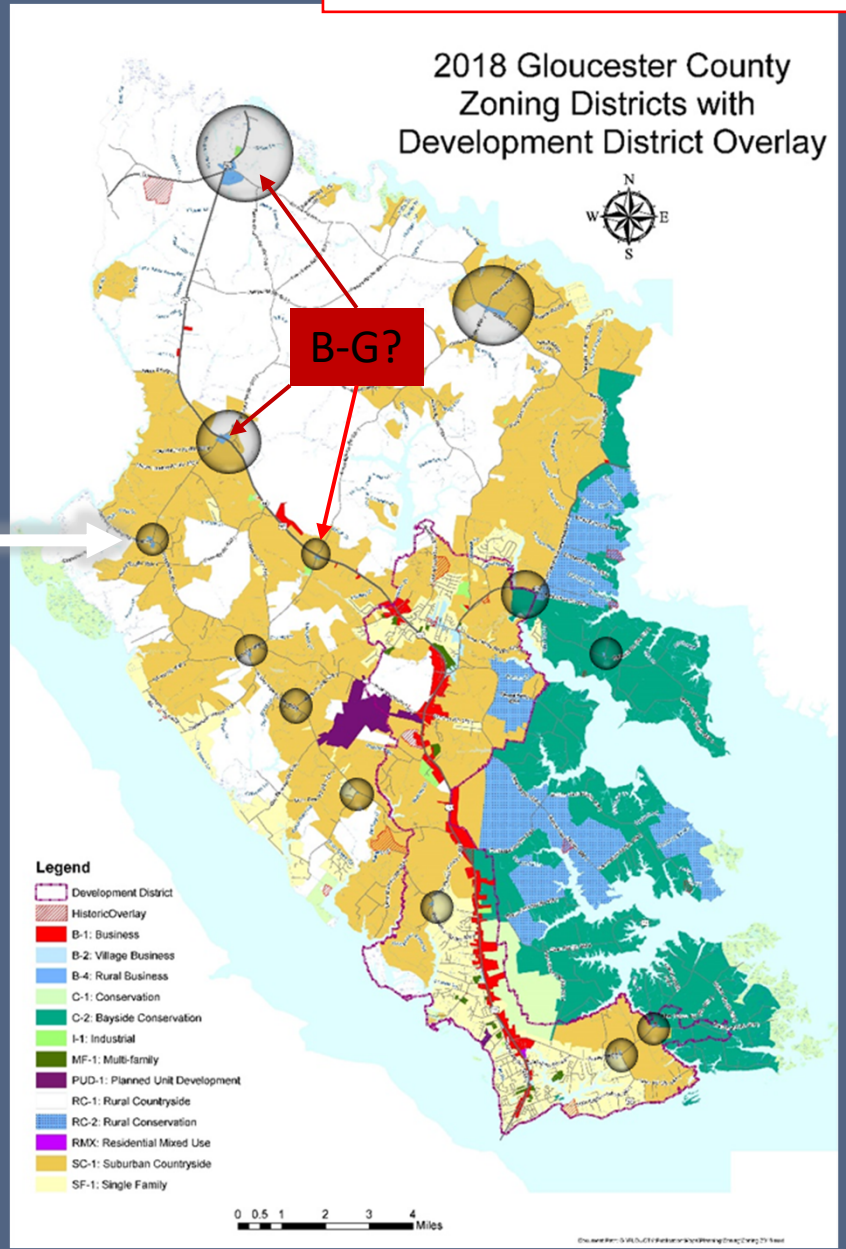
Use	Districts											
	Conservation	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Automobile / Vehicle Service Facility										P	P / SE *CUP	P

*In the B-R district ~~either~~ only permit along Rte. 17 by right and require a ~~CUP~~ if not located along 17 ~~-or-~~ don't allow in B-R if zoning of Glens changes to B-G. SE

Automobile / Vehicle Service Facility

B-R (B-4) typ. →

Do we want to allow this use in our Rural Business District?



Automobile / Vehicle Service Facility

Article 9 – Proposed Supplementary Regs.

1. All repair and installation work shall **primarily** take place within an enclosed structure. (current requirement)
2. All vehicles shall be stored on a gravel or paved surface.
3. ~~All areas for storing vehicles awaiting service shall be screened from the public right of way and external property lines. Such vehicles shall not be parked in any public r-o-w, required landscape area or setback, and RPA.~~



Automobile / Vehicle Service Facility

Article 9 – Proposed Supplementary Regs. (Cont.)

4. No outdoor storage of parts/supplies. Must be stored indoors or deposited in an appropriate waste receptacle. Tire storage shall be approved by Building Official/DEQ.
5. Wrecked or inoperative vehicles shall not be stored for longer than 90 calendar days.
6. The demolition or junking of vehicles is prohibited.
7. Vehicles shall not be used as a source of parts.
8. Impound lots on the same parcel(s) must meet the regulations for impound facilities.



Engine / Equipment Repair, Small

Definition

- An establishment that **repairs, installs, or maintains the components of small engines and equipment**. This use shall include engines and equipment such as, but not limited to, lawnmowers, outboard motors, and the like.



Use	Districts											
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial	
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Engine / Equipment Repair, Small									CUP	P	P	P

Engine / Equipment Repair, Small

Article 9 – Proposed Supplementary Regs.

1. All outdoor storage shall be screened from view from r-o-w / external property lines.
2. Equipment shall not be parked in any public right-of-way, required landscape areas / setbacks, or RPA areas.
3. Used or damaged items removed from small engines / equipment shall be stored indoors or deposited in an appropriate waste receptacle.



Vehicle Storage Facility

Definition

- A facility that provides **outdoor storage of vehicles**. All vehicles stored must remain ~~mechanically operable and registered~~ at all times. This definition **does not include the areas designated for the storage of motorized vehicles in a private development.**



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Vehicle storage facility										<u>CUP</u>	<u>CUP</u>	<u>P</u>

Vehicle Storage Facility

Article 9 – Proposed Supplementary Regs.

1. All areas for storing vehicles shall be screened from the public r-o-w and external property lines. Such vehicles shall not be parked in any public right-of-way, required landscape areas or setbacks, or RPAs.
2. All vehicles shall be stored on a gravel or paved surface.
3. The on-site demolition or junking prohibited.
4. Vehicles shall not be a source of parts.
5. ~~Vehicles must have valid registration and inspection sticker, when applicable.~~
5. When use is accessory to another use these requirements apply to the area utilized for vehicle storage.



Questions on Other Commercial Uses?

Existing

Proposed

- Adult business
- Auto impound; Vehicle storage ✓
- Auto towing services; Auto/vehicle service; Engine/equipment repair, small
- Commercial enter/amuse/sports (indoor/outdoor)
- Even facility → • Event facility
- Sales, general store, country
- Sales, indoor/outdoor
- Sales, seasonal → • Sales, seasonal

Industrial Uses w/ Supp. Regs.

Existing

- Contractor office and storage yard
- Junkyard or salvage yard
- Manufacturing, extractive
- Mine, surface mineral
- Warehouse, mini

Proposed

- Junkyard or salvage yard
- Manufacturing, extractive
- Mine, surface mineral
- Warehouse, mini



Junkyard or Salvage Yard

Definition

Any land or buildings used, in whole or in part, for the commercial collection, storage, and sale of waste paper, rags, scrap metal, bottles, or other abandoned, discarded, demolished, or worn-out materials, and including the storage and dismantling of motor vehicles or machinery for parts; or for the collection and storage of recyclable materials (e.g., scrap metal, glass, tires) and the sorting and processing of such materials in preparation for shipment to others for use in manufacturing new products.

The use also includes the dismantling of motor vehicles, including the collection and storage of parts for resale, and/or the storage of inoperative automobiles for future salvage, sale, disposal, or recycling.

This use shall include all automobile graveyards and businesses licensed by the DMV as a demolisher, salvage dealer, or scrap metal processor.

DMV: Auto
Recycler

- Demolisher
- Salvage Dealer
- Scrap Metal Processor

Junkyard or Salvage Yard



Use	Districts											
	Conserv	Agriculture		Residential				Mixed Use	Business		Industrial	
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Junkyard or Salvage Yard										<u>CUP</u>		SE CUP

Junkyard or Salvage Yard

Article 9 - Proposed Supplementary Regs.

1. This use is subject to the regulations contained in County Code Ch. 4 – Automobile graveyards and junkyards.
2. Storage areas shall be effectively screened from view of all public street and adjacent properties compliant with General Screening and Buffering standards unless a more stringent standard is required by the CUP.
3. Upon arrival all vehicles shall be drained of all liquids, fuel, and oil prior to storage within the junk yard or salvage yard. Liquids shall be stored and disposed of according to federal and state regulations.

Ch. 4 – Includes the following state code requirements.

- Screening if located w/in 1000' from a primary highway or 500' of any other highway.
- Record retention
- Sales to minors
- Investigation of premises
- Also includes:
 - No open fires
 - Hours of operation for demolishing and buying.
 - Penalty

Junkyard or Salvage Yard

Article 9 - Proposed Supplementary Regs. Cont.

4. No storage or display of inoperable vehicles, vehicle parts, or other contents shall be located in any required landscape area or setback, or RPA.
5. The PC and Board may consider the recommendations of all reviewing agencies and public comments and include conditions which may include, but are not limited to:
 - A. Hours of operation;
 - B. Access;
 - C. Increased setbacks; and
 - D. Increased screening along adjacent residential properties.

Add fencing? fencing
(type)?

Staff Notes:

#4 – may be added
to General
Development
Standards

#5 – may be added
to the standard
CUP language in
the ordinance

Warehouse, mini

Definition

A **self-storage warehouse** facility consisting of individual, small self-contained units that are used to accommodate primarily individual households and general public, **not intended for use by heavy commercial users** and not involving frequent heavy trucking. **The outdoor storage of cars, boats, and the like are permitted as an accessory use of the lot.**



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Warehouse, mini										P / SE		P

Warehouse, mini

Article 9 - Proposed Supplementary Regs.

1. Permitted by right in the B-G (B-1) district if
 - the facility is set back a minimum of two hundred (200) feet from the right of way.
 - if not a Special Exception (SE) will be required.
- ~~2. Any outdoor storage of cars/boats/etc., shall be screened from the right of way and adjacent parcels as per the general development standards for screening and buffering.~~

Staff note:

- Screening and buffering section currently under development. If those regulations are not deemed adequate, additional regulations will be added to this use.

Questions on other Industrial Uses w/ Supp. Regs.?

Existing

- Contractor office and storage yard
- Junkyard or salvage yard
- Manufacturing, extractive
- Mine, surface mineral
- Warehouse, mini

Proposed

- Junkyard or salvage yard
- Manufacturing, extractive
- Mine, surface mineral
- Warehouse, mini

Utility Uses w/ Supp. Regs.

Existing

- Commercial communication facilities

Proposed

- Commercial wireless communication facilities

- Solar energy facilities

- Solar energy facilities

- Wind energy facility, small

- Wind energy facility, small

Solar Energy Facility

Definitions

Small system: **A private solar energy conversion system** consisting of photovoltaic panels, support structures, and associated control, conversion, **storage**, and transmission hardware which has the rated capacity to produce **not more than 20 kilowatts (kW)** of electrical power.

Large-scale: **A private solar energy conversion system consisting** of photovoltaic panels, support structures, and associated control, conversion, **storage**, and transmission hardware which has the rated capacity to produce **more than 20 kilowatts (kW) of electrical power but not more than one (1) megawatt (MW)** of electrical power.

Utility-scale: **An energy conversion system, whose primary purpose is to produce power for consumption by a utility provider** or other purchaser authorized under Virginia law to purchase such power, consisting of photovoltaic panels, support structures, and associated control, conversion, **storage**, and transmission hardware which has the rated capacity to produce **more than one (1) megawatt (MW)** of electrical power.

PC/BOS Comment: OK with proposed district regs, but change all large facilities to CUP.

Solar Energy Facility



Use	Districts											
	Conserv	Agriculture		Residential					Mixed Use	Business		Industrial
	C-1	AG-1 (RC-1)	AG-2 (RC-2)	R-BC (C-2)	R-SC (SC-1)	R-SF (SF-1)	R-MF (MF-1)	R-MH (MH-1)	VMX (RMX/B2)	B-G (B-1)	B-R (B-4)	I-1
Solar energy facility, small	P	P	P	P	P	P	P	P	P	P	P	P
Solar energy facility, large	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Solar energy facility, utility	CUP	<u>P</u> CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP

Solar Energy Facility

Article 9 –Supplementary Regs Discussion

- Recent code amendment requires:
 - Surety for required landscape buffers
 - Review of the decommissioning plan every 5 years and updates to the surety as needed
 - Post land disturbance soil testing for proper seed mixture and revegetation
 - Developer payment for use of contracted inspectors



Solar Energy Facility

Article 9 –Supplementary Regs Discussion

Siting of solar energy facilities.

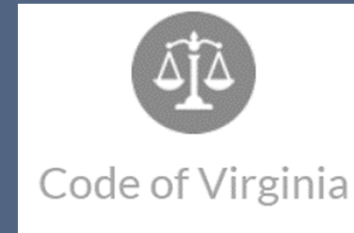
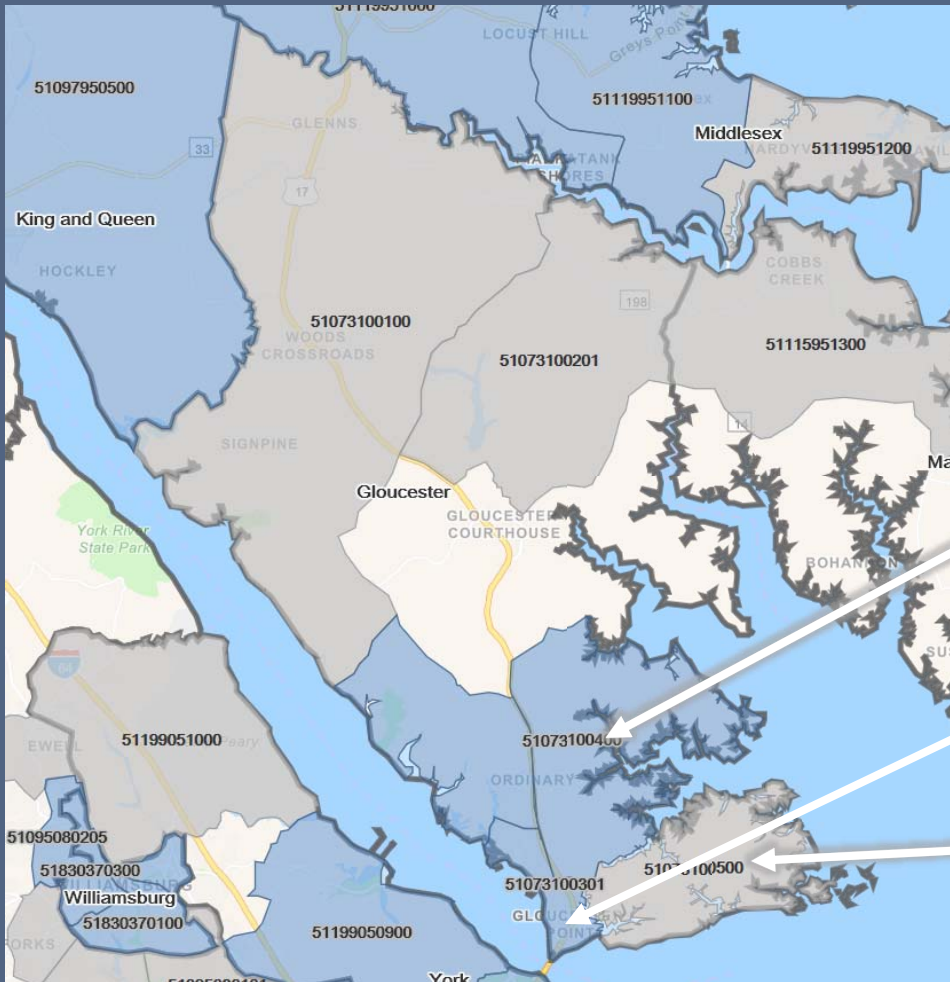
- Requires any applicant seeking to locate on any census tract meeting the eligibility requirements for an opportunity zone to execute a siting agreement with the host locality
- The bill grants localities various powers in executing such siting agreement and contains certain requirements for the agreement provisions.
- The bill does not apply to any facility that has received approval on or before January 1, 2020.



Code of Virginia

HB 1675

Solar Energy Facility



HB 1675

Siting Agreement

New Market Tax Credit
Qualified Census Tracts

LIC Census Tract –
Designated OZ - GP

Non LIC Tracts Contiguous
w/ Eligible Tracks

Questions on Other Utility Uses w/ Supp. Regs.?

Existing

- Commercial communication facilities

Proposed

- Commercial wireless communication facilities

- Solar energy facilities

- Solar energy facilities

- Wind energy facility, small

- Wind energy facility, small

Final Thoughts?

Thank you!



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