FAIRFAX COUNTY zMOD

ZONING ORDINANCE MODERNIZATION PROJECT

DRAFT

ZONING ORDINANCE STRUCTURE AND INDUSTRIAL USES

SEPTEMBER 24, 2018

Background

During the week of October 8, 2018, the third series of outreach meetings will be conducted by Clarion Associates, the County's consultant on the zMOD project to modernize the Fairfax County Zoning Ordinance. Since the last series of outreach meetings in May, Clarion has been working with County staff to update the land use portion of the Zoning Ordinance. The draft document in the Attachment represents a portion of one of the articles that will be part of the modernized ordinance, and illustrates the proposed format and approach to the regulations that specify where and how land uses may be established. The Attachment also contains proposed text related to industrial uses, which is one of the seven proposed land use classifications. The industrial uses are presented as a pilot section for the remaining uses which will be posted for public review in the coming months. The proposal revises and develops land use definitions that combine uses of similar impact for consistency and ease of implementation, and compatibility with how people live and how businesses operate.

The draft document for industrial uses is organized into four sections: General Provisions, Use Tables, Use Standards, and Definitions. Each of these sections is outlined below. Following that is a summary of the proposed revisions.

General Provisions

The general provisions section applies to all uses, not only to industrial uses. This section provides a brief introduction to the purpose of the use tables and standards. It carries forward and condenses portions of Sect. 2-302 of the current Zoning Ordinance, requiring all uses to comply with the use regulations and establishing that the Zoning Administrator will determine the most similar use for unlisted uses. The language incorporates the new Use Categories (described below) as part of the determination process.

Use Tables

All uses will be listed in two use tables: one for the conventional residential, commercial, and industrial districts, and the other for the planned districts.

Types of Uses Allowed

This section introduces the use tables by defining what the letters in the cells of the table indicate. For instance, a "P" in the use table means that the use is permitted by-right in that zoning district, subject to applicable use standards. The processes required for approval of the use are indicated, such as a special exception, special permit, or final development plan.

Use Classification System

This section outlines the classification system for how the uses are arranged in the use tables. Uses are organized according to a three-tiered hierarchy which groups similar uses together.

- Use Classifications: Each use is grouped under one of the following seven broad classifications: Industrial; Agriculture; Commercial; Public, Institutional, and Community; Residential; Accessory; and Temporary.
- Use Categories: Categories are subgroups within each classification which have common functional or physical characteristics. The Industrial classification is divided into four use categories: Freight Movement, Warehousing, and Wholesale Distribution; Industrial Services and Extraction of Materials; Production of Goods; and Waste and Recycling Facilities.
- Uses: Uses are the specific land uses that can be established, such as Craft Beverage Production Establishment or Recycling Center.

Use Tables

In both use tables, the uses are listed along the left-hand column and ultimately will be hyperlinked to their definitions. Along the right-hand column, the use standards are listed, which will also be hyperlinked. Each district is listed across the top, and the planned district table further distinguishes principal and secondary uses, as well as the areas for the PRC District. A portion of one of the use tables is shown below:

3. Use Table for Residential, Commercial, and Industrial Districts

TABLE 4-101.3: Use Table for Residential, Commercial, and Industrial Districts[12]
P = permitted; **SE** = special exception; **SP** = special permit
A = allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards
T = permitted as a temporary use; blank cell = not allowed

Use	Residential Districts														Commercial Districts								Industrial Districts						Use Standards
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-1	I-2	I-3	I-4	I-5	I-6	
INDUSTRIAL USES																													
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.																													
Data Center[13]																	P	P	P	P	P	P		P	P	P	P	P	*
Freight Distribution Hub[14]																										P	P	P	*
Self-storage[15]																						SE			SE	P	P	P	4-102.2.A/*

Use Standards

When complete, this section will contain the use standards for all uses, consolidating regulations currently found throughout the Ordinance, including use limitations, special exception and special permit standards, as well as certain details from use definitions and regulations found in Articles 2 and 10, among others. Included in this draft are the general standards and the standards for industrial uses. General standards are those that apply to: 1) all uses, 2) all uses in certain zoning districts, and 3) all special exception and special permit uses. Provisions that pertain to submission requirements or procedures are proposed to be relocated to a separate article. This format reduces repetition and consolidates the regulations that apply to each use. In general, the use standards are carried forward from the current Ordinance, with some editing to make them easier to understand. Additional editing will take place as the draft is refined.

Use Definitions

For the purpose of this draft, the definitions of all industrial uses are presented according to their use category; however, in the final Ordinance, all definitions will be organized alphabetically in a separate article. As noted above, where possible, uses are consolidated and definitions are broadly written. In addition, the names for some of the uses have been shortened or updated. For instance, "storage facilities for natural gas, oil and other petroleum products" is proposed to be renamed "Petroleum Products Storage Facility." With a few exceptions, revising or combining uses does not modify where or how specific uses will be allowed. In some cases, distinctions are captured in the use standards instead of by listing a separate use.

In the Industrial classification, uses which have been consolidated are:

- Warehouse – combines "warehousing establishments" and "warehousing and associated retail establishments"
- Extraction Activities – combines the five Group 1 special permit uses
- Production/Processing – combines the four different and lengthy lists for the districts where permitted. The differences in the lists are more clearly stated in the use standards.
- Production/Processing, Heavy – combines the 32 heavy industrial uses that are individually listed in Article 9 of the Ordinance
- Solid Waste Disposal Facility – combines "landfills" and "solid waste disposal and treatment facilities, including incinerators and landfills"

Proposed Revisions

The major changes recommended in the draft as compared to the current Zoning Ordinance are:

General

- The R-P (Residential-Preservation) and I-1 (Light Industrial Research) Districts would be deleted. No land is currently zoned to these districts, and it is not anticipated that land would be rezoned to either one.

- The existing Zoning Ordinance will be rewritten to be more readable. While some changes to existing regulations are proposed, much of the existing content is carried forward. Any content changes are identified in the footnotes.
- Definitions have been drafted for all uses, and numerical and other regulatory details have been removed from the definitions where possible, in order to keep them as broad as possible. The details will be transferred to the use standards.

Industrial Uses

- Fifty-nine existing, individually listed industrial uses are now combined into twenty uses that are grouped into four categories.
- **Data Center** is added as a separate use. It is currently deemed to be a telecommunications facility, which is neither intuitive nor useful. As a separate use, it would not be permitted in the Residential districts, the C-1 or C2 District, or the PDH District, where telecommunication facilities would continue to be allowed.
- **Industrial/Flex** would be deleted as a separately defined use, and instead, **Contractor's Office and Shop** would be added as a permitted use in the I-3 District, subject to use standards, and **Wholesale Facility** would be added to the PTC District. Currently, Industrial/Flex is allowed by-right in the PTC District and by special exception in the I-3 District. The use allows a structure to be used for two or more of the following uses: Contractor's Office and Shop; Establishments for Production and Processing; Warehousing; Wholesale Trade; and Office. Because most of these individual uses are otherwise allowed in I-3 and PTC, in essence the Industrial/Flex use only provides the option for Warehousing and Wholesale Trade in the PTC District and the option for Warehousing and Contractor's Office and Shop in the I-3 District, subject to limitations on the amounts of certain uses. The option to have a **Warehouse** has not been carried forward in the I-3 or PTC District.
- The ability to display **merchandise on service station pump islands** that are within minimum required yards (setbacks) would be removed. This is currently part of a general provision in Sect. 2-502 that applies to all uses in the commercial and industrial districts. The other aspects of that regulation are carried forward.
- Outdoor seating is currently allowed in association with a restaurant in the commercial and industrial districts. This permission is proposed to be extended to a **Craft Beverage Production Establishment**.
- Other more minor revisions as well as editorial changes for readability are proposed.

The revisions are tracked in the document via footnotes. Footnotes will continue to be used in drafts throughout the zMOD process to identify the origin for proposed text and any revisions, but will not be included in the final adopted Ordinance.

Next Steps

- In the coming months, drafts of the remaining use classifications will be posted on the County's website for public review. Each posting will be advertised by email, Facebook, and other press releases.
- County staff will be available to answer questions and receive feedback on the documents (DPZZMODComments@fairfaxcounty.gov).
- Clarion will return in spring 2019 for another round of public meetings to present additional use regulations.
- Work will continue in 2019 to develop a complete draft of the modernized Zoning Ordinance, with continued outreach along the way.

Questions?

If you have questions or comments about any aspect of the zMOD project, please contact Connie Dickson at connie.dickson@fairfaxcounty.gov or visit the project website at www.fairfaxcounty.gov/planning-zoning/zmod. If you would like to receive email updates about this project, please visit the project website and click "Add Me to the zMOD E-Mail List." You may follow us at https://www.facebook.com/fairfaxcountyzoning/

Article 4: Use Regulations[1]

4-100. General Provisions

1. All land uses are listed in the two tables in Sect. 4-101, Use Tables. Table 4-101.3 addresses the land uses allowed in the conventional zoning districts (the Residential, Commercial, and Industrial Districts) and Table 4-101.4 addresses the land uses allowed in the Planned Districts (PDH, PDC, PRC, PRM, and PTC). The land uses allowed in each zoning district are identified in those tables as permitted (i.e. by right), special exception, special permit, accessory, or temporary uses. Each use is subject to the applicable general and use-specific standards (together referenced as "use standards") that are referenced in the right-most column of the tables, and to all other applicable requirements of this Ordinance.

2. When a proposed land use is not listed in Tables 4-101.3 and 4-101.4 below and is not otherwise prohibited by law, the Zoning Administrator will determine its appropriate Use Category, and the most similar listed use. The proposed use will be treated the same as the most similar use.[2]

3. No structure or use of land may be built, moved, remodeled, established, altered, or enlarged unless it complies with all regulations of this Ordinance.[3]

4-101. Use Tables

1. Use Table Instructions and Abbreviations[4]

A. A "P" in a cell of Table 4-101.3 indicates that the use can be established by-right in that zoning district, subject to compliance with applicable use standards.

B. A "P" in a cell of Table 4-101.4 indicates that the use can be established only when identified on an approved final development plan in the PDH, PDC, PRM, or PTC Districts, or when identified on an approved development plan and PRC plan in the PRC District, in accordance with [*reference relocated current Article 16 provisions*].All uses must comply with applicable use standards. If the cell containing the "P" is in a column under the subheading "Secondary," the use is allowed to be established only with one or more principal uses.

C. A "P/SE" in a cell of Table 4-101.4 indicates that the use can be established only when it complies with [*reference to relocated current Article 16 provisions*] and applicable use standards as follows:

(1) The use must be identified on an approved development plan and PRC plan, if applicable, in the PRC District, or on an approved final development plan in any other P district; or

(2) The use may be established with approval of a special exception by the Board when the use is not specifically identified on a final development plan, development plan, or PRC plan, as applicable. When a use is being considered for approval as a special exception, the

[1] Most of the text has been edited for readability; however, content changes are footnoted throughout.
[2] This language carries forward and condenses Par. 1 of Sect. 2-302, adding in reference to the use category.
[3] This combines Paragraphs 4 through 8 of Sect. 2-302.
[4] Description of table abbreviations draw on materials from the current articles for the zoning districts, and Articles 8 (Special Permits) and 9 (Special Exceptions).

applicable special exception or special permit use standards and the standards for the specific use apply.

(3) However, when a use is being considered for approval on a development plan in the PRC District or a final development plan in any other P district, the applicable special exception or special permit use standards are used as a guide.[5]

D. A "P/SP" in a cell of Table 4-101.4 indicates that the use can be established only in that specified area of the PRC District when it complies with [*reference to relocated current Article 16 provisions*] and applicable use standards as follows:

(1) The use must be identified on an approved development plan and PRC plan, if applicable; or

(2) The use may be established with BZA approval of a special permit.[6] When a use is being considered for approval as a special permit, the applicable special permit use standards for the specific use apply.

(3) However, when a use is being considered for approval on a development plan in the PRC District, the applicable special permit use standards are used as a guide.[7]

E. An "SE" in a cell of Table 4-101.3 or 4-101.4 indicates that the use can be established only with Board approval of a special exception in accordance with [*reference to relocated current Article 9 procedures*] and applicable use standards.[8]

F. An "SP" in a cell of Table 4-101.3 or 4-101.4 indicates that the use can be established only with BZA approval of a special permit in accordance with [*reference to relocated current Article 8 procedures*] and the applicable use standards.[9]

G. An "A" in a cell of Table 4-101.3 or 4-101.4 indicates that the use is allowed only as accessory to, in connection with, incidental to, and on the same lot with a principal use or structure that has been established in a district.[10] An accessory use can be established by-right with a principal use unless a special exception or special permit is required by the applicable standards for the specific use.

H. A "T" in a cell of Table 4-101.3 or 4-101.4 indicates that the use is allowed only as a temporary use and may require approval of a temporary special permit by the Zoning Administrator, unless otherwise specified.

I. If a cell in Table 4-101.3 or 4-101.4 contains more than one approval type, there is more than one possible way to establish the use, as referenced in the applicable use standards for the specific use.

J. A blank cell in Table 4-101.3 or 4-101.4 indicates that the use cannot be established in that zoning district.

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[5] Subsections (2) and (3) carry forward provisions from Par. 3 of Sections 6-106, 6-206, 6-305, Par. 5 of Sect. 6-406, and Par. 4 of Sect. 6-505. Subsection (3) may be relocated.
[6] This carries forward a provision of Sect. 6-303.
[7] This provision may be relocated.
[8] This provision is based on Par. 1 of Sect. 2-304.
[9] This provision is based on Par. 1 of Sect. 2-303.
[10] This provision is based on Sect. 10-101.

2. Structure of the Use Classification System[11]

Allowable uses are organized according to a three-tiered hierarchy consisting of use classifications, use categories, and uses. This classification system is intended to provide a structure that groups similar uses together for ease in locating or identifying a use and to simplify the classification of new uses.

A. Use Classifications

Each use is grouped under one of these seven broad use classifications: Agriculture; Residential; Public, Institutional, and Community; Commercial; Industrial; Accessory; and Temporary.

B. Use Categories

Use Categories are subgroups of uses in each use classification that have common functional or physical characteristics, such as the type and amount of activity, types of goods, services, occupants or users/customers, or operational characteristics. For example, the Commercial classification is divided into multiple use categories, including Food and Lodging, Office and Financial Institutions, and Retail Sales.

C. Uses

Uses are the specific land uses that can be established in a zoning district, such as restaurant, hotel or motel, or catering uses.

[11] This new section explains the three-tiered organization of uses in the use table.

3. Use Table for Residential, Commercial, and Industrial Districts

TABLE 4-101.3: Use Table for Residential, Commercial, and Industrial Districts[12]

P permitted; **SE** special exception; **SP** special permit
A allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards
T permitted as a temporary use; blank cell not allowed

Use	Residential Districts														Commercial Districts								Industrial Districts						Use Standards
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-I	I-2	I-3	I-4	I-5	I-6	
INDUSTRIAL USES																													
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.																													
Data Center[13]																	P	P	P	P	P	P		P	P	P	P	P	*
Freight Distribution Hub[14]																										P	P	P	*
Self-storage[15]																						SE			SE	P	P	P	4-102.2.A/*
Warehouse[16]																										P	P	P	4-102.2.B/*
Wholesale Facility[17]																					SE	P		A	SE A	P	P	P	4-102.2.C/*
Industrial Services and Extraction of Materials: uses involving the repair or servicing of industrial, business, or consumer machinery equipment, products or by-products, or uses involving the extraction of natural resources from the ground. Few customers from the general public come to the site.																													
Building Materials Sales																											P	P	*
Contractor's Office and Shop[18]																						P			P	P	P	P	4-102.2.D/*
Extraction activities	Allowed as a SP use only in a Natural Resource Overlay Districts as established in [*reference to relocated current Part 3 of Article 7*].																												4-102.2.E/*
Petroleum Products Storage Facility[19]																												SE	4-102.2.F/*
Specialized Equipment and Heavy Vehicle Sale, Rental, or Service																											P	P	*
Storage Yard																											P	P	*
Vehicle Storage or Impoundment Yard																										P	P	P	4-102.2.G/*

***The general standards in Sect. 4-102.1 also apply.**

[12] The R-P and I-1 districts are deleted because there is no land zoned to either district.
[13] Data center to be defined as a separate use, where it has previously been deemed a telecommunication facility (Par. 5 of Sect. 9-101). Since it would now be defined as a separate use, it is removed from the C-1 and C-2 Districts, the R Districts, and the PDH District.
[14] This carries forward permissions for current use "motor freight terminals."
[15] This carries forward permissions for current use "mini-warehousing establishment."
[16] This consolidates and carries forward permissions for current uses "warehousing and associated retail establishments" and "warehousing establishments."
[17] This carries forward permissions for current use "wholesale trade establishments."
[18] Revised from not allowed to P use in I-3, subject to additional use limitations, in order to carry forward this aspect of the Industrial/Flex use, which will be removed.
[19] This carries forward permissions for current use "Storage facilities for natural gas, oil and other petroleum products."

TABLE 4-101.3: Use Table for Residential, Commercial, and Industrial Districts[12]

P permitted; **SE** special exception; **SP** special permit
A allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards
T permitted as a temporary use; blank cell not allowed

Use	Residential Districts														Commercial Districts								Industrial Districts						Use Standards
	R-A	R-C	R-E	R-1	R-2	R-3	R-4	R-5	R-8	R-12	R-16	R-20	R-30	R-MHP	C-1	C-2	C-3	C-4	C-5	C-6	C-7	C-8	I-I	I-2	I-3	I-4	I-5	I-6	
Production of Goods: uses involving the manufacturing, processing, production, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, transfer to other industrial operations, or for order by businesses or consumers.																													
Craft Beverage Production Establishment																			P	P	P	P			P	P	P	P	4-102.2.H/*
Production/ Processing[20]																									P	P	P	P	4-102.2.I/*
Production/ Processing, Heavy																												SE	4-102.2.J/*
Small-scale Production Establishment[21]																													4-102.2.K/*
Waste and Recycling Facilities: uses involving receiving solid or liquid wastes from others for on-site disposal, storage, processing, or transfer to another location for processing or disposal. This use category also includes uses that manufacture or produce goods or energy from the composting of organic material, and the reuse, recycling, or processing of scrap or waste material.																													
Junkyard																												P	*
Mixed Waste Reclamation Facility																												SE	4-102.2.L/*
Recycling Center																											P	P	4-102.2.M/*
Solid Waste Disposal Facility			SE	SE	SE																			SE	SE	SE	SE	P	4-102.2.N/*

***The general standards in Sect. 4-102.1 also apply.**

[20] Food and beverage manufacturing and printing will continue to not be allowed in the I-3 district by use standard. Current prohibitions on bulk storage of flammable materials for resale in I-3, I-4, and I-5 are carried forward by use standard. Prohibitions on heavy industrial uses are now addressed by listing those as a separate use.
[21] Table will be completed after pending text amendment is finalized.

4. Use Table for Planned Development Districts

TABLE 4-101.4: Use Table for Planned Development Districts

P permitted on final development plan/development plan and PRC plan;
P/SE permitted on final development plan/development plan and PRC plan, or as special exception if not on plan(s)
P/SP permitted on development plan and PRC plan, or as special permit if not on plans
SE special exception; **SP** special permit
A allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards;
T permitted as a temporary use; blank cell not allowed

Use	PDH		PRC					PDC		PRM		PTC	Use Standards
	Principal	Secondary	Residential	Neighborhood Convenience Center	Village Center	Town Center	Convention/ Conference Center	Principal	Secondary	Principal	Secondary		
INDUSTRIAL USES													
Freight Movement, Warehousing, and Wholesale Distribution: uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer.													
Data Center[22]						P	P	P					*
Freight Distribution Hub													*
Self-storage									P/SE			P/SE	4-102.2.A/*
Warehouse													4-102.2.B/*
Wholesale Facility[23]												P/SE	4-102.2.C/*
Industrial Services and Extraction of Materials: uses involving the repair or servicing of industrial, business, or consumer machinery equipment, products or by-products, or uses involving the extraction of natural resources from the ground. Few customers from the general public come to the site.													
Building Materials Sales													*
Contractor Office and Shop												P	4-102.2.D/*
Extraction Activities	Allowed as a SP use only in a Natural Resource Overlay.												4-102.2.E/*
Petroleum Products Storage Facility													4-102.2.F/*
Specialized Equipment and Heavy Vehicle Sale, Rental, or Service													*
Storage Yard													*
Vehicle Storage or Impoundment Yard													4-102.2.G/*
Production of Goods: uses involving the manufacturing, processing, production, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, transfer to other industrial operations, or for order by businesses or consumers.													
Craft Beverage Production Establishment				P	P	P	P		P		P	P	4-102.2.H/*

***The general standards in Sect. 4-102.1 also apply.**

[22] Data center to be defined as a separate use, where it has previously been deemed a telecommunication facility (Par. 5 of Sect. 9-101). Since it would now be defined as a separate use, it is removed from the C-1 and C-2 Districts, R districts, and PDH District.

[23] Revised from not allowed to P use in PTC, in order to carry forward the permission for wholesale trade from the Industrial/Flex use, which will be removed.

TABLE 4-101.4: Use Table for Planned Development Districts

P permitted on final development plan/development plan and PRC plan;
P/SE permitted on final development plan/development plan and PRC plan, or as special exception if not on plan(s)
P/SP permitted on development plan and PRC plan, or as special permit if not on plans
SE special exception; **SP** special permit
A allowed as accessory use only, may require approval of special exception or special permit as indicated in use standards;
T permitted as a temporary use; blank cell not allowed

Use	PDH		PRC					PDC		PRM		PTC	Use Standards
	Principal	Secondary	Residential	Neighborhood Convenience Center	Village Center	Town Center	Convention/ Conference Center	Principal	Secondary	Principal	Secondary		
Production/ Processing[24]												P	4-102.2.I/*
Production/ Processing, Heavy													4-102.2.J/*
Small-scale Production Establishment[25]													4-102.2.K/*
Waste and Recycling Facilities: uses involving receiving solid or liquid wastes from others for on-site disposal, storage, processing, or transfer to another location for processing or disposal. This use category also includes uses that manufacture or produce goods or energy from the composting of organic material, and the reuse, recycling, or processing of scrap or waste material.													
Junkyard													*
Mixed Waste Reclamation Facility													4-102.2.L/*
Recycling Center													4-102.2.M/*
Solid Waste Disposal Facility													4-102.2.N/*

***The general standards in Sect. 4-102.1 also apply.**

[24] Current prohibitions on bulk storage of flammable materials for resale in the PTC district are carried forward by use standard.
[25] Table will be completed after pending text amendment is finalized.

4-102. Use Standards

Each use must comply with its applicable standards, including standards for all uses, standards for the zoning district in which the use is located, and standards for the specific use. Uses established as of the effective date of this Ordinance may not be altered, modified, or enlarged in any way that conflicts with, or compounds an existing conflict with, the use standards.

1. General Standards[26]

A. Standards for All Uses

(1) Except as may be qualified elsewhere in this Ordinance, every use must comply with the lot size and bulk regulations of the zoning district in which it is located.

(2) Except as may be qualified elsewhere in this Ordinance, every use must comply with the off-street parking, loading, and private street regulations in [*new reference for Article 11*]; the sign regulations in [*new reference for Article 12*]; and the landscaping and screening regulations in [*new reference for Article 13*].[27]

(3) All uses except Light Utility Facilities must comply with the performance standards in [*new reference for Article 14*]. [28]

(4) Before establishment, every use, including any modifications or alterations to an existing use, is subject to [*reference to relocated current Article 17, Site Plans*].[29]

(5) If a use requires any governmental approval—whatever the form (e.g., license, permit, etc.) or the governmental entity (local, state, or federal)—the use must maintain compliance with that approval, including any pertinent standards and requirements. Some, but not all, such standards and requirements are referenced in this Ordinance; when they are not, it does not relieve any person of the responsibility to comply with them.

B. Standards for Uses in Residential Zoning Districts

The sale of goods or products is not permitted, except as accessory to an established permitted, special permit, or special exception use.[30]

C. Standards for Uses in Commercial Zoning Districts[31]

(1) All refuse must be kept in enclosed containers that are screened from view.

(2) The following are not allowed in the minimum required yards:[32]

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[26] This section collects use standards that do not apply to a particular land use, but instead (1) apply generally to all uses, or (2) apply to all uses requiring special exception or special permit approval, or (2) apply to all uses within a defined "Group" or "Category" of uses in the current Zoning Ordinance, or (4) apply to all uses in a specific zoning district (or category of zoning districts). The standards have been collected and integrated from Sections 8,006, 9-006, 9-304, and multiple other sections of Articles 2, 3, 4, 5, 6, 8, and 9.

[27] This consolidates the references to additional regulations that are repeated for each district.

[28] Carries forward provisions from Sections 14-101 and 14-102, and other repeated references.

[29] This consolidates the references to site plan requirements in the additional regulations for each district, and the standards for group and category uses.

[30] Consolidates a use limitation repeated for each residential district.

[31] This carries forward use standards that apply district-wide from Sections 4-105, 4-205, 4-305, 4-405, 4-605, 4-705, and 4-805.

(a) Goods displayed, stored, or offered for sale; and

(b) Services or activities that are associated with the use of the property, except that off-street parking spaces and vehicle fueling station pump islands are allowed.

(3) In the C-1, C-2, C-3, and C-4 Districts, all operations, activities, storage, and display of goods must be conducted within a completely enclosed building, except:

(a) Uses which by their nature must be conducted outside a building;

(b) Outdoor seating provided in association with a restaurant or craft beverage production establishment.[33]

(4) In the C-5, C-6, C-7, and C-8 Districts, any operations, storage, activity, or display of goods may be permitted as follows:

(a) The use may be only on the same lot with and ancillary to an established permitted, special exception, or special permit use;

(b) The use is limited to 250 square feet of accessory outdoor storage and display in accordance with [*reference to relocated current Sect. 17-104*]; however, additional storage and display may be permitted if designated on an approved site plan; and

(c) The outdoor storage and display of goods is limited to those goods that are customarily used outside, including such things as fertilizers, peat moss, shrubbery, mulch, and items permitted to be sold at a vehicle fueling station.

(d) In addition to the standards above, the following apply to the C-8 District:

1. The limitations on outdoor storage in (c) above do not preclude outdoor storage by a contractor's office and shop.

2. All outdoor storage and loading areas must be completely enclosed by screening.

3. There may be no outdoor storage or parking of construction equipment; construction machinery; construction vehicles; or other vehicles, such as solid waste collection vehicles, dump trucks, cement mixers, tractors, or trailers of tractor-trailer trucks.

D. Standards for Uses in Industrial Districts[34]

(1) The following are not allowed in the minimum required yards:[35]

(a) Goods displayed, stored, or offered for sale;

(b) Processing or other industrial operations of any kind; and

(c) Services or activities that are associated with the use of the property, except that off-street parking spaces and vehicle fueling station pump islands are allowed.

(2) In the I-2, I-3, and I-4 Districts, all operations, activities, and storage must be conducted within a completely enclosed building, except for those uses which, by their nature, must be conducted outside a building, and any outdoor seating provided in association with a restaurant or craft beverage production establishment.[36]

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[32] This carries forward Sect. 2-504, except for the allowance for merchandise on pump islands.
[33] This extends the provisions for outdoor seating to a craft beverage production establishment.
[34] This carries forward provisions in Sections I-I05, I-205, I-305, I-405, I-505, and I-605.
[35] This carries forward Sect. 2-504, except for the allowance for merchandise on pump islands.
[36] This carries forward provisions in Par. 2 of Sections. 5-205, 5-305, and 5-405. It extends the provision for outdoor seating to a craft beverage production establishment.

(3) In the I-5 District, outside storage may not be located within a minimum required front yard or within a required transitional screening yard.

E. Standards for Uses in Planned Districts

(1) In the PRC District, all uses permitted under a development plan must be in substantial conformance with the approved development plan as required by [*reference to relocated Sect. 16-202*]. In any other P district, all uses permitted under a final development plan must be in substantial conformance with the approved final development plan as required by [*reference to relocated Sect. 16-403*].[37]

F. Standards for Special Exception and Special Permit Uses[38]

(1) In addition to the standards for specific uses, all special exception or special permit uses must comply with the following general standards:

- **(a)** The proposed use at the specified location must be in harmony with the adopted comprehensive plan.
- **(b)** The proposed use must be in harmony with the general purpose and intent of the zoning district in which it is to be located.
- **(c)** The proposed use must not adversely affect the use or future development of neighboring properties and must be in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls, and fences, as well as the nature and extent of screening, buffering and landscaping cannot hinder or discourage the appropriate development and use, or impair the value of, adjacent or nearby land or buildings.
- **(d)** Pedestrian and vehicular traffic associated with the use must not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
- **(e)** Adequate utility, drainage, and other necessary facilities to serve the proposed use must be provided.
- **(f)** Signs are regulated by [*reference to relocated current Article 12*]; however, the Board or BZA may impose more strict requirements for a given use than those set forth in this Ordinance.

(2) No use of a structure or land that is designated as a special exception or special permit use in any zoning district may be established, and no existing use may be changed to another use that is designated as a special exception or special permit use in the district, unless the applicable special exception or special permit has been approved by the Board or BZA and the use has been established in accordance with [*reference to relocated current Articles 8 and 9*].

(3) A conforming use lawfully existing prior to the effective date of this Ordinance that requires a special exception or special permit under this Ordinance may not be replaced or enlarged except in accordance with [*reference to relocated current Sect. 15 101*].

(4) If a current and valid special exception or special permit exists for a use that is on a lot that is zoned to more than one zoning district and if an amendment to this Ordinance allows the use as a permitted use only in one of those zoning districts, the special exception or special

[37] Consolidates Par. 4 of Sections 6-106, 6-206, 6-305, 6-505, and Par. 11 of Sect. 6-406.
[38] This combines the general standards in Sections 8-006 and 9-006.

permit will remain in full force and effect for the entire property, unless the Board or BZA approves an amendment to the special exception or special permit to remove the land area from the area that is subject to the special exception or special permit.

2. Industrial Uses

Freight Movement, Warehousing, and Wholesale Distribution

A. Self-storage[39]

Standards when permitted by right:

(1) Incidental retail sale of storage-related items, including, but not limited to, boxes and packing tape, is permitted.[40]

(2) Storage units must be primarily for unused or seldom used items.[41]

(3) In the PDC and PTC Districts, self-storage must comply with the following:

- **(a)** Loading and unloading areas must be located, screened, or fully enclosed to minimize the potential for adverse impacts on adjacent property. All other activities associated with the use must be conducted completely indoors in a multiple story structure.
- **(b)** All storage must be within a building that is office-like in appearance and harmonious in color and design with that of the surrounding development so as to minimize any adverse visual impact.
- **(c)** No individual storage bay doors, storage items, or lighted hallways along the lengths of the building façades may be visible from the outside of the storage structure.[42]
- **(d)** The site must be designed to facilitate safe and efficient on-site circulation and parking.
- **(e)** Signage must be in scale and harmony with the surrounding development so not to detract from the desired character of the area, as described in the purpose of the zoning district and any established development plans for the area.
- **(f)** Incidental parking or storage of trucks, trailers, or moving vans, except for purposes of loading and unloading, is not permitted. Truck, trailer, or van rentals may not be conducted from the site.

Standards when permitted by special exception:

(4) In the C-8 and I-3 Districts, in addition to the by-right standards above, self-storage is permitted only in accordance with [*reference to special exception procedure*] and must comply with the following:

- **(a)** All storage must be within a completely enclosed building.
- **(b)** Loading docks are not permitted.
- **(c)** Incidental parking or storage of trucks or moving vans is not allowed, except for purposes of loading and unloading, or if approved as a part of a truck rental establishment in the C-8 District.

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[39] This carries forward Sections 9-514, 6-206.14, and 6-505.16.
[40] This is a new standard.
[41] This is currently a special exception standard but will now apply to the by-right use as well. The term "dead storage" has been clarified.
[42] The prohibition on lighted hallways applicable to the PTC District has been added to the PDC District.

B. Warehouse[43]

Standards when permitted by right:

(1) Retail sales to the general public are allowed as an accessory use, in accordance with the following limitations:

(a) In the I-4 District, a maximum of 25 percent of the gross floor area of the establishment or 5,000 square feet, whichever is smaller, may be use for retail sales.

(b) In the I-5 and I-6 Districts, retail sales may be permitted if a minimum of 60 percent of the gross floor area of the facility is devoted to warehouse use that is not display area.

C. Wholesale Facility[44]

Standards when permitted by right:

(1) Retail sales to the general public are allowed only as an accessory use. A maximum of 10 percent of the gross floor area of the establishment or 1,000 square feet, whichever is smaller, may be accessible to the general public for retail sales.

(2) In the I-2 and I-3 Districts, a wholesale facility may be permitted as incidental and accessory to a permitted, special exception, or special permit use.

Standards when permitted by special exception:

(3) In addition to the standard in (1) above, all business, service, storage, and display of goods must be conducted within a completely enclosed building.

Industrial Services and Extraction of Materials

D. Contractor's Office and Shop[45]

Standards when permitted by right:

(1) Retail sales to the general public are allowed only as an accessory use. A maximum of 10 percent of the gross floor area of the establishment or 1,000 square feet, whichever is smaller, may be accessible to the general public for retail sales.

(2) In the I-3 District, a contractor's office and shop must be located entirely within an enclosed building, and any loading areas must be completely screened from view from all abutting lots and rights-of-way.[46]

(3) In the PTC District, a contractor's office and shop and all associated operations and activities, including the storage of materials and company vehicles, is permitted only when contained within a building or parking structure.

[43] Consolidates standards from Sections 5-405.3, 5-505.4, and 5-605.3.
[44] Consolidates standards from Sections 5-205.3, 5-305.3, 9-519, and the definition in Article 20.
[45] Carries forward Sect. 6-505.17 and portions of the definition in Sect. 20-300.
[46] These provisions carry forward some of the requirements that currently apply to this use when it is part of the Industrial/Flex use. They are included to ensure that this use, which is currently not allowed in the I-3 District except as Industrial/Flex, is compatible with other uses in the I-3 District.

E. Extraction Activities[47]

Standards when permitted by special permit:

(1) All extraction activities must comply with the following standards:

(a) The minimum lot area is 20 acres. This requirement, however, does not preclude the approval of a permit to enlarge or extend an existing extraction activity use onto contiguous land containing less than 20 acres.

(b) With the exception of stone quarrying and related grading activity, the grading, mining, excavating, removal of trees, and any other disturbance of natural vegetation is not permitted:

1. Within 200 feet of contiguous property subdivided into residential lots of one acre or smaller not under the ownership or control of the applicant; or
2. Within 250 feet of an occupied dwelling.

(c) Exceptions to the setbacks established in (b) above for all uses except stone quarrying may be granted by the BZA if:

1. The application includes a notarized letter, signed by the owner of the adjacent property, indicating approval of the encroachment; and
2. The BZA determines that the ultimate grades of the proposed encroachment are suitable for future development of the property in accordance with the adopted comprehensive plan for that area.

(d) All natural resource extraction, quarrying, and related operations must be in conformance with [*reference to new location for current Sect. 2-603*] relating to erosion and sedimentation.

(e) No building or structure used in connection with such an operation, except buildings for office and administrative purposes only, may be located within 200 feet of (a) the right-of-way of any public street or (b) any adjoining property. Buildings devoted solely to office and administrative uses may be located not less than 100 feet from the right-of-way of a public street or adjoining property when specifically approved as part of the special permit.

(f) In conjunction with all extraction activity uses except stone quarrying, no washing, crushing, processing or similar operation may be conducted within 200 feet of the right-of-way line of any public street or any adjoining residential property.

(g) In conjunction with a stone quarry, no washing, crushing, processing or similar operation may be conducted within 200 feet of the right-of-way of any public street or a safe distance to be established by the BZA from any adjoining occupied dwelling. No stone quarrying or related grading activity, except restoration work, may be permitted within 150 feet of contiguous property subdivided into residential lots of one acre or smaller, not owned or controlled by the applicant, or the right-of-way of any public street.

(h) An exception to the setbacks established in (g) above may be granted by the BZA if the application for special permit approval includes a notarized letter, signed by the owner of the adjacent property, indicating approval of the encroachment.[48]

[47] This carries over Sect. 8-105. Application requirements included in Sect. 8-103 through 8-104 will be included in the new article for Administration and Procedures.

(i) The top of all open excavations having a depth of 10 feet or more which creates a slope of 45 degrees or more from the horizontal edge and remains for a period of more than 24 hours, must be enclosed by a substantial fence erected at least 50 feet outside the excavation. The fence must have a minimum height of six feet, and must effectively control access to the excavation.

(j) All operations are limited to the hours of 7 AM to 6 PM. However, the BZA may modify the hours to permit loading and delivery after 6 PM if the BZA determines the modification will not adversely impact the surrounding area.

(k) All settlement ponds used in connection with an operation, except those entirely within a fenced area required by subsection (i) above, must be enclosed by a chain link fence having a minimum height of six feet and having an arm extending 18 to 24 inches above the chain link portion of the fence that includes at least three strands of four barb barbed wire. The fence must have a locked gate at all access points.

(l) All vehicles used to transport excavated material must be loaded in a way that prevents the unintentional discharge of material from the vehicle. Trucks must be cleaned of all material not in the load-bed prior to entering the public streets.

(m) Existing trees and ground cover along public road frontage must be preserved, maintained, and supplemented by selective cutting, transplanting, and addition of new trees, shrubs, and other ground cover for the depth of the roadside setback.

(n) Roadside landscaping must be provided to reflect the purpose of the natural resource area and protect it from becoming an eyesore, to dampen noise from the operation of equipment, and to absorb dust that might result from the extraction activities.

(o) Extraction activities are subject to the following performance standards, notwithstanding other provisions of this Ordinance:

1. No blasting is permitted except in conjunction with a permit for stone quarrying.
2. Blasting vibration is limited to a maximum resultant peak particle velocity of 1.5 inches per second in the earth as measured at any occupied structure not on quarry property. In addition, the BZA may further limit such blasting vibration where, in its opinion, the density of population in the area warrants additional protection.
3. Earth vibration produced from sources other than blasting must not exceed 0.05 inches per second at any occupied structure not on the subject property.
4. The peak over-pressure (noise) from any blast is limited to 0.0092 pounds per square inch (130 decibels) at any occupied structure not on the subject property.
5. Airborne noise produced from sources other than blasting must not exceed, at any structure not on the subject property, 10dB(A) above the ambient in residential districts and/or 16dB(A) in commercial districts.

[48] Par. 7 of Sect. 8-105 is not carried forward because it refers to quarries prior to the effective date of the 1978 Ordinance. Nonconforming provisions would continue to apply.

F. Petroleum Products Storage Facility[49]

Standards when permitted by special exception:

The Board may approve a special exception if it determines that the proposed location of the facility is necessary for the rendering of efficient utility service to consumers within the immediate area.

G. Vehicle Storage or Impoundment Yard[50]

Standards when permitted by right:

In the I-4 District, vehicle storage and impoundment facilities may only be conducted within a completely enclosed building.

Production of Goods

H. Craft Beverage Production Establishment[51]

Standards when permitted by right:

(1) Storage of materials used in the production process is permitted only within a completely enclosed structure.

(2) In the C-5, C-6, C-7, C-8, PDC, PRC, PRM, and PTC Districts, craft beverage production establishments are permitted by right in accordance with the following:

- **(a)** Production is limited to not more than 5,000 barrels of beer, or 5,000 gallons of distilled spirits, wine, cider, or mead annually; however, the Board may approve other production limits in conjunction with the approval of a development plan for the PDC, PRC, PRM, or PTC District.
- **(b)** In the C-5, C-6, C-7, and C-8 Districts, production activities and the area devoted to such activities must be accessory to an on-site tasting room.
- **(c)** In the PDC, PRC, PRM, and PTC Districts, the establishment must include an on-site tasting room.
- **(d)** Parking must be provided in accordance with the requirements for a craft beverage production establishment pursuant to [*reference to relocated current Sect. 11-104*].

(3) In the I-3, I-4, I-5, and I-6 Districts, craft beverage production establishments are permitted by right in accordance with the following:

- **(a)** A tasting room, consisting of up to 30 percent of the total gross floor area of the establishment, for the consumption of products produced on-site may be permitted as an accessory use. Any food served must be as an accompaniment to those products produced on-site, and must be limited to pre-packaged food items or food items that require limited preparation and/or reheating.
- **(b)** Parking for the portion of the establishment devoted to production activities must be provided in accordance with the parking requirements for a manufacturing

[49] This carries forward Paragraph 4 of Sect. 9-204.
[50] This carries forward Sect. 5-405.4.
[51] This carries forward Sections 4-505.11, 4-605.13, 4-705.15, 4-805.17, 5-305.8, 5-405.9, 5-505.10, 5-605.9, 6-206.16, 6-305.15, 6-406.14, 6-505.20.

establishment pursuant to Sect. 11-105. Parking for a tasting room must be provided in accordance with the requirements for a craft beverage production establishment pursuant to [*new reference for Sect. 11 104*].

(c) Retail sales may be permitted as an accessory use, as long as the associated retail sales area is limited to 10 percent of the gross floor area of the establishment.

I. Production/Processing

Standards when permitted by right:

(1) In the I-3 District, establishments for printing, food and beverage manufacturing, and bulk storage of flammable materials for resale are not allowed.[52]

(2) In the I-4, I-5, and PTC Districts, bulk storage of flammable materials for resale is not allowed.[53]

(3) In the I-3 through I-6 Districts, production/processing may include accessory retail sales as long as the retail sales area is limited to 10 percent of the gross floor area of the establishment or 1,000 square feet, whichever is smaller.[54]

J. Production/Processing, Heavy[55]

Standards when permitted by special exception:

All special exceptions for a heavy production/processing use are subject to the following:

(1) An application for a heavy production/processing use must include an evaluation of the proposed use, by a person or firm qualified to make such evaluations, indicating how the proposed use complies with the applicable performance standards in [*reference to relocated Article 14*].[56]

(2) The Board may establish additional yard requirements, landscaping and screening requirements, and other requirements in approving the special exception that, in the opinion of the Board, will ensure compatibility with the surrounding community.

K. Small-Scale Production Establishment[57]

[52] This is carried forward from Sect. 5-302.5.
[53] This is carried forward from Sections 5-402.7, 5-502.7, and 6-502.11.
[54] This carries forward Sections 5-405.3.B , 5-505.4.B, and 5-605.3.B , extends the ability to have accessory retail sales to the I-3 district, and adds the 1,000 square foot supplement to the 10% retail limit to the I-5 and I-6 Districts.
[55] This carries forward Sect. 9-511.
[56] This paragraph may be relocated to the procedures article.
[57] Standards for this use will be completed when pending text amendments are finalized.

Waste and Recycling Facilities

L. Mixed Waste Reclamation Facility[58]

Standards when permitted by special exception:

All mixed waste reclamation facilities must comply with the siting, design, construction and operating standards of the Virginia Department of Environmental Quality Solid Waste Management Facility Standards for Materials Recovery Facilities.

M. Recycling Center[59]

Standards when permitted by-right:

(1) No recycling center may receive, store, process or transfer any material other than source-separated nonputrescible or source-separated commingled nonputrescible metal, glass, paper, or plastic containers, corrugated cardboard, or other recyclable materials designated by the Director of the Department of Public Works and Environmental Services or designee.

(2) In the I-5 District, a recycling center may not have outside storage.

N. Solid Waste Disposal Facility[60]

Standards when permitted by special exception:

(1) The Board may approve a special exception if it determines that the proposed location of the facility is necessary for the rendering of efficient utility service to consumers within the immediate area.

(2) No land or building in the R-E, R-1, R-2, I-2, I-3, or I-4 District may be used for the storage of materials or equipment, for the repair or servicing of vehicles or equipment, or for the parking of vehicles except those needed by employees connected with the operation of the immediate facility.

(3) In the R-E, R-1, and R-2 Districts, this use is limited to landfills only.

(4) The following standards apply to all applications for special exception approval of landfills, including but not limited to those that are part of a solid waste treatment facility, which are not owned or operated by a public agency.[61]

(a) A special exception for a landfill is not valid unless the Virginia Department of Environmental Quality approves the site for landfill use.

(b) Every special exception for a landfill is deemed to incorporate all other provisions of law related to the use as specific conditions.

(c) Unacceptable pollutants will not be introduced into surface or groundwater or otherwise cause a potential health hazard. This must be demonstrated through comprehensive soil and groundwater investigations and subsequent design methods to the satisfaction of the County.

[58] This carries forward Sect. 9-523.
[59] This carries forward Sections 5-505.3, 5-505.7, and 5-605.6.
[60] This carries forward Sect. 9-205 and the limitation of use to landfills only in the R-E, R-1, and R-2 Districts.
[61] Except for standards (c) and (d), these provisions may be relocated to the procedures article.

(d) All landfills are subject to any additional regulations adopted by the Board. The Board may limit the type of debris and materials to be deposited and may require a degree of soil compaction adequate to support ultimate use of the property in accordance with the adopted comprehensive plan.

(e) The Board will establish the amount, per acre and total, of surety and bond adequate to guarantee the planned restoration.

(f) The Director will make an annual inspection of each landfill and will make a report of the findings to the Board. The report must include the following:

1. A statement of whether or not the operation is in compliance with all of the requirements of the special exception.
2. A statement of changes that have occurred in the vicinity since the granting of the application, such as new development in the area.
3. A statement on the condition of roads in the area that might indicate the spillage of materials from trucks.

(g) As a result of the annual inspection, the Director may find it necessary, for the health, safety and welfare of the general public, to recommend additional restrictions and limitations on the use. If so, the Director will transmit the findings to the Board, which will hold a public hearing, following notice in accordance with [*reference relocated current Sect. 18-110*].

(h) Upon completion of operations, the land must be left in a safe condition and in such a state that it can be used for development of the property in accordance with the adopted comprehensive plan. Sufficient drainage improvements must be provided so as to prevent water pockets or erosion, and such improvements must be designed in accordance with plans and specifications approved by the Director in conformance with the Public Facilities Manual. Where restoration has not been accomplished, or where the restoration was not done in conformance with the approved restoration plan, the Director will take appropriate action, including demand for performance or payment by the surety on the bond.

(i) No improvements may be constructed in or upon any landfill for a period of 20 years after the termination of the landfill operation without the approval of the Board. No such approval may be granted unless the applicant demonstrates that:

1. Any residual post-construction settlement will not affect the appearance or structural integrity of the proposed improvement.
2. The nature and extent of corrosion-producing properties, the generation and escape of combustible gases and potential fire hazards of the constituent material, considering its state of decomposition, has been provided for adequately and will not create an unsafe or hazardous condition in or around any of said proposed improvements.

Article 5: Definitions

5-100. Uses

1. Industrial Uses

A. Freight Movement, Warehousing, and Wholesale Distribution

The Freight Movement, Warehousing, and Wholesale Distribution category includes uses involving the movement, storage, and distribution of goods. Goods are generally delivered to other firms or the final consumer. There is little on-site sales activity with the customer present. This use category does not include contractor's office and shop, which is located in the Industrial Services use category, or uses included in the Waste and Recycling Facilities use category.

Data Center[62]

A facility containing one or more large-scale computer systems used for data storage and processing for off-site users. Typical supporting equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems, and enhanced security features.

Freight Distribution Hub[63]

A building or area in which freight that is brought in by truck is assembled or stored for routing and reshipment, or in which semitrailers, including tractor or trailer units, are parked or stored.

Self-storage[64]

A building consisting of individual, self-contained units that are leased or owned for the storage of business and household goods.

Warehouse[65]

An establishment primarily engaged in the storage of products, supplies, and equipment.

Wholesale Facility[66]

A facility in which the sale of commodities in quantity to retailers, other businesses, industries, or institutions occurs.

B. Industrial Services and Extraction of Materials

The Industrial Services category includes uses involving the repair or servicing of industrial, business, or consumer machinery equipment, products or by-products, or uses involving the

[62] This is a new definition for a use that is currently interpreted under the use "telecommunication facilities," but is a separate and distinct use in this draft.
[63] This carries forward the definition of "motor freight terminal" in the current Zoning Ordinance.
[64] This carries forward the definition of "mini-warehousing establishment" in the current Zoning Ordinance, except it deletes reference to storage of contractor's supplies.
[65] This carries forward the definition of "warehousing establishment" in the current Zoning Ordinance with the replacement of "goods and merchandise" with "products, supplies, and equipment."
[66] This carries forward and modifies the definition for "wholesale trade establishment." The limit on retail sales has been placed in a use standard.

extraction of natural resources from the ground. Few customers from the general public come to the site. Examples of Industrial Services uses include welding shops, landscaping and lawn maintenance companies, electric motor repair services, and HVAC services.

Building Materials Sales[67]

An establishment for the storage and sale of lumber, rock, sand, and gravel, and other materials customarily used in the construction of buildings and other structures. Operations may be indoor or outdoor.

Contractor's Office and Shop[68]

Establishments that provide services and store necessary materials for the installation and servicing of items which may include, but are not limited to, air conditioners, electrical equipment, flooring, heating, painting, plumbing, roofing, tiling, and ventilating. This use also includes establishments for the planting and maintenance of gardens, grounds, and yards, such as landscape contractors and lawn maintenance services. This use cannot include retail sales to the general public, except as an accessory use.

Extraction Activities[69]

Activities related to the extraction of naturally occurring materials. This use includes excavating, stripping, dredging, mining, quarrying, and similar activities to remove soil, sand, gravel, stone, and similar naturally occurring materials.

Petroleum Products Storage Facility[70]

A facility for the storage of natural gas, oil and other petroleum products. This use does not include a vehicle fueling station.

Specialized Equipment and Heavy Vehicle Sale, Rental, or Service[71]

Buildings and premises for the sale, rental, and servicing of any of the following:

- farm and construction machinery or equipment;
- trucks that have more than two axles, are more than 17 feet long or 12 feet in height, or require a commercial driver's license to operate;

[67] This is a new definition that incorporates language in Sect. 5-502 and Sect. 5-602 of the current Zoning Ordinance. This use carries forward the use "lumber yards and building material yards to include rock, sand and gravel" in the current Zoning Ordinance.
[68] This carries forward the definition and use of "contractor's offices and shops" in the current Zoning Ordinance, except language pertaining to specific standards is not included here but in the standards for this use.
[69] This definition includes language from Sect. 8-101 of the current Zoning Ordinance. This use consolidates the following current uses: "crushing, treating, washing and/or processing of materials resulting from a use permitted as an extraction and excavation use when conducted on the same property," "extraction of materials other than those specified in Group 1 SP uses," "removal of sand or gravel by excavating, stripping, dredging, mining or otherwise taking other than as permitted by right under the provisions of Sect. 2-601; but not including the treating, crushing or processing of the same," "removal of soil by excavating, stripping, dredging, mining or otherwise taking other than as permitted by right under the provisions of Sect. 2-601; but not including the treating, crushing or processing of the same," and "stone quarrying."
[70] This is a new definition for the current use "storage facilities for natural gas, oil and other petroleum products."
[71] This carries forward the definition of "heavy equipment and specialized vehicle sale, rental, and service establishment" in the current Zoning Ordinance.

- buses and vans designed primarily for the transportation of ten or more passengers;
- motor homes, recreational vehicles, trailers, and boats larger than those permitted as part of a vehicle sale and rental establishment, and manufactured and mobile homes.

Storage Yard[72]

The use of any space, inside or outside of a building, for the storage or keeping of construction or landscaping equipment and materials, machinery, vehicles or vehicle parts, boats, farm machinery, or other large items.

Vehicle Storage or Impoundment Yard[73]

An area designed for the temporary storage of wrecked, inoperative, or abandoned motor vehicles. This use does not include the dismantling, wrecking, or sale of vehicles or their parts.

C. Production of Goods

The Production of Goods use category includes uses involving the manufacturing, processing, production, fabrication, packaging, or assembly of goods. Products may be finished or semi-finished and are generally made for the wholesale market, transfer to other industrial operations, or for order by businesses or consumers.

Craft Beverage Production Establishment[74]

A facility, licensed in accordance with Title 4.1 of the Code of Virginia, as amended, in which beer, wine, cider, mead, distilled spirits, or other similar beverages are brewed, fermented, or distilled in quantities not to exceed 20,000 barrels of beer, or 36,000 gallons of distilled spirits, wine, cider, or mead annually. An establishment exceeding those production quantities is deemed a production/processing use.

Production/Processing[75]

An establishment primarily engaged in the printing, production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of goods or products, that does not meet the definition for a Production/Processing, Heavy use. Goods are generally not displayed or sold on-site; however, limited retail sales and other related non-production activities may be permitted, if they are accessory to the primary production activity.

[72] This builds on the definition of "storage yard" in the current Zoning Ordinance.
[73] This carries forward the definition and use of "motor vehicle storage and impoundment yard" in the current Zoning Ordinance.
[74] This carries forward the definition and use of "craft beverage production" in the current Zoning Ordinance.
[75] This is a new definition that includes language from use descriptions in various locations (e.g., Sect. 6-502.11) of the current Zoning Ordinance. This use consolidates the following uses from the current Zoning Ordinance: "establishments for printing of any size, production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products and associated retail sales," "establishments for printing of any size, production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, repair or storage of materials, goods or products, and associated retail sales," "establishments for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products," and "food and beverage manufacturing, production and processing establishments." Current prohibitions on outdated list of heavy industrial uses in Sect. 9-501.13 has been generalized to a prohibition on all heavy industrial uses meeting this definition.

Production/Processing, Heavy[76]

An establishment engaged in large-scale fabrication, assembly, storage, processing, or heavy industrial activities. This includes, but is not limited to, stockyards, slaughterhouses, and rendering facilities; processing of animal hides, wool, and similar materials; manufacturing of glue, gelatin, soap, and similar products; manufacturing of explosives, fertilizer, insecticides, ammonia, chlorine, corrosive acid, alcohol, plastic or synthetic resins, and similar substances; manufacturing of lime, cement, gypsum, or plaster of paris; refining and production of petroleum; processing of charcoal or coal; refining and casting of metals; mixing or batching of asphalt or concrete; garbage incineration other than incidental to the operation of hospital, hotels, and dwellings; and similar activities.

Small-scale Production Establishment[77]

An establishment where shared or individual tools, equipment or machinery are used to make or grow products on a small scale, including the design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as well as any incidental storage, retail or wholesale sales and distribution of such products. Typical small-scale production establishments include, but are not limited to, vertical farming or the making of electronics, food products, non-alcoholic beverages, prints, household appliances, leather products, jewelry and clothing/apparel, metal work, furniture, glass, ceramic or paper, together with accessory uses such as training or educational programs. Agriculture, craft beverage production establishment, restaurant, restaurant with drive-through, or carryout restaurant are not small-scale production establishments.

D. Waste and Recycling Facilities

The Waste and Recycling Facilities use category includes uses involving receiving solid or liquid wastes from others for on-site disposal, storage, processing, or transfer to another location for processing or disposal. This use category also includes uses that manufacture or produce goods or energy from the composting of organic material, and the reuse, recycling, or processing of scrap or waste material.

Junkyard[78]

The use of any space, inside or outside of a building, for the storage, keeping, or abandonment of junk, including scrap metals or other scrap materials, or for the dismantling, demolition, or abandonment of automobiles, other vehicles or machinery, or their parts. This use includes any lot or place that is exposed to the weather on which more than five motor vehicles of any kind that are incapable of being operated are placed.

Mixed Waste Reclamation Facility[79]

A facility for the removal or reclamation of recyclable materials from solid waste. This use does not include a recycling center.

[76] This is a new definition. This use consolidates many of the heavy industrial uses in Sect. 9-501 of the current Zoning Ordinance.
[77] This new use and definition are part of a pending text amendment and may be revised when the amendment is finalized.
[78] This carries forward the definition of "junk yard" in the current Zoning Ordinance, with minor revisions.
[79] This carries forward the definition of "mixed waste reclamation facility" in the current Zoning Ordinance.

Recycling Center[80]

A facility for the collection of nonputrescible recyclable materials that have been separated at their source (source-separated) prior to shipment to others who will use those materials to manufacture new products. A recycling center use can include a Materials Recovery Facility as defined by Chapter 109.1 of the Code (Solid Waste Management), and commonly referred to as a "clean" MRF.

Solid Waste Disposal Facility[81]

A land depository, excavation, or area operated in a controlled manner for the dumping of debris or inert material; a facility for the temporary storage or collection and transfer of solid waste; a disposal site that compacts and covers solid waste at least once each day with an approved material; or a facility for incinerating solid waste. This use includes both debris landfills and sanitary landfills as defined in Chapters 104 and 109.1 of the County Code.

[80] This carries forward the definition of "recycling center" in the current Zoning Ordinance.
[81] This builds on the definition of "landfill" in the current Zoning Ordinance, modified to include incinerators and facilities for temporary storage or collection and transfer of solid waste. This use consolidates the uses "landfills" and "solid waste disposal and treatment facilities including incinerators and landfills" in the current Zoning Ordinance.