

## **Article X. Limited Industrial, District M-1**

### **Sec. 70- 79 Statement of Purpose and Intent**

The primary purpose of this district is to permit certain light industries and heavier commercial uses, which do not in any way detract from residential desirability, to locate in areas which may be adjacent to residential uses. The limitations on or provisions relating to height of building, heating, flammable liquids or explosives, controlling emission of fumes, odors or noise, landscaping, and the number of persons employed are imposed to protect and foster adjacent residential desirability, while permitting industries to locate near a labor supply. Noxious fumes, excessive noise, and other environmental pollutants will not be permitted, regardless of the nature of the business. In order to preserve this land for industry and to avoid conflicts between industry and residence, all future residential uses are prohibited in the M-1 District.

### **Sec. 70- 80 Permitted Uses.**

Structures to be erected or land to be used in the M-1 Industrial District shall be for one of the following uses:

(a.) Assembly of electrical appliances, electronic instruments and devices, radios and phonographs. Also, the manufacture of small parts, such as coils, condensers, transformers and crystal holders.

(b.) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping, or battery manufacture.

(c.) Blacksmith shop, welding or machine shop; excluding punch presses exceeding forty (40) ton rated capacity and drop hammers.

(d.) Laboratories: pharmaceutical, medical, or photographic.

(e.) Manufacture, compounding, processing, packaging or treatment of such products as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries, and food products.

(f.) Manufacture, compounding, assembling or treatment of articles or merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious metals or stones, shell, straw, textiles, tobacco, wood, yarn and paint.

(g.) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas.

(h.) Manufacture of musical instruments, toys, novelties, and rubber and metal stamps.

- (i.) Building material sales yards; plumbing and electrical supplies storage and sales.
- (j.) Laundry, cleaning and dyeing works, and carpet, rug and upholstery cleaning.
- (k.) Furniture repair, restoration and refinishing.
- (l.) Lawn and garden centers, plant nurseries and greenhouses.
- (m.) Packing and bottling plants.
- (n.) Mini-warehouse/mini-storage facilities, as defined and in accordance with Section 70- 87 of this Article.
- (o.) Distribution plants and parcel delivery businesses.
- (p.) Transfer and storage businesses.
- (q.) Newspaper and other printing establishments.
- (r.) Machinery sales, service and rental.
- (s.) Coal and wood yards; lumber yards; feed and seed stores.
- (t.) Contractor's equipment storage yards, or rental of equipment commonly used by contractors.
- (u.) Cabinet making, furniture making, upholstery and re-upholstery shops.
- (v.) Boat building.
- (w.) Monument stoneworks and sales.
- (x.) Veterinary hospitals and kennels, provided that all animals are kept in an air-conditioned building.
- (y.) Wholesale businesses, excluding those dealing with hazardous materials.
- (z.) Storage warehouses, excluding flammable liquids or gases.
- (aa.) Fire and rescue squads.
- (bb.) Minor public utilities, as defined.
- (cc.) Off-street parking and loading, in accordance with Sec. 70- 87(e.), Sec. 70-150, and Sec. 70-151 of this chapter.

(dd.) Signs, in accordance with Sec. 70- 152 of this chapter.

(ee.) Temporary buildings, in accordance with Sec. 70- 136 of this chapter.

(ff.) Dish antennae, in accordance with Sec. 70- 130 of this chapter.

(gg.) Other customary accessory buildings and uses, provided that they are clearly incidental to the primary structure(s) and/or use, as defined and in accordance with Sec. 70- 128 of this chapter and other applicable regulations and ordinances.

(hh.) Private medical transport service, as defined in Sec. 70- 10, provided that no emergency lights or sirens are used in conjunction with the operation of the business. This business shall comply with the requirements of Sections 70-150 and 70-152.

(ii.) Automobile sales and showroom with a maximum of twenty-five (25) vehicles for sale allowed to be located on the property and not within a structure at any one time and meeting all requirements of the Virginia Division of Motor Vehicles.

Sec. 70- 81 Permitted Uses with a Condition Use Permit.

The following uses may be permitted in the M-1 Industrial District, subject to the procedures and criteria established in this chapter:

(a.) Major public utilities, as defined.

(b.) Transmitting and receiving facilities for radio, television or cable television stations.

(c.) Airports, commercial or private.

(d.) Other compatible commercial uses, upon a finding by the Town Council, in accordance with the provisions of this chapter, that such uses are of the same general character of those permitted and which will not be detrimental to other uses within the district or to adjacent land uses.

(e.) Automobile sales and showroom for more than twenty-five (25) vehicles for sale located on the property and not within a structure at any one time, and meeting all requirements of the Virginia Division of Motor Vehicles.

(f.) Automobile wrecking yard, as defined in Sec. 70- 10 provided that the following conditions are met:

1. A maximum of thirty (30) vehicles shall be allowed in the wrecking yard area at any one time;

2. No vehicle may be stored on the property for more than sixty (60) days;

3. Adequate fencing shall be provided to prohibit view from adjacent properties. A fencing plan shall be submitted and approved in conjunction with the conditional use permit application;

4. The facility shall meet all the requirements of the Virginia Division of Motor Vehicles;

5. All disassembly or other work on the vehicles shall be conducted entirely within an enclosed building; and

6. All fluids, tires and unused parts shall be properly disposed of and shall not remain on the site for more than thirty (30) days.

(g.) More than one main use may be permitted with a conditional use permit on any lot or parcel of land in the M-1 Zoning District provided that:

1. The proposed uses are permitted by right or permitted with a conditional use permit in the M-1 district;

2. Each of the proposed uses complies with all other requirements of this chapter;

3. The governing body, in accordance with the provisions of this chapter, determines that the utilization of the property for more than one main use will in no way adversely impact the property in question or the surrounding neighborhood.

(h.) Adult Businesses, as defined in Section 70-10.1.

#### Sec. 70- 82 Area Regulations.

The minimum lot area in the M-1 Industrial District shall be 7,500 square feet, except where a permitted use in this district utilizes an individual sewerage or industrial waste system. In such cases, the required area for any such use shall be approved by the health official, and the zoning administrator may require greater area if considered necessary by the health official.

#### Sec. 70- 83 Setback Regulations.

Buildings shall be located ten (10) feet or more from any street right-of-way which is fifty (50) feet or greater in width, or thirty-five (35) feet or more from the centerline of any street right-of-way less than fifty feet in width. This shall be known as the “setback” line.

#### Sec. 70- 84 Frontage Regulations.

The minimum width of any lot in the M-1 District at the setback line shall not be less than fifty (50) feet.

#### Sec. 70- 85 Yard Regulations.

(a.) Side. The minimum side yard in the M-1 District shall be ten (10) feet; except that when such use adjoins a residential district, there shall be a side yard of not less than twenty-five (25) feet.

(b.) Rear. The minimum rear yard shall be twenty (20) feet; except that when such use adjoins a residential district, there shall be a rear yard of not less than twenty-five (25) feet.

Sec. 70- 86 Height Regulations.

(a.) In the M-1 Industrial District, buildings may be erected up to a height of thirty-five (35) feet above grade, except that:

(b.) Buildings may be erected above thirty-five (35) feet in height upon the recommendation of the zoning administrator and approval of the planning commission; however, in no case shall building height be approved to exceed sixty (60) feet above the grade. Additional yard areas may be required as a condition for additional height allowances.

(c.) Chimneys, flues, cooling towers, flag poles, water towers, radio or communications towers or their accessory facilities not normally occupied by workmen, are excluded from these limitations. Parapet walls are permitted up to four (4) feet above the height of the building upon which the walls rest.

Sec. 70- 87 Special Provisions

(a.) Screening, buffering and landscaping.

1. Permitted uses shall be conducted wholly within a completely enclosed building, or within an area enclosed on all sides by a solid masonry wall, a uniformly painted solid board fence, or an evergreen hedge, six (6) feet in height. Public utilities and signs requiring natural air circulation, unobstructed view, or other technical consideration necessary for proper operation may be exempted from this provision. This exception does not include the storing of any materials.

2. Upon recommendation of the zoning administrator and/or planning commission, landscaping may be required within an established or required front, side or rear yard. The plans and execution of landscaping shall be done so as to avoid any traffic hazards, as provided in Sec. 70- 135 of this chapter.

3. Sufficient area shall be provided to adequately screen and/or buffer permitted uses from adjacent business and residential districts, in accordance with Sec. 70- 135 of this chapter.

(b.) Additional off-street parking.

As provided in Sec. 70-78 of this chapter.

(c.) Site plans.

Before a zoning permit shall be issued or construction commenced on any permitted use in this district, or a permit issued for a new use, detailed site plans shall be submitted to the zoning administrator, in accordance with the provisions of Article XVII. of this chapter. Furthermore, it is the intent of this chapter to prevent any building, structure or land in the M-1

District from being used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable conditions. Fumes, odors, noise, heat, vibration, electronic or radio frequency interference, glare, toxic substances or other deleterious materials or effects from any use within this district shall be limited so that adjacent uses shall not be disturbed. All conditions and activities in this district shall be in conformity with state and federal laws and requirements for environmental safeguards. Sufficient details regarding the operation(s) and process (es) proposed shall accompany the site plan, to enable the zoning administrator to determine if all the requirements of this Section are met.

(d.) Mini-warehouse/mini-storage facilities.

1. No exterior storage is permitted.
2. No business activities other than the rental of storage units and incidental office use shall be conducted on the premises or within the building.
3. No entrance to individual compartments shall front on any public street.

(e.) Access Easements.

Private access easements for industrial sites shall be permitted. All such easements shall meet the standards set forth in Sec. 70- 68 (g.) of this chapter. Off-street parking shall be provided in accordance with the regulations set forth in Sec. 70- 150 and Sec. 70- 151; however, requirements for paving with a permanent, hard surface material and the installation of curb and gutter for both private access easements and off-street parking may be waived by the planning commission, upon recommendation of the zoning administrator.