



Clarke County Planning Commission

AGENDA – Ordinances Committee Meeting

Thursday, November 14, 2024 – 3:00PM

Berryville/Clarke County Government Center – A/B Meeting Room

For more information on this public meeting, please contact the Clarke County Department of Planning at (540) 955-5132 or visit the Clarke County website at www.clarkecounty.gov.

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	-- District Framework (Initial Draft)	pp. 24-27
4	New Business ~ None scheduled	--
5	Adjourn	--

NOTE -- Members of the Board of Supervisors, Industrial Development Authority, and Economic Development Advisory Committee and other members of the Planning Commission will attend and participate in this meeting.

Upcoming Meetings:

- Tuesday, January 14, 2025 (2:00PM)



Clarke County Planning Commission

DRAFT MINUTES – Ordinances Committee Meeting

Thursday, October 10, 2024 – 1:00PM

Berryville/Clarke County Government Center – A/B Meeting Room

ATTENDANCE:			
Randy Buckley (White Post)	✓	Frank Lee (Berryville)	✓
Ron King (Buckmarsh)	✓	Gwendolyn Malone (Berryville)	✓
George L. Ohrstrom, II (Ex Officio)	✓ ^L		

^L – Denotes arrived late

NON-VOTING PARTICIPANTS PRESENT:

- **Board of Supervisors** – Terri Catlett, Bev McKay
- **Industrial Development Authority (IDA)** – Bill Waite, Marcy Cantatore
- **Economic Development Advisory Committee (EDAC)** – Mark Gribble, Johnny Milleson

STAFF PRESENT: Chris Boies (County Administrator), Michelle Ridings (Director of Economic Development & Tourism), Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner/Zoning Administrator)

CALL TO ORDER: By Mr. Stidham at 1:00PM.

1. Approval of Agenda

Members approved the agenda by consensus as presented by Staff.

2. Approval of Minutes – September 19, 2024 Meeting

Mr. Gribble noted that under the list of non-voting participants, the IDA and EDAC members are reversed. Members voted unanimously to approve the September 19, 2024 meeting minutes as edited.

Motion to approve May 15, 2023 meeting minutes as presented by Staff:			
Buckley	AYE (seconded)	Lee	AYE
King	ABSENT	Malone	AYE (moved)

3. Old Business

A. Continued Discussion, Development of New Double Tollgate Zoning District

Mr. Stidham stated that the Committee will continue the visioning session that began at the last meeting. He noted that some members sent their homework assignments in early and he has folded those comments into the revised uses list that the Committee will be referencing today. He then turned the floor over to Mr. Boies to provide an update on GO Virginia funding.

Mr. Boies said that he and Ms. Ridings presented the Double Tollgate site assessment project to the GO Virginia Region 8 grant committee yesterday. He said that they received preliminary approval of \$170,000 to do this work and the request will now go to the full GO Virginia council on October

22 for consideration. He noted that if the County proceeds to the next phase of funding to remediate the issues identified in the site assessment, the funding would be contingent on the County allowing uses that match GO Virginia's priorities. He said that if we wanted to allow other types of uses on this property, we would have to seek a different funding source. He said that GO Virginia's priority uses include light and advanced manufacturing, life sciences (biomedical, pharmaceutical, medical device manufacturing), business services (computers, consulting, engineering, finance, general business), agriculture and value-added food manufacturing, transportation and logistics, and information technology and emerging technologies. He added that he wanted to bring this up for the Committee to consider as work continues on developing the new zoning district. Commissioner Lee asked if this only covers the Camp 7 building or does it include the 40 acres. Mr. Boies replied that it would cover the entire property. Ms. Ridings noted that GO Virginia also looks at creation of high-paying jobs which would focus more on industry-type uses instead of hospitality uses.

Regarding the list of preferred uses, Supervisor Catlett asked if we have to develop some or all of the uses. Commissioner Boies replied that GO Virginia would be happy with one of those uses. Supervisor Catlett asked if we can say no to a use that is on the preferred list and Mr. Boies replied yes. Mr. Boies added that the more preferred uses you include, the more choices of industries you will have.

Supervisor McKay referenced the potential uses list and said that he would like to see recreational uses excluded. He said this may encourage patrons to walk along the roads which would create safety hazards with truck traffic from business uses on the property. Commissioner Lee asked Supervisor McKay if he would be opposed to a trail around the property. Supervisor McKay replied that you would still have people walking on the road. Vice-Chair Buckley said that the focus should be on revenue generation.

Mr. Stidham reviewed the updated potential uses and uses not under consideration table and explained how to use it. Regarding logistics businesses, Supervisor McKay asked for an example. Mr. Stidham cited packaging and shipping businesses for products that are produced by other nearby companies.

Chair Ohrstrom entered the meeting.

Mr. Milleson referenced buildings at Carper's Valley as examples of logistics buildings and Supervisor McKay noted that those buildings are huge and he asked how much tax revenue these businesses would generate. Mr. Stidham replied that logistics is a broad category and could include warehousing, adding that some warehousing operations may only generate tax revenue from the forklifts and equipment used to move the freight. He also said that some warehouses could include high-tech equipment that would generate more tax revenue due to their cost. He noted that the County would have direct control over the businesses that would go on the 40 acres and said it would not be a bad idea to include warehouses as an allowable use. He cited an example of a business in another county that is a specialty bottler and uses advanced equipment to bottle and ship different types of products. Mr. Gribble said that logistics businesses can come in a variety of sizes and said some do not require large storage areas because the products are not stored onsite for a long period.

Mr. Waite noted that there are uses on the list that generate little to no tax revenue and asked Mr. Stidham if he will be highlighting those uses. Mr. Stidham replied that the Committee can decide which uses to include and which to exclude.

Regarding shops for welding, blacksmithing, and woodworking, Mr. Stidham noted that we may want to establish regulations to limit their size – noting that a woodworking business could be a large furniture manufacturer. Chair Ohrstrom stated that many of these businesses use computerized equipment that would generate machinery and tools tax revenue.

Regarding recycling businesses, Mr. Stidham stated that we will need to limit the scope to light industrial as opposed to heavy industrial-scale. He noted the computer recycling business in Berryville as a possible example of a light industrial-scale recycling business. Chair Ohrstrom cited Zuckerman's as an example of a heavy industrial-scale recycling business and Supervisor McKay said we need to ensure that they do not generate offensive odors.

Upon completing review of the uses list, Mr. Stidham asked the members to go around the table and provide their comments. Supervisor McKay said that he likes small-scale packing plants and abattoirs and asked if we would also consider allowing a retail facility to go with the use similar to Gore's. Mr. Stidham replied that these would be allowed if retail stores are included as an allowable use. He noted that if you allow retail uses, then you would also be opening it up to allow all types of retail stores. Supervisor McKay replied that he did not think we wanted to allow all retail uses. Vice-Chair Buckley suggested "value-added agricultural enterprises" as a way of limiting retail sale of agricultural products. Mr. Stidham asked if this would include a full-time farmer's market. Vice-Chair Buckley replied no and said that he is referring to an agricultural processing facility having a retail storefront to sell its products. He asked whether the storefront can be on the same parcel as the processing facility or whether it has to be on a separate lot or other nearby area. He noted that Gore's has a processing facility on Double Churches Road and a storefront in a shopping center on Warrior Drive.

Chair Ohrstrom asked if agricultural processing facilities require special sewage treatment and Commissioner Lee replied yes. Vice-Chair Buckley said in regards to Gore's, he did not think their processing facility is on public water and sewer but their retail storefront is. Commissioner Lee said that there are different levels of sewage treatment for the initial processing of the animal and for the later processing of the meat for retail sale.

Mr. Waite gave an example of a farmer's market in Newtown, PA that contains a butcher shop, cheese shop, and poultry shop with food service onsite. He said that a similar use could provide a place for our local agricultural producers to sell their products. He asked whether this would fit under a retail use or whether it would need to be defined separately. Mr. Stidham said that the use as described would be a Highway Commercial use in a visible location. Chair Ohrstrom said that use would fit out there and Mr. Stidham added that it would fit in the Highway Commercial District.

Mr. Stidham suggested describing the processing and retail use as "meat processing/abattoir with onsite retail sales" and "agricultural product processing with onsite retail sales." He said that a Route 11 potato chip facility where potatoes being processed into potato chips could be sold in an onsite retail storefront under this use. Supervisor McKay asked if this use would require a large parking lot. Mr. Stidham replied no because you are less likely to be going there specifically to buy

potato chips and more likely to be touring the facility. Members agreed with this suggested wording. Mr. Waite noted that there will be no direct visibility for whatever businesses are developed on the 40 acres. Supervisor Catlett added that other parts of Double Tollgate and Waterloo would be more appropriate with better visibility. Mr. Waite said when we think of how to develop the 40 acres, we need to take visibility into consideration. Vice-Chair Buckley said in regards to restaurants, would you want to go to a restaurant that is in this location surrounded by State and industrial uses. Mr. Waite suggested also considering expandability of uses in the event that other State properties become available for development in the future.

Mr. Stidham said that farm breweries and farm distilleries could not be developed here but would we consider allowing regular breweries and distilleries. Chair Ohrstrom said that this would depend on how much water they use. Mr. Stidham wondered if any of these businesses bring in their own process water. Chair Ohrstrom said he did not think that any would do that because of the cost of having water trucked in. He added that we want to avoid high-volume water users. Mr. Stidham suggested breweries and distilleries because there may be interest in going to a restaurant in an industrial area that is part of a brewery or distillery. He added that if we are not considering breweries and distilleries, do we still want to consider restaurants as an allowable use. Vice-Chair Buckley said that he is not opposed to allowing restaurants but he thinks it will be a stretch to expect that someone will want to develop one there. Supervisor Catlett added that restaurants do not create many jobs and Vice-Chair Buckley added that they do not produce high-paying jobs. Vice-Chair Buckley noted that breweries and distilleries rely on providing customers with an outdoor experience and added that this is not the location for that. Supervisor Catlett said that there are breweries that have a warehouse setting and she is not opposed to including breweries, however she thinks we can come up with better uses. Vice-Chair Buckley acknowledged that there are some breweries in Winchester that are located in industrial buildings and do not offer an outdoor experience. Mr. Gribble noted that breweries and distilleries may not fit under the GO Virginia's list of preferred uses. Mr. Boies said that we could have a small number of these uses as support businesses.

Mr. Stidham asked if we want to keep breweries and distilleries as possible uses. Commissioner Lee replied that he would leave it open and added that the existing prison building could be adapted for a use like that. Mr. Stidham asked if we want to keep restaurants in there too. Ms. Cantatore replied that we should include restaurants if we are going to include breweries and distilleries. Supervisor McKay asked if restaurants would require large parking areas that do not generate tax revenue. Commissioner Lee suggested leaving the uses in and noted that market conditions will dictate what gets developed. He said the broader we keep the list of uses, the better off we will be.

Regarding the future marketing of the property, Mr. Waite asked whether there are three splits in viewpoint on this issue – these are favorable uses, these are uses we can keep in the list as a fall back, and these are unfavorable uses. Mr. Stidham replied that the next task for the Committee will be to look at the list of uses we have generated so far and determine the purpose for this district. He said this exercise will help us to further define what we want in the district. Mr. Boies added that if you eliminate a use, then it is no longer a possibility but if you include it, the IDA can always decide to say no when marketing the property. He added that the IDA will have the ultimate decision because they will own the property. Mr. Waite said that he is not looking to exclude uses except a few like data centers, and added that we should be taking things into consideration like water usage. Chair Ohrstrom noted that if our total utility capacity for the Plan Area is 150,000 gallons per day, then that will eliminate a lot of potential uses. Mr. Stidham noted that we can limit the size of uses

and said we may not want an Anheuser Busch facility but would want a small craft brewery. Ms. Ridings noted that breweries in industrial parks are typically focused more on production and shipping of product and not providing a beautiful location for customers to experience.

Continuing the roundtable discussion, Commissioner King said that he is focused on light industrial uses that would produce significant tax revenue if we can find the right companies. Commissioner Lee said that we need to focus on uses that will generate the most tax revenue and he reiterated that market conditions will dictate what is developed there. Mr. Gribble said that it would be helpful to know what types of businesses that generate the most tax revenue so we can strategically market the property to them. He said he also prefers light manufacturing, meat processing, and agricultural equipment sales with the latter two benefiting Clarke County agricultural businesses. He added that he is a big fan of warehousing and distribution because of the proximity to the Inland Port and highways. He also is in favor of pharmaceutical businesses and laboratories, adding that he thinks all of these uses are consistent with GO Virginia's preferred uses list. He said he is not in favor of data centers and heavy industrial uses. In regards to design standards, he suggested screening of HVAC and electrical equipment and added that we may want to hire an architect to offer recommendations on other design requirements.

Ms. Cantatore said that her list of preferred uses are based on what her clients over the years have been looking for. She noted that there are a lot of new homes in nearby Warren County and those residents may be looking for things to do in the Double Tollgate area. She said that she agrees that development needs to be architecturally pleasing. She also suggested color-coding the uses list with green for the highest tax revenue generating uses, yellow for medium generating uses, and red for uses that will generate minimal tax revenues.

Chair Ohrstrom said that he excluded warehousing because he did not think it would generate significant tax revenue. He added that we may want to re-do the current County Business Park zoning district because we know what we want and do not want in that district. He added that we do not want heavy industrial uses and may want to consider prohibiting uses that require a "TSD" permit which is required of any use that can cause significant environmental deterioration. He reiterated that we should exclude large water users. He also suggested discussing whether to flip the intent of the district in order to create a commercial development similar to the Alamo movie theater complex in Frederick County. He said that complex likely generates significant tax revenue with long-term longevity as it is busy all the time. He added that he does not know if we should do this but suggested discussing it. He also asked if the County plans to re-zone the property prior to having any applicants. Mr. Stidham replied yes after the new zoning district is adopted. Chair Ohrstrom asked if rezoning it in this manner will cause us to lose control over development and miss out on proffers. Mr. Boies replied that we will own the property and can place restrictive covenants on anything. He said it would be different if this property was going into private ownership. Mr. Stidham added that this is the one instance in which he would not be opposed to an administrative rezoning. Chair Ohrstrom said it is always been his opinion to be very careful in rezoning properties.

Mr. Waite said that without visibility and immediately surrounded by properties that are not attractive, he questions how we could market commercial uses like those at the Alamo movie theater complex on the County property. He said that he wonders if one or several light industrial businesses could be developed on the property, in particular businesses that use Inland Port

resources to assemble or repackage products for shipping and that would generate more tax revenue than a typical warehouse. Chair Ohrstrom replied that it would be a value-added business. Mr. Waite said we need to get as many tax revenue generators as we can. He asked whether the zoning district we create will just be for the 40 acre County lot or will it be for the entire corner. Mr. Stidham replied that we need to focus on creating the district specifically for the 40 acres but also be aware of whether it can be applied on other properties such as the adjacent Camp 7 lots in the future. Mr. Waite noted that this answers his question about future flexibility. Supervisor Catlett asked about applying the district to other Plan Area properties outside of the former Camp 7 lots. Mr. Stidham replied that this is something that the Committee would want to consider in developing the district – whether it would be appropriate to rezone the Highway Commercial lots at the intersection to the new district.

Mr. Boies noted that he sees commercial uses as accessory to the light industrial uses and he reminded the participants that there are large, undeveloped commercial-zoned properties at the intersection today where these uses can be developed. He added that he does not think it is fair to create competition for these properties by emphasizing commercial uses in the new district. He also said that commercial uses at the intersection makes more sense because of the visibility. Regarding use of Inland Port resources, he noted a company that brings in large rolls of paper and processes it into other paper products for re-shipment. He said this type of business generates a lot of machinery and tools tax revenue. Mr. Gribble asked if the County would receive significant tax revenue from the large processing machines. Mr. Boies replied yes but the value depreciates pretty quickly. Supervisor McKay noted that we also have significant undeveloped commercial land with visibility in Waterloo. Mr. Stidham suggested considering commercial uses that do not rely on visibility so as to avoid competing with development at the intersection. Mr. Waite asked if businesses could be developed in Waterloo that would support businesses on the County's 40 acres. Mr. Stidham replied no because the Waterloo properties are zoned Highway Commercial. Commissioner Lee said that a meat processing facility on the 40 acres could have a commercial storefront in the nearby Highway Commercial areas where there is visibility. Mr. Stidham added that you could do a butcher shop in Waterloo today under current zoning.

Mr. Milleson said that the businesses in the current Business Park seem very well run with a lot of employees. Chair Ohrstrom added that it has been very successful and low impact on surrounding properties. Mr. Milleson suggested investigating what businesses are located in Warren County near the Inland Port to see if any related businesses could be developed on the 40 acres. He added that he considered a high-tech pharmaceutical company but wondered whether we have the labor force for that kind of use. He said logistics businesses should be included and noted that it would be useful to have a list of the uses that would give us the most bang for our buck.

Supervisor Catlett said she supports a broad list of uses so we do not eliminate something that might be useful in the future. She is also interested in pharmaceutical companies and laboratories as they would create high-paying jobs and possible high tax revenue from their equipment.

Commissioner Malone said that her list is a little different and she is looking at day care centers including adult day care. She asked if they are high revenue generators and Mr. Stidham replied that he would not think so. She added that she did not think that she would take a child or an older family member to a care center at this location. Supervisor McKay said that he thought that day care centers would be an accessory use for the employees of the businesses there but he also agrees with

Commissioner Malone. Commissioner Malone said that unless the businesses have a large number of employees, there would not be a lot of tax revenue generated by these businesses. Supervisor Catlett said that you can keep the use in the list as it might be a benefit to a business that wants to offer onsite child care as an employment incentive. Mr. Gribble noted that this would be similar to a business having an employee cafeteria.

Mr. Waite asked Mr. Stidham if he knew the size of the County Business Park. Mr. Stidham replied that it is larger than 40 acres. Mr. Waite asked about the size of the lots and Mr. Stidham replied that they are 5-8 acres and he did not think there are any lots over 10 acres. Vice-Chair Buckley asked what GO Virginia recommended and Ms. Ridings replied 1-8 acres.

Mr. Stidham reviewed the current list of uses projected on the monitor for the participants to edit. He said he would flag uses that the participants feel strongly about or that may be high tax revenue generators. Supervisor McKay noted that industrial-scale agricultural uses including greenhouses can be tremendous users of water. Mr. Stidham said that we can place a cap on the maximum size of buildings and limit the amount of light that they generate for growing. He added that you can also consider outdoor retail greenhouses. Mr. Gribble said that some facilities use less water and attempt to re-use the water. Commissioner Lee asked if there would be any restrictions on placing a well on the property. Mr. Stidham replied that typically you cannot use a well if you are locate a new use in a service area and he did not think there were any exceptions for processing. Ms. Cantatore asked if there is a way to find out how much water is used by different businesses because 150,000 gallons per day does not sound like a lot of water. Mr. Boies said that Rappahannock Electric Cooperative only plans to use 2,000 gallons per day and it will be a large facility. He also noted that the Sanitary Authority's service area containing Boyce, Millwood, and Waterloo uses 60-65,000 gallons per day. Commissioner Lee said the State uses a residential metric of 25 gallons per day per person including just toilets and washing.

Mr. Stidham said that in regards greenhouses, outdoor greenhouses would require a lot of space and may not generate significant tax revenue. He added that industrial-scale agriculture in enclosed buildings may contain high-tech equipment that would generate tax revenue but may also have impacts from building size and light pollution. He said we can develop use regulations to address these impacts and asked the participants if they want to include this use. Chair Ohrstrom said this is something we should think about.

Mr. Stidham reviewed the agricultural/agricultural support uses and asked if anyone wanted to designate any of them as special uses. Vice-Chair Buckley suggested making industrial-scale agriculture as a special use. Chair Ohrstrom asked if this would include confined animal feeding operations. Mr. Stidham replied no and said we would limit it to plants. Mr. Stidham asked about making meat processing as a special use and participants agreed. He asked if agricultural product processing should also be a special use. Vice-Chair Buckley said maybe if you want to evaluate water usage. Chair Ohrstrom gave an example of a cider manufacturer that overwhelmed a sewage treatment plant by dumping waste containing alcohol and he said you definitely want to evaluate these uses more closely. Participants agreed that this should also be a special use.

Mr. Stidham moved on to business/commercial uses. Mr. Gribble said that employee cafeterias and day care centers should be accessory uses to larger businesses. Chair Ohrstrom asked if we wanted to allow large veterinary operations for domestic animals. Mr. Stidham noted that medical clinics

are along the same vein and Supervisor Catlett noted that they do use a lot of high-tech tools that would be taxable. Mr. Stidham asked if we want to remove town centers because there is no visibility. Mr. Waite said that he is not a fan of the idea but thinks that town centers draw away from established business areas like Berryville. Mr. Stidham noted that town centers like One Loudoun have a residential component that allows for onsite reoccurring customers to support the center. Participants agreed to strike town centers. Mr. Stidham asked about removing hotel/motel. Chair Ohrstrom asked about whether they are tax generators. Mr. Boies replied that they pay transient occupancy tax but noted that they are allowable currently in the Highway Commercial district. Vice-Chair Buckley said that it might be a good idea to leave it in the list and participants agreed to do so for now. Mr. Stidham asked about commercial kennels and pet day care centers and participants agreed to remove both uses.

Moving on to light industrial uses, Mr. Stidham asked about self-service storage. Participants agreed to take out the use as it would not generate significant tax revenue. Mr. Stidham asked if any of the uses should be considered special uses, adding that we might want to consider what activities are conducted in a laboratory on a case-by-case basis. He also noted that specialty trade contractor is a special use in the AOC District but we may want to make it a by-right use. Participants agreed with this suggestion. Participants also agreed to make laboratories, pharmaceutical manufacturing, and recycling businesses as special uses. Mr. Stidham asked what they wanted to do with medical clinics and hospitals. Chair Ohrstrom said that they are more of a Highway Commercial use. Mr. Stidham noted that medical equipment services is more of a manufacturing use that you would want to keep. Mr. Waite noted that a non-profit medical center does not generate significant tax revenue. Participants agreed to remove medical clinics and hospitals but keep medical equipment services. Mr. Stidham asked about making shops for welding, blacksmithing, and woodworking a special use, noting that we can limit the scope with regulations. Participants agreed to leave it as a by-right use. Participants also agreed to remove churches, event venues, and assisted living/continuing care facilities.

Mr. Stidham reviewed the list of uses not under consideration. Regarding trucking companies, Mr. Stidham asked if we get property taxes from them. Mr. Boies replied that it depends on whether they are garaged here. Supervisor McKay said he thinks you can avoid taxes by tagging the vehicles in other states. Mr. Stidham asked if we want to prohibit a pure trucking company like Estes and noted that they take up a lot of land for parking. Participants agreed and Mr. Stidham said he would find a way to limit the size of companies that use a lot of trucks.

Mr. Stidham said that he will polish up the list and come up with use definitions. He said at the next meeting we will consider a purpose statement for the district. Supervisor Catlett asked if we can revisit uses that we said no to and Mr. Stidham replied yes. Mr. Waite asked if the uses can be categorized based on tax generation and Mr. Stidham replied yes.

4. New Business -- None

ADJOURN: Meeting was adjourned by consensus at 2:38PM.

Brandon Stidham, Clerk



Clarke County Department of Planning
 Berryville-Clarke County Government Center
 101 Chalmers Court, Suite B
 Berryville, VA 22611

TO: Planning Commission Ordinances Committee – Randy Buckley, Ron King, Frank Lee, Gwen Malone, George Ohrstrom

Industrial Development Authority (IDA) representatives -- Bill Waite, Marcy Cantatore

Economic Development Advisory Committee (EDAC) representatives – Johnny Milleson, Mark Gribble

Board of Supervisors representatives – Bev McKay, Terri Catlett

FROM: Brandon Stidham, Planning Director

RE: Continued Discussion, Development of New Double Tollgate Zoning District

DATE: November 6, 2024

For our November 14 meeting, we will begin working on the initial framework of the new Double Tollgate zoning district. This will include a discussion of the uses list that the Committee assembled at the last meeting, review of the draft purpose statement for the district, and initial review of development standards. These discussion topics are outlined below:

Summary of Uses and Tax Revenue Sources

The enclosed Summary of Uses and Tax Revenue Sources document contains the current list of uses that the Committee developed over the past two meetings. The table on the first two pages divides the uses list into Business Uses (commercial/office oriented) and Light Industrial Uses. Each of the “use terms” are defined following this table and also include some initial regulations.

At the Committee members’ request, the right column provides a listing of tax revenue sources that would be generated by each use (see key for abbreviations immediately following the table). These tax revenue sources are explained in greater detail in the Local Tax Revenue Explanation table which includes a description of each source, the current tax rate, the FY25 budget projection, and the percentage of local taxes collected annually. You will note that all of the uses will generate real estate and personal property taxes and business license fees. Businesses with onsite sales will generate sales tax and only hotels will generate transient occupancy tax revenue. Businesses with equipment used to produce a product will generate machinery and tools tax revenue.

For this discussion, we are looking for any additional comments and questions on the uses as we work towards a consensus on the uses list moving forward.

(540) 955-5132
www.clarkecounty.gov

Draft Purpose Statement

The purpose statement will be included in the Zoning Ordinance under the district regulations as the description of the district. The purpose statement is important because it typically conveys the type and scale of development that the regulations intend to allow and appropriate locations for the district. Potential developers and their design professionals will often use the purpose statement as a guideline to determine the appropriate district for their intended uses.

The enclosed District Purpose Statements document includes the current purpose statements for the Highway Commercial (CH), Business (B), and Business Park (BP) districts as examples. Staff's initial draft is at the bottom of the page in red italics. Until we determine a name for the new zoning district at the end of this process, we will refer to it generically as the "X District." The initial draft incorporates comments from the Committee including a general description of light industrial and support businesses with a focus on small to medium size manufacturing and logistics businesses. The County's proximity to major highways and the Virginia Inland Port is also referenced.

Staff is looking for a consensus on the wording of the purpose statement and welcomes comments and edits.

Initial Review of Development Standards

The final discussion topic is to begin evaluating potential district regulations and development standards. Staff has included an initial draft of the district framework as it would appear in the Zoning Ordinance as new Section 4.1.6. The text of the current BP District section is used for this exercise and Staff's proposed edits are shown in red font. The initial purpose statement is included at the beginning of the document.

Issues for the Committee to discuss include:

- **Applicability.** Subsection A states that the district shall only be applied to lots in Sub-Area C of the Double Tollgate plan area. This includes all of the former Camp 7 properties excluding the Rappahannock Electric Cooperative property at US 360 and Featherbed Road. Staff is looking for consensus as to whether the district should be limited in this manner.
- **Lot and building requirements.** Staff proposes using the BP District lot area/width requirements for the new district. One item for discussion is "floor area ratio" or FAR – currently listed at 0.35. Floor area ratio is a tool used to regulate the total floor area of all buildings on a lot as it relates to the lot size. Total floor area is calculated by multiplying the floor area ratio by the lot area in square feet. A 0.35 floor area ratio would produce the following:
 - 5 acre lot (217,800 square feet) – max floor area of 76,230 square feet
 - 8 acre lot (348,480 square feet) – max floor area of 121,968 square feet
 - 10 acre lot (435,600 square feet) – max floor area of 152,460 square feet
 - 40 acre lot (1,742,700 square feet) – max floor area of 609,840 square feet

Regarding minimum lot size, the BP District requirement is 60,000 square feet or approximately 1.38 acres. Staff did not recommend any changes to this requirement but the Committee should discuss whether it is appropriate.

Another item for discussion is the maximum building height. The current BP District requirement is 40 feet. Staff researched building heights for industrial uses similar to those that we are considering and we noted that an interior “clear height” of around 35 feet is ideal. The “clear height” is the maximum height to accommodate interior structures (like storage units) and equipment while maintaining a clear area to the ceiling per code requirements. Staff is initially recommending a maximum building height of 50 feet to provide more flexibility for obtaining ideal clear heights and accommodating sloped roofs and rooftop features.

- Special district requirements. Staff included a few modifications to the current BP District requirements for the Committee’s discussion.

New subsection 3 would require all new streets constructed in the district to be public streets built to VDOT standards and accepted into the public road system – use of private access easements would be prohibited. The County’s private access easement construction standards are designed for use by a maximum of nine residential or agricultural lots. They do not include design standards for industrial access roads.

Subsection 8 is a new section on screening of mechanical equipment which was raised at an earlier Committee meeting. This would require all mechanical equipment to be screened from view from adjacent properties whether ground or roof mounted. Mechanical equipment would include any equipment associated with the building’s HVAC systems or emissions equipment such as smokestacks (smokestacks would be subject to the building height limitation of 50 feet). Solar panels for onsite use and service provider equipment (electric, water/sewer, internet) would be excluded from these requirements.

Review of the district development standards will continue to the Committee’s next meeting on January 14. Staff is looking for comments, edits, and additions on the initial draft as we develop the next draft for review.

If you have questions or cannot attend the meeting, please do not hesitate to email me at bstidham@clarkecounty.gov or call (540) 955-5130.

FOR DISCUSSION – 11/14/2024 MEETING

SUMMARY OF USES AND TAX REVENUE SOURCES

USE TERM	INCLUDES	TAX REVENUE SOURCES
Business Uses		
Business office supply and service	-- Retail and wholesale office supply stores -- Office equipment sales, rental, repair	RE, PP, S, BL
Farm machinery sales and service	-- Tractors and equipment sales and service	RE, PP, S, M&T, BL
Farm supplies sales	-- Farm stores, feed stores	RE, PP, S, BL
Flex office	-- Multi-user office buildings -- Telework/Work-share space	RE, PP, BL
Hotel	-- Hotels and motels	RE, PP, M, TO, BL
Professional service business	-- General office, corporate office -- Medical/dental office	RE, PP, BL
Light Industrial Uses		
Agricultural product processing	-- Processing of crops and plants into value-added, <u>non-food</u> agricultural products -- Accessory onsite sales of goods produced	RE, PP, M&T, S, BL
Alcoholic beverage manufacturing	-- Breweries and distilleries -- Wine/cider/mead manufacturing -- Accessory onsite sales and restaurants	RE, PP, S, M, M&T, BL
Contractor office	-- Specialty trade contractor office -- Service businesses and their vehicle/equipment fleets	RE, PP, M&T, BL
Craft industrial	-- Artisan-level fabrication and manufacturing -- Accessory onsite retail sale of goods produced	RE, PP, M&T, S, BL
Food and beverage manufacturing and distribution	-- Accessory onsite sales of goods produced	RE, PP, M&T, S, BL
Industrial-scale agriculture	-- Hydroponic greenhouses	RE, PP, M&T, BL
Light manufacturing	-- Manufacturing -- Fabrication -- Assembly -- Treatment and packaging	RE, PP, M&T, BL
Limited electronics recycling	-- E-waste reclamation/recycling	RE, PP, M&T, BL

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Livestock processing	-- Abattoir/commercial slaughterhouse -- Accessory onsite sales/butcher shop	RE, PP, M&T, S, BL
Logistics business (shipping, packaging)	-- Distribution/shipping -- Packaging -- Warehousing/cold storage -- Trucking	RE, PP, M&T, BL
Research and development	-- Laboratories -- Medical and high-tech research	RE, PP, M&T, BL
Technology manufacturing	-- Pharmaceutical manufacturing -- Computers and electronics	RE, PP, M&T, BL

Tax Revenue Sources Key

RE – Real estate

PP – Personal property

S – Sales

M -- Meals

M&T – Machinery & tools

TO – Transient occupancy

BL – Business license

<u>BUSINESS USES</u>			
USE TERM	CURRENT USE?	BY-RIGHT	SPECIAL USE
Business office supply and service	No	✓	
Farm machinery sales and service	Yes	✓	
Farm supplies sales	Yes	✓	
Flex office	No	✓	
Hotel	Yes	✓	
Professional service business	Yes	✓	

BUSINESS OFFICE SUPPLY AND SERVICE

A business engaged in the wholesale or retail sale, rental, or repair of office supplies and equipment or in the provision of office-related services such as copying and mailing.

Use Regulations:

- None

FARM MACHINERY SALES AND SERVICE

Buildings and land used for the onsite sale of machinery, equipment, and parts, and/or for the onsite service of machinery and equipment, manufactured primarily for use by an agricultural operation.

Use Regulations:

- The maximum area for parking and outdoor storage of farm machinery for sale is _____ square feet. [NEW]

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- Machinery that is inoperable and/or under repair shall be stored within an enclosed building or located within an outdoor storage area that is fully screened from view from adjacent properties. [NEW]

FARM SUPPLIES SALES

Buildings and land used for the onsite sale of supplies that are primarily produced or manufactured for use by an agricultural operation.

Use Regulations:

- Farm supplies sales shall not include the onsite production of fertilizers and composts. [NEW]
- Outdoor storage of materials including composts shall be limited to a maximum area of _____ square feet. There shall be no outdoor storage of fertilizers including manures. [NEW]

FLEX OFFICE

An establishment designed to house one or more professional service businesses, telework/work-share spaces, meeting rooms, and conference rooms.

Use Regulations:

- None

HOTEL

Any place containing two or more guest rooms offering to the public compensation transitory lodging or sleeping accommodations, overnight or otherwise, with any period of continuous occupancy being not longer than 14 days, including but not limited to facilities known by varying nomenclatures or designations as hotels, motels, or travel lodges.

Use Regulations:

- The minimum lot area required for a hotel shall be 2,000 square feet per unit exclusive of proprietor's dwelling, office and accessory building. [Current regulation]
- Provision of food and beverage service to patrons including operation of an onsite restaurant is permitted.

PROFESSIONAL SERVICE BUSINESS

A business that does not involve the onsite sale of goods or commodities or dispensing of personal services and provides legal, architectural, engineering, real estate brokerage, insurance, accounting, art, photography, music, or similar related service to the public. Professional services also includes medical and dental offices.

Use Regulations:

- None

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<u>LIGHT INDUSTRIAL USES</u>			
USE	CURRENT USE?	BY-RIGHT	SPECIAL USE
Agricultural product processing	No		✓
Alcoholic beverage manufacturing	No	✓	
Contractor office	No	✓	
Craft industrial	No	✓	
Food and beverage manufacturing and distribution	No	✓	
Industrial-scale agriculture	No		✓
Light manufacturing	No	✓	
Limited electronics recycling	No	✓	
Livestock processing	No		✓
Logistics business (shipping, packaging)	No	✓	
Research and development	No	✓	
Technology manufacturing	No	✓	

AGRICULTURAL PRODUCT PROCESSING (Special Use Permit required)

A business which conducts the processing of crops or plants into value-added products for resale not to include food for human consumption.

Use regulations:

- All processing activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Processing of fertilizers and composts using animal or animal waste products shall be prohibited.
- Retail sale of products produced onsite shall be allowed as an accessory use.

ALCOHOLIC BEVERAGE MANUFACTURING

A business which is licensed for the production of wine, beer, or spirits by the Commonwealth of Virginia.

Use Regulations:

- Alcoholic beverage manufacturing does not include farm wineries, farm breweries, and farm distilleries.
- Wholesale and onsite sales of wine, beer, or spirits may be conducted in accordance with the regulations of the Virginia Alcoholic Beverage Control Authority as an accessory use.
- Provision of food and beverage service to patrons including operation of an onsite restaurant is permitted.
- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

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CONTRACTOR OFFICE

Office for businesses in the conduct of any landscape or building trade or craft, pest control, cleaning services, or similar operation together with a site and buildings used for the storage of equipment, vehicles, machinery, and/or materials related to and used by the trade or craft.

Use regulations:

- Outdoor storage shall be limited to a maximum area of _____ square feet.

CRAFT INDUSTRIAL

Artisan-related crafts and industrial processes such as metalworking, glassblowing, woodworking, and furniture making.

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Retail sale of products produced onsite shall be allowed as an accessory use.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

FOOD AND BEVERAGE MANUFACTURING AND DISTRIBUTION

A business which conducts the preparation, processing, canning, packaging, and/or storage of food and beverage products for human consumption.

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Retail sale of products produced onsite shall be allowed as an accessory use.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

INDUSTRIAL-SCALE AGRICULTURE (Special Use Permit required)

Controlled-environment agriculture (such as vertical farming, hydroponics, and aeroponics) conducted within a fully-enclosed, climate-controlled building which relies on year-round water usage as opposed to seasonal irrigation and which does not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.

Use regulations:

- Industrial-scale agriculture shall not include the growing of cannabis in accordance with State law.
- Outdoor storage shall be limited to a maximum area of _____ square feet.
- All internal building lighting used during nighttime hours shall be fully screened from exterior view.
- Outdoor growing or cultivation of plants is prohibited.

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LIGHT MANUFACTURING

The manufacture, predominantly from previously prepared materials, of finished products or parts including processing, fabrication, assembly, treatment, and packaging of such products, and the incidental storage, sales, and distribution of such products.

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

LIMITED ELECTRONICS RECYCLING

A business in which materials and components are reclaimed from discarded electronics and are temporarily stored and/or processed by manual or automated separation for redistribution and resale.

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Outdoor storage of materials is prohibited.

LIVESTOCK PROCESSING (Special Use Permit required)

A business which conducts the slaughtering and processing of livestock animals within a fully-enclosed building or buildings.

Use regulations:

- Livestock processing shall be conducted in compliance with all applicable State and Federal regulations.
- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Rendering and refinement of animal fats and waste products shall be prohibited.
- Retail sale of products produced onsite shall be allowed as an accessory use.
- Outdoor storage of materials or animal waste products is prohibited.

LOGISTICS BUSINESS

A business which provides support services for other businesses including warehousing (including cold storage), packaging, shipping, and/or transportation.

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Vehicle fleet parking and maintenance shall be accessory to the logistics business. The maximum area for parking and storage of fleet vehicles is _____ square feet.

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- Outdoor storage shall be limited to a maximum area of _____ square feet.

RESEARCH AND DEVELOPMENT

A business containing facilities such as laboratories and offices where research and development are conducted in industries that include, but are not limited to:

- Biotechnology
- Pharmaceuticals
- Medical instrumentation or supplies
- Communication
- Information technology
- Electronics and instrumentation
- Computer hardware and software

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

TECHNOLOGY MANUFACTURING:

A business that manufactures, fabricates, processes, and/or assembles products used in industries that include, but are not limited to:

- Biotechnology
- Pharmaceuticals
- Medical instrumentation or supplies
- Communication
- Information technology
- Electronics and instrumentation
- Computer hardware and software

Use regulations:

- All activities shall be conducted within a fully-enclosed building and such activities shall not generate noise, smoke, fumes, odors, glare, or health/safety hazards outside the building.
- Outdoor storage shall be limited to a maximum area of _____ square feet.

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<u>ACCESSORY USES</u>			
USE TERM	CURRENT USE?	BY-RIGHT	SPECIAL USE
Employee cafeteria	No	✓	
Day care center for children	Yes	✓	
Behind-the-meter solar energy system	Yes	✓	

Note – All listed uses may conduct these accessory uses by-right.

Local Tax Revenue Explanation

The information below provides a high level summary of local revenues related to businesses.

<u>Tax</u>	<u>Description</u>	<u>Rate</u>	<u>FY 25 County Budget Projection</u>	<u>% of local taxes collected annually</u>
Real Estate	Tax on land and improvements based on assessment completed by the County.	\$.60 per \$100	\$15,820,135	50%
Personal Property	Tax on vehicles and business property like computers, copy machines, etc.	\$4.496 per \$100	\$8,483,220	27%
Sales*	County receives 1% of state sales tax but shares this with the towns based on a complex formula involving the number of school kids.	1%	\$1,700,000	5%
Meals**	Collected for prepared food and beverages.	4%	\$390,000	1%
Cigarette**	Paid by store owner and placed on pack of cigarettes.	\$.40 per pack	\$350,000	1%
Machine & Tools	Tax on equipment used to produce product like machines on production lines.	\$1.25 per \$100	\$255,000	1%
Transient Occupancy**	Tax on overnight stays of less than 30 consecutive days, collected by AirBnB's and B&B's (hotels if we had one).	5%	\$140,000	Less than 1%
Business License	Flat annual fee, regardless of business volume.	\$30	\$23,000	Less than 1%

* shared with towns

** not collected in town if town already has this tax

DISTRICT PURPOSE STATEMENTS

Highway Commercial (CH) District (includes land zoned in Sub-Area A of Double Tollgate Plan Area)

This district is intended to provide sufficient space in appropriate locations for a wide variety of commercial activities, generally serving a wide area and located on primary highways with more than 5,000 trips per day. The uses in this district should not be characterized by extensive warehousing, frequent heavy trucking activity, open storage of materials, or the nuisance factors of dust, odor, and noise associated with light industrial activities.

Business (B) District (Berryville Annexation Area)

The Business (B) District is established to provide locations for a broad range of general business activities, particularly employment-related businesses, in a business park setting in the precincts of the Berryville Area Plan. The B District is established to encourage innovative design of employment related development; to these ends, development under this district will be permitted only in accordance with a site plan. The B District is intended to provide business "incubator" locations that allow one or more small businesses to operate in one or more buildings under common ownership.

The specific uses permitted within the B District must be in harmony with the cultural and environmental character of the Town of Berryville. No use should be permitted which might be harmful to adjoining land uses or to the community at large. Adequate transportation and site planning of all land uses shall have the goal of minimizing traffic conflicts with all other activities within the Berryville Area.

Business Park (BP) District (Berryville Annexation Area)

The Business Park (BP) District is established to provide locations within the Berryville Area for a broad range of light industrial and business uses. Such uses should be capital intensive (rather than labor intensive), having a significant investment in machinery and tools that should generate maximum revenue for local government. Such uses should promote horizontal and vertical integration of industrial and business activities, so that new businesses enhance and expand the base of existing businesses. All uses shall be in harmony with the cultural and environmental character of the Berryville Area and conform to all federal, state, and local environmental performance standards. Transportation and site planning of all land uses shall have the goal of minimizing traffic congestion.

The application of this district is intended for those locations within the Berryville Area that are planned for Light Industrial/Research uses.

X District (Initial DRAFT)

The X District is intended to provide opportunities for light industrial and support businesses to locate within Sub-Area C of the Double Tollgate plan area. Allowable uses include small to medium size manufacturing and logistics businesses which can leverage the plan area's central location near major highways and the Virginia Inland Port, and which may also support the County's and region's agricultural industries. Design standards are included to ensure compatibility and facilitate high-quality development.

4.1.6	Double Tollgate zoning district (name to be determined)	X
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Purpose:

The X District is intended to provide opportunities for light industrial and support businesses to locate within Sub-Area C of the Double Tollgate plan area. Allowable uses include small to medium size manufacturing and logistics businesses which can leverage the plan area’s central location near major highways and the Virginia Inland Port, and which may also support the County’s and region’s agricultural industries. Design standards are included to ensure compatibility and facilitate high-quality development.

- A. Applicability.** *The X District shall be applied only to lots located within Sub-Area C of the Double Tollgate plan area as designated in the current edition of the Double Tollgate Area Plan.*
- B. Lot Density and Dimensional Requirements.** The density and dimensional requirements for lots shall be as set forth in the tables below.

TABLE 4.1.6[1], Lot Area/Width Requirements

-- Maximum floor area ratio (based on net developable area of lot)	0.35
-- Minimum district size	None
-- Minimum lot area	60,000 square feet
-- Minimum lot width	100 feet

- C. Building Requirements.** Setback, structure height, and vegetated buffer width requirements shall be as set forth in the tables below:

TABLE 4.1.6[2], Building Requirements

BUILDING SETBACK REQUIREMENTS	
Front yard	40 feet
Side yard (may be reduced where side yard abuts a railroad right of way)	25 feet
Rear yard (may be reduced where rear yard abuts a railroad right of way)	25 feet
Setback from property lines shared with zoning district whose permitted uses are not of a business, office, commercial, or industrial nature	60 feet
MAXIMUM BUILDING HEIGHT	
Maximum building height	40 50 feet

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D. Special District Regulations

1. Open Space. An open space plan and landscape design program shall be submitted with applications for any land use governed by this district. 15% of the site shall be landscaped open space.
2. Parking, ~~Streets,~~ and Access. All parking requirements shall be met by off-street, on-site spaces as enumerated in [Section 7.2.5 \(Parking Regulations\)](#) and shall include designated spaces for the handicapped. The location, spacing and number of private driveway entrances shall comply with Virginia Department of Transportation standards and shall be subject to final site plan approval. Off-street parking spaces shall be accessed via private driveways and shall not be directly accessed from public rights of way.

~~Public streets within or immediately adjacent to the X zoning district shall be constructed to industrial road standards if determined necessary by the administrative body. Sidewalks may be required on such streets if determined necessary by the administrative body.~~

3. ***Public streets required. All new streets shall be constructed to Virginia Department of Transportation standards and dedicated for use as public streets. Use of private access easements is prohibited.***
4. Buffering and Landscaping.
 - a. Where a lot in the X district is contiguous to property located in ***the Agricultural-Open Space-Conservation (AOC) District*** ~~any residential or institutional district~~, a landscaped buffer strip of 25 feet in width shall be provided.
 - b. Where a lot is contiguous to property located in ***the Highway Commercial (CH) District or to any property owned by a governmental entity*** ~~any business, office, or commercial district~~, a landscaped buffer strip of 10 feet in width shall be provided.
 - c. Where a lot is contiguous to property located in ***the X District*** ~~any industrial district~~, a landscaped buffer strip of 5 feet in width shall be provided.
 - d. Landscape materials and placement subject to site plan approval in all landscaped buffer strips.
5. Storage of Materials and Refuse. All refuse containers shall be screened by a solid and opaque wall or fence. The outdoor area devoted to storage, loading, and display of goods shall be limited to that area so designated on an approved site plan. All equipment, materials, and fuel storage tanks shall be contained entirely within a building or screened from public rights-of-way and contiguous lots which are zoned for residential or institutional uses. ***All hazardous materials used and/or hazardous waste generated by***

DISTRICT FRAMEWORK – INITIAL DRAFT FOR COMMITTEE REVIEW

uses on the lot shall be stored securely in appropriate, secured containers and disposed of off-site in accordance with applicable State and Federal laws.

6. Site Plans and Special Use Permits. All uses shall be subject to final site plan approval. Final site plans shall include a report indicating compliance with any locally adopted performance standards and land use criteria. Applications for all uses subject to special use permits shall be accompanied by an environmental impact assessment addressing land use compatibility issues related to locally adopted performance standards. Any ~~BP Business Park District~~ land use application which is not in strict conformance with the pre-existing approved master site plan and preliminary plat for the district shall require an amendment to that master site plan and preliminary plat prior to site plan approval of the specific use. Site *development* plans ~~for development in BP Business Park Districts~~ shall include provisions for
 - a. Adequate public facilities,
 - b. Development phasing,
 - c. Stormwater management facilities that comply with State stormwater management regulations,
 - d. Lighting and signing, and
 - e. Other special site features and land use considerations deemed necessary to serve the industrial district.
- ~~6. Covenants. Common property ownership agreements and covenants for BP Business Park District developments shall be reviewed and approved by the governing body or its agent.~~
7. Noise. Sound levels at the perimeter property line of any lot in the ~~X District BP zoning district~~ shall *comply with Code of Clarke County Chapter 120 (Noise) not exceed 65 decibels (dba).*
8. Screening of mechanical equipment. *All mechanical equipment shall be screened from view from adjacent properties.*
 - a. *Mechanical equipment includes but is not limited to heating, ventilation, and air conditioning equipment, and emissions equipment and structures such as smokestacks. The following equipment and structures are exempt from this section:*
 - *Solar panels for behind-the-meter use*
 - *Water, sewer, electric, or internet service provider equipment such as poles, pedestals, hydrants, and meters*
 - b. *Ground-mounted equipment shall be screened from view using fencing, walls, screening landscaping, or similar features.*

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- c. Roof-mounted equipment shall be screened using architectural features such as parapet walls. Roof-mounted equipment and screening features shall not exceed the maximum building height.*
- 9. Public water and public sewer to be used. Use of onsite wells and/or onsite sewage disposal system is prohibited.**
- E. Development Regulations.** The following development regulations for the ~~BP District~~ **X District** may be found in Section 7.2 (Site Development Plan Design Standards and Development Regulations):
- Site Development Plan Requirements (Section 7.2.1)
 - Streets, Public Rights of Way, and Pedestrian Facilities (Section 7.2.2)
 - Public Utilities; Use of Private Wells and Onsite Sewage Disposal Systems (Section 7.2.3)
 - Landscaping Design Standards (Section 7.2.4)
 - Parking Regulations (Section 7.2.5)
 - Outdoor Lighting Standards (Section 7.2.6)
 - Environmental Reviews (Section 7.2.7)
 - Plan Approval and Construction (Section 7.2.8)

The following additional regulations apply to development and uses in the BP District:

- Lot and Structure Regulations (Section 7.1)
- ~~Annexation Area B Development Regulations (Section 7.7)~~
- Sign Regulations (Section 7.8)
- Siting of Propane Tanks (Section 7.10)
- Parking and Storage of Inoperable Vehicles (Section 7.12)