

*ALBEMARLE COUNTY CODE*

**CHAPTER 18**

**ZONING**

**SECTION 26**

**INDUSTRIAL DISTRICTS - GENERALLY**

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**26.1 INTENT, WHERE PERMITTED**

It is intended that industrial districts hereby and hereafter created shall be for the purpose of providing places of employment and strengthening the local economic base. To this end, activities involving industrial and limited commercial land uses shall be encouraged in amounts and locations designated for such purposes in the comprehensive plan. It is further intended that the enlargement and expansion of existing uses shall be encouraged as well as development of new uses appropriate to the character of industrial districts.

**26.2 APPLICATION**

Where industrial districts have been established prior to the enactment of this ordinance, and such districts are recognized on the zoning map, the same shall be considered to have been established under this ordinance in compliance with minimum area required for establishment of districts (reference sections 27.3; 28.3; 29.3).

**26.3 PERMITTED ACCESSORY USES AND STRUCTURES**

Uses and structures which are customarily accessory and clearly incidental shall be permitted, provided establishment of the same shall not be permitted until construction has commenced on the principal building or the principal use has been established; and provided further that in no case shall a parking structure, other than a parking lot or garage located entirely at or below grade, be deemed to be accessory to any use in any industrial district. In no case shall a drive-in window be deemed to be accessory to any use in any commercial district. (Amended 11-7-84)

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### **26.4 STANDARD RATIOS**

26.4.1 Floor area ratio. Maximum total floor area permissible for individual lots shall not exceed 0.70 times the land area of the lot.

26.4.2 Maximum land coverage by buildings of an individual lot shall not exceed 0.50 times the land area of the lot.

### **26.5 OFF-STREET PARKING AND LOADING REQUIREMENTS**

All off-street parking and all off-street loading space requirements shall be in accordance with section 4.12. (Amended 3-18-81)

#### **26.5.1 (Repealed 3-18-81)**

#### **26.5.2 (Repealed 3-18-81)**

### **26.6 HEIGHT REGULATIONS**

Except as otherwise provided in section 4.10, structures may be erected to a height not to exceed sixty-five (65) feet; provided that any structure exceeding thirty-five (35) feet in height shall be set back from any street right-of-way or single-family residential or agricultural district; in addition to minimum yard requirements, a distance of not less than two (2) feet for each one (1) foot of height in excess of thirty-five (35) feet. (Amended 9-9-92)

### **26.7 PERFORMANCE STANDARDS**

Each future occupant of an industrial character shall comply with standards set forth in section 4.14 and submit to the county engineer as a part of final site development plan approval, a certified engineer's report describing the proposed operation, all machines, processes, products and by-products, stating the nature and expected levels or emission or discharge to land, air and/or water or liquid, solid or gaseous effluent and electrical impulses and noise under normal operations, and the specifications of treatment methods and mechanisms to be used to control such emission or discharge. The county engineer shall review the applicant's submittal and make comment and recommendation prior to final commission action on the site development plan.

Subsequent occupants shall comply with the standards of section 4.14 whether or not additional site development plan review is required.

### **26.8 SIGN REGULATIONS**

Sign regulations shall be as prescribed in section 4.15.

### **26.9 MINIMUM LANDSCAPED AREA**

See section 32.7.9 for landscaping and screening requirements. (Amended 7-10-85; 9-9-92)

### **26.10 MINIMUM YARD REQUIREMENTS**

The minimum yard requirements in the industrial districts are as follows:

- a. *Adjacent to public streets.* No portion of any structure, excluding signs, shall be erected closer than fifty (50) feet to any public street right-of-way. No off-street parking or loading space shall be located closer than ten (10) feet to any public street right-of-way. (Amended 7-10-85; 7-8-92)
- b. *Adjacent to residential or rural areas districts.* No portion of any structure, excluding signs, shall be located closer than fifty (50) feet to any residential or rural areas district and no off-street

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parking space shall be closer than thirty (30) feet to any residential or rural areas district. In the heavy industry (HI) district, no portion of any structure, excluding signs, shall be located closer than one hundred (100) feet to any residential or rural areas district and no off-street parking shall be closer than thirty (30) feet to any residential or rural areas district. (Amended 7- 10-85; 7-8-92)

- c. *Buffer zone adjacent to residential and rural areas districts.* No construction activity including grading or clearing of vegetation shall occur closer than thirty (30) feet to any residential or rural areas district. Screening shall be provided as required in section 32.7.9. (Amended 9-9-92)
  - 1. *Waiver by the commission.* The commission may waive the prohibition of construction activity, grading or the clearing of vegetation in the buffer in a particular case where the developer or subdivider demonstrates that grading or clearing is necessary or would result in an improved site design, provided that: (i) minimum screening requirements are met; and (ii) existing landscaping in excess of minimum requirements is substantially restored. (Added 7-10-85)
  - 2. *Waiver by the agent.* In accordance with the procedures stated in section 2.5 of this chapter, the agent may waive the prohibition of construction activity, grading or the clearing of vegetation in the buffer zone in the following circumstances: (i) adequate landscape screening does not currently exist and the installation of screening which meets or exceeds ordinance requirements would result in disturbance to the buffer; (ii) an arborist or landscape architect certifies that trees in the buffer are dying, diseased or will constitute a fall hazard; (iii) the county engineer determines that disturbance of the buffer is necessary in order to address an existing drainage problem; or (iv) disturbance of the buffer will result in improved screening through the use of a berm, a retaining wall or similar physical modification or improvement. In such a case, the developer or subdivider shall illustrate the result of both the existing screening without disturbance of the buffer and the screening that would be provided as a result of the disturbance of the buffer.

(12-10-80, §§ 26.10, 26.10.1, 26.10.2, 26.10.3; 7-10-85, 7-8-92, 9-9-92; Ord. 09-18(1), 1-14-09, §26.10)

**26.11 UTILITY REQUIREMENTS**

All utility lines shall be placed underground where practical.

**26.12 SITE PLANNING - EXTERNAL RELATIONSHIPS**

Site planning within the district shall provide for protection of individual sites from surrounding adverse influences, and for protection of surrounding areas from adverse influences within the district.

**26.12.1 VEHICULAR ACCESS**

Vehicular access points shall be designed to encourage smooth traffic flow with controlled turning movements and minimum hazards to vehicular and pedestrian traffic. Pavement widths and strengths of both internal and external roads shall be adequate to accommodate projected traffic generated from the district.

**26.12.2 SCREENING (Deleted 7-10-85)**

**26.13 BUILDING SEPARATION**

Whether or not located on the same parcel, main structures shall be constructed and separated in accordance with Table 401 Fire Resistance Ratings of Structure Elements of the BOCA Basic Building Code, 1984 Edition or its equivalent in the current edition of the BOCA Basic Building Code. (Added 1-1-83) (Amended 10-15-86)