



COUNTY OF ALBEMARLE
Department of Community Development
401 McIntire Road
Charlottesville, Virginia 22902-4596

Phone (434) 296-5832

Fax (434) 972-4126

MEMORANDUM

TO: Zoning Clearance or Home Occupation Applicant

FROM: Zoning Division

RE: Request for Approval of Letter of Performance Standards or
Certified Engineer's Report

Proposed Business/Use: _____

Address: _____

Re CLE (Zoning Clearance Number): _____
HO (Home Occupation Number): _____

Contact Person: _____

Phone Number: _____

Fax Number: _____ Date Faxed to Applicant: _____

Please return this form along with all required documentation to the Zoning Division upon completion.

Thank you.

To be completed by staff:

Approved: _____

Comments: _____

Certified Engineer's Reports

According to Zoning Ordinance section 18-4.14.8, Albemarle County requires a certified engineer's report prior to issuing a zoning compliance clearance or home occupation permit for uses of an industrial character. The certified engineer's report must be reviewed by the County Engineer (or designee).

A certified engineers report shall consist of;

Type 1: For uses which will have no discharge, noise, vibration, smell, lighting, emissions, impulses or radiation beyond a normal office or residential use, and will not store any hazardous materials, a letter from the owner with the following information will suffice as a certified engineer's report;

1. a description of the business and the physical process involved.
2. a description of any machinery and operations.
3. a statement or explanation for meeting each of the performance standards of section 18-4.14; noise, vibration, glare, air pollution, water pollution, radioactivity, electrical interference.

Examples of type 1 uses might be offices or warehouse storage of clothes or home occupations for wood workers. An example letter is available.

Type 2: For uses which will have any discharge, noise, vibration, smell, lighting, emission, impulse or radiation which might reasonable be expected to exceed the performance standards of 18-4.14.4 at any time, or which have any permit requirements from DEQ, EPA, Health Department or other local, state or federal agency, a full certified engineers report is required. This report must contain a signed and dated seal from a professional engineer. It must contain copies of any local, state or federal permits. It must contain plans and descriptions of physical and operational measures to meet all of the performance standards, with actual supporting measurements and data where applicable. Examples of type 2 uses might be a contractor's office and storage yard or equipment repair shop, or a manufacturer of electrical components.

4.14 PERFORMANCE STANDARDS

No use shall hereafter be established or conducted in any industrial district in any manner in violation of the following standards of performance:

4.14.1 NOISE

All sources of noise (except those not under direct control of occupant of use, such as vehicles) shall be subject to and comply with section 4.18.

(§ 4.14-12-10-80; Ord. 00-18(3), 6-14-00)

4.14.1.1 (Repealed 6-14-00)

4.14.1.2 (Repealed 6-14-00)

4.14.2 VIBRATION

The produce of displacement in inches times the frequency in cycles per second of earthborne vibrations from any activity shall not exceed the values specified below when measured at the points indicated.

4.14.2.1 METHOD OF MEASUREMENT

Earthborne vibrations shall be measured by means of a three component recording system, capable of measuring vibration in three mutually perpendicular directions. The displacement shall be the maximum instantaneous vector sum of the amplitude in the three directions.

4.14.2.2 MEANING OF TERMS

Vibrations means the periodic displacement of oscillation of the earth.

Type of vibration	Area of Measurement	
	At residential district boundaries	At other lot lines within district
Continuous	.00	.015
Impulsive (100 per Minute or less)	.006	.030
Less than 8 pulses per 24 hours	.015	.075

4.14.3 GLARE

No direct or sky reflected glare, whether from flood lights or from high temperature processes such as combustion, welding or otherwise, so as to be visible beyond the lot line, shall be permitted except for signs, parking lot lighting and other lighting permitted by this ordinance or required by any other applicable regulation, ordinance or law. However, in the case of any operation which would affect adversely the navigation or control of aircraft, the current regulations of the Federal Aviation Administration shall apply.

4.14.4 AIR POLLUTION

Rules of the State Air Pollution Control Board shall apply within Albemarle County. Such rules and regulations include coverage of: emission of smoke and other emissions from stationary sources; particulate matter; odor; particulate emission from indirect heating furnaces; open burning; incinerators; and gaseous pollutants.

4.14.5 WATER POLLUTION

Rules of the State Water Control Board shall apply within Albemarle County.

4.14.6 RADIOACTIVITY

There shall be no radioactivity emission which would be dangerous to the health and safety of persons on or beyond the premises where such radioactive material is used. Determination of existence of such danger and the handling of radioactive materials, the discharge of such materials into the atmosphere and streams and other water, and the disposal of radioactive wastes shall be by reference to and in accordance with applicable current regulations of the Department of Energy, and in the case of items which would affect aircraft navigation or the control thereof, by applicable current regulations of the Federal Aviation Administration, and any applicable laws enacted by the General Assembly of the Commonwealth of Virginia or the requirements of the Virginia Air Pollution Act, whichever is greater.

4.14.7 ELECTRICAL INTERFERENCE

There shall be no electrical disturbance emanating from any lot which would adversely affect the operation of any equipment on any other lot or premises and in the case of any operation which would affect adversely the navigation or control of aircraft, the current regulations of the Federal Aviation Administration shall apply.

4.14.8 CERTIFIED ENGINEER REPORT SUBMITTAL

Each future occupant of an industrial character shall submit to the county engineer as precedent to issuance of a zoning compliance clearance a certified engineer's report describing the proposed operation, all machines, processes, products and by-products, stating the nature and expected levels of 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. (Amended 9-9-92)

EXAMPLE LETTER FOR TYPE 1 CERTIFIED ENGINEER'S REPORT

[Date]

Community Development Department
Division of Zoning and Current Development
401 McIntire Road
Charlottesville, VA 22902

To the County Engineer:

We are a small mail order business distributing clothing and fan based products. We store t-shirts, hats, and jewelry, and package them for distribution. We have four employees in our warehouse, and three employees at call centers in the warehouse office.

We have addressed the performance standards of Zoning Ordinance Section 18-4.14:

Noise : Our operation will not create sound or impact noise levels in excess of the values specified in Section 4.14.1. We are surrounded by an embankment on three sides and a block wall on the fourth. Our major sources of noise are: 1) music and telephones. 2) truck deliveries of merchandise.

Vibration: We operate no equipment in our warehouse.

Glare: Our operation is completely contained within the building. The interior lighting associated with this operation does not produce glare that is visible beyond the lot line.

Air Pollution: There will be no emission of smoke, odor or gaseous pollutants.

Water Pollution: No liquid wastes will be generated by this operation. Our operation does not represent a hazard to water quality.

Radioactivity: My operation does not require handling of radioactive materials. There will be no radioactive emissions.

Electrical Interference: My operation does not require any equipment that would generate electrical disturbances.

Please feel free to contact me with any further questions you may have at [telephone] or by e-mail at [e-mail address].

Sincerely,

[Name of applicant]

EXAMPLE LETTER FOR TYPE 1 CERTIFIED ENGINEERS REPORT

[Date]

Community Development Department
Division of Zoning and Current Development
401 McIntire Road
Charlottesville, VA 22902

To Whom it May Concern:

We are a small business building custom cabinets and furniture with four employees and are currently starting a shop at (address of your business). The parcel is zoned Industrial (L-1). It is my understanding that in order to occupy this space we will need to submit this Letter of Performance Standards along with our zoning clearance application.

We have addressed the standards referenced in Section 4.14 and provided the following responses:

Noise

Our operation will not create sound or impact noise levels in excess of the values specified in Section 4.14.1. We are surrounded by an embankment on three sides and a block wall on the fourth. Our major sources of noise are: 1) outside 5hp Air Compressor that runs five minutes during an hour throughout the day. It is enclosed in a dog house to protect it from weather and to cut down noise; 2) dust collection system, located outside with a 3hp electric motor develops a low noise level; and 3) Inside shop equipment includes a 10" table saw, 3 hp shaper, 20: surface planner, 24" surface sander, 8 by 56" joiner/planner, drill press, radial arm saw, and assorted hand held power tools, all of which do not have an unacceptable noise level.

Vibration

Equipment operated by shop does not produce any detectable earthborn vibration.

Glare

Our operation is completely contained within the building. The interior lighting associated with this operation does not produce glare that is visible beyond the lot line.

Air Pollution

There will be no emission of smoke, odor or gaseous pollutants. By-product of the operation is saw dust. A dust collection system has been installed to remove airborne saw dust from each station to an outside collection per OSHA standards. System is self contained and does not represent a hazard to air quality.

Water Pollution

No industrial liquid wastes will be generated by this operation. All finishing will be handled off-site by a local finishing company, because of this there will be no paints, lacquers or solvents store on site. A permit has been issued by the Health Department on our sewage disposal. Our operation does not represent a hazard to water quality.

Radioactivity

My operation does not require handling of radioactive materials. Therefore there will be no radioactive emissions or danger to health and safety of person on or beyond the premises.

Electrical Interference

My operation does not require any equipment that would generate electrical disturbances that would adversely affect the operation of equipment on any other lot or premises.

Please feel free to call me with any further questions you may have.

Sincerely,

[Name of applicant]