

MOTION: PRINCIPI

**December 8, 2015
Regular Meeting
Ord. No. 15-66**

SECOND: MAY

**RE: ADOPT ZONING TEXT AMENDMENT DPA2016-00006, BREWERY
AND BOTTLING FACILITIES AND CRAFT BREWERIES –
COUNTYWIDE**

ACTION: APPROVED

WHEREAS, in accordance with Title 15.2-2285 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare and good zoning practice necessitate such change; and

WHEREAS, in November of 2014, the Board of County Supervisors amended the Zoning Ordinance to include a definition and use designation for Craft Breweries in the M-2, Light Industrial Zoning District (Ordinance Number 14-60); and

WHEREAS, at that time, Craft Breweries were limited to a maximum of 10,000 barrels of production per year in the M-2, Light Industrial Zoning District; and

WHEREAS, upon further research on the use type, staff found that 10,000 barrels of production may be too limiting for a light industrial zoning designation; and

WHEREAS, amending the Zoning Ordinance pertaining to the above-referenced issue is required by public necessity, convenience, general welfare and good zoning practice, and is consistent with the intent of Title 15.2-2283 of the Code of Virginia, Ann.; and

WHEREAS, on October 6, 2015, the Board of County Supervisors initiated a Zoning Text Amendment to initiate a Zoning Text Amendment for craft breweries to establish appropriate limits on the intensity of use through Resolution Number 15-621; and

WHEREAS, the Planning Commission duly ordered, advertised and held a public hearing on November 4, 2015, and recommends adoption as stated in Planning Commission Resolution Number 15-090; and

WHEREAS, the Board of County Supervisors duly ordered, advertised and held a public hearing on December 8, 2015, at which time public testimony was received and the merits of the above-referenced Zoning Text Amendment were considered; and

WHEREAS, the Board of County Supervisors believes that public general welfare, as well as good zoning practices are served by the adoption of this Zoning Text Amendment;

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NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors does hereby adopt Zoning Text Amendment #DPA2016-00006, Brewery and Bottling Facilities and Craft Breweries.

ATTACHMENT: Text Amendment

Votes:

Ayes: Candland, Jenkins, Lawson, May, Principi, Stewart

Nays: None

Absent from Vote: Nohe

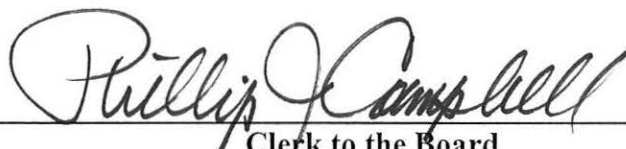
Absent from Meeting: Caddigan

For Information:

Planning Director

County Attorney

ATTEST: _____


Clerk to the Board

Sec. 32-403.20. - M-2, light industrial zoning district; purpose and intent.

The M-2 district is intended to implement the flexible use employment center land use classification of the comprehensive plan. It is also intended to implement the industrial employment center land use classification as a transition to the flexible use employment center land use classification. The purpose of this district is to also promote employment opportunities and to enhance the tax base of Prince William County. It is designed to provide areas for research and development centers, light industrial manufacturing, warehousing, wholesaling and related office and institutional uses, and not for retail and service uses except in support of the uses primarily intended.

(Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 09-30, 5-19-09; Ord. No. 09-30, 5-19-09; Ord. No. 11-32, Attch., 7-19-11; Ord. No. 12-22, Attch., 3-13-12; Ord. No. 14-44, Attch., 7-15-14)

Sec. 32-403.21. - Uses permitted by right.

The following uses shall be permitted by right in the M-2 district:

1. Alarm system operations, office.
2. Ambulance services, commercial.
3. Artist or photographer's studio, commercial.
4. Assembly (non-HAZMAT).
5. Bakery, industrial.
6. Business school.
7. Catering-commercial (off premises).
8. Cold storage.
9. College, university or seminary.
10. Contractor or tradesman's shop (limited), no trash or refuse removal service.
11. Craft Brewery and Bottling Facility ~~(not to exceed production of 10,000 barrels per year)~~.
12. Data and computer services.
13. Distillery (not to exceed production of 5,000 gallons per year).
14. Electronic equipment and component manufacturing, assembly, processing and distribution.
15. Greenhouse, nursery (wholesale) (not more than twenty (20) percent of the lot area may be devoted to retail garden center uses).
16. Gunsmith shop.
17. Institute for special education and training
18. Institutional food service.
19. Janitorial service.
20. Locksmith.
21. Medical or dental laboratory.
22. Motor vehicle service (limited).
23. Office.
24. Package, telecommunications and courier service.
25. Pharmaceutical product manufacturing (non-HAZMAT).

26. Photographic processing laboratory.
27. Publishing and printing.
28. Radio or TV broadcasting station.
29. Railroad passenger station.
30. Recording studio.
31. Recycling collection points, subject to the standards in section 32-250.84
32. Research and development (non-HAZMAT).
33. School of special instruction.
34. Self-storage center, subject to the provisions of section 32-400.14
35. Tool and equipment rental, service and repair (minor).
36. Trade or convention center.
37. Trade, technical or vocational school.
38. Travel agency.
39. Veterinary hospital.
40. Warehouse (non-HAZMAT).
41. Wholesaling (non-HAZMAT).

No more than 20 percent of the gross floor area devoted to any use may be used for accessory retail sales of products made or stored on the premises. The square footage devoted to such accessory retail sales shall be included in calculating the limit on secondary uses permitted by section 32-403.22, below.

(Ord. No. 94-1, 1-11-94; Ord. No. 95-6, 1-3-95; Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 05-65, 9-6-05; Ord. No. 09-30, 5-19-09; Ord. No. 11-32, Attch. A, 7-19-11; Ord. No. 14-60, Attch., 11-18-14)

Sec. 32-403.22. - Secondary uses.

The following uses shall be permitted by right in the M-2 district, but only in conjunction with, and secondary to, a permitted principal use, either existing or proposed for concurrent construction, in accordance with the provisions of section 32-400.13.

1. Adult day-care facility.
2. Barber shop, beautician studio, tanning and toning salon (one set of toning equipment only).
3. Bus station, commercial.
4. Catalog sales, contractor, tradesman, or industrial equipment (without showroom).
5. Child-care facility.
6. Equipment storage.
7. Financial institution.
8. Helistop.
9. Motor vehicle fuel station (limited to vehicles associated with the primary business or use).
10. Office equipment, sales, lease and service.
11. Quick service food store (not freestanding, unless approved as part of a motor vehicle fuel station, retail).

12. Recreation, commercial (indoor).
13. Restaurant.
14. Restaurant, carry-out.
15. Retail store.
16. Taxi or limousine dispatching.

(Ord. No. 03-52, 7-1-03; Ord. No. 04-78, 12-21-04; Ord. No. 05-41, 6-7-05; Ord. No. 05-65, 9-6-05; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09)

Sec. 32-403.23. - Special uses.

The following uses shall be permitted in the M-2 district with a special use permit:

1. Ambulance service maintenance facility.
2. Assembly (HAZMAT).
3. Donated materials collection center.
4. Flea market.
5. Heliport.
6. Marina.
7. Motor vehicle fuel station.
8. Moving and storage.
9. Parking, commercial.
10. Racetrack (equestrian or motorized).
11. Ranges, shooting, indoor or outdoor.
12. Recreation facility, commercial (outdoor).
13. Recyclable materials separation facility.
14. Research and development (HAZMAT).
15. Stadium or arena, indoor or outdoor.
16. Taxi or limousine operations and service.
17. Testing/experimental laboratories (HAZMAT).
18. Water transportation facility.
19. Wholesale (HAZMAT).

(Ord. No. 92-50, 5-5-92; Ord. No. 95-6, 1-3-95; Ord. No. 00-78, 10-17-00; Ord. No. 04-78, 12-21-04; Ord. No. 06-77, 9-5-06; Ord. No. 09-30, 5-19-09; Ord. No. 12-22, Atch., 3-13-12; Ord. No. 14-44, Atch., 7-15-14)

Sec. 32-403.24. - Development standards.

1. The following standards shall apply in all M-2 districts:
 - (a) There shall be no minimum lot size.
 - (b) The maximum lot coverage shall be 80 percent, with a required minimum open space area of 20 percent.
 - (c) The maximum floor area ratio (FAR) shall be 0.50 except as permitted pursuant to section 32-400.04

2. The maximum height for all structures shall be 60 feet; except as permitted pursuant to section 32-400.03
3. No more than 20 percent of the total lot area may be devoted to outdoor storage.

(Ord. No. 94-1, 1-11-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.24 derived from Ord. No. 91-127, adopted Oct. 22, 1991, amended pursuant to Ord. No. 92-68, enacted June 23, 1992, Ord. No. 94-76, enacted Nov. 1, 1994 and Ord. No. 98-62, enacted July 7, 1998, Ord. No. 00-78, enacted Oct. 17, 2000; Ord. No. 02-33, enacted Apr. 16, 2002, and pertained to provisional uses in the M-2 district. Since the provisional use sections were repealed pursuant to Ord. No. 04-78, adopted Dec. 21, 2004, the uses have been relocated to by-right or special use sections. Former §§ 32-403.15 and 32-403.16 have been renumbered accordingly.

Sec. 32-403.25. - Setbacks.

All buildings and other principal structures shall be set back as follows.

1. At least 20 feet from all street rights-of-way;
2. When the side or rear of a lot within a M-2 district abuts a commercial or office district, a minimum setback of 20 feet from the common property line shall be required for all structures and uses;
3. When the side or rear of a lot within a M-2 district abuts an agricultural or residential district, a minimum setback of 50 feet from the common property line shall be required for all structures and uses;
4. When other provisions of this chapter operate to impose greater setback requirements than subsection 1. or 2. above, such other provisions shall prevail.

(Ord. No. 94-67, 10-4-94; Ord. No. 04-78, 12-21-04)

Editor's note— Former § 32-403.26 renumbered as set out herein pursuant to Ord. No. 04-78, adopted Dec. 21,