

AN ORDINANCE No. 23-174

An amendment to the Code of the County of Spotsylvania, Chapter 23, Zoning, Article 2, Definitions and Rules of Construction, in Section 23-2.1.4 Definitions, to define Recreational vehicles; Vehicle sale, rental, and ancillary service establishment, large scale; and Vehicle sale, rental, and ancillary service establishment, small scale; Article 4, Development Review Procedures, in Section 23-4.5.7 Standards of Review, to add use-specific standards for Vehicle sale, rental, and ancillary service establishment, small scale; and Article 5, Zoning Districts, in Section 23-6.18.3 to designate the Special Use currently called Vehicle sale, rental, and ancillary establishment to the two new terms which will be Vehicle sale, rental, and ancillary service establishment, large scale and Vehicle sale, rental, and ancillary service establishment, small scale in Commercial 2 (C-2) zoning, in Sections 23-6.19.2 and 23-6.19.3 to add Vehicle sale, rental, and ancillary service establishment, large scale as a Permitted Use and Vehicle sale, rental, and ancillary service establishment, small scale as a Special Use in Commercial 3 (C-3) zoning, Sections 23-6.21.2 and 23-6.21.4 to add Vehicle sale, rental, and ancillary service establishment, large scale as a Principle Use Permitted and Vehicle sale, rental, and ancillary service establishment, small scale as a Special Use in Industrial 1 (I-1) zoning, Sections 23-6.22.2 and 23-6.22.4 to add Vehicle sale, rental, and ancillary service establishment, large scale as a Principle Use Permitted and Vehicle sale, rental, and ancillary service establishment, small scale as a Special Use in Industrial 2 (I-2) zoning, Section 23-6.28.5(c) to designate the Permitted Use currently called Vehicle sale, rental, and ancillary establishment to the two new terms which will be Vehicle sale, rental, and ancillary service establishment, large scale and Vehicle sale, rental, and ancillary service establishment, small scale in in Mixed Use (MU-4, MU-5) zoning.

PUBLIC HEARING:

THE COUNTY OF SPOTSYLVANIA HEREBY ORDAINS:

§ 1. That Chapter 23, Article 2, consisting of section 23-2.1.4, Article 4, consisting of section 23-4.5.7, and Article 5, consisting of sections 23-6.19.2, 23-6.19.3, 23-6.21.2, 23-6.21.4, 23-6.22.2, and 23-6.22.4, be and is hereby **amended** and reordained as follows:

Sec. 23-2.1.4. - Definitions.

Recreational vehicles means a vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven and is primarily designed as a temporary living

accommodation for recreational and camping purposes including, but not limited to, travel trailers, truck campers, camping trailers, and self-propelled motor homes.

Vehicle sale, rental, and ancillary service establishment, *large scale* means any use of two (2) acres or greater of land whereon the primary occupation is the sale, rental, and ancillary service of vehicles in operating condition ~~such as~~ including, but not limited to, automobiles, motorcycles, ambulances, taxicabs, vans, and recreational vehicles. ~~For the purpose of this chapter, vehicle sale, rental and ancillary service establishments shall not be deemed to include heavy equipment and specialized vehicle sale, rental and service establishments; however, specialized vehicles such as pick-up trucks may be sold, rented and serviced as an ancillary use.~~

Vehicle sale, rental, and ancillary service establishment, *small scale* means any use of fewer than two (2) acres of land whereon the primary occupation is the sale, rental, and ancillary service of vehicles in operating condition including, but not limited to, automobiles, motorcycles, ambulances, taxicabs, vans, and recreational vehicles.

Sec. 23-4.5.7. - Standards of review.

The ~~planning-Planning commission-Commission~~ shall not recommend, nor shall the ~~board~~ Board of ~~supervisors-Supervisors~~ approve, the proposed special use unless it satisfies the following standards:

(d) Use specific standards in the C-2, C-3, I-1, and I-2 districts:

(1) Use specific standards related to Vehicle sale, rental, and ancillary service establishment, small scale:

(a) In addition to the application requirements in Sec. 23-4.5.3, the following shall be required submissions:

1. Vehicle delivery statement which details how stock vehicles will be delivered onto the lot.

2. A minimum of ten (10) paved vehicle stock spaces are required per dealership.

3. Certified parking plan drawn to scale that shows ingress and egress, loading zone, all parking spaces labeled with dimensions, and designates which parking spaces are for use by customers, employees, and vehicle stock.

i. Indicate which entrance and/or driveway(s) any vehicle delivery truck will use to access the lot and the loading space(s).

ii. For dealerships sharing one lot, the parking plan must demonstrate that the parking requirements are met for each individual dealership.

Sec. 23-6.18.3. - Special uses.

The following uses may be established as special uses in the ~~commercial~~Commercial 2 (C-2) district, subject to approval by the ~~board~~Board of ~~supervisors~~Supervisors in accordance with ~~article~~Article 4, ~~division~~Division 5 of this ~~chapter~~Chapter:

- (20) Vehicle sale, rental and ancillary service establishments, small scale;
- (21) Vehicle sale, rental and ancillary service establishment, large scale;
- (~~21~~22) Wetland mitigation bank;
- (~~22~~23) Wholesale trade establishments;

DIVISION 19. - COMMERCIAL 3 (C-3) HIGHWAY DISTRICT

Sec. 23-6.19.2. - Permitted uses.

The following uses may be established as permitted uses in the ~~commercial~~Commercial 3 (C-3) highway district, subject to site plan approval:

- (51) Vehicle sale, rental, and ancillary service establishments, large scale;

Sec. 23-6.19.3. - Special uses.

The following uses may be established as special uses in the ~~commercial~~Commercial 3 (C-3) highway district, subject to approval by the ~~board~~Board of ~~supervisors~~Supervisors in accordance with ~~article~~Article 4, ~~division~~Division 5 of this ~~chapter~~Chapter:

- (~~18~~18) Vehicle sale, rental, and ancillary service establishment, small scale;
- (~~18~~19) Wetland mitigation bank.

DIVISION 21. - INDUSTRIAL (1) (I-1) DISTRICT

Sec. 23-6.21.2. - Principle uses permitted.

The following principle uses may be established as permitted uses in the industrial 1 (I-1) district, subject to site plan approval:

- (32) Vehicle sale, rental, and ancillary service establishments, large scale;

Sec. 23-6.21.4. - Special uses.

The following uses may be established as special uses in the ~~industrial~~Industrial 1 (I-1) district, subject to approval by the ~~board~~Board of ~~supervisors~~Supervisors in accordance with ~~article~~Article 4, ~~division~~Division 5 of this ~~chapter~~Chapter:

~~(18)~~ Vehicle sale, rental, and ancillary service establishment, small scale;

~~(1819)~~ Wetland mitigation bank;

~~(1920)~~ Wood by-products recycling center.

DIVISION 22. - INDUSTRIAL 2 (I-2) DISTRICT

Sec. 23-6.22.2. - Principle uses permitted.

The following principle uses may be established as permitted uses in the ~~industrial~~Industrial 2 (I-2) district, subject to ~~site~~Site planPlan approval:

(34) Vehicle sale, rental and ancillary service establishments, large scale;

Sec. 23-6.22.4. - Special uses.

The following uses may be established as special uses in the ~~industrial~~Industrial 2 (I-2) district, subject to approval by the ~~board~~Board of ~~supervisors~~Supervisors in accordance with the procedures established in ~~article~~Article 4, ~~division~~Division 5 of this ~~chapter~~Chapter:

~~(25)~~ Vehicle sale, rental, and ancillary service establishment, small scale;

~~(2526)~~ Wetland mitigation bank;

~~(2627)~~ Wood by-products recycling center.

DIVISION 28. –MIXED USE (MU) DISTRICT

Sec. 23-6.28.5. - Uses.

(a) *Permitted uses.*

(1) This section establishes the uses allowed in each sub-district. A lot or building shall be occupied with only the land uses allowed in subsection 23-6.28.5(c).

(2) Any one or more uses identified in subsection 23-6.28.5(c) as being allowed within a specific sub-district may be established on any parcel within that sub-district, subject to the use table, and in compliance with all applicable requirements of this district.

(b) *Use standards.*

(1) *Ground story uses in all districts.*

- a. Allowed ground story uses may extend into upper stories without regard for the upper story allowed uses listed on the use table below.

(c) Use table.

	MU-1	MU-2	MU-3	MU-4, MU-5	
	All Floors	All Floors	All Floors	Ground Story	Upper Stories
<u>Vehicle sale, rental and ancillary service establishment, small scale</u>	—	—	—	<u>P</u>	—
Vehicle sale, rental and ancillary service establishment, <u>large scale</u>	—	—	—	P	—

§ 2. This ordinance shall be in force and effect for all applications filed after (insert date of Board adoption of the ordinance).