

“Exhibit B”

“Amendment to Chapter 31, Unified Development Ordinance, Article 7, Supplemental Use Regulations, to add Section 31-726, Warehouses and Warehousing of the Code of the City of Suffolk, Virginia”

ARTICLE 7 – SUPPLEMENTAL USE REGULATIONS

SEC. 31-726. - WAREHOUSES AND WAREHOUSING.

- (a) PURPOSE: To mitigate potential adverse impacts of warehouses and warehousing uses on adjacent public property, residential uses, institutional uses, or recreational uses, and the public roadway network.
- (b) PERFORMANCE STANDARDS. Newly established warehouse and warehousing uses shall meet the following minimum standards:
- (1) SITE PLAN. No warehouse or warehousing use may be established without an approved site plan in accordance with Section 31-307.
 - (2) SETBACKS. All buildings, drives, parking areas, stacking areas, loading/unloading areas, trash areas, and storage areas shall have a minimum 30-foot front, side, and rear yard setback from all adjacent public right-of-way, public property, and all abutting properties containing residential uses, institutional uses, or recreational uses or property zoned as such. One (1) foot shall be added to each front, side, and rear yard for each three feet that the building height adjacent thereto exceeds 45 feet or three stories, whichever is less.
 - (3) NOISE.
 - A. A sound barrier wall shall be provided within the required setback where the use is adjacent to public property, residential uses, institutional uses, or recreational uses, or property zoned as such.
 - B. Sound barrier walls shall be constructed to be in conformance with VDOT Road and Bridge Specification 519. Sound barrier walls shall be eight (8) feet tall and shall be a minimum of eight (8) inches thick.
 - C. In lieu of a sound barrier wall, a 60 foot wide buffer with a minimum 8 foot tall berm shall be provided where the use is adjacent to public property, residential uses, institutional uses, or recreational uses, or property zoned as such. The 8 foot tall berm shall be supplemented with three staggered rows of evergreen shrubs (a minimum of 6 feet tall at the time of planting).
 - D. Existing healthy, well-formed canopy trees, understory trees, and shrubs may be credited towards the requirements of this section, provided:
 1. The vegetation meets the minimum size standards of the Ordinance; and,
 2. The vegetation is protected before and during all phases of development of the site. Tree protection fencing shall be erected at least one linear foot outside the tree's dripline; and,
 3. The vegetation is maintained thereafter in a healthy growing condition.
 - E. Sound barriers are not required where the use abuts the public right of way.

F. All yard trucks (yard mules) and forklifts should be equipped with and utilize OSHA approved “white noise” back up alarms rather than traditional single “high pitch” type back up alarms.

(5) TRUCK/TRUCK CAB PARKING.

A. A plan must be supplied by the proposed development with the site plan for review and approval by the City detailing a plan for tractor trailer truck and truck cab parking when these vehicles are waiting access to the facility. The areas designated for truck and truck cab parking shall be shown on the approved site plan.

B. One (1) truck/truck cab parking space shall be provided for every ten (10) warehouse bays/doors in the facility.

C. Each truck/truck cab parking space shall have a minimum width of twelve (12) feet and a minimum length of sixty (60) feet.

D. This parking is required in addition to all other required parking. Truck/truck cab parking shall not be located in the required setback areas.

E. Access to the parking area shall be available 24 hours a day and 7 days a week to trucks utilizing the facility and shall comply with the noise regulations of this section.

F. The parking area shall be constructed and approved prior to commencing the use.

G. The tractor trailer truck and truck cab parking plan shall provide for the following:

1. Tractor trailer trucks and truck cabs shall be parked on a paved surface of heavy duty asphalt or concrete that is certified by a professional engineer to support the anticipated load.

2. The parking area shall be provided on the same parcel as the principal structure.

3. The individual spaces shall be marked with paint or other appropriate markings.

4. All entrance drives shall be paved with asphalt or concrete and shall be maintained free of potholes.

(6) STACKING. Tractor trailer truck stacking spaces shall be provided at all vehicular entrance points from the right of way including all driveways and gates accommodating truck traffic.

A. Stacking shall accommodate a minimum of four (4) tractor trailer trucks in each stacking lane.

B. Stacking spaces shall have a minimum width of twelve (12) feet and a minimum length of sixty (60) feet.

C. Required parking spaces shall not be used to meet stacking requirements.

D. Stacking spaces shall be fully contained on the subject property and shall not extend onto any public right of way or any other property.

E. The areas designated for tractor trailer truck stacking shall be shown on the approved site plan.

(7) **TRUCK ROUTING.** A truck routing and signage plan shall be supplied by the proposed facility with the site plan for review and approval by the City. The plan shall detail all truck routes entering and leaving the facility and all roads within the City of Suffolk to be used by trucks utilizing the facility until the trucks reach an arterial road. The plan shall include a signage plan and shall provide details of methods to be utilized to keep trucks on the approved routes. The proposed facility shall be responsible for the costs to supply and install the required on-site signage.

(8) **LANDSCAPING BUFFERS.** Within the required setbacks, landscaping buffers shall be provided in accordance with the following standards. Where a berm is provided to mitigate noise, no additional landscaping shall be required other than that listed in Sec. 31-726(B)(3).

A. **PERIPHERAL.**

1. A minimum 20-foot wide landscaped buffer shall be provided along the front property line and along all abutting roadways with breaks for approved access points.

2. A minimum 15-foot wide landscape buffer shall be planted along all other property lines where the use abuts adjacent public property, residential uses, institutional uses, or recreational uses, or property zoned as such.

3. No parking, loading, unloading, coupling/uncoupling of trucks, storage, trash storage or compaction, or other operations shall be permitted within these required buffer areas.

B. **REQUIRED PLANTINGS.** Nine (9) canopy trees plus thirteen (13) understory trees plus fifty-five (55) evergreen shrubs per 100 linear feet of buffer shall be planted in the buffer. Plant material shall meet the size standards of the Unified Development Ordinance.

C. **EXISTING VEGETATION.** Existing healthy, well-formed canopy trees, understory trees, and shrubs may be credited towards the requirements of this section, provided:

1. The vegetation meets the minimum size standards of the Ordinance; and,

2. The vegetation is protected before and during all phases of development of the site. Tree protection fencing shall be erected at least one linear foot outside the tree's dripline; and,

3. The vegetation is maintained thereafter in a healthy growing condition.

(9) **WAIVER OF SETBACK REQUIREMENTS.**

A. **WAIVER.** For parcels located in industrial parks (as defined in Appendix “A” – Definitions of the Unified Development Ordinance) existing as of September 1, 2023 or for expansion of existing industrial uses, the Director shall have the authority to waive requirements of this section relating to setbacks. The Director shall provide a written determination that such waiver of setback standards demonstrates the following:

1. The strict application of setback standards result in improvements that would be incompatible to the development that could be reasonably anticipated on land surrounding the property; and,
2. The strict application of setback standards result in improvements that would create an undue burden that would not be expected of surrounding property upon development; and,
3. The waiver will not result in any substantial adverse impacts to adjacent property and or the character of the area in which the property is located; and,
4. The waiver will not be detrimental to the public health, safety, and general welfare of the community; and,
5. The need for a waiver is created by the physical character of the property, including dimensions and topography, or by other extraordinary circumstances or condition of such property, or by the use or development of property immediately adjacent thereto. Personal, self-inflicted or financial burden shall not be considered as grounds for the issuance of a waiver; and,
6. The need for a waiver is unique in that it is not so general or recurring in nature as to make reasonably practicable the formulation of general regulations to be adopted as an amendment to the Ordinance; and,
7. Waivers will not conflict with the intent of the Ordinance or the intent of the City's adopted Comprehensive Plan.

B. **WAIVER SUBMITTAL REQUIREMENTS.** Waiver requests must be submitted in writing and must clearly outline which section(s) of the Ordinance for which a waiver is being requested. Applicants must clearly demonstrate the need for said waiver by providing documentation in support of the request. Requests may be made prior to or at the time of site plan submittal.

(10) All performance standards, as identified in Section 31-608 of the Unified Development Ordinance, shall be met.