

ORDINANCE NO. 2023-8

AN ORDINANCE AMENDING CHAPTER 53, ZONING, OF THE CODE OF THE COUNTY OF HALIFAX, VIRGINIA 2006, BY AMENDING AND REENACTING SECTION 53-353, USE REGULATIONS, TO PERMIT, AS A MATTER OF RIGHT IN THE INDUSTRIAL, LIMITED, M-1 ZONING DISTRICT, THE MANUFACTURE, COMPOUNDING, PROCESSING, PACKAGING OR TREATMENT OF METALS AND THE MANUFACTURE, COMPOUNDING, ASSEMBLING OR TREATMENT OF ARTICLES OF MERCHANDISE FROM METALS

WHEREAS, Section 53-353 of the Code of the County of Halifax, Virginia (the “Code”) identifies those uses of land that are permitted either by right or with a conditional use permit in the Industrial, Limited, M-1 zoning district in Halifax County (“County”); and

WHEREAS, the Board of Supervisors of the County of Halifax, Virginia (the “Board”) has determined that is in the best interests of the County that the County permit, as a matter of right in the M-1 district, the manufacture, compounding, processing, packaging or treatment of metals and the manufacture, compounding, assembling or treatment of articles of merchandise from metals; and

WHEREAS, the Board of Supervisors of the County of Halifax, Virginia (the “Board”) finds that public necessity, convenience, general welfare, and good zoning practices require the amendment and reenactment of Section 53-353 of the Halifax County Code to permit, as a matter of right in the M-1 district, the manufacture, compounding, processing, packaging or treatment of metals and the manufacture, compounding, assembling or treatment of articles of merchandise from metals; and

WHEREAS, this Ordinance has been advertised as required by Virginia Code §§ 15.2-1427(F) and 15.2-2204 and has undergone properly advertised public hearings by the Halifax County Planning Commission and the Halifax County Board of Supervisors at a joint meeting held on April 18, 2023.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF HALIFAX, VIRGINIA:

Section 2. That Chapter 53, Zoning, of the Code of the County of Halifax, Virginia, 2006, is hereby amended and reenacted by amending and reenacting Article XII, Industrial, Limited, District M-1, Section 53-353, as follows:

Sec. 53-353. - Use regulations.

a) In industrial, limited, district M-1 any structure to be erected or land to be used shall be for one or more of the following uses:

- 1) Any use permitted by right or with a conditional use permit in either a business, limited, B-1 district, or a business, general, B-2 district, subject to all other applicable requirements of this chapter, except that use as a dwelling will only be permitted for purposes of occupancy by a guard, caretaker, or watchman, employed in connection with the primary use of the premises;
- 2) Aircraft related businesses and industry;
- 3) Airports;
- 4) Assembly of electric appliances, electronic instruments and devices, radios and phonographs, and the manufacture of small parts, such as coils, condensers, transformers and crystal holders;
- 5) Automobile assembling, painting, upholstering, repairing, rebuilding, reconditioning, body and fender work, truck repairing or overhauling, tire retreading or recapping or battery manufacture; provided that for any such use any outdoor service and storage areas will be screened from the view of neighboring properties;
- 6) Blacksmith shops, welding or machine shops, excluding punch presses exceeding 40-ton-rated capacity and drop hammers;
- 7) Boatbuilding;
- 8) Book manufacturing and publishing;
- 9) Building and plumbing materials sales, including storage yards for building and plumbing materials;
- 10) Business signs;
- 11) Cabinet, counter, furniture, and upholstery manufacturing;
- 12) Coalyards, woodyards, and lumberyards, if issued a conditional use permit;
- 13) Community centers, if issued a conditional use permit;
- 14) Contractors' offices, shops, equipment storage yards or plants, including businesses that rent equipment commonly used by contractors;
- 15) Data and technology centers;
- 16) Facilities, activities and operations that are provided by a duly constituted unit of government;
- 17) Farming and agricultural;
- 18) Feed and seed stores;
- 19) General advertising signs;
- 20) Laboratories, pharmaceutical, health care, or other medical;
- 21) Location signs;
- 22) Manufacture, compounding, processing, packaging or treatment of products such as bakery goods, candy, cosmetics, dairy products, drugs, perfumes, pharmaceuticals, perfumed toilet soap, toiletries and food products, **metals**;
- 23) Manufacture, compounding, assembling or treatment of articles of merchandise from the following previously prepared materials: bone, cellophane, canvas, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn,

- leather, paper, plastic, ~~precious or semiprecious~~ metals or stones, shell, straw, textiles, tobacco, wood, yarn and paint;
- 24) Manufacture of pottery and figurines or other similar ceramic products, using only previously pulverized clay, and kilns fired only by electricity or gas;
 - 25) Manufacture of musical instruments, toys, novelties, and rubber and metal stamps;
 - 26) Manufacture of equipment for alternative energy uses, such as solar energy, wind power, geothermal, biofuel, biodiesel, hydrogen and renewable energy;
 - 27) Monumental stoneworks;
 - 28) Off-street parking as required by this chapter;
 - 29) Offices, office buildings, and office complexes;
 - 30) Outdoor amusement/entertainment areas, if issued a conditional use permit;
 - 31) Paper conversion processing;
 - 32) Plastics and polymer manufacturing;
 - 33) Public utilities, including power generation, booster or relay stations, transformer substations, transmission lines and towers, and other facilities for the provision and maintenance of public utilities, including railroads, water and sewer, and electricity;
 - 34) Retail sales outlets within industrial-use buildings;
 - 35) Scientific research, development and training establishments;
 - 36) Small wind energy systems, if issued a conditional use permit;
 - 37) Veterinary or dog or cat hospitals or kennels;
 - 38) Wholesale businesses and storage warehouses, including mini-warehouses;
 - 39) Small scale solar energy facilities;
 - 40) Townhouses, if issued a conditional use permit.

b) In industrial, limited, district M-1, the following uses shall not be permitted:

- 1) Any use which might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, glare, noise, or other cause which may be deemed as hazardous to the health, welfare, and/or safety of any part of the county; and
- 2) All nonconforming uses shall not be allowed to expand facilities.

(Code 2000, § 16.70; Ord. of 3-5-2007; Ord. No. 2007-5, § 1, 11-5-2007; Ord. No. 2009-2, § 1, 4-6-2009; Ord. No. 2017-3, § 3, 11-6-2017; Ord. No. 2021-37, § 2, 11-16-2021; Ord. No. 2023-7, § 1, 5-1-2023)

Section 2. Section 1 of this Ordinance shall be made a part of the Code.

Section 3. This Ordinance shall become effective immediately.

Passed and adopted by the Board of Supervisors of the County of Halifax, Virginia this _____ day of May, 2023.

Chairman

ATTEST:

Clerk, Halifax County Board of Supervisors

Approved as to form:

County Attorney