

Article 3.J:

PS-C, Planned Shopping Center District

Article 3.J:**PS-C, Planned Shopping Center Commercial
(Planned Shopping Center District)****A. Purpose and Intent:**

The PS-C District is established to provide locations in Smithfield for community and neighborhood retail commercial and business service uses within planned shopping districts under unified site design. Application of the PS-C District is intended to promote orderly commercial facility development, minimize vehicular traffic within the shopping complex, permit “one-stop” and comparison shopping “under one roof” and facilitate safe pedestrian movement among individual uses within the district. Typical uses found in the PS-C District include supermarkets, drug stores, department stores, specialty stores, movie theaters, personal service establishments and professional offices (in limited number).

In general, the maximum size of the PS-C District shopping center, as permitted by-right, should not exceed a total gross floor area of 200,000 square feet (inclusive of all planned buildings) or a total site size of fifteen (15) acres, provided that free-standing retail buildings may be permitted within the district. Individual commercial or business uses which exceed 40,000 square feet of floor area shall require a special use permit. Under comprehensive planning and special permit considerations, the ultimate district size may be increased at appropriate locations to accommodate larger shopping centers serving a regional market base.

B. Permitted Uses:

1. Planned shopping centers with an aggregate gross floor area of less than or equal to 200,000 square feet (inclusive of all planned buildings) or an aggregate size of less than 15 acres, incorporating the uses outlined in 2. below.
2. An individual use or structure intended for a single use with 40,000 square feet gross floor area or less, incorporating the following uses, provided that such uses are secondary to and supportive of a shopping center as a principal use.
 - a. Retail sales establishments (exclusive of automobile dealerships, lumber and millwork retail sales and storage yards, other retail uses requiring outdoor storage or display of goods which do not exceed 15% of net developable lot area, and Recreational Substance Establishments).
 - b. Eating establishments (sit-down, without drive-thru facilities).
 - c. Banks and financial Institutions without drive-thru facilities, excluding payday lending and check-cashing establishments.
 - d. Offices, general and professional.

- e. Personal service establishments.
- f. Public uses.
- g. Event facilities (accessory uses).
- h. Laundromats (self-service).
- i. Convenience and quick service food stores (without automotive services).
- j. Business service and supply establishments.
- k. Medical offices, inclusive of outpatient medical care facilities.
- l. Fast food restaurants (subject to Additional Regulations of this district).
- m. Taxicab Service.

(Ord. of 2003-10-07; 2011-04-05; 2019-09-03; Ord. of 2023-12-05)

C. Uses Permitted by Special Use Permit:

The following uses may be permitted as special permit uses in the PS-C District provided that such uses are secondary to and supportive of a shopping center as a principal use and which otherwise comply with the special permit use provisions of this ordinance:

- 1. Shopping centers with aggregate gross floor area in excess of 200,000 square feet gross floor area, or an aggregate size in excess of 15 acres, or containing an individual use or structure intended for a single use with greater than 40,000 square feet gross floor area.
- 2. Theaters.
- 3. Private schools.
- 4. Churches and places of worship.
- 5. Parking garages and structures.
- 6. Boating, country, and/or hunt clubs.
- 7. Hospitals and medical care facilities.
- 8. Funeral homes.
- 9. Event facilities (principal uses).
- 10. Parking lots (private or public, off-street as a principal use).
- 11. Veterinary clinics.
- 12. Private post office and delivery service establishments which exceed 40,000 square feet.
- 13. Hotels and motels
- 14. Fast-food restaurants.
- 15. Automobile and light vehicle repair establishments (within completely enclosed structures with screened outdoor storage).
- 16. Car washes.
- 17. Service stations.
- 18. Schools, colleges, and universities.
- 19. Plant nurseries.
- 20. Commercial recreation facilities (including outdoor uses).
- 21. Greenhouses (commercial and wholesale).

22. Waterfront retail businesses and activities associated with a shopping center use, including boat docks and piers, yacht clubs, marinas, boat service facilities and recreation uses.
23. Research and development activities which do not cause any more smoke, dust, odor, noise, vibration or danger of explosion than other uses permitted in this district and which involve no more than 15% of the gross floor area in the assembling or processing of products. All assembling or processing shall only involve products developed on the premises. All services and storage shall be conducted within the principal structure which is to be completely enclosed.
24. Any use incorporating a drive-thru facility.
25. Repair service establishments, provided that any given repair service does not have more than ten (10) persons on the premises during a single shift and that all repair services and storage related thereto are performed indoors.
26. Uses requiring outdoor storage, display and merchandising of retail goods when such areas exceed 15% of net developable lot area.
27. Payday lending establishments, check-cashing establishments, pawn shops, and dealers.
28. Waiver of yard requirements.
29. Waiver of landscape and screening requirements.
30. Waiver of Parking and Loading Requirements.
31. Recreational Substance Establishments.
(Ord. of 2008-09-02; Ord. of 2011-04-05; Ord. of 2019-09-03; Ord. of 2023-12-05)

D. Lot Size Requirements:

1. Minimum PS-C district size: 4 acres
2. Minimum lot area: 40,000 sq. ft.
3. Minimum lot width: 200 ft.

E. Bulk Regulations:

1. Maximum building height: 35 feet,
provided that building heights may be increased by special permit up to a maximum height of 50 feet if one (1) additional foot of yard setback is provided for each one (1) foot in building height over 35 feet.
2. Minimum yard requirements:
 - a. Front yard: 40 feet

- b. Side yard: 40 feet,
provided that if side yard is adjacent to a residential district or
right of way contiguous thereto, the side yard shall be 60 feet.
 - c. Rear yard: 40 feet
- 3. Maximum floor area ratio: 0.35

F. Open Space and Landscaping:

Fifteen percent (15%) of the site shall be landscaped open space. Refer to Article 9, Landscaping and Screening for additional regulations and requirements.

G. Net Developable Area Calculation:

1. Notwithstanding governing lot size and yard regulations, the maximum use intensity for any lot shall be calculated based on existing land conditions. The development yield (in terms of allowable lots or floor area) shall be based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
2. The subdivision plat and/or site plan for a project shall graphically depict the location and area for the physical land units as outlined herein below. A calculation of the net developable area shall be required for all subdivision and site plan submissions. *(Refer to illustrative example of net developable area calculation in the appendix of the Zoning Ordinance.)*

Physical Land Unit	Percent Credited Toward Net Acreage
<i>Slopes less than 10%:</i>	100%
<i>Slopes from 10% but less than 20%:</i>	75%
<i>Slopes from 20% but less than 30%:</i>	50%
<i>Slopes 30% or more:</i>	10%
<i>Soils with high shrink/swell characteristics, as defined:</i>	75%
<i>Wetlands, existing water features and streams:</i>	0%
<i>Stormwater management basins and structures:</i>	0%
<i>Above-ground 69 KV or greater transmission lines:</i>	0%
<i>Public right-of-way</i>	0%
<i>Private streets, travelways and combined travelways and parking bays</i>	0%

3. No credit towards net developable area shall be given for planned public rights-of-way, private streets, travelways and combined travelways and parking bays within a lot or

property to be developed or subdivided. Twenty percent (20%) shall be subtracted from the calculated net developable acreage to allow for street rights of way, unless it can be demonstrated by survey calculations to the satisfaction of the Planning Commission that proposed street rights of way, private streets, travelways and combined travelways and parking bays in a subdivision will be less than 20% percent of the calculated net acreage.

4. No PS-C District lot shall be designed or employed for use in which an area more than 25% of the prescribed minimum lot area is comprised of one or more of the following physical land units: (a) slopes 30% or more, (b) wetlands, (c) 100-year floodplains and (d) water features.
(Ord. of 8-1-2001)

H. Additional Regulations:

1. All uses shall be subject to site plan approval.
2. All refuse shall be contained in completely enclosed facilities. Refuse containers and refuse storage shall be located in a paved area and screened from public view by means of fences, wall, or landscaping.
3. All business services and storage shall be conducted within the principal structure which is to be completely enclosed.
4. On a corner lot, no curb cut shall be located closer than 75 feet to the right of way line extended from the intersecting street.
5. No curb cut shall be located closer than 20 feet to a side or rear lot line, unless a common curb cut serves adjacent uses, and in no instance shall the distance between separate curb cuts serving adjacent uses be less than 60 feet.
6. A freestanding use shall have no more than two curb cuts on any single right of way, and such curb cuts shall have a minimum distance of 100 feet between them.
7. Fast food restaurants shall be permitted by right when such fast food uses are located under the roof of a shopping center, are accessed from within the shopping center, have no drive-thru facility, are within a shopping center which contains a minimum of five (5) retail uses in addition to the fast food restaurant and where it can be demonstrated that such fast food uses do not interfere with the purpose and intent of the district. Otherwise said uses may be permitted only by special use permit.

8. The outdoor area devoted to storage, loading, and display of retail goods shall be limited to a maximum 15% of the net developable lot area and shall provide screening as indicated on an approved site plan. Subject to special use permit approval, outdoor storage, loading and display areas of retail goods in excess of 15% of net developable lot area may be approved under special circumstances when the applicant can provide expanded and enhanced screening, buffers and landscaping. Screening of outdoor display and product sales areas only may be waived by administrative action of the Planning and Zoning Administrator, provided that loading and storage areas not related to displays shall be screened.
9. Where a lot in the PS-C District is contiguous to property located in a residential district, all buildings shall have a minimum setback of 40 feet from common property lines. A landscaped buffer strip shall be provided in accord with the transitional buffer yard requirements for commercial/residential properties (see Appendix), with landscape materials and placement subject to site plan approval. However, no buffer yard shall be established with a horizontal width less than the height of the structure adjacent to the buffer yard. Fencing may be required in addition to landscape buffers in such cases deemed necessary by the Planning Commission with fence material and heights subject to final plan approval.
10. There shall be a minimum landscaped green strip of 25 feet in depth along all PS-C District property frontage. No parking is permitted within the buffer strip. The landscape buffer strip shall be exclusive of the area required for utility easements, sidewalks and other infrastructure which would interrupt the nature and intent of the buffer area.
11. Refer to the Floodplain Zoning Overlay District, where applicable.
12. Refer to the Chesapeake Bay Preservation Area Overlay District.
13. Refer to Landscaping and Screening, Article 9, for screening and buffer yard provisions.
14. Refer to Article 10, Signs for signage provisions.
15. Any subdivision or lot which is proposed to be developed on shrink/swell soils shall require a geotechnical report to be submitted with the preliminary plat and plans. Such report shall be prepared by a registered professional engineer and shall address the feasibility of development on the subject soils. No subdivision plat or site plan shall be approved for final recordation until a foundation engineering report has been reviewed by the Town. All recorded plats for lots containing shrink/swell soils shall bear the following note: *"This lot contains shrink/swell soils which require special engineering design for foundations and structural elements. No structure will be approved for issuance of a*

building permit until a foundation engineering design prepared by a certified professional engineer has been approved for the proposed structure.”