

Article 3.L:

I-2, Heavy Industrial District

Article 3.L:**I-2 District****(Heavy Intensity Industrial District)****A. Purpose and Intent:**

The I-2, Heavy Intensity Industrial District is established to provide locations within Smithfield for existing and future medium to heavy intensity industries. The I-2 District is intended for use by large manufacturing operations, heavy equipment facilities, construction and maintenance yards, fuel businesses and other basic intensive industrial activities normally found in an urban environment. All waterfront uses and lots shall be regulated by special permit. Potentially hazardous uses shall require environmental impact analyses and public review.

B. Permitted Uses:

1. Contractor's offices, shops and storage yards.
2. Establishments for scientific research (except biological and chemical), development and training or corporate offices.
3. Establishments for production, processing, assembly, manufacturing, compounding, cleaning, servicing, storage, testing and repair of materials, goods or products which conform to federal, state and local environmental performance standards as related to (a) air pollution, (b) fire and explosion hazards, (c) radiation hazards, (d) electromagnetic radiation and interference hazards, (e) liquid and solid wastes hazards, (f) noise, (g) vibration and (h) water quality.
4. Heavy equipment sale, rental and service establishments.
5. Lumber yards and building material yards, to include rock sand and gravel storage.
6. Motor freight terminals.
7. Motor vehicle storage and impoundment yards.
8. Storage yards (with coverage subject to Additional Regulations).
9. Recycling centers.
10. Vehicle service establishments.
11. Private training facilities and vocational schools.
12. Warehousing and associated retail establishments.
13. Light wholesale trade establishments, with outdoor storage.
14. Uses permitted by right in the I-1 District.
15. Uses permitted by right in the HR-C District.
16. Service stations.
17. Shipping Container (accessory use)
(Ord. of 9-5-2000; Ord. of 2023-03-07)

C. Uses Permitted by Special Use Permit:

1. Heavy public utility uses, to include:
 - a. electrical generating plants.
 - b. sewerage treatment plants.
2. Animal slaughterhouses.
3. Bus and railroad terminals.
4. Concrete mixing and batching production.
5. Coal, wood or wood distillation facilities.
6. Private garbage incineration.
7. Metal foundries, smelting, processing, fabrication and storage.
8. Stockyards.
9. Establishments for biological and chemical scientific research, development and training.
10. Tanning and curing of skins.
11. Extraction of mineral resources.
12. A residential dwelling appurtenant to and contained within a commercial or industrial building for the specific use of a watchman or caretaker.
13. Drive-in theaters.
14. Automobile auction facility.
15. Heliports and helipads.
16. Veterinary hospitals, inclusive of boarding kennels.
17. Private landfills.
18. Hotels and motels, with or without eating establishments.
19. Airports.
20. Asphalt mixing plant.
21. Bulk storage of flammable materials.
22. Fertilizer, lime or cement manufacturing.
23. All uses permitted by special permit in the HR-C and I-1 Districts.
24. Public utilities and facilities (to be constructed by developer for public acceptance).
25. Adult entertainment establishments.
26. Waterfront business activities (including wholesale and retail uses), including marine enterprises such as boat docks and piers, boat service facilities, storage and shipment of waterborne commerce, packing and shipping plants, and recreational activities related to the waterfront.
27. Yacht clubs and marinas.
28. Communication towers.
29. Payday lending establishments, check-cashing establishments, pawn shops, and dealers.
30. Waiver of district size when in conformance with the Comprehensive Plan.
31. Waiver of floor area ratio.

32. Waiver of building height.
33. Waiver of Parking and Loading Requirements.
34. Private wells for the purpose of batching and mixing concrete.
(Ord. of 9-2-2008, 4-5-2011; Ord. of 202-01-07; Ord. of 2023-12-05)

D. Prohibited Uses:

The specific uses which follow shall not be permitted in the I-2 District.

1. Ammonia and chlorine manufacturing.
2. Blast furnace.
3. Boiler works.
4. Fireworks or explosives manufacturing.
5. Automobile salvage yard and other salvage yards.
6. Soap manufacture.
7. Acid manufacture.
8. Petroleum, asphalt or related product refining.
9. Pesticide manufacturing.
10. Herbicide manufacturing.
11. Insecticide manufacturing.
12. Any other similar use which in the opinion of the Town Council might be injurious or noxious by reason of odor, fumes, dust, smoke, vibration, noise or other cause which may be deemed as hazardous to the health, welfare and safety of the Town.
13. New residential uses.
14. All nonconforming uses shall not be allowed to expand facilities.

E. Maximum Density:

Regulated by floor area ratio.

F. Lot Size Requirements:

1. Minimum district size: 5 acres
2. Minimum lot area: 40,000 square feet
3. Minimum lot width: 150 feet

G. Bulk Regulations:

1. Maximum building height: 60 feet
2. Minimum yard requirements:
 - A. Front yard: 50 feet,
except where the use abuts a residential district, the front yard shall be 60 feet.
 - B. Side yard: 25 feet,
provided, where side yard abuts a public right of way or residential district, the side yard shall be 50 feet; and
 - C. Rear yard: 50 feet,
provided, where rear yard abuts a public right of way or residential district, the rear yard shall be 60 feet.
 - D. Side and rear yard requirements may be reduced by special permit where a side or rear yard abuts a railroad right of way.
3. Maximum floor area ratio: 0.60
4. Maximum building area coverage: 0.30

H. Open Space:

1. An open space plan and landscape design program shall be submitted with applications for any land use governed by this district.
2. Ten (10) percent of the lot shall be landscaped open space; provided that no more than fifty (50) percent of the landscaped open space shall consist of land classified as 100 year floodplain, stream valleys, wetlands, steep slopes and/or drainage easements.

I. Net Developable Area Calculation for I-2 District:

1. Notwithstanding governing lot size and yard regulations, the density and building coverage for I-2 uses on any lot shall be calculated based on its net developable area, with adjustment factors for physical land units as specified in the chart in the following section.
2. The final 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 I-2 District lot shall be configured such that more than 10% 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)

J. Additional Regulations:

1. Refer to Landscaping and Screening, Article 9, for screening and buffer yard provisions.

2. An environmental impact statement may be required for any permitted or special permit use. All uses shall conform to federal, state and local environmental performance standards and design criteria as related to:
 - (a) air pollution,
 - (b) fire and explosion hazards,
 - (c) radiation hazards,
 - (d) electromagnetic radiation and interference hazards,
 - (e) liquid, gas and solid wastes hazards,
 - (f) noise standards,
 - (g) vibration standards,
 - (h) water quality and
 - (i) others as may be requested by the Planning and Zoning Administrator.

In the evaluation of performance standards for any permitted or special permit use in the I-2 District, the City Council, at its sole discretion, may impose other conditions and additional restrictions to that use for the purposes of ensuring the mitigation of impacts and promulgating the health, safety and general welfare of the citizens of Smithfield.

3. All uses shall be subject to site plan approval.
4. All refuse shall be contained in completely enclosed facilities.
5. On a corner lot, no curb cut shall be located closer than 60 feet to the curb line extended from the intersecting public street.
6. 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.
7. 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.
8. The outdoor area devoted to storage, loading and display of goods shall not exceed 30% of the total lot coverage, provided that the combined building and outdoor storage, loading and display areas shall not exceed 60% of the total lot coverage. Such outdoor areas shall not be counted in the calculation of required open space. The location and use of outdoor storage, loading and display areas shall be limited to the designated area(s) on the approved site plan.

9. Where a lot is contiguous to property located in a residential district, all buildings shall have a minimum setback of 50 feet from common property lines. A landscaped buffer yard shall be provided, with landscape materials and placement subject to final plan approval. Fencing may be required in such cases with fence material and heights subject to final plan approval.
10. Adult entertainment establishments, as permitted by special use permit, include the following: (a) adult book stores, (b) adult motion picture or video theaters, (c) cabarets, (d) massage parlors, (e) drug paraphernalia stores, (f) tattoo parlors and (g) establishments for palm readers and mystics, and as defined in the Definitions article of this ordinance. The following additional regulations shall apply to adult entertainment establishments:
 - (a) No adult entertainment establishment shall be located within (1) one mile of any other adult entertainment establishment, (2) one mile of any residential district, (3) one mile of any church or place of worship, (4) one mile of any religious apparel or book store, (5) one mile of any school or education facility, including playgrounds, (6) one mile of any public playground, park, swimming pool or library. Distance between uses shall be measured from the nearest property line of any adult entertainment establishment and the nearest property line of any use cited in the paragraph hereinabove.
 - (b) (Repealed by Ord. of 2020-08-04).
 - (c) (Repealed by Ord. of 2020-08-04).
 - (d) Should any adult entertainment establishment listed above cease or discontinue operation for a period of ninety or more consecutive days, it may not resume, nor be replaced by any other adult entertainment establishment unless it complies with all the requirements set forth hereinabove.
11. Refer to the Floodplain Zoning Overlay District, where applicable.
12. Refer to the Chesapeake Bay Preservation Area Overlay District.
13. Refer to Parking and Loading Requirements, Article 8, where applicable.
14. 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."*

(Ord. of 2020-08-04)