

MOTION:

**July 2, 2024
Regular Meeting
Ord. No. 24-**

SECOND:

**RE: ZONING TEXT AMENDMENT #DPA2023-00006, INDUSTRIAL PARKING –
COUNTYWIDE**

ACTION:

WHEREAS, in accordance with Sections 15.2-2285 and 15.2-2286 of the Code of Virginia, Ann., the Prince William Board of County Supervisors (Board) may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare, and good zoning practice necessitate such change; and

WHEREAS, the Board approved Resolution Number (Res. No.) 22-455 to initiate #DPA2023-00006, a Zoning Text Amendment for Industrial Parking, Countywide; and

WHEREAS, the Planning Office reviewed the industrial zoning district use regulations and made recommendations regarding additional flexibility in industrial parking requested by the business community; and

WHEREAS, County staff recommends that the Board approve the Zoning Text Amendment for the reasons stated in the staff report; and

WHEREAS, the Prince William County Planning Commission held a public hearing on the Zoning Text Amendment on May 8, 2024, recommending adoption as stated in Res. No. 24-062; and

WHEREAS, the Board duly ordered, advertised, and held a public hearing on July 2, 2024, at which time interested citizens were heard, and the merits of the above-referenced zoning text amendment were considered; and

WHEREAS, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare, and good zoning practice and is consistent with Section 15.2-2283 of the Code of Virginia, Ann.;

NOW, THEREFORE, BE IT ORDAINED that the Prince William Board of County Supervisors hereby adopts Zoning Text Amendment #DPA2023-00006, Industrial Parking.

ATTACHMENT: Zoning Text Amendment

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Ord. No. 24-
Page Two

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

ATTEST: _____

Clerk to the Board

ARTICLE I. TERMS DEFINED

PART 100.DEFINITIONS

....

Flea market shall mean an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

Fleet parking shall mean a parking and storage area of five (5) or more operable vehicles, which are used in the daily operations of an existing off-site nonresidential principal use located within the County and which is not located adjacent to or abutting the lot containing the associated principal use. This does not include parking and storage of farm vehicles, construction equipment, or motorized vehicles not licensed to operate on state roads. Fleet parking is not off-site parking or commercial parking as defined in this chapter.

Flood fringe shall mean that portion of the 100-year floodplain outside the floodway, and as further defined in sections 32-501.02 and 32-504.03.

....

ARTICLE IV. - COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS

PART 400. GENERAL REGULATIONS

....

Sec. 32-400.27. Fleet parking.

Fleet parking, as defined in this chapter, shall comply with the following as part of any approved special use permit and/or site plan:

1. Fleet parking spaces shall be in addition to the minimum number of parking spaces required for the associated principal use. Such parking areas shall be for the sole use of the owners, occupants, and patrons of the associated principal use, and shall not be used for commercial parking purposes as defined in this chapter.
2. The parking area shall be constructed in accordance with all applicable sections of the zoning ordinance and the Design and Construction Standards Manual. A site plan pursuant to Part 800 of this chapter shall be required for such parking and storage areas.
3. Outdoor lighting shall be provided in all parking areas and travelways, pursuant to county code section 32-250.200.
4. Where the lot used for fleet parking is under separate ownership than the lot of the associated principal use, permanent easements and/or agreements shall be required which provide for joint use and maintenance of the parking area(s) and travelway(s) by all owners, occupants, and patrons of the properties. Such easements and/or

agreements shall be noted on approved subdivision plans and site plan. Such easements/and or agreements shall be approved prior to site plan approval.

Sec. 32-400.2728. General provisions for distribution and fulfillment centers and neighborhood retail and fulfillment centers.

PART 403. INDUSTRIAL DISTRICTS

Sec. 32-403.11. Uses permitted by right.

The following uses shall be permitted by right in the M-1 District.

.....

53. Parking, commercial

54. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

~~54~~ 55. Photographic processing laboratory.

~~55~~ 56. Publishing and printing

~~56~~ 57. Radio or TV broadcasting station.

....

Sec. 32-403.23. Special uses.

The following uses shall be permitted in the M-2 District with a Special Use Permit:

....

12. Parking, commercial.

13. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

~~13~~ 14. Racetrack (equestrian or motorized).

~~14~~ 15. Ranges, shooting, indoor or outdoor.

~~15~~ 16. Recreation facility, commercial (outdoor).

....

Sec. 32-403.31. Uses permitted by right.

The following uses shall be permitted by right in the M/T District.

....

54. Office.

55. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

- ~~55~~ 56. Publishing and printing.
- ~~56~~ 57. Radio or TV broadcasting station.
- ~~57~~ 58. Railroad freight depot.
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STAFF REPORT

Board Meeting Date:	July 2, 2024
Agenda Title:	Zoning Text Amendment #DPA2023-00006, Industrial Parking
District Impact:	Countywide
Requested Action:	Recommend Approval of Zoning Text Amendment #DPA2023-00006, Industrial Parking
Department/ Agency Lead:	Planning
Staff Lead:	Tanya M. Washington, AICP, Director of Planning

EXECUTIVE SUMMARY

Proposal to amend the Zoning Ordinance regarding industrial districts, to expand options for off-site parking associated with a primary use in industrial zoning districts. The proposal will amend the zoning ordinance to add a new "Fleet Parking" use, including general regulations related to the design of such facilities, which would primarily be utilized to add flexibility for businesses looking for additional parking for commercial vehicles related to daily operations. Examples of typical uses could include contractors, construction fleets, dump trucks, distribution facilities, etc.

Staff and the Planning Commission recommend that the Board of County Supervisors (BOCS) adopt Zoning Text Amendment #DPA2023-00006.

BACKGROUND

- A. Zoning Text Amendment Initiated – On December 7, 2021, through Directive 21-64, the Board directed staff to bring forward a zoning text initiation to amend industrial use parking regulations related to off-site parking associated with a primary use outlined in the Zoning Ordinance. On September 20, 2022, the Board of County Supervisors approved Resolution No. 22-455 to initiate a Zoning Text Amendment for Industrial Parking – County Wide.
- B. Planning Commission Review- The Zoning Text Amendment was reviewed on the expedited agenda on May 8, 2024, with no public comment, and the Planning Commission recommended the Board of County Supervisors adopt #DPA2023-00006, Industrial Parking.
- C. Purpose of the Zoning Ordinance – Section 15.2-2283 of the Code of Virginia states that zoning ordinances shall be for among other things, the general purpose of promoting the health, safety, or general welfare of the public.
- D. Current Zoning Ordinance Language – The purpose and intent of the Zoning Ordinance is to provide for, among other things, adequate light, air, convenience of access, and safety from fire, flood and other dangers.
- E. Current Language Impacts – The current regulations of Section 32-400.26, Off-site parking areas, allows off-site parking in areas located on a lot that is adjacent to or abutting the principal use. As a result, the development community has provided feedback that staff look and expand options for off-site parking beyond land that is adjacent to or abutting the principal use, to allow additional flexibility.
- F. Proposed Remedy – Staff proposes to maintain the current off-site parking areas regulations, and to define a new use “Fleet Parking” including outlining general regulations for fleet parking facilities including site design, and lighting.

Fleet Parking is intended to be a parking area for the parking and storage of five or more operable vehicles which are used in the daily operations of an existing off-site nonresidential principal use located within the county, which is not located adjacent to or abutting the lot containing the principal use. Fleet Parking is differentiated between off-site parking or commercial parking as they are already existing uses. This zoning text amendment does not include any changes to off-site parking, or commercial parking.

Off-street parking is distinctly different from fleet parking as it is required to be located adjacent or abutting the principal use, whereas commercial parking shall mean off-street parking lot or structure, available to the public for compensation, but may also be used to accommodate employees, customers, and clients.

Fleet parking will be permitted within the industrial zoning districts in accordance with the table below.

Zoning District	Use Type
M-1, Heavy Industrial	By-Right
M-2, Light Industrial	Special Use Permit
M/T, Industrial/Transportation	By-Right

In addition, the following regulations will apply to these facilities:

1. Parking will be in addition to the minimum parking requirement for the principal use. Parking areas shall be for the sole use of the owners, occupants, and patrons of the principal use, and shall not be used for commercial parking purposes, as defined in this chapter.
2. Meet Design and Construction Standards Manual (DSCM) requirements.
3. Comply with existing lighting and signage requirements outlined in the Zoning Ordinance.
4. If the parcels have different ownership, appropriate easements/agreements must be recorded.

G. Stakeholder Input- The Development Ordinance Review Advisory Committee (DORAC) committee was briefed on the proposed Zoning Text Amendment on October 26, 2023, where staff outlined the text alternatives and identified a preferred alternative. DORAC comments included requesting further clarity/flexibility which staff included, as well as additional language to avoid creating non-conforming uses which staff also included. At the January 25, 2024, DORAC meeting, the committee reviewed the text in greater detail which included revisions to address initial comments. Additional comments included adding additional clarity on the definition of Fleet Parking and a request to be permitted by-right in M/T and M-1. Both of these changes were added to the text.

DORAC also requested that staff consider creating a waiver to the SUP requirement under a certain size (i.e. threshold less than 10 for example). Staff did not feel comfortable with implementing this recommendation at this time.

In addition to DORAC, the Commercial Development Committee (CDC) was briefed on the proposed Zoning Text Amendment on April 19, 2023, which included a description of the initiative and a brief description of staff's research on existing jurisdictions. At the January 17, 2024, meeting, staff discussed the proposed text and intent of changes to the Zoning Ordinance. Staff received written comments on the draft text from the CDC which included wanting additional flexibility to allow fleet parking in all industrial districts by-right. Staff did not feel it was appropriate to have this new use in all industrial districts by right, such as in M-2, however, staff did change our original recommendation and previously drafted text by allowing fleet parking in M-1 as a by-right use.

In relation to the request to allow fleet parking in M/T zones by-right, staff analyzed adjacent land uses, and concluded that eighty percent (80%) of all the existing M/T land use in the County is entirely surrounded by M-1 or M-2 uses, ten percent (10%) are adjacent to planned/mixed districts which have existing commercial or industrial developments and/or planned for industrial, and the remaining ten percent (10%) are sites that are adjacent to A-1 or Parks and Open Space (POS) Land. All of these sites are developed with more intense uses than the proposed fleet parking use or are planned for a more intense use. Thus, staff felt comfortable with allowing fleet parking in M/T zones by-right.

In response to the request from CDC to allow fleet parking by-right in M-1 zones, staff analyzed adjacent land uses, and concluded that, approximately sixty five percent (65%) of all the existing M-1 land use in the county is surrounded by industrial zoning districts (M-1, M-2, or M/T). If an M-1 district was adjacent to one additional district, and that other district was either a business or office district (B, O or PMR) and/or the majority of the surrounding area was an industrial zoned district (M-1, M-2, or M/T), this was considered in the percentage of surrounded by industrial zoned districts.

Approximately eight percent (8%) of M-1 districts are adjacent to planned/mixed districts which have existing commercial or industrial developments and/or planned for industrial, and seven percent (7%) are sites that are adjacent to A-1 or residential land. Many of these sites are developed with more intense uses than the proposed fleet parking use, or are planned for a more intense use, remain undeveloped, or are adjacent to a mix of both residential and industrial uses. The remaining percentage were sites that were classified as M-1, but were actually right of way, or sites that had previously been subdivided and were very small (less than an acre). Thus, staff felt comfortable with allowing fleet parking in M-1 by-right.

Maps at the end of the staff report indicate locations of M/T and M-1 zoning at various locations throughout the county (Airport Corridor, Wellington Road Corridor, Independent Hill, Potomac Shores, Woodbridge, John Marshall Highway and Nokesville). There are a few areas where there are only one or two M-1 zones that are not clustered, and therefore are not shown on the attached maps.

Additionally, staff also reviewed existing uses defined in the zoning ordinance which could be considered to have similar or comparable impacts. Commercial Parking is an existing use which is similar in both character and extent. The Zoning Ordinance defines Commercial Parking as an off-street parking lot or structure, available to the public for compensation, but may also be used to accommodate employees, customers, and clients. Commercial parking is currently permitted by right in the M-1 and M/T zoning district and by special use permit in the M-2 zoning district, consistent with what is proposed for Fleet Parking.

STAFF RECOMMENDATION

- A. The Planning Office and the Planning Commission recommend that the Board of County Supervisors adopt the proposed Zoning Text Amendment #DPA2023-00006 to expand options for off-site parking associated with a primary use in industrial zoning districts for the following reasons:
1. Allows fleet parking as a new use, to alleviate parking issues where distribution and fulfillment centers, or other business have large fleets (near M/T and M-1 zoning districts).
 2. The proposed ordinance will regulate the locations of fleet parking areas through SUP in M-2 district, and by-right in M-1 and M/T Districts. This will ensure that impacts are properly mitigated through the SUP process in the M-2 District. Most M/T zoning districts and many M-1 zoning districts are adjacent to existing industrial areas and are planned for heavy transportation-oriented uses. In many areas that M/T and M-1 districts are not adjacent to industrial areas, these sites are developed with more intense uses than the proposed fleet parking use. Thus, staff felt comfortable with allowing fleet parking in M/T and M-1 zones by right. Additionally, commercial parking is allowed by right in both M/T and M-1 zones.
 3. The proposed ordinance will ensure that all DSCM requirements are met, comply with existing light and signage requirements, and that fleet parking will be in addition to the minimum parking requirements for the principal use.

Community Input

Notice of the Zoning Text Amendment has been advertised and the proposed amendment has been published on the Prince William County government website and is available in the Planning Office. The Planning Office also received feedback from DORAC and the CDC.

Legal Issues

Legal issues are appropriately addressed by the County Attorney's Office.

Timing

There is no time requirement for the Board of County Supervisors to take action on zoning text amendments.

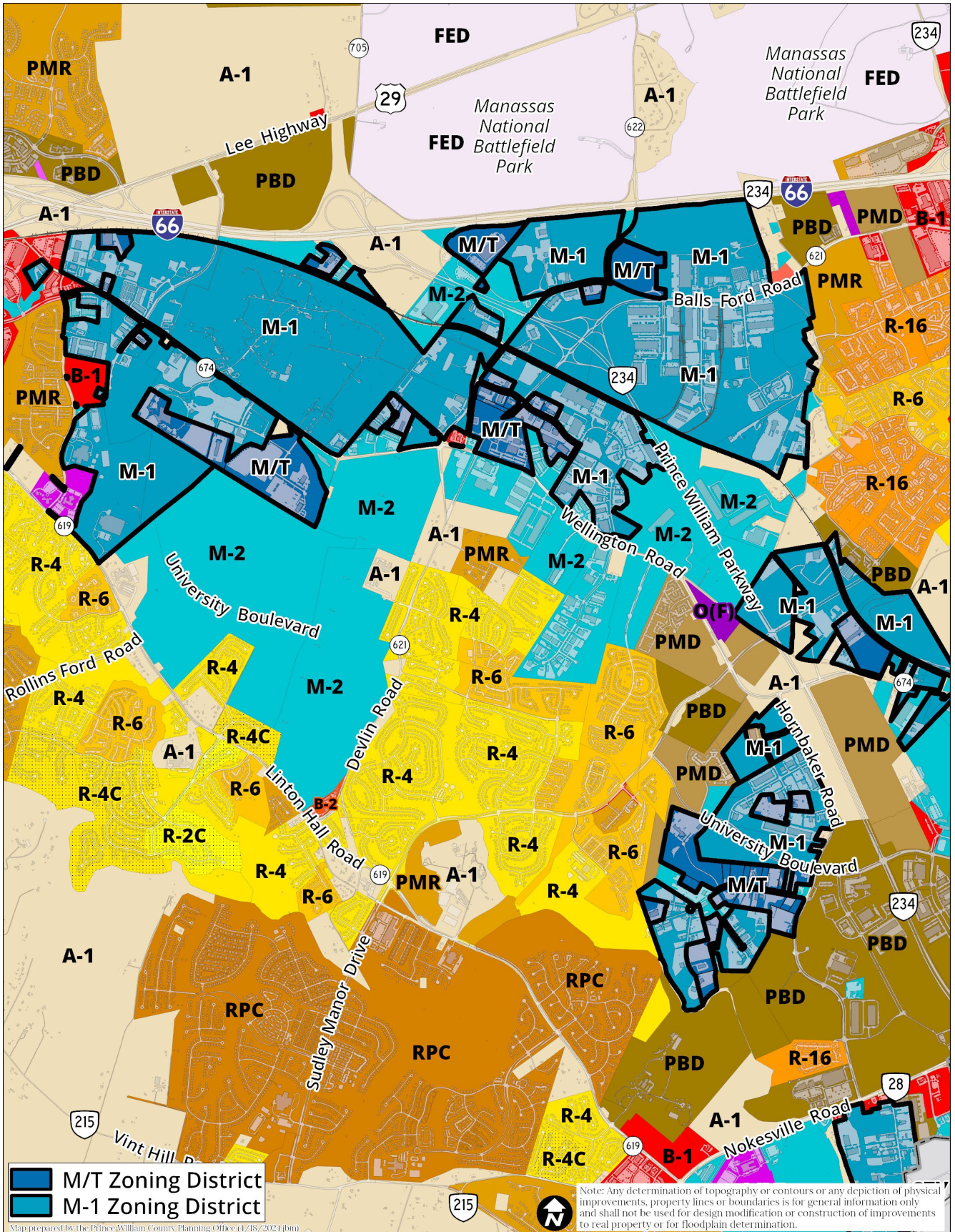
STAFF CONTACT INFORMATION

David McGettigan | (703) 792-7189
Dmcgettigan@pwcgov.org

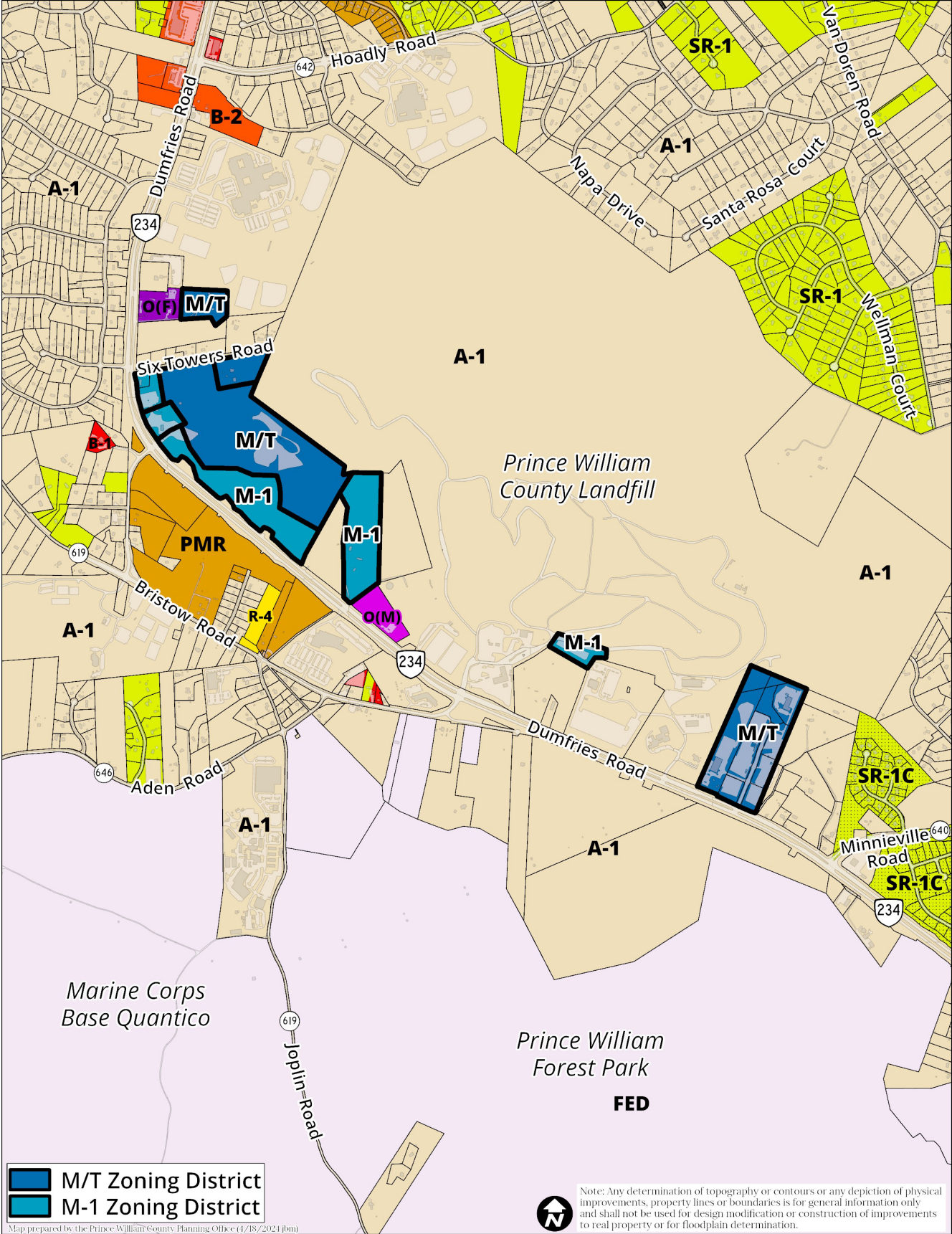
ATTACHMENTS

Attachment A: BOCS Initiating Resolution
Attachment B: Planning Commission Resolution

Wellington Road Corridor



Independent Hill



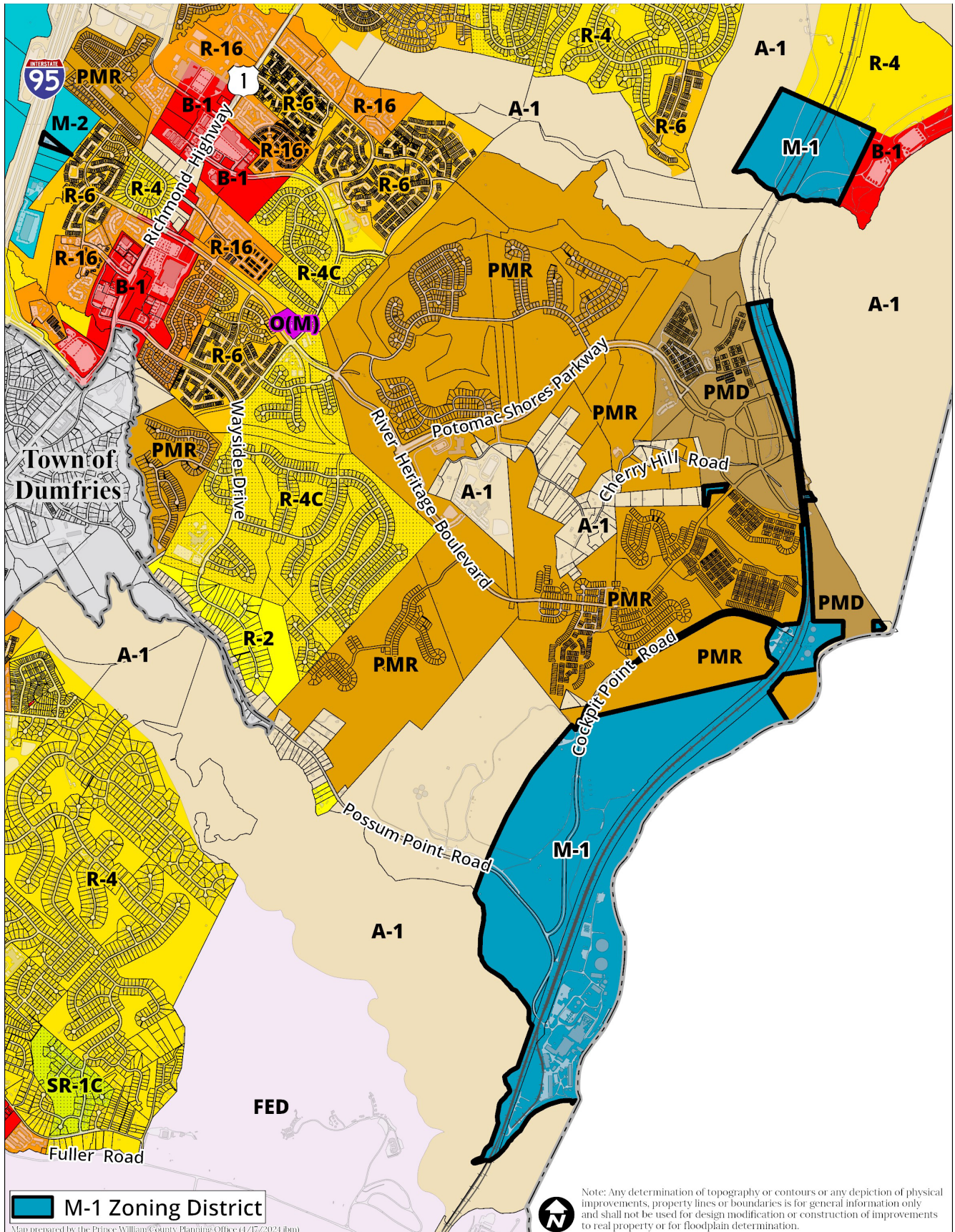
M/T Zoning District
 M-1 Zoning District

Map prepared by the Prince William County Planning Office (1/18/2024 jbm)

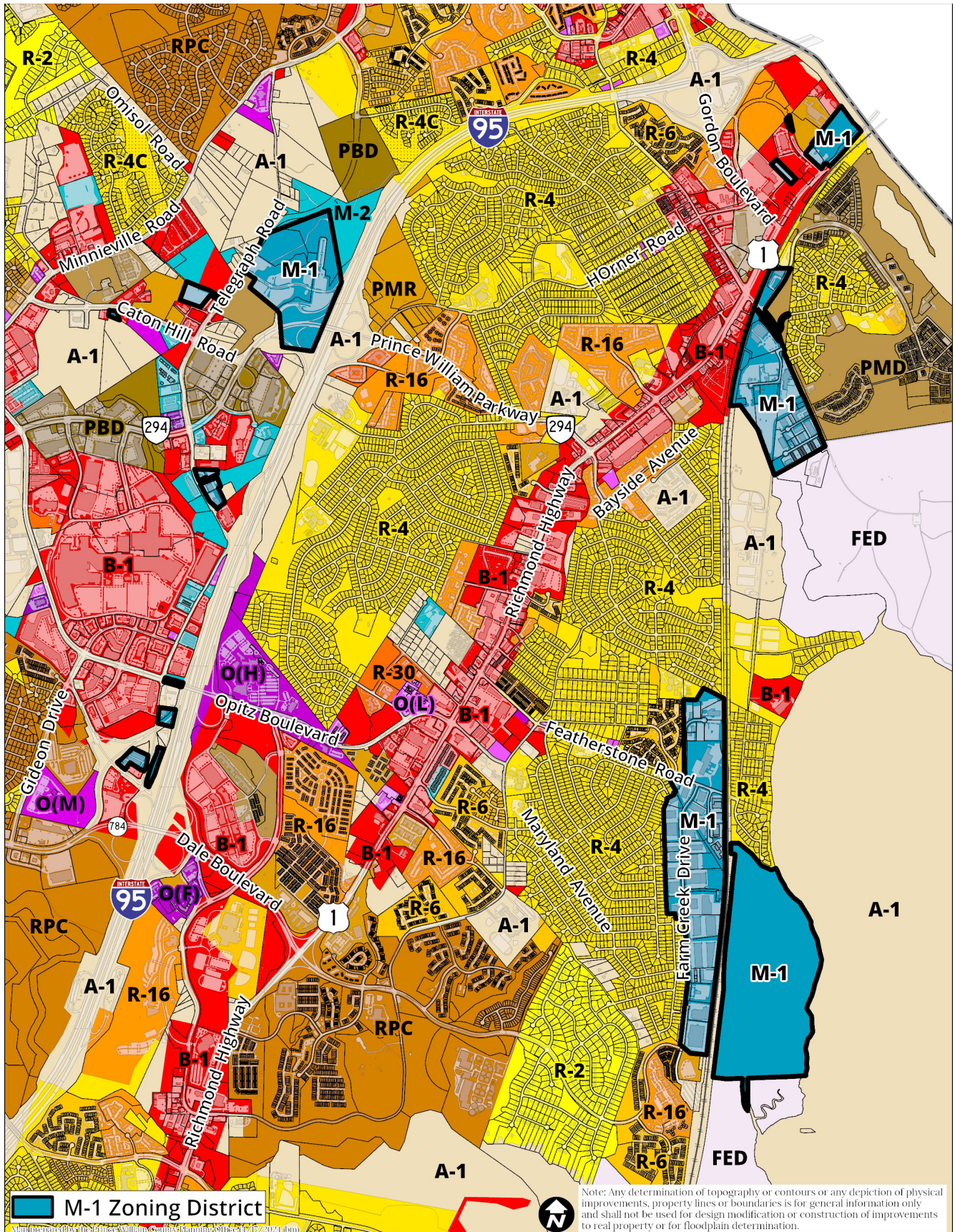


Note: Any determination of topography or contours or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for design modification or construction of improvements to real property or for floodplain determination.

Potomac Shores



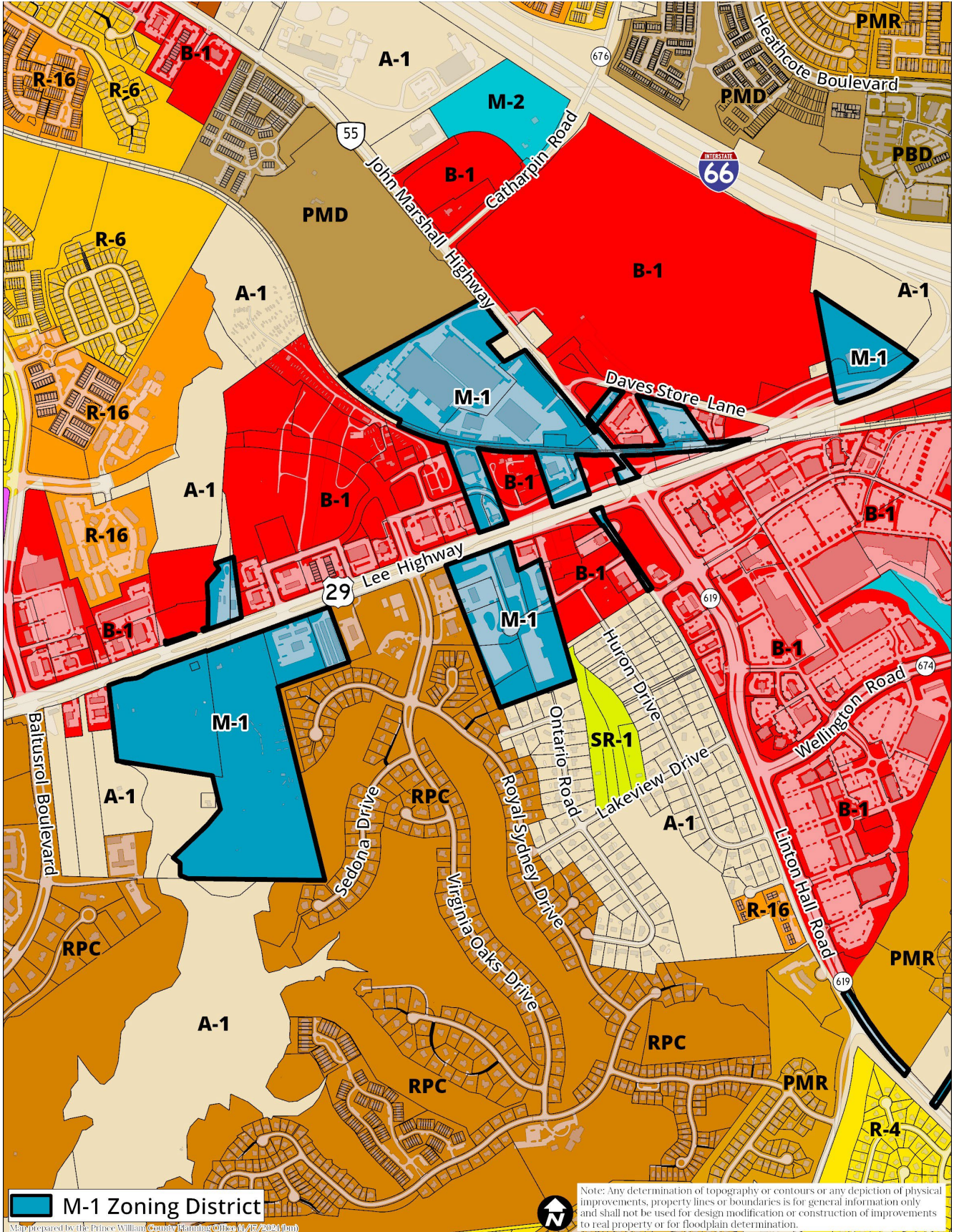
Woodbridge



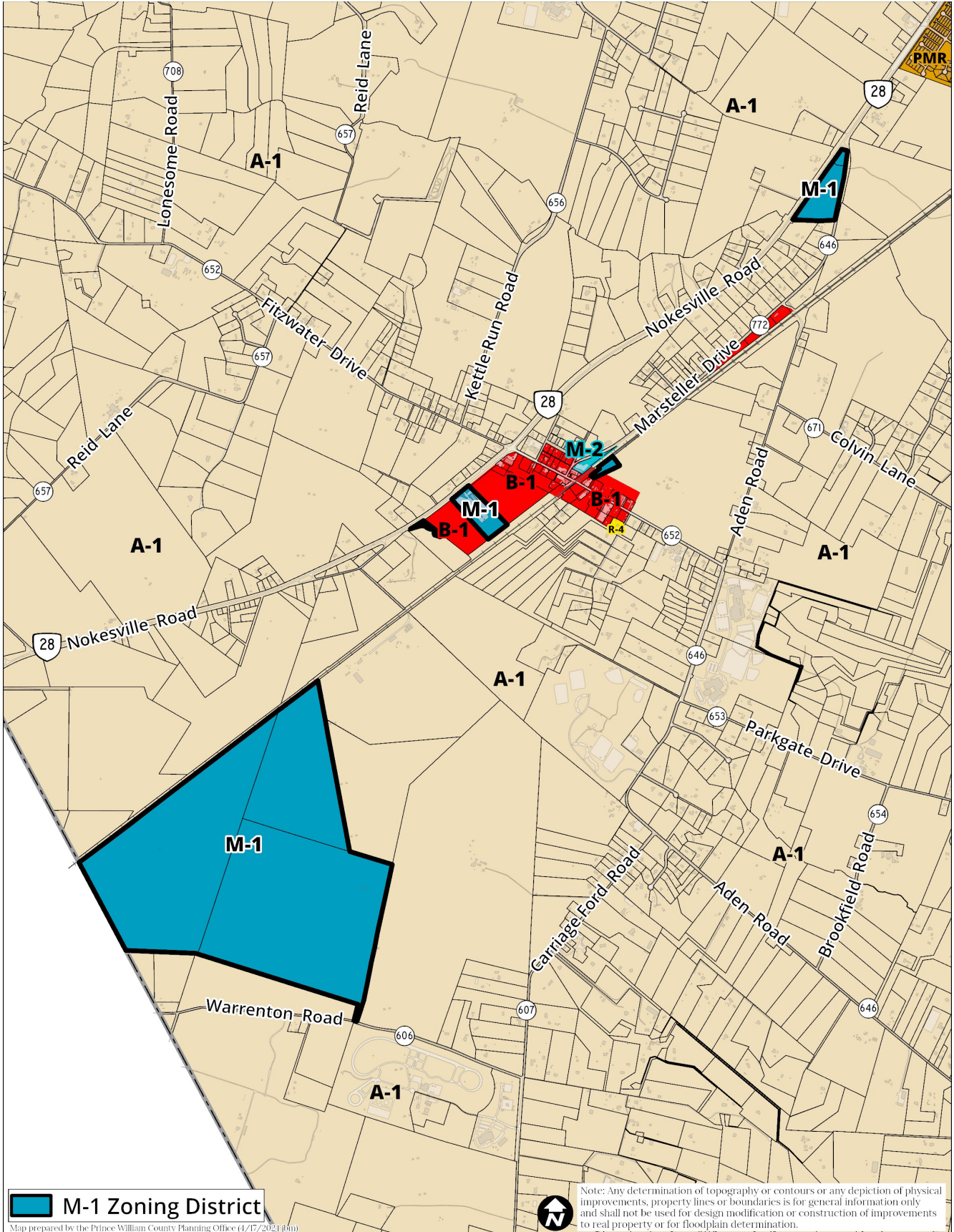
M-1 Zoning District

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John Marshall Highway



Nokesville



MOTION: LAWSON

**September 20, 2022
Regular Meeting
Res. No. 22-455**

SECOND: BAILEY

**RE: INITIATE A ZONING TEXT AMENDMENT FOR INDUSTRIAL PARKING AND USE
REGULATIONS – COUNTYWIDE**

ACTION: APPROVED

WHEREAS, in accordance with Section 15.2-2285 of the Code of Virginia, Ann., the Prince William Board of County Supervisors (Board) may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare, and good zoning practice necessitate such change; and

WHEREAS, the Board issued a Directive (DIR) 21-64 for staff to bring forward an initiation for a zoning text amendment to address to address industrial parking issues being experienced by the business community; and

WHEREAS, the Planning Office recommends initiation of a zoning text amendment to review the industrial use regulations and make recommendations regarding additional flexibility requested by the business community; and

WHEREAS, amending the Zoning Ordinance for the above-referenced issue is required by public necessity, convenience, general welfare, and good zoning practice, and is consistent with the intent of Section 15.2-2283 of the Code of Virginia, Ann;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors hereby initiates a Zoning Text Amendment to the Prince William County Zoning Ordinance regarding the use regulations for industrial properties, including, but not limited to the storage and parking of vehicles.

Votes:

Ayes: Angry, Bailey, Boddye, Candland, Franklin, Lawson, Vega, Wheeler

Nays: None

Absent from Vote: None

Absent from Meeting: None

For Information:

Planning Director

County Attorney

ATTEST: _____

Andrea P. Madden

Clerk to the Board



PLANNING COMMISSION RESOLUTION

MOTION: SCHEUFLER **May 8, 2024**
SECOND: SHEIKH **Regular Meeting**
Res. No. 24-062
RE: ZONING TEXT AMENDMENT #DPA2023-00006, INDUSTRIAL PARKING -
COUNTYWIDE
ACTION: RECOMMEND ADOPTION

WHEREAS, in accordance with Sections 15.2-2285 and 15.2-2286 of the Code of Virginia, Ann., the Board of County Supervisors may amend the Zoning Ordinance whenever it determines that public necessity, health, safety, convenience, general welfare, and good zoning practice necessitate such change; and

WHEREAS, the Board approved Resolution No. 22-455 to Initiate a Zoning Text Amendment for Industrial Parking, Countywide; and

WHEREAS, the Planning Office reviewed the industrial use regulations and made recommendations regarding additional flexibility in industrial parking requested by the business community; and,

WHEREAS, County staff recommends that the Planning Commission recommend approval of the Zoning Text Amendment for the reasons stated in the staff report; and,

WHEREAS, the Prince William County Planning Commission duly ordered, advertised, and held a public hearing on May 8, 2024, at which time public testimony was received and the merits of the above referenced zoning text amendment were considered; and

WHEREAS, the Prince William County Planning Commission finds that public necessity, convenience, general welfare as well as good zoning practices are served by recommending adoption of this zoning text amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Prince William County Planning Commission does hereby close the public hearing, and recommend adoption of Zoning Text Amendment #DPA2023-00006, Industrial Parking.

ATTACHMENT: Zoning Text Amendment

Votes:

Ayes: Brown, Carroll, Justice, Lyver, McPhail, Moses-Nedd, Scheufler, Sheikh

Nays: None

Absent from Vote: None

Absent from Meeting: None

MOTION CARRIED

ATTEST: *Oly Pena*

Oly Pena

Clerk to the Planning Commission

ARTICLE I. TERMS DEFINED

PART 100.DEFINITIONS

....

Flea market shall mean an occasional or periodic sales activity held within a building, structure, or open area where groups of individual sellers offer goods, new and used, for sale to the public, not to include private garage sales.

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Flood fringe shall mean that portion of the 100-year floodplain outside the floodway, and as further defined in sections 32-501.02 and 32-504.03.

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ARTICLE IV. - COMMERCIAL, OFFICE AND INDUSTRIAL DISTRICTS

PART 400. GENERAL REGULATIONS

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Sec. 32-400.27. Fleet parking.

Fleet parking, as defined in this chapter, shall comply with the following as part of any approved special use permit and/or site plan:

1. Fleet parking spaces shall be in addition to the minimum number of parking spaces required for the associated principal use. Such parking areas shall be for the sole use of the owners, occupants, and patrons of the associated principal use, and shall not be used for commercial parking purposes as defined in this chapter.
2. The parking area shall be constructed in accordance with all applicable sections of the zoning ordinance and the Design and Construction Standards Manual. A site plan pursuant to Part 800 of this chapter shall be required for such parking and storage areas.
3. Outdoor lighting shall be provided in all parking areas and travelways, pursuant to county code section 32-250.200.

4. Where the lot used for fleet parking is under separate ownership than the lot of the associated principal use, permanent easements and/or agreements shall be required which provide for joint use and maintenance of the parking area(s) and travelway(s) by all owners, occupants, and patrons of the properties. Such easements and/or agreements shall be noted on approved subdivision plans and site plan. Such easements/and or agreements shall be approved prior to site plan approval.

Sec. 32-400.2728. General provisions for distribution and fulfillment centers and neighborhood retail and fulfillment centers.

PART 403. INDUSTRIAL DISTRICTS

Sec. 32-403.11. Uses permitted by right.

The following uses shall be permitted by right in the M-1 District.

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53. Parking, commercial

54. Parking, fleet (in accordance with the provisions of county code section 32-400.27).

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The following uses shall be permitted in the M-2 District with a Special Use Permit:

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~~57~~ 58. Railroad freight depot.

....

Industrial Parking
#DPA2023-00006

Board of County Supervisors
July 2, 2024

David McGettigan
Planning Office

The BOCS directed staff to draft a Zoning Text Amendment (ZTA) initiation for the Board to consider.

- This directive was based on feedback from the development community to expand options for off-site parking associated with a primary use in industrial zoning districts.

The Board initiated Zoning Text Amendment #DPA2023-00006, Industrial Parking.

- Add additional flexibility to allow off-site parking in industrial zoning districts.

Current Regulations

Current Regulations:

Sec. 32-400.26. – Off-site Parking areas.

- Off-site parking is only allowed when located on a lot that is adjacent to or abutting the principal use.



Proposed Changes:

Maintain the current off-site parking areas regulations and

- Define a new “Fleet Parking” use
- Outline general regulations for fleet parking facilities.
 - Site design
 - Lighting
- Determine appropriate districts for the new use

Proposed “Fleet Parking” Definition

Fleet Parking shall mean a parking area for the parking and storage of five (5) or more operable vehicles which are used in the daily operations of an existing **off-site** nonresidential principal use located within the County and which is **not located adjacent to or abutting** the lot containing the principal use. This does not include parking and storage of farm vehicles, construction equipment, or motorized vehicles not licensed to operate on state roads. Fleet Parking is not off-site parking or commercial parking as defined in this chapter.



Fleet Parking General Regulations

Fleet Parking will be permitted within industrial zoning districts in accordance with the table below. In addition, the following regulations will apply to these facilities:

1. Parking will be in addition to **minimum parking** requirements for the principal use
2. Meet **DCSM requirements**
3. Comply with **existing lighting and signage** requirements outlined in the ZO
4. If the parcels have different ownership, **appropriate easements/agreements** will be recorded

Zoning District	Permitted Use
M-1, Heavy Industrial	By right
M-2, Light Industrial	Special Use Permit
M/T, Industrial/Transportation	By right

Staff presented the draft vision and text to the **Development Ordinance Review Advisory Committee (DORAC)**, and to the **Commercial Development Committee (CDC)**.

- Additional language to avoid creating non-conforming uses
- Additional clarity on the definition of Fleet Parking
- Request to be permitted by right in M/T and M-1
- Create a trigger to waive the SUP requirement under a certain size
- Request to be permitted by right in M-2
- Remove the term “operable” from fleet parking definition

Recommendation

Staff and the Planning Commission recommend adoption of Zoning Text Amendment #DPA2023-00006, Industrial Parking, for the following reasons:

- Allows fleet parking as a new use, to alleviate parking issues where distribution and fulfillment centers, or other businesses, have large fleets (near M/T and M-1 zoning districts).
- Will regulate locations of fleet parking areas through a SUP in M-2 districts, and by right in M/T and M-1 Districts.
- Ensure that all DCSM requirements are met, comply with existing light and signage requirements, and that fleet parking will be in addition to the maximum parking requirements for the principal use.

- The end