

TITLE 20
ECONOMIC DEVELOPMENT
(Flexible Regulation Initiative—Technology Zones)

- §20-1. Creation of Zone.
- §20-2. Implementation of Technology Zone.
- §20-3. Relief.
- §20-4. Definition.
- §20-5. General.

§ 20-1. Creation of Zone. The Council hereby creates a Technology Zone comprised of the territory described in Exhibit One to this ordinance. This Chapter shall have no effect upon any other land.

(Added December 14, 2010, Effective January 1, 2011.)

§ 20-2. Implementation of Technology Zone. The Technology Zone shall have no effect on any parcel within the zone unless the landowner files a petition for the zone to be implemented for that parcel. Such a petition shall be filed with the Town Superintendent, and it shall identify the relief sought under § 20-3.

(Added December 14, 2010, Effective January 1, 2011.)

§ 20-3. Relief. Within the Technology Zone, the following types of relief may be requested, and, in appropriate cases, granted by the Town Superintendent:

1. The reduction or elimination of some or all of the off-street parking requirements imposed by Chapter 20 of Title 6 of the Town Code.
The Superintendent may grant this relief if he finds that the Petitioner plans a new or substantially expanded commercial use of the property, and that the use has Technological Significance.
2. The allowance of commercial uses despite their not being listed as “permitted” by Title 6 of the Town Code.
The Superintendent may grant this relief if he finds that the Petitioner’s proposed use has Technological Significance and is substantially similar to uses already permitted in the relevant zoning classification.
3. The adjustment of dimensional requirements for lots (such as depth, front yards, side yards, and rear yards) and size requirements for buildings (such as building height or maximum lot coverage).
The Superintendent may grant this relief if he finds that (i) the Petitioner plans a new or substantially expanded commercial use of the property, (ii) the use has Technological Significance, and (iii) the proposed adjustment would be consistent with the intent expressed in § 6-3 of this Code.
4. The elimination of any processes required by Title 5 for the consolidation of lots of the relocation of lot boundaries.
The Superintendent may grant this relief if he finds that the Petitioner plans a new or substantially expanded commercial use of the property and that the use has Technological Significance.

Nevertheless, the Superintendent may not grant relief from the Green Law requirements of Title 17, and he may not grant any relief if he finds that the relief would create significant public hardship.

The Superintendent shall act on all petitions as expeditiously as practicable. Any action shall be in a writing which the Town Attorney has approved as to form. No relief granted shall be binding on the Town until

the earlier of (i) the passage of 30 days from the Superintendent's approval, without a vote to rescind by this Council, or (ii) an affirmative approval of the relief by this Council.

The Superintendent may impose reasonable conditions upon the relief offered. Any conditions shall be stated in an agreement satisfactory to the Town Attorney. Such an agreement may contain provisions concerning power line relocation or burying, the location of vehicular entrances, technological benefits to the citizenry, or such other matters as the Superintendent and the Petitioner may agree to. Such agreement must be fully executed before any relief can become effective.

Nothing in this ordinance shall mandate the grant of any relief by the Superintendent. Still, should a petitioner believe that the Superintendent's denial of relief violates the U.S. Constitution, the Virginia Constitution, or the Code of Virginia, Petitioner may file an appeal to this Council within 10 days of the denial. Otherwise, a denied Petitioner's only relief shall be to apply to the Council for the creation of a new Technology Zone granting the relief sought.

(Added December 14, 2010, Effective January 1, 2011.)

§20-4 Definition. For purposes of this Chapter "technological significance" shall mean the use of broadband communications, one or more computers, or energy-saving equipment.

(Added December 14, 2010, Effective January 1, 2011.)

§20-5. General. The Technology Zone created by this chapter is not exclusive and may overlap with the other Technology Zones created by the Council.

- I. This ordinance shall take effect on January 1, 2011.

(Added December 14, 2010, Effective January 1, 2011.)

Technology Zone in Bridgewater, Virginia

EXHIBIT ONE

 Technology Zone

