

**ZONING REGULATIONS PERTAINING TO SELF SERVICE ICE VENDING UNITS, AS APPROVED BY THE BOARD OF SUPERVISORS ON SEPTEMBER 17, 2024**

**York County Code Chapter 24.1**

**Sec. 24.1-104. Definitions**

*Self-service ice vending unit.* A stand-alone ice production machine that is no larger than eighteen (18) feet in height, ten (10) feet in width, and twenty-five (25) feet in length, and may operate without full-time service personnel. These units are activated by the insertion of money or another form of payment, and ice is bagged automatically or dispensed in bulk to the consumer.

**Sec. 24.1-306. Table of land uses.**

P=PERMITTED USE S=PERMITTED BY SPECIAL USE PERMIT USES	RESIDENTIAL DISTRICTS							COMMERCIAL AND INDUSTRIAL DISTRICTS						
	RC	RR	R33	R20	R13	R7	RMF	NB	LB	GB	WCI	EO	IL	IG
USES	<b>CATEGORY 10—COMMERCIAL/RETAIL<sup>1</sup></b>													
37. Self-Service Ice Vending Unit								S	S	P	P	P	P	P

**Section 24.1-469 – Standards for self-service ice vending units.**

- a) Only one (1) self-service ice vending unit shall be permitted per property.
- b) A self-service ice vending unit or other similar use shall be no closer than one hundred (100) feet to any residential district.
- c) No self-service ice vending unit or other similar use shall encroach into the minimum required setback.
- d) The foundation of each unit shall be screened by skirting.
- e) A self-service vending unit shall be installed on an impervious surface, and shall not be installed on any green area.
- f) Roof-mounted or other equipment on top of the unit shall be screened by a parapet.
- g) In the event the ice dispensing activity ceases, written notice shall be provided by the owner/operator to the Zoning Administrator within seven (7) days after such ice dispensing activity ceases. In the event the ice dispensing activity remains inactive for a period in excess of thirty (30) days, the owner/operator shall be responsible for performing the following:

- 1) Within thirty (30) calendar days of the closure or ceasing of operation of any self-service ice vending unit, the owner of the said unit and/or the owner of the land, shall remove all equipment and incidentals from the premises.
  - 2) The real property in or on which the improvements are placed or constructed shall be restored to the same grade or condition as the remainder of the parking lot and maintained either as a landscaped green area or as a paved area until a new site plan for same has been approved by the County. Except in the restored area that is established as a landscaped green area, the paved area shall be re-stripped to match the remainder of the parking lot.
  - 3) The requirement to remove the above-noted equipment may be stayed for a maximum of six (6) months in the event the property owner provides documentation to the zoning administrator of the existence of an executed and pending contract for sale or lease of the property for the same use. If such an extension is granted, the actual conveyance, and the re-establishment of the use, must occur within said six (6) month period. In the event such a contract lapses, the removal requirement shall be immediately reinstated.
  - 4) The requirement to remove the ice vending unit and other appurtenances listed in the preceding subsection shall be ensured by the property owner/operator through a maintenance agreement, approved as to form by the county attorney, whereby the property owner/operator shall covenant to perform the required removal of the ice vending unit and other appurtenances within thirty (30) days of notice by the County and grant authority to the County to perform such work at the property owner's cost if the owner/operator should default on his obligations. The owner/operator shall cause such agreement to be recorded by the clerk of the circuit court in the York Poquoson Courthouse and provide evidence of such recordation to the zoning administrator prior to the issuance of any building permits for the proposed installation.
- h) Applicants shall acquire site plan approval, if necessary, from the Department of Planning and Development Services and approval from the peninsula health district prior to the issuance of a building permit. The self-service ice vending unit shall comply with all Virginia Uniform Statewide Building Code requirements.
  - i) Each self-service ice vending unit shall be pre-wired to connect to a generator to provide power to the unit in the event of electrical power failure. Each self-service ice vending unit shall be marked with the type of generator that it requires.
  - j) In cases in which there is existing parking for a primary use, no additional off-street parking shall be required. In no case shall the addition of a self-service

ice vending unit create nonconformity in the parking requirements of the existing primary uses.

- k) Ingress and egress to and from self-service ice vending units shall not impede pedestrian or vehicular traffic flow.
- l) Signage shall be based on the longest building façade, calculated per the zoning district in which the unit is located, and shall be applied in aggregate on no more than two (2) sides of the ice vending unit.
- m) Freestanding, temporary, and portable signs shall not be permitted.