



**Town of Altavista, Virginia
Meeting Agenda Planning Commission
Planning Commission**

**Monday, May 6, 2024
5:00 PM - 510 7th Street
Altavista, VA 24517**

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE - AMERICAN FLAG**
- 3. APPROVAL OF AGENDA**
- 4. APPROVAL OF MINUTES**
 - 4.1 [Meeting Minutes - March 2024 attachment. Altavista Planning Commission Mtg. Minutes 4.01.24.pdf](#)
- 5. PUBLIC EXPRESSION**
- 6. PUBLIC HEARING(S)**
 - 6.1 [PUBLIC HEARING: Ordinance Text Amendment for Indoor Pet Boarding Facility \(#OA-24-03\)](#)
[attachment 1. Indoor Pet Boarding Facility.pdf](#)
[attachment 2. Sec 34-1 Noise.pdf](#)
[attachment 3. Application for Zoning Text Amendment_MLogan_Precious-Paws-Dog-and-Cat-Grooming.pdf](#)
 - 6.2 [PUBLIC HEARING: Special Use Permit - Accessory Apartment \(#SUP-24-02\)](#)
[attachment. PC Staff Report SUP-24-02 MLewis-Beckum-1407 Bedford Ave.pdf](#)
- 7. UNFINISHED BUSINESS**
 - 7.1 [Solar Energy Systems: Planning and Zoning Review Discussion](#)
[attachment 1. 15.2-2288.7 Local Regulations of solar facilities.pdf](#)
[attachment 2. PC-Agenda_solar-zoning-binder_MAY2024.pdf](#)
- 8. NEW BUSINESS**
- 9. MATTERS FROM THE PLANNING COMMISSION**
- 10. MATTERS FROM STAFF**
- 11. ADJOURNMENT**

THE TOWN OF ALTAVISTA IS COMMITTED TO FULL COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT STANDARDS. TRANSLATION SERVICES, ASSISTANCE OR ACCOMODATION REQUESTS FROM PERSONS WITH DISABILITIES ARE TO BE REQUESTED NOT LESS THAN 3 WORKING DAYS BEFORE THE DAY OF THE EVENT. PLEASE CALL (434) 369-5001 FOR ASSISTANCE.



TOWN OF ALTAVISTA
PLANNING COMMISSION
May 6, 2024
AGENDA COVER SHEET

AGENDA ITEM #: 4.1

Approval of Minutes

Title: Meeting Minutes - March 2024

Staff Resource: Crystal Hailey, Asst. Town Clerk

Action(s):

Review for approval

Explanation:

The Planning Commission will review the minutes from their previous meeting, April 1st, 2024, and approve as presented; or inform Staff of corrections needed and approve as amended.

Background:

Funding Source(s):

Attachments: *(click item to open)*

[attachment. Altavista Planning Commission Mtg. Minutes 4.01.24.pdf](#)

The Altavista Planning Commission held a regularly scheduled meeting on Monday, April 1st, 2024, at 5pm, in Council Chambers at Town Hall, located at 510 7th Street, Altavista, VA.

Members present: John Jordan, Chairman
Marie Mitchell, Vice Chair
Reggie Bennett, Vice Mayor
Meghan Bolling
Ashby Robinson, Jr.
Rayna Steele, Senior Student Commissioner

Absent: Conner Mattox, Junior Student Commissioner

Staff present: Matthew Perkins, Assistant Town Manager
John Eller, Town Attorney
Crystal Hailey, Assistant Town Clerk

CALL TO ORDER

Chairman Jordan called the meeting to order at 5:00pm and presided.

APPROVAL OF AGENDA

Vice Chair Marie Mitchell made a motion, seconded by Vice Mayor Reggie Bennett, and the Planning Commission approved the April 2024 meeting agenda as presented, with a 5-0 vote.

PLEDGE OF ALLEGIANCE & INVOCATION

Chairman Jordan delivered an Invocation; and led everyone in reciting the Pledge of Allegiance.

APPROVAL OF MINUTES

Chairman Jordan referenced the “adjournment” section of the March meeting minutes, and asked Staff to change the facilitator as being Vice Chair Marie Mitchell.

With a 5-0 vote, the Altavista Planning Commission’s March 2024 meeting minutes were approved as amended. Due to his absence from the March meeting, Chairman Jordan abstained.

PUBLIC EXPRESSION

There were no citizen comments.

PUBLIC HEARING

Special Use Permit: SUP-24-01

Assistant Town Manager Matt Perkins gave the Commission a brief overview of a Special Use Permit (SUP) application recently submitted by Russell Kelly; to operate an Automobile Dealership, used, at 508 Pittsylvania Ave, Altavista - as defined in Section 86-32, and subject to 86-504 of the Town Code of the Town of Altavista. Mr. Perkins informed the Commission that the hearing had been adequately advertised as required; and to date, there had been no public input for or against the application.

Chairman Jordan opened the public hearing at 5:03 pm. There were no citizen comments offered during the hearing, and Chairman Jordan closed the public hearing at 5:06 pm.

There was unanimous consensus from the Planning Commission in favor of moving this item forward to Town Council, with a recommendation of approval.

UNFINISHED BUSINESS

There were no unfinished business items to discuss at this time.

NEW BUSINESS

Requested Text Amendment to Zoning Ordinance: pertaining to Indoor Pet Boarding Facilities

Assistant Town Manager Matt Perkins shared details of the application submitted by Melissa Logan, Precious Paws (dog and cat grooming), to amend the Town's Zoning Ordinance to define "Indoor Pet Boarding", to permit the use in the applicable district(s). He said Town Code did not currently contain provisions for indoor pet boarding.

Mr. Perkins stated, if the Commission deemed the request reasonable, Staff would schedule the proposed text amendment to Public Hearing.

The Commission shared their concerns regarding the potential for loud noise and the animals escaping from the facility.

Ms. Logan stated that her establishment was an "inside" boarding facility; and that the only time the animals would be outside, would be for bathroom breaks.

Mr. Perkins stated that, if approved, all concerns would be addressed with a Special Use Permit, and in conformity with established Design & Use Standards.

Vice Mayor Reggie Bennett made a motion, seconded by Commissioner Ashby Robinson, and the Commission voted 6-0 in favor of moving this matter to Public Hearing; to be conducted at their next regularly scheduled meeting, on Monday, May 6th, 2024.

Solar Energy Systems: Planning and Zoning Review Discussion

Background: The Planning Commission asked Staff to review current Planning and Zoning practices, and to lead a discussion on how the Town of Altavista could regulate solar energy systems by both residential and commercial users.

Assistant Town Manager Matt Perkins reminded the Commission of (to date) the two primary efforts initiated by the Town of Altavista, related to solar energy systems.

1. Applied for and was designated as a SolSmart Community, Bronze Level, in June 2020. Guidance on zoning and permits was published on the Town website. No official zoning amendment action was taken, as the information only guided solar inquiries.
2. Amended Town Ordinance *Sec 86-32: Use Types* (April 2023) to add language that excludes "utility-scale solar facilities" in the definition to Utility Services, major.

Mr. Perkins referenced the Code of Virginia's *Local Regulations of Solar Facilities, Section 15.2-2288.7*, stating that localities could not be more restrictive, but could set forth certain regulations that would be beneficial to its community. He asked the Commission for input and any text amendments, pertaining to solar, they believed appropriate to recommend to Town Council.

Town Attorney John Eller reminded the Commission that, currently, ground-mounted solar was permitted in all Altavista Districts. He suggested considering each district individually when determining solar regulations. The Commission concurred with Attorney Eller.

After discussion and consideration of "ground-mounted" solar systems, the Commission had a unanimous consensus not to allow when the primary use of a lot or parcel was residential.

Mr. Perkins stated that Staff would continue investigating solar, and bringing questions to the Commission as they arise, until an applicable ordinance was drafted for consideration.

There were no additional comments or questions from the Commission on this matter.

MATTERS FROM STAFF

Mr. Perkins gave the Planning Commission a draft ordinance to review in advance of the Public Hearing on May 6th, regarding Indoor Pet Boarding Facilities. This would be a *draft* in consideration of recommending the ordinance to Town Council.

ADJOURNMENT

With no further business to discuss, Chairman Jordan adjourned this meeting at 6:05 p.m.

John Jordan, Chairman
Altavista Planning Commission

Mathew Perkins, Asst. Town Manager
Town of Altavista



TOWN OF ALTAVISTA
PLANNING COMMISSION
May 6, 2024
AGENDA COVER SHEET

AGENDA ITEM #: 6.1

Public Hearing(s)

Title: PUBLIC HEARING: Ordinance Text Amendment for Indoor Pet Boarding Facility (#OA-24-03)

Staff Resource: Matt Perkins, Assistant Town Manager

Action(s):

Planning Commission to hold Public Hearing on an Ordinance Text Amendment on matters related to Indoor Pet Boarding Facility. Staff recommends approval to Town Council for adoption.

Explanation:

Ordinance Amendment OA-24-03: An ordinance to amend the Code of the Town of Altavista, 1968 as follows: to amend Sec. 86-32 by adding a definition of Indoor Pet Boarding Facility; to amend Sec. 86-322 (C-1 District), 86-352 (C-2 District), and Sec 86-427 (DRO District) to include Indoor Pet Boarding Facility, as a permitted use subject to Section 86-523, Special Use Permit required, and to add new Section 86-523 (new) establishing Use and Design Standards for Indoor Pet Boarding Facility.

Background:

An application for a Zoning Text Amendment has been submitted by Melissa Logan (attached), Perfect Paws Dog and Cat Grooming, to amend Town Code to define Indoor Pet Boarding Facility, permit the use in the applicable district(s), and define the use and design guidelines for the same.

Town Code currently does not contain provisions for indoor pet boarding.

Staff has completed its research and submits a draft text amendment ordinance for the Planning Commissions review.

Funding Source(s):

Attachments: *(click item to open)*

[*attachment 1. Indoor Pet Boarding Facility.pdf*](#)

[*attachment 2. Sec 34-1 Noise.pdf*](#)

[*attachment 3. Application for Zoning Text Amendment_MLogan_Precious-Paws-Dog-and-Cat-Grooming.pdf*](#)

An Ordinance to repeal, amend and re-ordain Section 86-32 of the Code of the Town of Altavista, 1968, relating to adding a definition of “Indoor Pet Boarding Facility”.

Be it ordained by the Town Council of the Town of Altavista:

That Section 86-32 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 86-32. Use types.

Accessory apartment means a second dwelling unit within a detached single-family dwelling or within an accessory structure on the same lot as the detached single-family dwelling, which is clearly incidental and subordinate to the main dwelling unit.

Adult bookstore means an establishment that devotes more than 15 percent of the total floor area utilized for the display of books and periodicals to the display and sale of the following: (a) books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, blue ray discs, compact discs, digital video discs, video cassettes, slides, tapes, records, or other forms of visual or audio representations which are characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas;" or (b) instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities." An adult bookstore does not include an establishment that sells books or periodicals as an incidental or accessory part of its principal stock-in-trade and does not devote more than 15 percent of the total floor area of the establishment to the sale of books and periodicals, or photographs, films, motion pictures, blue ray discs, compact discs, digital video discs, video cassettes, slides, tapes, records, or other forms of visual or audio representations.

Adult drive-in-theatre means an open lot or part thereof, with appurtenant facilities, devoted primarily to the presentation of motion pictures, films, theatrical productions, and other forms of visual productions, for any form of consideration, to persons in motor vehicles or on outdoor seats, and presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to "specific sexual activities" or "specified anatomical areas" for observation by patrons.

Adult mini-motion picture theatre means an establishment, with a capacity of more than five but less than 50 persons, where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown, and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons.

Adult model studio means an establishment open to the public where, for any form of consideration or gratuity, figure models who display "specified anatomical areas" are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons, other than the proprietor, paying such consideration or gratuity. This provision shall not apply to any school of art which is operated by an individual, firm, association, partnership, corporation, or institution which meets the requirements established in the Code of Virginia, for the issuance or conferring of, and is in fact authorized there under to issue and confer, a diploma.

Adult motion picture arcade means a place to which the public is permitted or invited where coin or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or specified "anatomical areas."

Adult motion picture theatre means an establishment, with a capacity of 50 or more persons, where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are shown; and in which a substantial portion of the total presentation time is devoted to the showing of material which is distinguished or characterized by an emphasis upon the depiction or description of "specified sexual activities" or "specified anatomical areas" for observation by patrons.

Adult use means any adult bookstore, adult motion picture theatre, adult mini-motion picture theatre, adult motion picture arcade, adult model studio, or adult drive-in theatre, as defined in this chapter.

Agricultural service means services provided specifically for the agricultural community which is not directly associated with a farm operation. Included in this use type would be servicing of agricultural equipment, independent equipment operators, and other related agricultural services.

Agriculture means the use of land for the production of food and fiber, including farming, dairying, pasturage, agriculture, horticulture, viticulture, and animal and poultry husbandry. The keeping of a cow, pig, sheep, goat, male chicken (rooster) or similar animal shall constitute agriculture regardless of the size of the animal and regardless of the purpose for which it is kept. The keeping of female chickens in compliance with section 86-515.1 shall not constitute agriculture. The keeping of horses in compliance with section 86-515.2 shall not constitute agriculture. A garden accessory to a residence shall not be considered agriculture (see definition for Garden, home).

Amateur radio tower means a structure on which an antenna is installed for the purpose of transmitting and receiving amateur radio signals erected and operated by an amateur radio operator licensed by the Federal Communications Commission (FCC).

Antique shop means a place offering primarily antiques for sale. An antique for the purposes of this chapter shall be a work of art, piece of furniture, decorative object, or the like, of or belonging to the past, at least 30 years old.

Asphalt plant means an establishment engaged in manufacturing or mixing of paving materials derived from asphaltic mixtures or tar.

Assembly hall means a building, designed and used primarily for the meeting or assembly of a large group of people for a common purpose. Typical uses include meeting halls, union halls, bingo halls, and catering or banquet facilities.

Assisted care residence means an establishment, regulated by the Commonwealth of Virginia, that provides shelter and services which may include meals, housekeeping, and personal care assistance primarily for the elderly. Residents are able to maintain a semi-independent lifestyle, not requiring the more extensive care of a nursing home.

Automobile dealership, new means an establishment that uses building, land area or other premise for the display of new and used automobiles, trucks, vans, or motorcycles for sale or rent, including any warranty repair work and other major and minor repair service conducted as an accessory use.

Automobile dealership, used means a lot or establishment where three or more used or previously-owned motor vehicles, including automobiles, trucks, and motorcycles are displayed at one time for sale.

Automobile parts/supply, retail means retail sales of automobile parts and accessories. Typical uses include automobile parts and supply stores which offer new and factory rebuilt parts and accessories, and include establishments which offer minor automobile repair services.

Automobile rental/leasing means rental of automobiles and light trucks and vans, including incidental parking and servicing of vehicles for rent or lease. Typical uses include auto rental agencies and taxicab dispatch areas.

Automobile repair service, major means repair of construction equipment, commercial trucks, agricultural implements and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. This includes minor automobile repairs in conjunction with major automobile repairs. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops and other similar uses where major repair activities are conducted.

Automobile repair service, minor means repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include tire sales and installation, wheel and brake shops, oil and lubrication services and similar repair and service activities where minor repairs and routine maintenance are conducted.

Aviation facility, general means landing fields, aircraft parking, service facilities and related facilities for the operation, service, fueling, repair, storage, charter, sales, and rental of aircraft, including activities directly associated with the operation and maintenance of airport facilities and the provision of safety and security.

Aviation facility, private means any area of land used or intended to be used for the landing or taking-off of aircraft for personal use of the tenant or owner of the site, and not available for public use or commercial operations. Aircraft include helicopters, and all fixed wing planes and gliders, including hang gliders.

Bed and breakfast means a dwelling, occupied by the owner or member of owner's immediate family or, with the written permission of the owner, tenant leasing the entire home, in which not more than five bedrooms are provided for overnight guests for compensation, on daily or weekly basis, with or without meals.

Brewpub means a restaurant featuring beer that is brewed, on site, as an accessory use, either for consumption on-site or in hand-capped containers.

- (1) The area used for brewing, bottling, and kegging shall not exceed 30 percent of the total floor area of the commercial space.

Business support service means an establishment or place of business engaged in the sale, rental or repair of office equipment, supplies and materials, or the provision of services used by

office, professional and service establishments. Typical uses include office equipment and supply firms, small business machine repair shops, convenience printing and copying establishments, as well as temporary labor services.

Business/trade school means a school providing education or training in business, commerce, language, or other similar activity or occupational pursuit, and not otherwise defined as an educational facility, either primary and secondary, or college and university.

Car wash means an establishment that washes and cleans vehicles. Typical uses include automatic conveyor machines and self-service vehicle washes.

Cemetery means land used or dedicated to the burial of the dead, including columbariums, crematoriums, mausoleums, and necessary sales and maintenance facilities. Funeral services use types shall be included when operated within the boundary of such cemetery.

Club means a use providing meeting or social facilities for civic or social clubs, and similar organizations and associations, primarily for use by members and guests. Recreational facilities, unless otherwise specifically cited in this section, may be provided for members and guests as an accessory use. This definition shall not include fraternal or sororal organizations associated with colleges or universities. A club does not include a building in which members reside.

Commercial indoor amusement means an establishment which provides multiple coin operated amusement or entertainment devices or machines as other than an incidental use of the premises. Such devices would include pinball machines, video games, and other games of skill or scoring, and would include pool and/or billiard tables, whether or not they are coin operated. Typical uses include game rooms, billiard and pool halls, and video arcades.

Commercial indoor entertainment means an establishment conducting predominantly spectator uses within an enclosed building. Typical uses include motion picture theaters, and concert or music halls.

Commercial indoor sports and recreation means an establishment conducting predominantly participant uses within an enclosed building. Typical uses include bowling alleys, ice and roller skating rinks, indoor shooting ranges, indoor racquetball, swimming, and/or tennis facilities.

Commercial outdoor entertainment means an establishment conducting predominantly spectator uses in open or partially enclosed or screened facilities. Typical uses include sports arenas, go-cart, lawn mower, motor vehicle or animal racing facilities, tractor pulls, and outdoor amusement parks.

Commercial outdoor sports and recreation means an establishment conducting predominantly participant uses in open or partially enclosed or screened facilities. Typical uses include driving ranges, miniature golf, swimming pools, tennis courts, outdoor racquetball courts, motorized cart and motorcycle tracks, and motorized model airplane flying facilities.

Communications service means an establishment primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephonic mechanisms. Excluded from this use type are facilities classified as utility services — major or minor. Typical uses include television studios, telecommunication service centers, telegraph service offices or film and sound recording facilities.

Community recreation means a recreational facility for use solely by the residents and guests of a particular residential development, planned unit development, or residential neighborhood, including indoor and outdoor facilities. These facilities are usually proposed or planned in association with development and are usually located within or adjacent to such development.

Composting means a process by which animal wastes and plant discards are combined and manipulated to produce a soil additive/nutrient. Composting does not include the processing of municipal wastes.

Construction sales and service means an establishment or place of business primarily engaged in retail or wholesale sale, from the premises, of materials used in the construction of buildings or other structures, but specifically excluding automobile or equipment supplies otherwise classified herein. Typical uses include lumber yards, building material stores and home supply establishments.

Construction yard means an establishment housing facilities of businesses primarily engaged in construction activities, including outside storage of materials and equipment. Typical uses are building contractor's yards.

Consumer repair service means an establishment primarily engaged in the provision of repair services to individuals and households, rather than businesses, but excluding automotive and equipment repair use types. Typical uses include appliance repair shops, shoe repair, watch or jewelry repair shops, or repair of musical instruments.

Convenience store means an establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. Convenience stores may include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.

Correction facility means a public or privately operated use providing housing and care for individuals legally incarcerated, designed to isolate those individuals from a surrounding community.

Crisis center means a facility providing temporary protective sanctuary for victims of crime or abuse including emergency housing during crisis intervention for individuals, such as victims of physical attacks, rape, or abuse.

Cultural service means a library, museum, or similar public or quasi-public use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts or sciences.

Custom manufacturing means establishments primarily engaged in the on-site production of goods by hand manufacturing, within enclosed structures, involving the use of hand tools, or the use of mechanical equipment commonly associated with residential or commercial uses.

Dance hall means an establishment in which more than ten percent of the total floor area is designed or used as a dance floor, or where an admission fee is directly collected or some other form of compensation is obtained for admission to or use of a dance floor.

Day care center means a facility operated for the purpose of providing care, protection and guidance to 13 or more individuals during only part of a 24-hour day. This term includes nursery

schools, preschools, day care centers for individuals, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

Duplex means the use of an individual lot for two dwelling units which share at least one common wall, each occupied by one family.

Educational facility, college/university means an educational institution authorized by the Commonwealth of Virginia to award associate, baccalaureate or higher degrees.

Educational facility, primary/secondary means a public, private or parochial school offering instruction at the elementary, junior and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the Commonwealth of Virginia.

Equipment sales and rental means an establishment primarily engaged in the sale or rental of tools, trucks, tractors, construction equipment, agricultural implements, similar industrial equipment, and the rental of recreational vehicles. Included in this use type is the incidental storage, maintenance, and servicing of such equipment.

Extended stay lodging means a building or group of attached or detached buildings containing lodging units available for rental or lease to transients for periods of 30 consecutive days or more. Lodging units generally contain full kitchens and kitchen wares, and onsite guest laundry facilities, periodic maid service, and may offer restaurants, meeting rooms and/or recreation facilities.

Family day care home means a single-family dwelling in which more than five but less than 13 individuals receive care, protection and guidance during only part of a 24-hour day. Individuals related by blood, legal adoption or marriage to the person who maintains the home, or is providing the care, shall not be counted towards this total. The care of five or less individuals for portions of a day shall be considered a home occupation.

Farmers market means a place where locally-grown plants, produce, canned goods, or baked goods excluding livestock are sold on a temporary or seasonal basis to the general public. It shall not include wholesale or bulk sales to commercial enterprises or the sale of crafts, household items, or other non-agricultural products.

Financial institution means an establishment that provides financial and banking services to consumers or clients. Walk-in and drive-in services to consumers are generally provided on site. Typical uses include banks, savings and loan associations, savings banks, credit unions, free-standing automatic teller machines, and lending establishments, but, for purposes of this chapter, not including a "pawn shop" or a "payday loan establishment" which are defined separately.

Flea market means a business engaged in the sale of used or new items, involving regular or periodic display of merchandise for sale or for bartering, that may be located outdoors or indoors.

Food bank, food pantry, or similar uses means a public or charitable institution that collects and/or distributes food or edible commodities to individuals in need. This can include food banks, food pantries, soup kitchens, hunger relief centers or other food or feeding centers similar in nature.

Funeral services means establishments engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include mortuaries and crematories.

Garden center means establishments or places of business primarily engaged in retail or wholesale (bulk) sale, from the premises, of trees, shrubs, seeds, fertilizers, pesticides, plants and plant materials primarily for agricultural, residential and commercial consumers. Such establishments typically sell products purchased from others, but may sell some material which they grow themselves. Typical uses include nurseries, plant stores and lawn and garden centers.

Garden, community means a garden in a residential district for the production of vegetables, fruits and flowers specifically intended for use and/or consumption by the residents of the general community and not for commercial production.

Garden, home means a garden in a residential district for the production of vegetables, fruits and flowers specifically intended for use and/or consumption by the occupants of the premises and not for commercial production. For purposes of this chapter, a home garden is considered an accessory use of the parcel to a primary use.

Gasoline station means any place of business with fuel pumps and gasoline storage tanks which provides fuels for motor vehicles.

General office means use of a site for business, professional, or administrative uses excluding medical offices. Typical uses include real estate, insurance, management, travel, computer software or information systems research and development, or other business offices; organization and association offices; or law, architectural, engineering, accounting or other professional offices. Retail sales do not comprise more than an accessory aspect of the primary activity of a general office.

Golf course means a tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters. Included would be executive or par three golf courses. Specifically excluded would be independent driving ranges and any miniature golf course.

Governmental service means a governmental office providing administrative, clerical or public contact services that deal directly with the citizens. Typical uses include federal, state, city, town and county offices.

Group home means a building used as a dwelling unit where not more than eight mentally ill, intellectually disabled, or other developmentally disabled persons, not related by blood or marriage, reside, with one or more resident counselors or other staff persons and for which the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services is the licensing authority, pursuant to Code of Virginia, § 15.2-2291. Excluded from this definition are drug or alcohol rehabilitation centers, half-way houses and similar uses.

Guidance service means a use providing counseling, guidance, recuperative, or similar services for persons requiring rehabilitation assistance or therapy for only part of a 24-hour day. This use type shall not include facilities operated for the treatment of drug addiction or substance abuse.

Halfway house means an establishment providing residential accommodations, rehabilitation, counseling, and supervision to persons suffering from alcohol or drug addiction, to

persons reentering society after being released from a correctional facility or other institution, or to persons suffering from similar disorders or circumstances.

Home occupation means an accessory use of a dwelling unit, or an accessory use of an accessory building on a residential property, for gainful employment involving the production, provision, or sale of goods and/or services in accordance with article IV, use and design standards.

Hospital means a facility providing medical, psychiatric, or surgical service for sick or injured persons primarily on an in-patient basis and including ancillary facilities for outpatient and emergency treatment diagnostic services, training, research, administration, and services to patients, employees, or visitors.

Hotel/motel/motor lodge means a building or group of attached or detached buildings containing lodging units available for rental or lease to transients for periods of less than 30 consecutive days. Such uses generally provide additional services such as daily maid service, restaurants, meeting rooms and/or recreation facilities.

Indoor Pet Boarding Facility is a building or structure located on any lot or parcel in which more than five dogs and cats are kept, trained, or boarded for a fee. Indoor pet boarding facility may include pet day care facility.

Industry, heavy means an establishment which has the potential to be dangerous or extremely obnoxious. Included are those in which explosives are stored, petroleum is refined, natural and liquid gas and other petroleum derivatives are stored and/or distributed in bulk, radioactive materials are compounded, pesticides and certain acids are manufactured, and hazardous waste is treated or stored as the establishment's principal activity.

Industry, light means an establishment engaged in the processing, manufacturing, compounding, assembly, packaging, treatment or fabrication of materials and products, from processed or previously manufactured materials. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc. A machine shop is included in this category. Also included is the manufacturing of apparel, electrical appliances, electronic equipment, camera and photographic equipment, ceramic products, cosmetics and toiletries, business machines, food, paper products (but not the manufacture of paper from pulpwood), musical instruments, medical appliances, tools or hardware, plastic products (but not the processing of raw materials), pharmaceuticals or optical goods, bicycles, and any other product of a similar nature or requiring similar production characteristics.

Industry, medium means enterprises in which goods are generally mass produced from raw materials on a large scale through use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses. Included in this use type are industries involved in processing and/or refining raw materials such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

Intermodal facility means a facility where freight in transit is transferred from one mode of transportation (air, rail, truck, water) to another mode of transportation.

Kennel, commercial means the boarding, breeding, raising, grooming or training of five or more dogs, cats, or other household pets of any age not owned by the owner or occupant of the premises, and/or for commercial gain.

Laboratory means an establishment primarily engaged in performing research or testing activities into technological matters. Typical uses include engineering and environmental laboratories, medical, optical, dental and forensic laboratories, x-ray services; and pharmaceutical laboratories only involved in research and development. Excluded from this use type are any laboratories which mass produce one or more products directly for the consumer market.

Landfill, construction debris means the use of land for the legal disposal of construction and demolition wastes consisting of lumber, wire, sheet rock, broken brick, shingles, glass, pipes, concrete, and metals and plastic associated with construction waste from land clearing operations consisting of stumps, wood, brush, and leaves.

Landfill, rubble means the use of land for the legal disposal of only inert waste. Inert waste is physically, chemically and biologically stable from further degradation and considered to be non-reactive, and includes rubble, concrete, broken bricks, and block.

Landfill, sanitary means the use of land for the legal disposal of municipal solid waste derived from households, business and institutional establishments, including garbage, trash, and rubbish, and from industrial establishments, other than hazardous wastes as described by the Virginia Hazardous Waste Regulations.

Laundry means establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, or linen supply services.

Life care facility means a residential facility primarily for the continuing care of the elderly, providing for transitional housing progressing from independent living in various dwelling units, with or without kitchen facilities, and culminating in nursing home type care where all related uses are located on the same lot. Such facility may include other services integral to the personal and therapeutic care of the residents.

Manufactured home means a structure subject to federal regulations, built since June 15, 1976, which is transportable in one or more sections; is eight feet or more in width and 40 body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single-family dwelling, with or without a permanent foundation when connected to the required facilities; and includes the plumbing, heating, air conditioning, and electrical systems contained in the structure. This structure is not constructed to meet the Industrialized Building Code, Council of American Building Officials, Virginia Uniform Statewide Building Code Use Group R-4.

Manufactured home park means one or more contiguous parcels of land in which two or more lots are provided for manufactured homes.

Manufactured home sales means an establishment primarily engaged in the display, retail sale, rental, and minor repair of new and used manufactured homes, parts, and equipment.

Manufactured home, emergency means a manufactured home used temporarily for the period of reconstruction or replacement of an uninhabitable dwelling lost or destroyed by fire,

flood, or other act of nature, or used temporarily as housing relief to victims of a federally declared disaster in accordance with section 86-456.

Meat packing and related industries means industries processing of meat products and by-products directly from live animals or offal from dead animals.

Medical office means use of a site for facilities which provide diagnoses, minor surgical care and outpatient care on a routine basis, but which does not provide overnight care or serve as a base for an ambulance service. Excluded from this definition shall be facilities operated for the treatment of drug addiction and substance abuse. Medical offices are operated by doctors, dentists, or similar practitioners licensed by the commonwealth.

Microbrewery means a facility for the production, bottling, packaging and sale of beer, malt beverages, mead, wine, artisan spirits, and/or hard cider, produced on site for distribution, retail or wholesale, on or off-premises sales, with a capacity of not more than 15,000 barrels per year.

- (1) If operated in conjunction with a restaurant, the operation shall be considered a brewpub.
- (2) The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.
- (3) All state ABC laws shall apply to the production and sale of all alcoholic beverages.

Mini-storage means a building designed to provide rental storage space in cubicles where each cubicle has a maximum floor area of 400 square feet. Each cubicle shall be enclosed by walls and ceiling and have a separate entrance for the loading and unloading of stored goods. Cubicles may or may not be climate controlled.

Mobile home means a factory assembled structure or structures equipped with the necessary service connections and made to be readily movable as a unit or units on its (their) own running gear and designed to be used as a dwelling unit without a permanent foundation and built before June 14, 1976 (also see Manufactured Home). This unit does not meet the requirements of the Council of American Building Officials (CABO) or the Virginia Uniform Statewide Building Code Use Group R-4. The phrase "without a permanent foundation" indicates that the support system is constructed with the intent that the manufactured home placed thereon will be moved from time to time at the convenience of the owner.

Modular home means a dwelling unit constructed on-site in accordance with the Virginia Uniform Statewide Building Code and composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation.

Modular home sales means a site used for the construction and display of model modular homes, including a sales office and incidental storage associated with the construction of the model homes.

Multi-family dwelling means a building or portion thereof which contains three or more dwelling units for permanent occupancy, regardless of the method of ownership. Included in the use type would be garden apartments, low and high rise apartments, apartments for elderly housing and condominiums.

Non-profit facility means a building owned or controlled by a non-profit organization holding an exemption under Internal Revenue Code Section 501(c) said exempt status to be evidenced by a currently valid exemption letter from the Internal Revenue Service. Such non-profit organization shall be in good standing with the Internal Revenue Service in all respects.

Nursing home means a use providing bed care and in-patient services for persons requiring regular medical attention but excluding a facility providing surgical or emergency medical services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or communicable disease. Nursing homes have doctors or licensed nurses on duty.

Outdoor gathering means any temporary organized gathering expected to attract 500 or more people at one time in open spaces outside an enclosed structure. Included in this use type would be music festivals, church revivals, carnivals and fairs, and similar transient amusement and recreational activities not otherwise listed in this section. Such activities held on publicly owned land shall not be included within this use type.

Park and ride facility means a publicly-owned short term parking facility for commuters.

Parking facility, structure means a site used for a parking structure unrelated to a specific use which provides one or more parking spaces together with driveways, aisles, turning and maneuvering areas, incorporated landscaped areas, and similar features meeting the requirements established by this chapter. This use type shall not include parking facilities accessory to a permitted principal use.

Parking facility, surface means a site used for surface parking unrelated to a specific use which provides one or more parking spaces together with driveways, aisles, turning and maneuvering areas, incorporated landscaped areas, and similar features meeting the requirements established by this chapter. This use type shall not include parking facilities accessory to a permitted principal use.

Pawn shop means an establishment engaged in the loaning of money on the security of property pledged to a pawnbroker and the incidental sale of such property.

Payday loan establishment means a place of business engaged in offering small, short-maturity loans on the security of (i) a check, (ii) any form of assignment of an interest in the account of an individual or individuals at a depository institution, or (iii) any form of assignment of income payable to an individual or individuals, other than loans based on income tax refunds. For the purposes of this chapter, such establishments shall not be construed to be "banks" or "financial institutions."

Personal improvement services means establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services. Typical uses include driving schools, health spas or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

Personal services means establishments or places of business engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops; tattoo and piercing establishments; grooming of pets; seamstresses, tailors; florists; and laundromats and dry cleaning services.

Planned unit development (i.e. — P.U.D.) means a type of building development specifically described by ordinance standards in which a thoughtfully designed grouping of

varied and compatible land uses, such as housing, recreation, commercial centers, and industrial parks, are all contained within one overall development plan.

Post office means an establishment providing postal services directly available to the consumer operated by the United States Postal Service.

Public assembly means a facility owned and operated by a public or quasi-public agency accommodating public assembly for sports, amusement, or entertainment purposes. Typical uses include auditoriums, sports stadiums, convention facilities, fairgrounds, and sales and exhibition facilities.

Public maintenance and service facility means a public facility supporting maintenance, repair, vehicular or equipment servicing, material storage, and similar activities including street or sewer yards, equipment services centers, and similar uses having characteristics of commercial services or contracting or industrial activities.

Public park and recreational area means publicly-owned and operated parks, picnic areas, playgrounds, indoor or outdoor athletic facilities, and open spaces.

P.U.D. See *Planned unit development* (above).

Railroad facilities means railroad yards, equipment servicing facilities, and terminal facilities.

Recreational vehicle sales and service means an establishment engaged in the retail sales of recreational vehicles, boats, and jet skis, including service and storage of vehicles parts and related accessories.

Recycling center means a receptacle or facility used for the collection and storage of recyclable materials designed and labeled for citizens to voluntarily take source separated materials for recycling.

Religious assembly means a use located in a permanent building and providing regular organized religious worship and related incidental activities, except primary or secondary schools and day care facilities.

Resource extraction means an establishment involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operations, mining, and soil mining. Specifically excluded from this use type shall be grading and removal of dirt associated with an approved site plan or subdivision, or excavations associated with, and for the improvement of, a bona fide agricultural use.

Restaurant, fast food or drive-thru means an establishment engaged in the preparation and sale of food and beverages for take-out, delivery, or table service, served in disposable containers at a counter, a drive-up or drive-thru service facility, or at a curb.

Restaurant, general means an establishment engaged in the preparation and sale of food and beverages containing more than 3,000 gross square feet and typically characterized by table service to customers.

Restaurant, mobile means a readily movable wheeled cart, trailer, or vehicle designed and equipped for the preparing, serving, and/or selling of food and operated at temporary locations. This definition shall include food trucks, food trailers, and food carts and shall not apply to ice cream trucks, "meals on wheels" or food home delivery services.

Restaurant, small means an establishment engaged in the preparation and sale of food and beverages containing no more than 3,000 gross square feet. Typical uses include cafes, coffee shops and small restaurants. Customers may be served over the counter or by table service by a wait staff.

Retail sales means an establishment engaged in sale or rental with incidental service, of commonly used goods and merchandise for personal or household use, excluding those classified more specifically by these use type classifications.

Safety service means a facility for the conduct of safety and emergency services for the primary benefit of the public, whether publicly or privately owned and operated, including police, fire protection, emergency medical and ambulance services.

Satellite dish antenna means an accessory use that is a combination of:

- (1) An antenna or dish antenna whose purpose is to receive communication or other signals from orbiting satellites and other distant sources;
- (2) A low-noise amplifier (LNA) which is situated at the focal point of the receiving component and whose purpose is to magnify and transfer signals; and
- (3) A coaxial cable whose purpose is to carry the signals to the exterior of the building.

Sawmill means an establishment for the storage of harvested timber and/or the sawing of timber into lumber products.

Scrap and salvage service means a place of business primarily engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not intended for reuse in their original forms. Typical uses include paper and metal salvage yards, automotive wrecking yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.

Shooting range, outdoor means a site where land is used for archery and the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions, such as a turkey shoot. Excluded from this use type shall be general hunting and the unstructured and nonrecurring discharging of firearms on private property with the property owner's permission.

Short-term rental means the primary or secondary use of a dwelling unit, or a portion thereof, by the owner or host for the provision of a room or space for compensation that is intended to be occupied for a period of fewer than 30 days and that typically uses a system of advertising, reservations, deposits and confirmations.

Single-family dwelling means a site-built or modular building designed for or used exclusively as one dwelling unit for permanent occupancy.

- (1) *Detached* means a single-family dwelling which is surrounded by open space or yards on all sides, is located on its own individual lot, and which is not attached to any other dwelling by any means.
- (2) *Attached* means two single-family dwellings sharing a common wall area, each on its own individual lot.

Stable, private means the boarding, keeping, breeding, pasturing or raising of horses, mules, donkeys, ponies or llamas exclusively for personal use and enjoyment by the owner or occupant of the property or the riding of said animals by the owner or occupant of the property and/or their non-paying guests.

Studio, fine arts means a building, or portion thereof, used as a place of work by a sculptor, artist, photographer or similar artisan and/or for sale of such products.

Substance abuse clinic means an establishment which provides outpatient services primarily related to the treatment of alcohol, or other drug or substance abuse disorders, which services include the dispensing and administering of controlled substances and pharmaceutical products by professional medical practitioners as licensed by the commonwealth.

Temporary family health care structures means as described by Code of Virginia, § 15.2-2292.1 and in section 86-460 of this chapter, a transportable residential structure, providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person, and which has been primarily assembled at a location other than the site of installation.

Tower means any structure that is designed and constructed primarily for the purpose of supporting one or more antennas. The term includes but is not limited to radio and television transmission towers, microwave towers, common-carrier towers, and cellular telephone and wireless communication towers. Tower types include, but are not limited to monopoles, lattice towers, wooden poles, and guyed towers. Excluded from this definition are amateur radio towers, which are otherwise defined.

Townhouse means a grouping of three or more attached single-family dwellings in a row in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from each other by one or more common walls.

Transfer station means any storage or collection facility which is operated as a relay point for municipal solid waste which ultimately is to be transferred to a landfill.

Transportation terminal means a facility for loading, unloading, and interchange of passengers, baggage, and incidental freight or packages between modes of ground transportation, including bus terminals, railroad stations, and public transit facilities.

Travel center means an establishment containing a mixture of uses which cater to the traveling public and in particular motor freight operators. A travel center might include such uses as fuel pumps, restaurants, overnight accommodations, retail sales related to the motor freight industry, and similar uses.

Truck terminal means a facility for the receipt, transfer, short term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.

Upper-story residential unit means residential dwellings, as a secondary or ancillary use in mixed-use commercial or office structures, located on any floor above the ground floor (second-story or above). Such units may provide a residence for the owner, manager, or employees of the business on the first-floor of the same building or may be rented out to the public.

Utility service, major means services of a regional nature which normally entail the construction of new buildings or structures such as generating plants and sources, electrical switching facilities and stations or substations, water towers and tanks, community waste water

treatment plants, and similar facilities. Included in this definition are also electric, gas, and other utility transmission lines of a regional nature which are not otherwise reviewed and approved by the Virginia State Corporation Commission.

Utility service, minor means services which are necessary to support existing and future development within the immediate vicinity and involve only minor structures. Included in this use type are distribution lines and small facilities that are underground or overhead, such as transformers, relay and booster devices, and well, water and sewer pump stations. Also included are all major utility services that were in existence prior to the adoption of this chapter.

Veterinary hospital/clinic means any establishment rendering surgical and medical treatment of animals. Boarding of animals shall only be conducted indoors, on a short term basis, and shall only be incidental to such hospital/clinic use, unless also authorized and approved as a commercial kennel.

Warehousing and distribution means an establishment specializing in storage, warehousing and dispatching of goods within enclosed structures, or outdoors. Typical uses include wholesale distributors, storage warehouses and moving/storage firms.

Wedding/event facility means a facility which is utilized by individuals or groups to accommodate private functions including but not limited to, banquets, weddings, celebrations, and other events. Civic, religious and community owned buildings are not included in this definition.

This ordinance shall become effective immediately upon passage.

An Ordinance to repeal, amend and re-ordain Section 86-322 of the Code of the Town of Altavista, 1968, relating to C-1 permitted uses.

Be it ordained by the Town Council of the Town of Altavista:

That Section 86-322 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 86-322. Permitted uses.

The following uses are permitted by right or by special use permit in the C-1 local business district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453

Duplex—No Guidelines listed in Code

Home garden

Home occupation—Subject to section 86-554

Keeping of chickens—Subject to section 86-515.1

Multi-family dwelling—Subject to section 86-458, special use permit required.

Single-family dwelling, attached—Subject to section 86-459

Single-family dwelling, detached—Subject to section 86-596

Temporary family health care structures—Subject to section 86-460

Townhouse—Subject to section 86-461

(3) *Civic use types.*

Assisted care residence—Regulated by the Commonwealth of Virginia

Club—Subject to section 86-473

Crisis center—Special use permit required

Cultural service

Educational facilities, college/university—Special use permit required

Educational facilities, primary/secondary

Food bank, food pantry, or similar uses. Subject to section 86-482.1.

Governmental service

- Guidance service
- Halfway house—Special use permit required
- Life care facility
- Nursing home
- Park and ride facility
- Post office
- Public assembly—Special use permit required
- Public parks and recreational areas—Special use permit required
- Religious assembly—Subject to section 86-479
- Safety service
- Utility service, major—Special use permit required
- Utility service, minor
- (4) *Office use types.*
- Financial institution—No Guidelines listed in Code.
- General office
- Laboratory—Special use permit required
- Medical office
- Substance abuse clinic Licensed by the Commonwealth of Virginia—Special use permit required.
- (5) *Commercial use types.*
- Bed and breakfast—Subject to section 86-507
- Business support service
- Business/trade schools
- Car wash—Special use permit required
- Commercial indoor sports and recreation—Special use permit required.
- Communications service
- Day care center—Subject to section 86-510
- Funeral service
- Garden center
- Gasoline station—Subject to section 86-513, special use permit required
- Hospital—Special use permit required
- Indoor Pet Boarding Facility - subject to 86-523, special use permit required
- Microbrewery

Personal improvement service

Personal service

Restaurant, mobile—Subject to section 86-520.

Restaurant, small—Whether in a new or existing shopping strip center—Subject to section 86-32 definitions

Restaurant, small—As a stand-alone building—Subject to section 86-32 definitions, special use permit required

Retail sales—Not exceeding 3,000 gross square feet per use

Studio, fine arts

Wedding/event facility—Subject to section 86-521, special use permit required

(6) *Industrial use types.*

(None)

(7) *Miscellaneous uses.*

Amateur radio tower—Subject to section 86-542

Parking facility, surface/structure—Special use permit required

Satellite dish antenna one meter or less in diameter or measured diagonally

Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544

Tower—Subject to section 86-545 and article VI, special use permit required.

An Ordinance to repeal, amend and re-ordain Section 86-352 of the Code of the Town of Altavista, 1968, relating to C-2 permitted uses.

Be it ordained by the Town Council of the Town of Altavista:

That Section 86-352 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 86-352. Permitted uses.

The following uses are permitted by right or by special use permit in the C-2 general business district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453

Duplex—No Guidelines listed in Code

Home garden

Home occupation—Subject to section 86-454

Keeping of chickens per section 86-515.1

Multi-family dwelling—Subject to section 86-458, special use permit required

Single-family dwelling, attached—Subject to section 86-459

Single-family dwelling, detached—Subject to section 86-596

Temporary family health care structures—Subject to section 86-460

Townhouse—Subject to section 86-461

Upper-story housing unit—Subject to section 86-462

(3) *Civic use types.*

Assisted care residence—Regulated by the Commonwealth of Virginia

Club—Subject to section 86-473

Correction facility—Special use permit required

Crisis center

Cultural services

Educational facilities, college/university—Special use permit required

Educational facilities, primary/secondary

Food bank, food pantry, or similar uses. Subject to section 86-482.1. Special use permit required.

Governmental service

Guidance service

Halfway house—Special use permit required

Hospitals—Special use permit required

Life care facility

Nursing home

Park and ride facility

Post office

Public assembly

Public maintenance and service facility—Special use permit required

Public parks and recreational areas—Special use permit required

Religious assembly—Subject to section 86-479

Safety services

Utility service, major—Special use permit required

Utility service, minor

(4) *Office use types.*

Financial institution—No Guidelines listed in Code

General office

Laboratory

Medical office

Substance abuse clinic—Licensed by the Commonwealth of Virginia, special use permit required

(5) *Commercial use types.*

Adult use—Subject to section 86-502, special use permit required

Agricultural service

Antique shop

Assembly hall

Automobile dealership, new—Subject to section 86-503

Automobile dealership, used—Subject to section 86-504, special use permit required

Automobile parts/supply, retail

Automobile rental/leasing

Automobile repair service, major—Subject to section 86-505, special use permit required

Automobile repair service, minor

Brewpub

Business support service

Business/trade schools

Car wash

Commercial indoor amusement

Commercial indoor entertainment

Commercial indoor sports and recreation

Commercial outdoor entertainment

Commercial outdoor sports and recreation

Communications service

Construction sales and service

Consumer repair service

Convenience store

Dance hall—Special use permit required

Day care center—Subject to section 86-510

Equipment sales and rental—Special use permit required

Farmers market—Special use permit required

Flea market—Special use permit required

Funeral service

Garden center

Gasoline station—Subject to section 86-513

Hospital

Hotel/motel/motor lodge

Indoor Pet Boarding Facility - subject to 86-523, special use permit required

Kennel, commercial—Subject to section 86-515, special use permit required

Laundry

Manufactured home sales

Microbrewery

Mini-storage—Subject to section 86-517, special use permit required

Modular home sales

- Pawn shop
- Payday loan establishment
- Personal improvement service
- Personal service
- Recreational vehicle sales and service
- Restaurant, small
- Restaurant, fast food or drive-thru—Subject to section 86-562
- Restaurant, general
- Restaurant, mobile per section 86-520
- Retail sales—Subject to section 86-519
- Studio, fine arts
- Transient merchant—Subject to section 86-514 - Itinerant merchant
- Travel center—Special use permit required
- Veterinary hospital/clinic
- Wedding/event facility—Subject to section 86-521
- (6) *Industrial use types.*
 - Construction yard—Special use permit required
 - Custom manufacturing
 - Transportation terminal—Special use permit required
 - Truck terminal—Special use permit required
- (7) *Miscellaneous uses.*
 - Amateur radio tower—Subject to section 86-542
 - Parking facility, surface/structure—Special use permit required
 - Satellite dish antenna one meter or less in diameter or measured diagonally
 - Satellite dish antenna in excess of one meter in diameter or measured diagonally—
Subject to section 86-544
 - Tower—Subject to section 86-545 and article VI, special use permit required

This ordinance shall become effective immediately upon passage.

An Ordinance to repeal, amend and re-ordain Section 86-427 of the Code of the Town of Altavista, 1968, relating to DRO permitted uses.

Be it ordained by the Town Council of the Town of Altavista:

That Section 86-427 of the Code of the Town of Altavista, 1968, be repealed, amended and re-ordained as follows:

Sec. 86-427. Permitted uses.

The following uses are permitted by right or by special use permit in the DRO downtown revitalization overlay district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated. This list of permitted uses for the DRO supersedes the list of permitted uses for the underlying zoning district.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-426

Home occupation—Subject to section 86-454

Upper-story residential unit—Subject to section 86-462

(3) *Civic use types.*

Club—Subject to section 86-473, special use permit required

Cultural service

Food bank, food pantry or similar uses subject to section 86-482.1, special use permit required

Governmental service

Guidance service

Post office

Public assembly—Special use permit required

Public parks and recreational areas—Special use permit required

Religious assembly—Subject to section 86-479

Safety service

Utility service, minor—Special use permit required.

(4) *Office use types.*

Financial institution—No guidelines listed in Code

General office

- Medical office
- (5) *Commercial use types.*
- Antique shop
 - Automobile repair service, minor—Special use permit required
 - Assembly hall—Special use permit required
 - Bed and breakfast—Subject to section 86-507, special use permit required
 - Brewpub
 - Business support service
 - Business/trade schools—Special use permit required
 - Commercial indoor entertainment—Special use permit required
 - Commercial indoor sports and recreation—Special use permit required
 - Communications service—Special use permit required
 - Consumer repair service
 - Convenience store
 - Dance hall—Special use permit required
 - Day care center—Subject to section 86-510, special use permit required
 - Farmers market—Special use permit required
 - Flea market—Special use permit required
 - Funeral service—Special use permit required
 - Hotel/motel/motor lodge—Special use permit required
 - Indoor Pet Boarding Facility – Subject to 86-523, special use permit required
 - Microbrewery
 - Pawn shop—Special use permit required
 - Payday loan establishment—Special use permit required
 - Personal improvement service
 - Personal service
 - Restaurant, small
 - Restaurant, fast food or drive-thru—Subject to section 86-562, special use permit required
 - Restaurant, general
 - Restaurant, mobile per section 86-520
 - Retail sales
 - Studio, fine arts

(6) *Industrial use types.*

(None)

(7) *Miscellaneous uses.*

Amateur radio tower—Subject to section 86-542

Parking facility, surface

Parking facility, structure—Special use permit required

This ordinance shall become effective immediately upon passage.

An Ordinance to repeal, amend and re-ordain Section 86-523 of the Code of the Town of Altavista, 1968, relating to Indoor Pet Boarding Facility.

Be it ordained by the Town Council of the Town of Altavista:

That a new Section 86-523 be added to the Code of the Town of Altavista, 1968, as follows:

Sec. 86-523 - Indoor Pet Boarding Facility

(a) Definitions:

The following words, terms and phrases when used in this article shall have the meanings indicated:

(1) Pet: Dog or cat.

(b) General Standards:

1. Indoor Pet Boarding activities must be in a completely enclosed building.
2. Facility shall comply with all local or state regulations when a pet is boarded, or under the care, custody or subject to the actions of the operator. All shots that are required by the town, county or state shall be recorded by the operator.
3. Facility, and its surrounding environs, shall be maintained in a clean and sanitary condition and free from any accumulation of dirt, mud, fecal matter, or debris. Provisions shall be made so that cleaning and disinfecting of pet housing facilities, including runs, cages, pens, and kennels, shall occur daily – even when the facility is closed.
4. Facility shall not have noise emitting from the building that violates the standards of the Town noise ordinance found at Section 34-1(5) at any hour.
5. Facility shall be sufficiently heated and cooled to protect the pets contained therein from temperatures to which they are not normally acclimatized.
6. Facility shall be adequately ventilated to reasonably ensure the health of pets contained therein and to assist in the removal of foul and obnoxious odors.
7. Facility shall provide adequate fire safety protection to include fully operational fire suppression systems or devices and functional smoke detectors.
8. Facility shall contain a drainage system which shall be connected to a sanitary sewer system which conforms to the standards of the Town of Altavista.
9. Facility shall contain a means of disposal of pet waste in compliance with generally accepted standards for commercial pet waste removal.
10. The number of animals kept at facility shall be based upon the space available to meet each pet's needs, i.e. sanitary, noise, ventilation, feeding, recreation, enrichment, and temperature, in accordance with commonly accepted practice.

11. Facility shall have no outdoor pet related activity including pet runs, exercise areas, display areas, sunning areas, or swimming areas or other similar activities.
12. No outdoor enclosures shall be allowed adjacent to or as part of an indoor pet boarding facility.
13. Pet breeding or reproduction activities are prohibited.
14. Indoor Pet Boarding cannot be operated in any building or structure containing a residential use type and must be located a minimum of 100 feet from any adjacent residential use types.

This ordinance shall become effective immediately upon passage.

Sec. 34-1. - Noises.

- (a) *Prohibited acts.* Except as provided in subsection (b) of this section, the following activities shall be unlawful in the town:
- (1) *Blowing horns.* Sound any horn or signal device on any automobile, motorcycle, bus or other vehicle, except as an emergency warning.
 - (2) *Radios, phonographs, or other machines or devices producing or reproducing sound.* Using, operating or playing any radio, television, record player, compact disc player or tape player, musical instrument, loudspeaker, sound amplifier or other machine or device capable of producing or reproducing sound in such a manner or with such volume or duration that it is audible between 11:00 p.m. and 7:00 a.m. (i) inside the confines of the dwelling unit, house or apartment of another person or (ii) at 50 or more feet from the device, except for devices operated by permit issued pursuant to subsection (b)(2) below.
 - (3) *Loudspeakers and amplifiers for advertising.* Using, operating or permitting the use or operation, without a permit from the town as provided in subsection (b)(2) of this section, of any radio, record player, compact disc player or tape player, musical instrument, loudspeaker, sound amplifier, or other machine or devise for the production or reproduction of sounds which is cast upon the public streets for the purpose of commercial advertising or attracting the attention of the public to any building or structure.
 - (4) *Yelling and shouting.* Yelling and/or shouting, or permitting such yelling and/or shouting, in such a manner or with such volume that it is audible (i) inside the confines of the dwelling unit, house or apartment of another person or (ii) at 50 or more feet from the person engaging in such conduct or at 50 feet from the building, structure or vehicle in which such persons are located.
 - (5) Allowing any animal or bird to cause noise (i) such that it can be heard inside the confines of the dwelling unit, house or apartment of another person between the hours of 11:00 p.m. and 7:00 a.m.; (ii) such that it can be heard at 50 or more feet from the animal or bird between the hours of 11:00 p.m. and 7:00 a.m.; (iii) such that it can be heard inside the confines of the dwelling unit, house or apartment of another person at least once per minute for ten consecutive minutes; or (iv) such that it can be heard at 50 or more feet from the animal or bird at least once per minute for ten consecutive minutes.
 - (6) Playing or permitting the playing of any radio, record player, compact disc player or tape player, loud speaker, sound amplifier, or other machine or device used for the production or reproduction of sound, which is located within a motor vehicle and which is audible from outside the motor vehicle at a distance of 50 feet or more from such vehicle. This provision shall not apply to sirens, loud speakers and emergency communications radios in public safety vehicles, nor shall it apply to motor vehicle alarms or other security devices.



APPLICATION FOR ZONING TEXT AMENDMENT

Town of Altavista
 Department of Community Development
 510 7th St
 Altavista, VA 24517
 434-369-5001, x-103

Date: 03/26/2024

Applicant's name Melissa Logan

Applicant's address 490 Skylock Rd, Long Island, VA 24569

Applicant's phone # 434-238-6661 Applicant's email ppaws2016@yahoo.com

The following amendment to Article see attached, Subsection see attached, of the Zoning Ordinance for Town of Altavista, Virginia, is proposed:

State exact wording of proposed amendment: see attached

pd Online 3/26/24
confirm #026675
#1000.00 CH

I. Give detailed justification for the proposed amendment:

See attached.

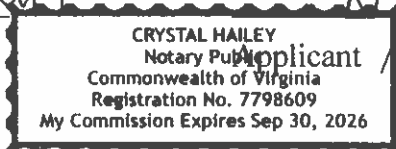
See attached.

See attached.

See attached.

2. Has Town Council acted on the same or a similar amendment within 12 months prior to the date of the application? ☐ Yes ☒ No

Melissa Regan
Applicant



CERTIFICATE OF NOTARY PUBLIC

STATE OF: Virginia COUNTY OF: Campbell, to wit: The foregoing instrument was acknowledged before me this 26th day of March, 20 24.

Crystal Hailey
Notary Public

09/30/2026
My Commission Expires

FOR TOWN USE ONLY

Zoning Text Amendment Case #: OA-24-03

Date Application Filed: 03-26-2024

Date(s) reviewed by Planning Commission: 04-01-2024

Public Hearing Date: _____

Action by Planning Commission: _____

Action by Town Council: _____

The following amendment to the following articles of the Town Code for the Town of Altavista.

Under 86-32 - Add definition for Indoor Pet Boarding Facility, as follows:

Indoor Pet Boarding Facility is a building or structure located on any lot or parcel in which more than five dogs and cats are kept, trained, or boarded for a fee. Indoor pet boarding facilities may include pet day care facilities.

Amend Section 86-427(5) to include:

Indoor Pet Boarding Facility, - subject to 86-____, special use permit required.

Add new Section 86-____, (Use and Design Standards) as follows:

- In the DRO district, an indoor boarding facility must be in a completely enclosed building.
- All indoor boarding facilities must follow any local or state regulations. All shots that are required by the county and state must be recorded by the facility.
- There must be functioning fire sprinklers and working smoke alarms in each facility.
- Indoor boarding must be neat and clean - free of dirt, fecal accumulation, odors, and parasite infestation.
- Good ventilation and proper temperatures must be maintained with healthy comfortable limits to all animals. USDA recommends the heat not exceed above 85° and not below 50°.
- Indoor boarding facilities must have the minimal floor space measurements for an animal to be able to; stand up, turn around sit down and lay down. The USDA recommends measuring the dog in inches from tip of the nose to the base of the tail add 6 inches to this number. Then you would take that answer and multiply it by itself to give you the dog's minimal floor space in square inches.
- Each facility must provide each pet daily with enrichment, sufficient to maintain the behavioral health of the pet. Facilities must ensure that each sick or injured pet is immediately provided with appropriate care and, if prudent, veterinarian treatment.
- Indoor Boarding, animal means any premises, including, without limitation, kennels, in which or upon which more than five (5) dogs or cats but no more than fifteen (15) over four (4) months of age are kept for any purpose.
- Boarding establishment" shall not include any private residential dwelling that shelters, feeds, and waters fewer than five companion animals not owned by the proprietor. Also, there may not be any residential units within the same building.

The definition of Personal Service refers to the special and oftentimes unique abilities and talents of individuals that cannot be replaced by the abilities and talents of another person.

Boarding/Kenneling dogs requires a special level of compassion, love, and often sometimes specific detailed care. Therefore, similar to pet grooming, should be considered a personal service. We would give the community a safe, clean, and compassionate space to keep their pets safe in the moment they need it most, is our focus. Last-minute medical emergencies, power outages etc., has been a main portion of our boarding uses. While away on vacations, our community members feel at ease knowing their pet, a part of their family, is as safe and cared for as they would themselves. The Town of Altavista has limited options for safe boarding for your pets. The demand for such is increasing daily. In addition, there are no tenants within the immediate surrounding buildings to disturb, although in our history of boarding, most pets are content and do not exude noises at night. Precious Paws Dog and Cat Grooming LLC has been in business for eight years and we have been boarding for ongoing four years and hope to continue to serve Altavista.



TOWN OF ALTAVISTA
PLANNING COMMISSION
May 6, 2024
AGENDA COVER SHEET

AGENDA ITEM #: 6.2

Public Hearing(s)

Title: PUBLIC HEARING: Special Use Permit - Accessory Apartment (#SUP-24-02)

Staff Resource: Matt Perkins, Assistant Town Manager

Action(s):

Planning Commission to conduct a Public Hearing for a Special Use Permit on a Accessory Apartment use in a structure other than the principle structure as required by Town Code 86-453(b)(1).

Explanation:

See Staff Report to Planning Commission (attached)

Background:

See Staff Report to Planning Commission (attached)

Funding Source(s):

Attachments: *(click item to open)*

attachment. PC Staff Report SUP-24-02 MLewis-Beckum-1407 Bedford Ave.pdf

**Staff Report to Planning Commission
Special Use Permit #SUP-24-02
Public Hearing May 06, 2024**

Request:

The request is for a Special Use Permit for Mary Lewis-Beckum to establish an accessory apartment in a structure other than the principal structure located on Ms. Lewis-Beckum's property.

Summary:

Ms. Lewis-Beckum is a private citizen, resident, and property owner in the Town of Altavista. Ms. Lewis-Beckum's property, Parcel ID 83A-5-70-4, commonly referenced as 1407 Bedford Ave, Altavista, is situated between Bedford Ave and open alley running directly behind the subject property which connects Westwood Dr from the SE to Bedford Ave to the NW.

Ms. Lewis-Beckum intends to renovate a two-car garage as an accessory apartment for her mother to reside.

The accessory apartment will have interior finishes and amenities expected of a small apartment, including but not limited to bathroom, laundry, kitchen, and bedroom. There is no other accessory apartment associated with the subject property.

Ms. Lewis-Beckum will be required to obtain all applicable permits required through Campbell County Building Inspections. Accessory Apartment shall be connected to Town water and sewer utilities.

Staff Evaluation in accordance with Zoning Ordinance:

Section 86-453 – Accessory Apartments clearly defines the use and design standards for accessory apartments. Ms. Lewis-Beckum is planning for an accessory apartment in a structure that is not the principal structure and thus the requirement for the Special Use Permit application.

Displayed below is a summary table of those conditions listed in the Zoning Ordinance Sec 86-453 and subject to this request:

| GUIDLINE – Sec 86-453 | YES | NO |
|---|------------|-----------|
| Only considered and Accessory Use to a detached single-family dwelling - 86-453(b)(1) | X | |
| Only one accessory apartment shall be allowed on any one lot or parcel – 86-453(b)(2) | X | |

| | | |
|---|------------|-----------|
| Owner shall reside on premises – 86-453(b)(2) | X | |
| GUIDLINE – Sec 86-453 | YES | NO |
| Only members of the Owner’s family shall reside in the accessory apartment – 86-453(b)(2) | X | |
| Accessory Apartment is less than 1000 sq ft – 86-453(b)(3) | X | |

The existing conditions allow for two, but not more than three, off-street parking spaces for the proposed Accessory Apartment.

The Accessory Apartment will be required to be connected to Town water and sewer.

Zoning District and Adjacent Land Use:

The subject property is Zoned as R1-Low Density Residential District. To the East, West, North and South of the subject property is also Zoned R1 and are all single-family detached dwellings.

Relationship to Existing Plans

Comprehensive Plan

The future land use map for this site recommends continued use as Low Density Residential which would not impact or limit this type of request.

In the evaluation process, staff determined that this use would not cause any undue adverse impacts related to public health, safety, or general welfare. Further, staff believes that there will not be any adverse impacts to existing property values or neighborhood character.

Public Input

Public Advertisements for the Public Hearing in this matter were published for two successive weeks, that being April 17, 2024, and April 24, 2024, in the Altavista Journal.

Additionally, Adjacent Property Owner Letters (5) were sent on April 17, 2024, via first-class mail.

The Property was posted with a Public Hearing Notice Placard on April 16, 2024.

As of the writing of this report, staff has received the following comments:

1. Susan Frazier – Owner – 1409 Bedford Ave – 4/25/2024
Concerns:

- Contractors parking in “private drive” associated with 1409 Bedford Ave. “Private Drive” connects Bedford Ave to alley at rear of property and lies between the two properties.

Note: Staff has determined that this “private drive” is not recognized as an alley by the Town of Altavista and not maintained by the Town in any manner. Historically, has been used exclusively by the 1409 Bedford Ave.

- That future immediate family of owner of principle structure utilizing accessory apartment may be loud, offensive, or otherwise disruptive to the neighborhood.

There have been no additional letters, phone calls or emails in support of or opposition to the proposed text amendment.

Staff Recommendation:

Staff recommends that the Planning Commission make a recommendation to the Town Council to approve the Special Use Permit SUP-24-02 with the following conditions:

1. In addition to maintaining conformity with Sec 86-453, Owner must provide and maintain adequate off-street parking for accessory apartment which must be hard surface or gravel. Parking in the alley is prohibited.

Attachments:

1. Application *including* Site Plan
2. Aerial Map including Site Photos (*current condition*)
3. Zoning Map
4. Future Land Use Map

Revised 9/07

| |
|--|
| OFFICE USE ONLY SUP # <u>SUP-24-02</u> FEE PAID: _____ DATE: <u>3/22/24</u> |
|--|

TOWN OF ALTAVISTA

APPLICATION FOR SPECIAL USE PERMIT

This application and accompanying information must be submitted in full before the special use permit can be referred to the Planning Commission and Town Council for consideration. The application and accompanying information will become conditions of approval and be binding on the property if the permit is granted. Please contact the Zoning Department at (434) 369-5001 for application and deadline or questions.

Request is hereby made by the principle officer of applicant or undersigned owner of the below listed property for consideration of a Special Use Permit as provided for in Section 86-33 of The Code of the Town of Altavista, Virginia 2002.

Applicant Information

Name: Mary Lewis Beckum Phone Number: 706 829-3006

Address: 1407 Bedford Ave. Altavista, Va. 24517

Property Information

Property Owner(s): Mary Lewis Beckum Phone Number: 706 829-3006

Property Address or Location: 1407 Bedford Ave. Altavista, Va. 24517

Parcel ID Number: 83A-5-70-4 / .31 acres

Present Zoning District: R-1 (Low-Density Residential) District

Purpose of Request

Is this request for an amendment to an existing special use permit? No

Please provide the following information – separate pages if necessary:

Detailed description of the proposed use (or site modification)

Please provide a site plan with the following information:

- Proposed use of the land: size and location of structures with dimensions to lot line.
- Vehicular circulation system with points of ingress and egress.

Oper: ALTAVISTA Type: OC Drawer: 2
Date: 3/22/24 02 Receipt no: 11331
25 PERMIT FEE - ZONING, SIGN, 1.00 \$1200.00
SUP - MARY BECKUM 1.00 \$1200.00
OK CHECK 9847 \$1200.00
Trans date: 3/22/24 Time: 14:04:30

- Existing on-site buildings, separation dimensions and paved areas.
- Location and dimensions of all parking and loading areas, including the number of off-street parking and loading spaces provided.
- Net acreage.
- Gross and net square footage of building (s) (proposed and existing).
- Required landscaping and buffer areas.

Please provide a brief description of the proposed development:

I want to provide an accessory apartment for my mother. She needs to move to be with me. I am providing a small apartment within an existing garage which will include a kitchenette, sitting area, bedroom, small laundry and bathroom.

Please demonstrate how the proposed use, when complemented with additional measures, if any, will be in harmony with the purposes of the specific district in which it will be placed.

The project will only enhance what is already there. No changes will be made to exterior with the exception of replacing doors with residential doors. No additional car will come on property. (Use separate pages if additional space is required) My mother no longer drives.

Please demonstrate how there will be no undue adverse impacts on the surrounding neighborhood in terms of public health, safety, or general welfare, and show the measures to be taken to achieve such goals.

Beyond the work being done to improve the garage, my mother will add no additional traffic to alley. Parking is ample to satisfy additional work vehicles.

(Use separate pages if additional space is required)

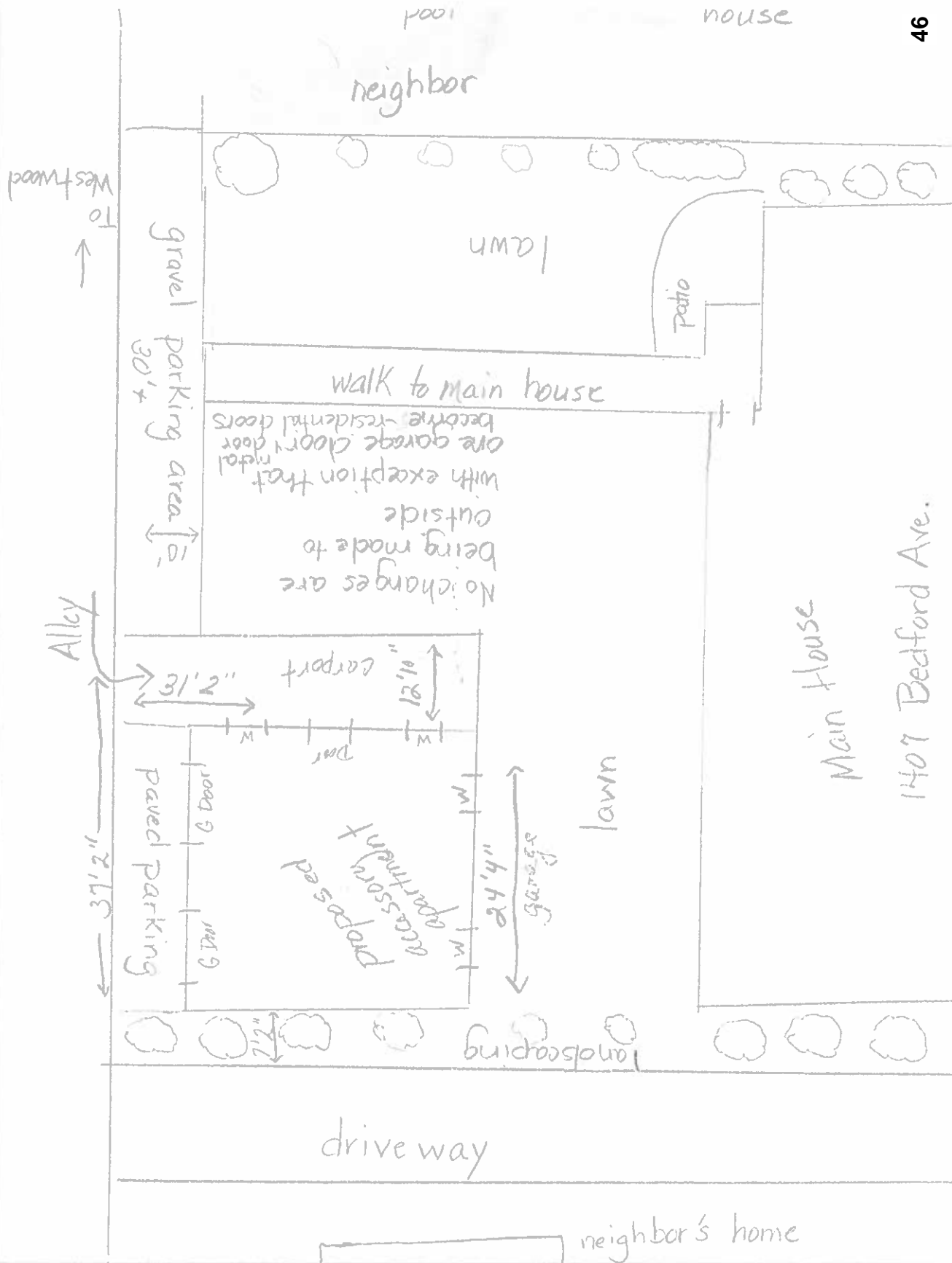
The following items must accompany this application:

1. The written consent of the owner or agent for the owner (only if the applicant is not the owner). If the applicant is the contract purchaser, the written consent of the owner is required.
2. One copy of a site plan for the property showing the lot, structures, site improvements, parking areas and spaces, and any other information necessary to determine the ability to meet the Zoning Ordinance site development standards, use and design standards, and physical compatibility with the neighborhood.
3. Vicinity map (may be included on the site plan).

- *600 - \$1200
4. Fee is the actual cost accrued by the Town and is estimated to be between ~~\$300~~ and ~~\$400~~ for a special use permit. Costs include advertising, administrative expense, first class postage, appropriate signage, and processing this application. Applicant will be billed within 30 days of completion of the process. Please make your check or money order payable to the **TOWN OF ALTAVISTA**.
5. Any item submitted that is greater than 11"x 17" paper size or in color, as deemed necessary as by the applicant, requires twenty-five (25) copies.

Signature of Applicant: Mary Lewis Beckman

Date: March 22, 2024



SITE PHOTOS - 1407 BEDFORD AVE – SUP-24-02



EXISTING STRUCTURE intended to be used as ACCESSORY APARTMENT on SUBJECT PARCEL
View from Alley

SITE PHOTOS - 1407 BEDFORD AVE – SUP-24-02



FRONT OF SUBJECT PARCEL
from BEDFORD AVE



POSTING OF PUBLIC HEARING



PARCEL DATA VIEWER

Campbell County, Virginia

Town of Altavista Zoning Map



2045 Future Land Use Map

Legend

×

StreetCenterline

AltavistaParcels

Altavista_TownBoundary

FutureLandUse

Downtown Commercial

Economic Opportunity Area

General Commercial

Industrial

Institutional

Low Density Residential

Medium Density Residential

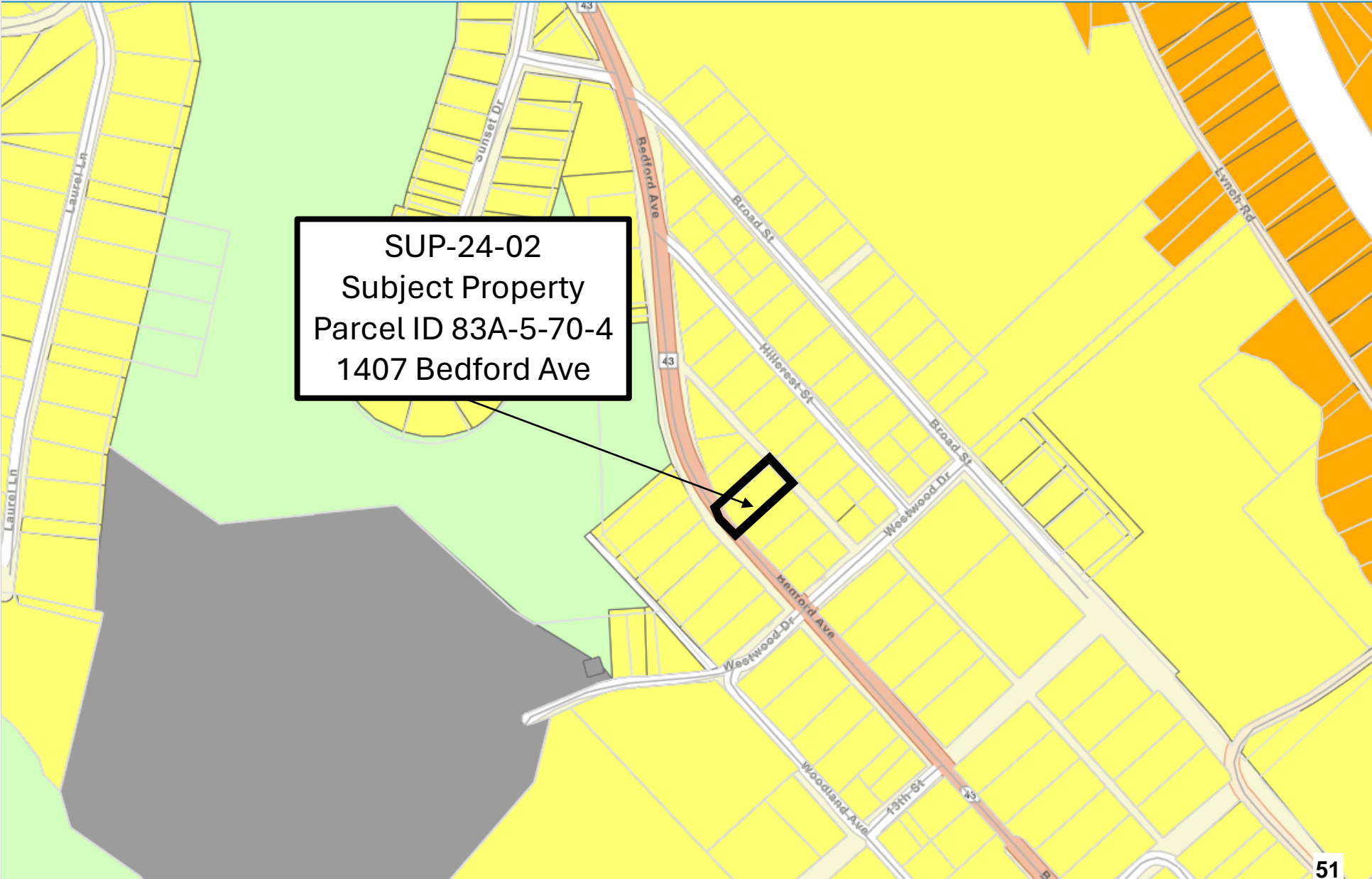
Mixed Use

Open Space

road

Open Space - Development

others





TOWN OF ALTAVISTA
PLANNING COMMISSION
May 6, 2024
AGENDA COVER SHEET

AGENDA ITEM #: 7.1

Unfinished Business

Title: Solar Energy Systems: Planning and Zoning Review Discussion

Staff Resource: Matt Perkins, Assistant Town Manager/Zoning Administrator

Action(s):

Continue discussion with Staff on solar energy systems, including local and state regulations, as they pertain to local planning and zoning. Review proposed amendments to Town Code and provide comments on language and intent.

Explanation:

The Planning Commission has asked Staff to review current planning and zoning practices, to lead a discussion on how the Town can address the increase in solar energy systems by both residential and commercial users.

Background:

To date the Town of Altavista has initiated two primary efforts related to solar energy systems, as follows:

1. Applied for and was designated as a SolSmart Community - Bronze Level in June 2020. Guidance on zoning and permitting was published to the Town website. No official zoning amendment action was taken as the information only guided solar inquires.
2. Amended Town Ordinance Sec 86-32 (Use Types) (April 2023) to add language that excludes "utility-scale solar facilities" in the definition to *Utility Services, major*.
3. Began discussions on amending Town Code to guide solar energy system installations.

In preparation for this discussion, staff was reviewed work product completed under previous Town administration, state regulations and guidance, and local planning and zoning ordinances.

Matters to consider:

- Definition of Solar energy system - considered an accessory use
- Definition of use types (ground mounted and rooftop mounted)
- Development standards should be set for each use type
- Restrictions on utility scale / distribution other than service to buildings on same lot

Funding Source(s):

N/A

Attachments: *(click item to open)*

attachment 1. 15.2-2288.7 Local Regulations of solar facilities.pdf
attachment 2. PC-Agenda_solar-zoning-binder_MAY2024.pdf

§ 15.2-2288.7. Local regulation of solar facilities

A. An owner of a residential dwelling unit may install a solar facility on the roof of such dwelling to serve the electricity or thermal needs of that dwelling, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility to be located on property zoned residential shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Except as provided herein, any other solar facility proposed on property zoned residential, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality.

B. An owner of real property zoned agricultural may install a solar facility on the roof of a residential dwelling on such property, or on the roof of another building or structure on such property, to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility to be located on property zoned agricultural and to be operated under § 56-594 or 56-594.2 shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Except as otherwise provided herein, any other solar facility proposed on property zoned agricultural, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality.

C. An owner of real property zoned commercial, industrial, or institutional may install a solar facility on the roof of one or more buildings located on such property to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise, a ground-

mounted solar energy generation facility to be located on property zoned commercial, industrial, or institutional shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Except as otherwise provided herein, any other solar facility proposed on property zoned commercial, industrial, or institutional, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality.

D. An owner of real property zoned mixed-use may install a solar facility on the roof of one or more buildings located on such property to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Unless a local ordinance provides otherwise, a ground-mounted solar energy generation facility to be located on property zoned mixed-use shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Except as provided herein, any other solar facility proposed on property zoned mixed-use, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be subject to any applicable zoning regulations of the locality.

E. Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia Condominium Act (§ 55.1-1900 et seq.), the declaration of a common interest community as defined in § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (§ 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.).

F. A locality, by ordinance, may provide by-right authority for installation of solar facilities in any zoning classification in addition to that provided in this section. A locality may also, by ordinance, require a property owner or an applicant for a permit pursuant to the Uniform Statewide Building Code (§ 36-97 et seq.) who removes solar panels to dispose of such panels in accordance with such ordinance in addition to other applicable laws and regulations affecting such disposal.

2018, cc. 495, 496.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

ARTICLE II. DEFINITIONS AND USE TYPES

Sec. 86-20. Object of chapter definitions.

The object of this chapter is to promote the health, safety, and general welfare of the public and to promote the orderly development of the town.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-21. Provisions for definitions.

- (a) For the purposes of this chapter, the following rules of language shall apply:

The specific shall supersede the general.

The word "person" includes a firm, association, organization, partnership, and company, as well as an individual.

The word "he" shall mean she, and she shall mean he.

The words used or occupied include the words intended, designed, or arranged to be used or occupied.

The word lot shall include plot or parcel.

The present tense includes the future tense; the singular number includes the plural; the plural includes the singular.

The word shall is mandatory; the words may and should are permissive.

All public officials, bodies, and agencies referred to in this chapter are those of the Town of Altavista, Virginia, unless otherwise specifically indicated herein.

- (b) Where terms in this chapter are undefined, the meaning of the term shall be as ascribed in the most recent edition of Webster's Unabridged Dictionary, unless it is the opinion of the administrator that based upon normal zoning practice, a different meaning shall apply.

Sec. 86-22. Definitions, general terms.

The words and terms listed below shall have the following meanings:

Solar energy system means a system for the conversion of solar energy to electricity that is accessory to and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs. The system can be roof-top or ground-mounted.

DIVISION 2. R-1 (LOW-DENSITY RESIDENTIAL) DISTRICT

Sec. 86-131. Statement of intent.

The R-1 (low-density residential) district is composed of low to medium-density single-family residential areas and open areas where similar residential development is planned and/or appears likely to occur. The regulations for this R-1 district are designed to stabilize and protect the basic characteristics and amenities of the R-1 district, and to promote and encourage a suitable environment for the enjoyment of family life. To these ends, development is limited to low-to-medium concentration of dwellings and permitted uses are limited basically to single-unit dwellings and certain additional uses such as schools, parks, churches, and certain public facilities that serve the R-1 district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-132. Permitted uses.

- (a) Only one building and its accessory buildings may be erected on any lot or parcel of land in the R-1 low-density residential district.
- (b) The following uses are permitted by right or by special use permit in the R-1 low-density residential district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.
 - (1) *Agricultural use types.*
(None)
 - (2) *Residential use types.*
 - Accessory apartment—Subject to section 86-453
 - Community garden—Special use permit required
 - Family day care home—Subject to section 86-477, special use permit required
 - Group home—Subject to Code of Virginia § 15.2-2291
 - Home garden
 - Home occupation—Subject to section 86-454
 - Keeping of chickens per section 86-515.1
 - Keeping of horses per section 86-515.2. Special use permit required
 - Manufactured home, emergency—Subject to section 86-455
 - Single-family dwelling, detached—Subject to section 86-596
 - Temporary family health care structure—Subject to section 86-460
 - (3) *Civic use types.*
 - Community recreation—Subject to section 86-474

Cultural service

Educational facilities, primary/secondary—Special use permit required

Non-profit facility—Subject to section 86-482, special use permit required

Public parks and recreational areas—Special use permit required

Religious assembly—Subject to section 86-479, special use permit required

Safety service

Utility service, minor

(4) *Office use types.*

(None)

(5) *Commercial use types.*

Bed and breakfast—Subject to section 86-507, special use permit required

Restaurant, mobile per section 86-520

(6) *Industrial use types.*

(None)

(7) *Miscellaneous use types.*

Amateur radio tower—Subject to section 86-542

Satellite dish antenna one meter or less in diameter or measured diagonally

Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544.

Solar energy systems – Subject to section 86-546.

(Ord. of 10-11-2011(3), § 2; Ord. of 1-14-2014(1), § 1; Ord. of 4-12-2016(2), § 1; Ord. of 5-9-2017(3), § 1; Ord. of 5-9-12-2017(15), § 1; Ord. of 11-13-2018(2))

Sec. 86-133. Site development regulations.

The following (sections 86-134 thru 86-140) are the site development regulations for the R-1, low-density residential district. For additional standards see article IV, use and design standards.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-134. Minimum lot area.

| | |
|---|--------------------|
| With public water and sewage: | 10,000 square feet |
| With public water and individual sewage*: | 15,000 square feet |
| With individual water and sewage*: | 20,000 square feet |

* Subject to approval by the health department.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-135. Minimum lot frontage.

One hundred feet (measured at the front setback line).

(Ord. of 10-11-2011(3), § 2)

Sec. 86-136. Minimum setback requirements—Principal structure.

| | |
|------------------------|---------|
| Front yard: | 35 feet |
| Side yard: | 10 feet |
| Side yard (aggregate): | 25 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 25 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-137. Minimum setback requirements—Accessory structures.

| | |
|-----------------------|-----------------------------|
| Front yard: | Not permitted in front yard |
| Side yard: | 5 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 5 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-138. Maximum lot coverage—Accessory structures.

Twenty-five percent of rear yard area.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-139. Maximum height of structures.

| | |
|-----------------------|---|
| Principal structures: | 35 feet |
| Accessory structures: | Shall not exceed height of principal structure; however no accessory building in the R-1 district which is within ten feet of any lot line shall be more than one story high. |
| Flagpoles: | Flagpoles up to 35 feet in height. Flagpoles in excess of 35 feet shall require approval by special use permit. |
| Exempt structures: | These structures are exempt from the 35-foot height limit: Church spires, belfries, cupolas, municipal water towers, chimneys, flues, utility poles, transmission structures, television antennas (except satellite antennas which are regulated by article IV of this chapter), and radio aerials. |

(Ord. of 10-11-2011(3), § 2; Ord. of 9-13-2022(1) , § 1)

Sec. 86-140. Provisions for corner lots.

Of the two sides of a corner lot, the front of the lot shall be deemed to be the shorter of the two sides fronting on streets.

(Ord. of 10-11-2011(3), § 2)

Secs. 86-141—86-190. Reserved.

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DIVISION 3. R-2 (MEDIUM-DENSITY RESIDENTIAL) DISTRICT

Sec. 86-191. Statement of intent.

The R-2 (medium-density residential) district is composed of medium to high-density residential areas, ordinarily located near commercial areas or employment centers, and open areas where similar development is planned and/or likely to occur. The regulations for this R-2 district are designed to stabilize and protect the basic characteristics of the R-2 district, to promote and encourage, compatibility with the intensity of land use, a suitable environment for the enjoyment of family life and to permit limited commercial uses of a compatible character which are unlikely to develop general concentration of traffic, crowds of customers, and general outdoor advertising. The R-2 district is intended to protect against encroachment of general commercial or industrial uses. A wide variety of residential uses for both permanent and transient occupancy are permitted. Development is focused on medium to high concentrations of dwellings and permitted uses are basically dwellings and additional uses such as schools, parks, clubs, churches and certain public facilities that serve the R-2 district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-192. Permitted uses.

The following uses are permitted by right or by special use permit in the R-2 medium-density residential district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453

Community garden—Special use permit required

Duplex (no guidelines listed in Code)

Family day care home—Subject to section 86-477

Group home—Subject to Virginia Code, § 15.2-2291

Home garden

Home occupation—Subject to section 86-454

Keeping of chickens per section 86-515.1

Keeping of horses per section 86-515.2. Special use permit required

Manufactured home, emergency—Subject to section 86-455

Multi-family dwelling—Consisting of three or fewer units

Multi-family dwelling—Consisting of more than three units—Subject to section 86-458, special use permit required

Single-family dwelling, attached—Subject to section 86-459

Single-family dwelling, detached—Subject to section 86-596

Temporary family health care structures—Subject to section 86-460 ;b2;Townhouse—Subject to section 86-461

(3) *Civic use types.*

Assisted care residence (no guidelines listed in Code - regulated by State of Virginia)

Cemetery—Special use permit required

Club—Subject to section 86-473, special use permit required

Community recreation—Subject to section 86-474

Crisis center—Special use permit required

Cultural service

Educational facilities, primary/secondary—Special use permit required

Governmental service—Special use permit required

Guidance service—Special use permit required

Halfway house—Special use permit required

Life care facility—Special use permit required

Non-profit facility—Subject to section 86-482, special use permit required

Nursing home—Special use permit required

Public parks and recreational areas—Special use permit required

Religious assembly—Subject to section 86-479, special use permit required

Safety service

Utility service, minor

(4) *Office use types.*

(None)

(5) *Commercial use types.*

Bed and breakfast—Subject to section 86-507, special use permit required

Day care center—Subject to section 86-510, special use permit required

Golf course—Special use permit required

Personal service business—Subject to section 86-483, special use permit required

Restaurant, mobile per section 86-520

(6) *Industrial use types.*

(7) *Miscellaneous use types.*

Amateur radio tower—Subject to section 86-542

Satellite dish antenna one meter or less in diameter or measured diagonally

Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544

Solar energy systems – Subject to section 86-546

(Ord. of 10-11-2011(3), § 2; Ord. of 1-14-2014(2), § 1; Ord. of 4-12-2016(3), § 1; Ord. of 5-9-2017(4), § 1; Ord. of 8-8-2017(2), § 1; Ord. of 11-13-2018(3); Ord. of 4-11-2023, § 1)

Sec. 86-193. Site development regulations (in general).

The following (sections 86-194 thru 86-200) are the site development regulations for the R-2, medium-density residential district in general. For additional, modified or more stringent standards see article IV, use and design standards.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-194. Minimum lot area.

| | |
|---|---|
| With public water and sewage: | 8,000 square feet, however 12,000 square feet for a duplex |
| With public water and individual sewage*: | 15,000 square feet |
| With individual water and sewage*: | 20,000 square feet |

* Subject to approval by the health department.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-195. Minimum lot frontage.

Eighty feet (measured at the front setback line).

(Ord. of 10-11-2011(3), § 2)

Sec. 86-196. Minimum setback requirements—Principal structure.

| | |
|------------------------|---------|
| Front yard: | 35 feet |
| Side yard: | 10 feet |
| Side yard (aggregate): | 25 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 25 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-197. Minimum setback requirements—Accessory structures.

| | |
|-------------|-----------------------------|
| Front yard: | Not permitted in front yard |
| Side yard: | 5 feet |

| | |
|-----------------------|---------|
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 5 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-198. Maximum lot coverage—Accessory structures.

Twenty-five percent of rear yard area.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-199. Maximum height of structures.

| | |
|-----------------------|---|
| Principal structures: | 35 feet |
| Accessory structures: | Shall not exceed height of principal structure; however no accessory building in the R-2 district which is within ten feet of any lot line shall be more than one story high. |
| Flagpoles: | Flagpoles up to 35 feet in height. Flagpoles in excess of 35 feet shall require approval by special use permit. |
| Exempt structures: | These structures are exempt from the 35-foot height limit: Church spires, belfries, cupolas, municipal water towers, chimneys, flues, utility poles, transmission structures, television antennas (except satellite antennas which are regulated by article IV of this chapter), and radio aerials. |

(Ord. of 10-11-2011(3), § 2; Ord. of 9-13-2022(2), § 1)

Sec. 86-200. Provisions for corner lots.

Of the two sides of a corner lot, the front of the lot shall be deemed to be the shortest of the two sides fronting on streets.

(Ord. of 10-11-2011(3), § 2)

Secs. 86-201—86-220. Reserved.

DIVISION 4. R-MHP (RESIDENTIAL MANUFACTURED HOME PARK) DISTRICT¹

Sec. 86-291. Statement of intent.

The R-MHP (residential manufactured home park) district is intended to accommodate manufactured homes. This R-MHP district is based on the premise that the demand for manufactured homes can best be supplied by the designation of appropriately located manufactured home parks. The following regulations are designed to provide an attractive and harmonious environment for manufactured home dwellings, with all amenities normally found in a substantially residential neighborhood.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-292. Permitted uses.

The following uses are permitted by right or by special use permit in the R-MHP residential manufactured home park district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453, special use permit required

Family day care home—Subject to section 86-477, special use permit required

Group home—Subject to Code of Virginia, § 15.2-2291

Home garden

Home occupation—Subject to section 86-454

Manufactured home—Subject to section 86-455

Manufactured home, emergency—Subject to section 86-456

Manufactured home park—Subject to section 86-457

(3) *Civic use types.*

Community recreation—Subject to section 86-474

Cultural service

Public parks and recreational area—Special use permit required

¹Cross reference(s)—Manufactured homes and trailers, ch. 42.

-
- Religious assembly—Subject to section 86-479, special use permit required
- Safety service
- Utility service, minor
- (4) *Office use types.*
- (None)
- (5) *Commercial use types.*
- (None)
- (6) *Industrial use types.*
- (None)
- (7) *Miscellaneous use types.*
- Amateur radio tower—Subject to section 86-542
- Satellite dish antenna one meter or less in diameter or measured diagonally
- Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544
- Solar energy systems – Subject to section 86-546**

Sec. 86-293. General regulations for residential manufactured home parks.

General standards.

- (1) Every manufactured home lot in a manufactured home park will front on either a public or private street.
- (2) The site plan for each manufactured home park shall be approved by the planning commission. All utilities shall be underground.
- (3) Manufactured home parks shall be enclosed with an approved fence or planted hedge, not less than seven feet in height and without openings to adjoining property other than the required entrances and exists to streets or public spaces.
- (4) Area; minimum lot area. The minimum area for an individual manufactured home lot shall be a minimum area of 5,000 square feet.
- (5) Width; minimum lot width. The minimum average width for each manufactured home lot shall be 50 feet.
- (6) Percentage of lot coverage. The maximum area that shall be covered, including patios and accessory buildings, is 30 percent of the allocated space area.
- (7) Minimum distance between mobile homes. No manufactured home shall be placed within 25 feet of another.
- (8) Setback. All mobile homes shall be set back a minimum distance of 25 feet from any boundary line or street right-of-way.
- (9) The minimum number of lots completed and ready for occupancy before first occupancy is permitted shall be eight.

- (10) Water supply. An approved water supply system shall be installed with an individual water tap and connection for each mobile home lot to supply running water for all sanitary and washing fixtures, drinking and domestic purposes as required by the plumbing code. Connections to individual units shall be arranged to prevent backsiphoning into the main system. Lines shall be of sufficient depth to prevent freezing and shall be insulated above ground.
- (11) Sewerage facilities. All waste or wastewater from a manufactured home shall empty into a public system or a state department of health approved sewage disposal system. Lines shall be completely underground except where under the mobile home.
- (12) Additions to manufactured homes. No permanent or semi-permanent structure shall be affixed to any manufactured home as an addition to such manufactured home when located in a manufactured home park, nor shall any accessory structure be permitted on any lot or in any manufactured home park except those accessory structures allowed by this article and a structure to house an office. If an office structure is provided, its construction shall comply with all applicable laws and ordinances. The prohibition against any addition or accessory to a manufactured home shall not apply to a canopy or awning designed for use with a manufactured home, nor to any expansion unit of accessory structures specifically made for manufactured homes.
- (13) No manufactured home dwelling shall be parked or installed outside the R-MHP district except when used as construction offices or when offered for sale on an authorized manufactured home sales lot.
- (14) All construction shall comply with the Virginia Uniform Statewide Building Code.

Sec. 86-294. Minimum size requirements.

| | |
|-------------------------|-------------------|
| Manufactured home park: | 5 acres |
| Manufactured home lot: | 5,000 square feet |
| Lot width: | 50 feet |

Sec. 86-295. Yard and setback requirements.

General standards.

- (1) *Minimum distance between manufactured homes:* No manufactured home shall be placed within 25 feet of another.
- (2) *Yards abutting common areas:* The distance from the line or corner of the manufactured home stand to a private access drive, a common parking area, a common walk or other common area shall be 20 feet minimum including patios, carports and individual storage facilities.
- (3) *Distance manufactured homes to be located from manufactured home park boundary and public streets:* All manufactured homes shall be setback a minimum distance of 25 feet from any boundary line or street right-of-way.

Sec. 86-296. Minimum setback requirements—Principal structure.

| | |
|-----------------------|---------|
| Front yard: | 35 feet |
| Side yard: | 10 feet |
| Side yard—Corner lot: | 20 feet |
| Side yard—Aggregate: | 25 feet |
| Rear yard: | 25 feet |

Sec. 86-297. Minimum setback requirements—Accessory structures.

| | |
|-----------------------|-----------------------------|
| Front yard: | Not permitted in front yard |
| Side yard: | 5 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 5 feet |

Sec. 86-298. Maximum height of accessory structures.

Shall not exceed the height of principal structure.

Sec. 86-299. Maximum lot coverage—All structures.

Twenty-five percent of total yard area.

Sec. 86-300. Streets.

All streets, serving manufactured home lots, shall be built to public road standards and shall conform to the standards of the Virginia Department of Transportation.

Sec. 86-301. Utilities.

All units must be connected to public water and sewer before a certificate of occupancy may be issued.

Sec. 86-302. Skirting and underpinning.

Within a period of 90 days after placement of a manufactured home on a stand in district R-MHP, skirting shall be placed between the base of the body of the manufactured home and the stand or ground, completely enclosing the entire circumference of the manufactured home, the skirting to be a material to enhance the appearance of the individual manufactured home unit.

Secs. 86-303—86-320. Reserved.

DIVISION 5. C-1 (LOCAL COMMERCIAL) DISTRICT¹

Sec. 86-321. Statement of intent.

The purpose of the C-1 (local commercial) district is to provide for the establishment or continuance of small business areas that will serve the surrounding residential neighborhoods with convenience goods and services. Since traffic and parking congestion should be held to a minimum near residential areas to protect property values and preserve amenities of residential areas, all development in the C-1 district shall take place in a limited business setting. A desirable size for such an area is several offices or stores and would include such activities necessary for the day-to-day operation of a typical household or uses that do not detract from the character of the surrounding community. All retail uses in the C-1 district are intended to be compatible with adjoining office and/or residential uses. Certain residential uses are allowed in the C-1 district, provided that minimum standards are met.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-322. Permitted uses.

The following uses are permitted by right or by special use permit in the C-1 local business district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453

Duplex—No Guidelines listed in Code

Home garden

Home occupation—Subject to section 86-554

Keeping of chickens—Subject to section 86-515.1

Multi-family dwelling—Subject to section 86-458, special use permit required.

Single-family dwelling, attached—Subject to section 86-459

Single-family dwelling, detached—Subject to section 86-596

Temporary family health care structures—Subject to section 86-460

Townhouse—Subject to section 86-461

(3) *Civic use types.*

¹Cross reference(s)—Businesses, ch. 22.

-
- Assisted care residence—Regulated by the Commonwealth of Virginia
- Club—Subject to section 86-473
- Crisis center—Special use permit required
- Cultural service
- Educational facilities, college/university—Special use permit required
- Educational facilities, primary/secondary
- Food bank, food pantry, or similar uses. Subject to section 86-482.1.
- Governmental service
- Guidance service
- Halfway house—Special use permit required
- Life care facility
- Nursing home
- Park and ride facility
- Post office
- Public assembly—Special use permit required
- Public parks and recreational areas—Special use permit required
- Religious assembly—Subject to section 86-479
- Safety service
- Utility service, major—Special use permit required
- Utility service, minor
- (4) *Office use types.*
- Financial institution—No Guidelines listed in Code.
- General office
- Laboratory—Special use permit required
- Medical office
- Substance abuse clinic Licensed by the Commonwealth of Virginia—Special use permit required.
- (5) *Commercial use types.*
- Bed and breakfast—Subject to section 86-507
- Business support service
- Business/trade schools
- Car wash—Special use permit required
- Commercial indoor sports and recreation—Special use permit required.
- Communications service
- Day care center—Subject to section 86-510

Funeral service

Garden center

Gasoline station—Subject to section 86-513, special use permit required

Hospital—Special use permit required

Microbrewery

Personal improvement service

Personal service

Restaurant, mobile—Subject to section 86-520.

Restaurant, small—Whether in a new or existing shopping strip center—Subject to section 86-32 definitions

Restaurant, small—As a stand-alone building—Subject to section 86-32 definitions, special use permit required

Retail sales—Not exceeding 3,000 gross square feet per use

Studio, fine arts

Wedding/event facility—Subject to section 86-521, special use permit required

(6) *Industrial use types.*

(None)

(7) *Miscellaneous uses.*

Amateur radio tower—Subject to section 86-542

Parking facility, surface/structure—Special use permit required

Satellite dish antenna one meter or less in diameter or measured diagonally

Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544

Tower—Subject to section 86-545 and article VI, special use permit required.

Solar energy systems – Subject to section 86-546

(Ord. of 10-11-2011(3), § 2; Ord. of 1-14-2014(4), § 1; Ord. of 7-14-15(3); Ord. of 4-12-2016(4), § 1; Ord. of 5-9-12-2017(16), § 1; Ord. of 12-11-2018(1); Ord. of 5-14-2019(2), § 1; Ord. of 7-9-2019(4), § 1)

Sec. 86-323. Site development regulations.

The following (sections 86-324 thru 86-327) are the site development regulations for the C-1, local commercial district. All commercial uses must be served by public water and sewer. For additional, modified or more stringent standards see article IV, use and design standards.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-324. Minimum lot area.

None, except any residential uses must meet the requirements of the R-2 district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-325. Minimum setback requirements—Principal structures.

| | |
|-------------|--|
| Front yard: | 35 feet from the right-of-way line |
| Side yard: | None; except 25 feet when bordering a street, alley, or residential district |
| Rear yard: | None; except 25 feet when bordering a street, alley, or residential district |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-326. Minimum setback requirements—Accessory structures.

| | |
|-------------|-----------------------------|
| Front yard: | Not permitted in front yard |
| Side yard: | 5 feet |
| Rear yard: | 5 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-327. Maximum height of structures.

| | |
|-----------------------|---|
| Principal structures: | 35 feet or 2½ stories |
| Accessory structures: | Shall not exceed height of principal structure; however no accessory building in the C-1 district which is within ten feet of any lot line shall be more than one story high. |
| Flagpoles: | Flagpoles up to 35 feet in height. Flagpoles in excess of 35 feet shall require approval by special use permit. |

(Ord. of 10-11-2011(3), § 2; Ord. of 9-13-2022(3) , § 1)

Secs. 86-328—86-350. Reserved.

DIVISION 6. C-2 (GENERAL COMMERCIAL) DISTRICT¹

Sec. 86-351. Statement of intent.

The C-2 (general commercial) district covers those areas of the community intended for the conduct of a wide variety of businesses to which the public requires direct and frequent access and is characterized by frequent vehicular and pedestrian traffic. This C-2 district is the major business district of the town which is the focal point of where business can be successful and grow in the community. Certain residential uses are allowed in the C-2 district, provided that minimum standards are met. Site development regulations are designed to ensure compatibility with adjoining land uses.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-352. Permitted uses.

The following uses are permitted by right or by special use permit in the C-2 general business district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-453

Duplex—No Guidelines listed in Code

Home garden

Home occupation—Subject to section 86-454

Keeping of chickens per section 86-515.1

Multi-family dwelling—Subject to section 86-458, special use permit required

Single-family dwelling, attached—Subject to section 86-459

Single-family dwelling, detached—Subject to section 86-596

Temporary family health care structures—Subject to section 86-460

Townhouse—Subject to section 86-461

Upper-story housing unit—Subject to section 86-462

(3) *Civic use types.*

¹Cross reference(s)—Businesses, ch. 22.

-
- Assisted care residence—Regulated by the Commonwealth of Virginia
 - Club—Subject to section 86-473
 - Correction facility—Special use permit required
 - Crisis center
 - Cultural services
 - Educational facilities, college/university—Special use permit required
 - Educational facilities, primary/secondary
 - Food bank, food pantry, or similar uses. Subject to section 86-482.1. Special use permit required.
 - Governmental service
 - Guidance service
 - Halfway house—Special use permit required
 - Hospitals—Special use permit required
 - Life care facility
 - Nursing home
 - Park and ride facility
 - Post office
 - Public assembly
 - Public maintenance and service facility—Special use permit required
 - Public parks and recreational areas—Special use permit required
 - Religious assembly—Subject to section 86-479
 - Safety services
 - Utility service, major—Special use permit required
 - Utility service, minor
 - (4) *Office use types.*
 - Financial institution—No Guidelines listed in Code
 - General office
 - Laboratory
 - Medical office
 - Substance abuse clinic—Licensed by the Commonwealth of Virginia, special use permit required
 - (5) *Commercial use types.*
 - Adult use—Subject to section 86-502, special use permit required
 - Agricultural service
 - Antique shop
 - Assembly hall

Automobile dealership, new—Subject to section 86-503

Automobile dealership, used—Subject to section 86-504, special use permit required

Automobile parts/supply, retail

Automobile rental/leasing

Automobile repair service, major—Subject to section 86-505, special use permit required

Automobile repair service, minor

Brewpub

Business support service

Business/trade schools

Car wash

Commercial indoor amusement

Commercial indoor entertainment

Commercial indoor sports and recreation

Commercial outdoor entertainment

Commercial outdoor sports and recreation

Communications service

Construction sales and service

Consumer repair service

Convenience store

Dance hall—Special use permit required

Day care center—Subject to section 86-510

Equipment sales and rental—Special use permit required

Farmers market—Special use permit required

Flea market—Special use permit required

Funeral service

Garden center

Gasoline station—Subject to section 86-513

Hospital

Hotel/motel/motor lodge

Kennel, commercial—Subject to section 86-515, special use permit required

Laundry

Manufactured home sales

Microbrewery

Mini-storage—Subject to section 86-517, special use permit required

-
- Modular home sales
 - Pawn shop
 - Payday loan establishment
 - Personal improvement service
 - Personal service
 - Recreational vehicle sales and service
 - Restaurant, small
 - Restaurant, fast food or drive-thru—Subject to section 86-562
 - Restaurant, general
 - Restaurant, mobile per section 86-520
 - Retail sales—Subject to section 86-519
 - Studio, fine arts
 - Transient merchant—Subject to section 86-514 - Itinerant merchant
 - Travel center—Special use permit required
 - Veterinary hospital/clinic
 - Wedding/event facility—Subject to section 86-521
 - (6) *Industrial use types.*
 - Construction yard—Special use permit required
 - Custom manufacturing
 - Transportation terminal—Special use permit required
 - Truck terminal—Special use permit required
 - (7) *Miscellaneous uses.*
 - Amateur radio tower—Subject to section 86-542
 - Parking facility, surface/structure—Special use permit required
 - Satellite dish antenna one meter or less in diameter or measured diagonally
 - Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544
 - Tower—Subject to section 86-545 and article VI, special use permit required
- Solar energy systems – Subject to section 86-546.**

(Ord. of 10-11-2011(3), § 2; Ord. of 1-14-2014(5), § 1; Ord. of 7-14-15(4); Ord. of 4-12-2016(5), § 1; Ord. of 5-9-12-2017(17), § 1; Ord. of 12-11-2018(2); Ord. of 5-14-2019(3), § 1; Ord. of 7-9-2019(1), § 1; Ord. of 3-14-2023(1), § 1; Ord. of 4-11-2023, § 1)

Sec. 86-353. Site development regulations.

The following (sections 86-354 thru 86-356) are the site development regulations for the C-2, general commercial district. All commercial uses must be served by public water and sewer. For additional, modified or more stringent standards see article IV, use and design standards.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-354. Minimum lot area.

None, except any residential uses must meet the requirements of the R-2 district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-355. Minimum setback requirements.

None, except when adjacent to any residential district. If adjacent to residential, then:

| | |
|-------------|---------|
| Front yard: | 35 feet |
| Side yard: | 25 feet |
| Rear yard: | 25 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-356. Maximum height of structures.

| | |
|-----------------------|---|
| Principal structures: | 45 feet or 4 stories. |
| Accessory structures: | Shall not exceed height of principal structure. |
| Flagpoles: | Flagpoles up to 40 feet in height. Flagpoles in excess of 40 feet shall require approval by special use permit. |

(Ord. of 10-11-2011(3), § 2; Ord. of 9-13-2022(4) , § 1)

Secs. 86-357—86-380. Reserved.

DIVISION 7. M (INDUSTRIAL) DISTRICT¹

Sec. 86-381. Statement of intent.

The M (industrial) district shall provide an area where the principal use of the land is for light, moderate, and heavy industrial operations where business can be successful and grow in the community. These businesses, industries, and employment centers may create some nuisance effects but will not be detrimental to the environment or the surrounding community. The specific intent is to encourage the construction of and the continued use of the land for industrial and commercial purposes; limit residential use of the land, prohibit any other use which would substantially interfere with the development, continuation or expansion of commercial and industrial uses in the M district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-382. Permitted uses.

The following uses are permitted by right or by special use permit in the M (industrial) district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Home garden

Home occupation—Subject to section 86-454, special use permit required

Keeping of chickens per section 86-515.1

Multi-family dwelling Subject to section 86-458.—Special use permit required—Only when redeveloping or renovating an existing industrial building

(3) *Civic use types.*

Correction facility—Special use permit required

Educational facilities, college/university—Special use permit required

Food bank, food pantry, or similar uses—Subject to section 86-482.1

Governmental services

Post office

Public maintenance and service facility

¹Cross reference(s)—Businesses, ch. 22.

-
- Safety services
 - Utility service, major—Special use permit required
 - Utility service, minor
 - (4) *Office use types.*
 - Financial institution—No guidelines listed in Code
 - General office
 - Laboratory
 - Medical office
 - (5) *Commercial use types.*
 - Automobile repair service, major—Subject to section 86-505
 - Business support services
 - Business trade school
 - Communication services
 - Construction sales and services
 - Equipment sales and rental
 - Mini-storage—Subject to section 86-517
 - Restaurant, mobile per section 86-520
 - Wedding/event facility—Subject to section 86-521
 - (6) *Industrial use types.*
 - Construction yard
 - Custom manufacturing—Special use permit required
 - Industry, light
 - Industry, medium
 - Industry, heavy—Special use permit required
 - Transportation terminal
 - Truck terminal
 - Warehousing and distribution
 - (7) *Miscellaneous use types.*
 - Parking facility, surface/structure—Special use permit required
 - Satellite dish antenna one meter or less in diameter or measured diagonally
 - Satellite dish antenna in excess of one meter in diameter or measured diagonally—Subject to section 86-544
 - Tower—Special use permit required, subject to section 86-545
 - Solar energy systems – Subject to section 86-546**

(Ord. of 10-11-2011(3), § 2; Ord. of 1-14-2014(6), § 1; Ord. of 4-12-2016(6), § 1; Ord. of 5-9-12-2017(18), § 1; Ord. of 12-11-2018(3); Ord. of 5-14-2019(4), § 1; Ord. of 7-9-2019(5), § 1; Ord. of 12-10-2019(1), § 1; Ord. of 3-14-2023(2), § 1; Ord. of 4-11-2023, § 1)

Sec. 86-383. Site development regulations.

The following (sections 86-384 thru 86-388) are the site development regulations for the M (industrial) district. All industrial uses must be served by public water and sewer. For additional, modified or more stringent standards see article IV, use and design standards.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-384. Minimum lot area.

None, except any residential uses must meet the requirements of the R-2 district.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-385. Minimum setback requirements—Industrial uses.

| | |
|-------------|--|
| Front yard: | 30 feet |
| Side yard: | None; except 25 feet when adjacent to any residential district |
| Rear yard: | None; except 25 feet when adjacent to any residential district |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-386. Minimum setback requirements—Principal residential structures.

| | |
|------------------------|---------|
| Front yard: | 30 feet |
| Side yard: | 10 feet |
| Side yard (aggregate): | 25 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 25 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-387. Minimum setback requirements—Accessory structures.

| | |
|-----------------------|-----------------------------|
| Front yard: | Not permitted in front yard |
| Side yard: | 5 feet |
| Side yard—Corner lot: | 20 feet |
| Rear yard: | 5 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-388. Maximum height of structures.

| | |
|-----------------|---|
| All structures: | 45 feet or four stories. |
| Flagpoles: | Flagpoles up to 50 feet in height. Flagpoles in excess of 50 feet shall require approval by special use permit. |

(Ord. of 10-11-2011(3), § 2; Ord. of 9-13-2022(5) , § 1)

Secs. 86-389—86-400. Reserved.

DIVISION 9. DRO (DOWNTOWN REVITALIZATION OVERLAY) DISTRICT

Sec. 86-421. Statement of intent.

- (a) The DRO (downtown revitalization overlay) district (hereinafter referred to as "the district") seeks to fulfill the comprehensive plan's goal of recognizing Altavista's unique character and promoting the revitalization of the town's downtown area, as well as promoting tourism as a viable economic development strategy. The district regulations are adopted pursuant to authority granted to the town under Code of Virginia, §§ 15.2-2280 et seq. and 15.2-2306.
- (b) The district is established to promote the health, safety and general welfare; to bring harmony and cohesiveness to the visual appearance and uses of the district; to protect and promote compatibility in the appearance, character and uses; and to prevent intense automobile-oriented uses within the district.
- (c) The portions of Main Street (U.S. 29 Business), Bedford Avenue (State Route 43), Broad Street, and Seventh Street that lie within the district serve as key access routes by tourists traveling through the district en route to the Central Business District, English Park and the Staunton River, Leesville Lake, the Altavista Trade Lot, and to the Historic Avoca Museum.
- (d) Main Street and contiguous streets are significant routes of tourist access to the town and the core components of the town's rehabilitation, redevelopment, and economic revitalization of the town.
- (e) The district is intended to promote architecturally responsible commercial development; to emphasize historic development techniques; to reduce vacant, dilapidated, and empty lots in the district; to encourage designs that integrate the relationship between individual sites, multiple modes of transportation, and adjacent areas; and to promote the district as a vibrant commercial hub of the town.

(Ord. of 10-11-2011(3), § 2; Ord. of 12-8-2020(4), § 1)

Sec. 86-422. District boundaries.

- (a) To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, an overlay district, the DRO district, has been created to provide special regulations that are to be in addition to, and shall overlap and overlay all other districts regulations contained in the zoning ordinance (the "ordinance").
- (b) The boundaries of the district have been drawn and adopted by the town council to include all lands closely related to and bearing upon the character and function of the downtown area, thus composing a landscape unit and affording transitional regulations needed to control potentially adverse and conflicting uses and structures.
- (c) The district boundaries shall be delineated as an overlay district on the zoning map or a separate downtown revitalization project area map incorporated by reference into the zoning map.
 - (1) The boundaries of the district are: A section of the Town of Altavista beginning at a point being the intersection of Pittsylvania Avenue and Fifth Street, thence following the northeast side of Pittsylvania Avenue, crossing Main Street and Seventh Street to a point on the northwest side of Seventh Street, thence running southwest with the northwest side of Seventh Street crossing Lynch Creek and Campbell Avenue, to a point on the northeast corner of Campbell Avenue and Seventh Street, thence

running northwest with the northeast side of Campbell Avenue crossing a 20-foot alley to a point on the northwest side thereof, thence running parallel to Seventh Street a distance of approximately 420 feet to a point on the northeast side of a 20-foot alley, thence with the northeast side of said alley parallel to Broad Street and in a northwest direction, crossing Eighth Street to the point of intersection with the Norfolk Southern Railroad right-of-way, thence following said right-of-way southwest, crossing Broad Street to the northeast side of Bedford Avenue, thence following the northeast side of Bedford Avenue, crossing Main Street (U.S. Route 29 Business) to a point 36 feet north of the center of the main line of the Norfolk Southern Railroad (formerly Norfolk and Western) and thence east, parallel to and 36 feet north of the center line of said main rail line, crossing Pittsylvania Avenue to the northeast side of the said right-of-way, thereof, thence following the east side of the right-of-way of Pittsylvania Avenue in a northwest direction to the point of beginning.

(Ord. of 10-11-2011(3), § 2; Ord. of 5-9-2017(7), § 1)

Sec. 86-423. General provisions.

All buildings or land within the district shall be subject to the following general conditions:

- (1) The uses, structures, minimum lot requirements, minimum yard requirements, maximum heights and accessory uses and accessory signs as well as all construction and demolition shall be determined by the regulations applicable to the underlying zoning and shall be applicable except as modified by the district regulations. Should there be a conflict between the underlying zoning and the district requirements, the more restrictive provisions shall apply.
- (2) Nothing in this division shall be construed to prevent or limit the application of the building code or other laws and ordinances of the Town of Altavista.
- (3) Exterior lighting shall be controlled so that no direct illumination will occur beyond any property line.
- (4) *Minimum setback requirements.* For all newly-constructed buildings:

| | |
|-------------|--------------|
| Front yard: | 0 to 10 feet |
| Side yard: | 0 feet |
| Rear yard: | 0 feet |

(Ord. of 10-11-2011(3), § 2)

Sec. 86-424. Architectural treatment.

- (a) *Building materials.*
 - (1) No portion of a building constructed to unadorned cinderblock or corrugated and/or sheet metal, with the exception of roofs shall be visible from any adjoining public right-of-way.
 - (2) Buildings shall be designed to utilize to the greatest extent feasible such building materials which are compatible with the character of the district, such as stone, brick, stucco, and wood.
- (b) *Request for alternative materials.*
 - (1) Additional finishes may be approved through a special use permit in accordance with section 86-7.

(Ord. of 10-11-2011(3), § 2; Ord. of 7-13-2021(2) , § 1)

Sec. 86-425. Maximum square footage of use.

Any individual permitted use in the DRO shall not exceed 10,000 square feet in lot coverage. However, if an existing building exceeds 10,000 in gross floor area, all permitted uses contained in that building shall not exceed a floor area ratio (FAR) of 2.0.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-426. Residences.

- (a) Any residential units (or apartments accessory to the business use) shall not occupy the front, ground floor (storefront) space of any building within the district.
- (b) No more than 49 percent of the ground floor area of a building within the district may be of residential use.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-427. Permitted uses.

The following uses are permitted by right or by special use permit in the DRO downtown revitalization overlay district, subject to all other applicable requirements contained in this chapter. A special use permit is required where indicated. Certain uses are subject to additional, modified or more stringent standards as indicated. This list of permitted uses for the DRO supersedes the list of permitted uses for the underlying zoning district.

(1) *Agricultural use types.*

(None)

(2) *Residential use types.*

Accessory apartment—Subject to section 86-426

Home occupation—Subject to section 86-454

Upper-story residential unit—Subject to section 86-462

(3) *Civic use types.*

Club—Subject to section 86-473, special use permit required

Cultural service

Food bank, food pantry or similar uses subject to section 86-482.1, special use permit required

Governmental service

Guidance service

Post office

Public assembly—Special use permit required

Public parks and recreational areas—Special use permit required

Religious assembly—Subject to section 86-479

Safety service

Utility service, minor—Special use permit required.

(4) *Office use types.*

Financial institution—No guidelines listed in Code

General office

Medical office

(5) *Commercial use types.*

Antique shop

Automobile repair service, minor—Special use permit required

Assembly hall—Special use permit required

Bed and breakfast—Subject to section 86-507, special use permit required

Brewpub

Business support service

Business/trade schools—Special use permit required

Commercial indoor entertainment—Special use permit required

Commercial indoor sports and recreatio—Special use permit required

Communications servic—Special use permit required

Consumer repair service

Convenience store

Dance hall—Special use permit required

Day care center—Subject to section 86-510, special use permit required

Farmers market—Special use permit required

Flea market—Special use permit required

Funeral service—Special use permit required

Hotel/motel/motor lodge—Special use permit required

Microbrewery

Pawn shop—Special use permit required

Payday loan establishment—Special use permit required

Personal improvement service

Personal service

Restaurant, small

Restaurant, fast food or drive-thru—Subject to section 86-562, special use permit required

Restaurant, general

Restaurant, mobile per section 86-520

Retail sales

Studio, fine arts

(6) *Industrial use types.*

(None)

(7) *Miscellaneous uses.*

Amateur radio tower—Subject to section 86-542

Parking facility, surface

Parking facility, structure—Special use permit required

(Ord. of 10-11-2011(3), § 2; Ord. of 7-14-15(2), § 1; Ord. of 5-9-2017(19), § 1; Ord. of 12-11-2018(4); Ord. of 8-10-2021(1), § 1)

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DIVISION 1. USE AND DESIGN STANDARDS

Sec. 86-451. Use and design standards.

- (a) The standards contained in the district regulations in article III shall apply to all of the following use types listed in article IV, unless specifically modified and/or superseded by the use and design standards below.
- (b) The standards listed as general standards in article IV shall apply in all districts in which the use type is permitted by right or permitted subject to approval of a special use permit, as indicated in article III, district regulations.
- (c) Where a specific zoning district is indicated, the standards listed in article IV shall apply to that zoning district, in addition to any general standards listed for that use.

Sec. 86-541. Miscellaneous use types.

The standards listed below must be adhered to at all times for each of the following miscellaneous use types.

Sec. 86-546. Solar energy systems.

(1) *Definitions:*

- a. *Ground-mounted solar energy system means a solar energy system that has its electricity generating solar panels on the ground next to a building or structure in accordance with section 86-546 and that is designed to serve, or serves, the electricity or thermal needs of only the property on which the facilities are located.*
- b. *Rooftop-mounted solar energy system means a solar energy system that has its electricity generating solar panels mounted on the roof of a building or structure in accordance with section 86-546 and that is designed to serve, or serves, the electricity or thermal needs of only the property on which the facilities are located.*

(2) *General Standards:*

- a. *Ground-mounted solar energy system.*
 - 1. *Accessory Use. Ground-mounted solar energy systems as defined in section 86-546 shall be considered an accessory use structure.*
 - 2. *Permitted use by zoning district:*
 - a) R-1 (low-density residential) – not permitted
 - b) R-2 (medium-density residential) – not permitted
 - c) R-MHP (residential manufactured home park) – not permitted
 - d) C-1 (local commercial) – permitted

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- e) C-2 (general commercial) – permitted except if primary structure is a residential use type
 - f) M (industrial) – permitted
 - g) PUD (planned unit development) – permitted
 - h) DRO (downtown revitalization overlay) – not permitted
3. *Sizes. Ground-mounted solar energy systems shall adhere to the size requirements listed below:*
- a) *Residential: Not permitted on any lot or parcel where the principal structure is a residential use.*
 - b) *Civic; Office, Commercial: Maximum 2,499 sq feet*
 - c) *Industrial: Maximum 10,000 sq feet and requires submission of a site development plan in accordance with Article IV of this chapter.*
4. *Height: The maximum height of a ground-mounted solar energy system shall be sixteen (16) feet as measured from the grade or base of the structure to its highest point.*
5. *Screening: Ground-mounted solar energy systems shall adhere to the screening requirements listed below:*
- a) *Systems with a maximum height of three (3) feet shall not require screening.*
 - b) *Systems with a height of more than three (3) feet shall be screened from adjoining properties by a wooden or masonry fence of six feet in height or by a living screen of coniferous plantings four feet in height minimum on planting and planted five feet on center and of a variety which will mature to a height at least equal to the height of the ground-mounted solar energy system at its highest point as measured pursuant to this section. All such fences or plantings shall be installed at the time the ground-mounted solar energy system is installed and shall be fully and properly maintained during such time as the ground-mounted solar energy system shall remain in such location.*
 - c) *Systems shall be screened on all sides facing adjoining lots or parcels or on sides visible from the street or alley.*
6. *Corner lot.* No ground-mounted solar energy system on any corner lot shall be constructed or mounted either forward of the building line of any adjoining lot or closer than five feet to the side of such adjoining lot.
7. *Ground mounting.* Ground-mounted solar energy systems shall be mounted at ground level pursuant to all requirements of the Virginia Uniform Statewide Building Code after securing the proper building permits. All cables will be buried in accordance with the applicable provisions of the building code.
- b. *Rooftop-mounted solar energy system.*
- 1. Rooftop-mounted solar energy systems may be mounted on a principle building or an accessory building in any zoning district but shall not exceed the maximum building height requirements for the zoning district in which they are located, and the highest point of the system shall not be more than three (3) feet higher than the finished roof to which it is mounted. These facilities shall meet the building setback requirements for the

structures to which they are affixed and shall not extend beyond the exterior perimeter of the roof structure.

c. Decommissioning and Disposal of solar energy system

1. The property owner, upon removal of solar panels, must dispose of such panels in accordance with the Uniformed Statewide Building Code in addition to other applicable laws and regulations affecting such disposal.

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