



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

**Monday, December 4, 2023
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 attachment. PC Meeting Minutes 11.06.23](#)
- 5. PUBLIC EXPRESSION**
- 6. PUBLIC HEARING(S)**
 - 6.1 [Public Hearing - Ordinance Amendment \(OA-2023-07\) to Sections 86-32 - Use Types, 86-132\(2\) - Permitted Uses, and Sec. 86-463 - Aviation facility, private \(New\). attachment 1. Sec._86_32._Use_types-omitting-helicopters.pdf attachment 2. Sec._86_132._Permitted_uses._adding-aviation-facility-private.pdf attachment 3. NEW - Sec._86_463._Use-and-Design-Standards-aviation-facility-private.pdf](#)
 - 6.2 [Public Hearing - Ordinance Amendment \(OA-2023-08\) to Sections 86-352\(3\) - Permitted Uses and 86-382\(3\) - Permitted Uses attachment 1. Sec._86_352._Permitted-uses_OMITTING-correction-facility.pdf attachment 2. Sec._86_382._Permitted-uses_OMITTING-correction-facility.pdf](#)
- 7. UNFINISHED BUSINESS**
- 8. NEW BUSINESS**
- 9. MATTERS FROM THE PLANNING COMMISSION**
- 10. MATTERS FROM STAFF**
 - 10.1 [Community Development Activity Summary Report Activity-Report_as-of-30NOV23.pdf](#)
 - 10.2 [CY2024 Planning Commission Priorities](#)
- 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
December 4, 2023
AGENDA COVER SHEET

AGENDA ITEM #: 4.1

Approval of Minutes

Title: Meeting Minutes

Staff Resource: Crystal Hailey, Asst. Town Clerk

Action(s):

Review for approval consideration

Explanation:

The Planning Commission will review the minutes from their previous meeting, November 6th, 2023, and approve as presented, or inform Staff of corrections needed and approve as amended.

Background:

Funding Source(s):

Attachments: *(click item to open)*

[attachment. PC Meeting Minutes 11.06.23](#)

The Altavista Planning Commission held a regularly scheduled meeting on Monday, November 6th, 2023, at 5pm, in the Council Chambers of Town Hall, located at 510 7th Street, Altavista, VA.

Members present: John Jordan, Chairman
 Marie Mitchell, Vice Chair
 Reggie Bennett, Vice Mayor
 Meghan Bolling, Commissioner
 Rayna Steele, Senior Student Commissioner
 Conner Mattox, Junior Student Commissioner

Absent: Ashby Robinson, Jr.

Staff present: Gary Shanaberger, Town Manager
 Matt Perkins, Assistant Town Manager
 John Eller, Town Attorney
 Crystal Hailey, Assistant Town Clerk

CALL TO ORDER

Chairman John Jordan called the Altavista Planning Commission Meeting to order at 5:00 p.m. He welcomed new member Conner Mattox, as the Junior Student Commissioner.

PLEDGE OF ALLEGIANCE & INVOCATION

Chairman Jordan delivered an Invocation for the meeting and afterwards, the Planning Commission and Staff recited the Pledge of Allegiance.

APPROVAL OF AGENDA

The November 6, 2023, meeting agenda was approved as presented.

APPROVAL OF MINUTES

Chairman Jordan informed Staff of two spelling corrections needed to the October 2nd minutes.

With a motion by Vice Chair Marie Mitchell, seconded by Commissioner Meghan Bolling, the Altavista Planning Commission approved the minutes of the October 2023 meeting as amended.

PUBLIC EXPRESSION

There were no citizen comments at this meeting.

PUBLIC HEARING

There were no public hearings scheduled for this meeting date.

UNFINISHED BUSINESS

Assistant Town Manager Matt Perkins referenced two topics the Commission mentioned at their October meeting that they wanted to discuss further: 1) rezoning parcels on and around 5th Street, and 2) reviewing Town Code for potential amendments needed regarding residential solar panel usage. Mr. Perkins stated that he was currently researching a plan for both matters and would introduce the items to the Commission at a future meeting.

NEW BUSINESS

- 2024 Meeting Calendar

As done annually at the end of each calendar year, the Planning Commission reviewed their monthly meeting calendar for 2024, and found no changes needed.

There was a unanimous consensus of the Planning Commission to adopt the 2024 Meeting Calendar as presented; continuing to meet on the first Monday of each month, unless that day is a holiday, then the meeting is held the next day (the first Tuesday of the month), at 5pm in the Town Council chambers of the Town Hall building, at 510 7th Street.

- Zoning Text Amendment Discussion – Aviation Facility: Private

Assistant Town Manager Matt Perkins informed the Commission of a Special Use Permit application, requesting a zoning amendment to allow private-plane usage on their property. Mr. Perkins stated, while the Town Code contained a definition for Aviation Facility - Private, it was not currently listed as a “permitted use” in any of the Town’s zoning districts. He also informed the Commission that the Federal Aviation Administration did not regulate private landing strips; however, plane manufacturers specify minimal take-off distances required for all aircraft, which he recommended be a required document for this type of Special Use Permit.

After a brief discussion, the Altavista Planning Commission concurred unanimously to hold a public hearing for the aforementioned request; and at that time, to consider what restrictions and/or requirements should be part of this Special Use Permit. The Commission will also consider at their next meeting whether to leave helicopters as a permitted use in Town Code.

- Zoning Text Amendment Discussion - “Correction Facility” in Town Code

Correction Facility, as defined in *Section 86-32* of Town Code: *"a public or privately operated use providing housing and care for individuals legally incarcerated, designed to isolate those individuals from a surrounding community."*

Assistant Town Manager Matt Perkins informed the Commission that, in Staff’s recent review of permitted uses in Altavista’s Zoning Districts, Staff noted that "Correction Facility - Special Use Permit Required" was a permitted use in both the C-2 (General Commercial) and M (Industrial) Districts; and currently, there were no development standards for this use listed in Town Code.

The Altavista Planning Commission concurred unanimously to hold a public hearing during their December 5th meeting, and to consider whether to remove Correction Facility as a permitted use in Altavista’s Town Code.

MATTERS FROM THE COMMISSION

Vice Chair Mitchell asked that a Staff Report be included in the agenda of each meeting, to update the Commission on the Community Development Department’s monthly activities.

MATTERS FROM STAFF

As requested by the Commission at their last meeting, Town Attorney John Eller referenced State Code, Section 15.2-288.7, regarding residential solar use, and explained the definition/allowances.

Mr. Eller stated, under State Code, homeowners were allowed to have rooftop solar panels, staying within height restrictions; and stand-alone solar panels, through a Special Use Permit, if their locality's ordinance allowed the structures, and setbacks were abided.

Assistant Town Manager Matt Perkins informed the Commission that solar usage was only mentioned in Altavista's Town Code under the Downtown Revitalization Overlay (DRO) District, but nothing was mentioned in the rest of the Code regarding residential or otherwise. He stated that the Commission would be addressing this matter in the upcoming year.

ADJOURNMENT

With no further business to discuss, Chairman Jordan adjourned the meeting at 5:35pm.

John Jordan
Planning Commission Chairman

Matthew Perkins
Assistant Town Manager



TOWN OF ALTAVISTA
PLANNING COMMISSION
December 4, 2023
AGENDA COVER SHEET

AGENDA ITEM #: 6.1

Public Hearing(s)

Title: Public Hearing - Ordinance Amendment (OA-2023-07) to Sections 86-32 - Use Types, 86-132(2) - Permitted Uses, and Sec. 86-463 - Aviation facility, private (New).

Staff Resource: Matt Perkins, Asst Town Manager

Action(s):

Amend Sections 86-32 - Use Types, 86-132(2) - Permitted Uses, and Sec. 86-463 - Aviation facility, private (New) of the Zoning Ordinance

Explanation:

A Zoning Text Amendment is a change in any part of the Zoning Ordinance. Any such amendment, in this case initiated by a motion of the Planning Commission, is subject to the requirement of a Public Hearing.

Public Notice of this public hearing was published in the Altavista Journal on November 22 and November 29, 2023.

The attached documents are presented indicating the amendments to related Code sections. More specifically, amendments to Sec. 86-32, Sec 86-132(2), and adding Sec. 86-463(New).

Background:

In May 2023, the Altavista Town Council heard a concern from a citizen residing on West Road related to a neighbor who had been flying an airplane from his property. They believed this was a violation of Altavista's Town Code and Zoning Ordinance. Subsequently, Town Council directed the Community Development Director to investigate the matter. As noted in the case file (VIO-23-126), the Community Development Director had an opportunity to speak with an individual with specific knowledge of previous aviation use at the subject property and also spoke with the current owner. No violation was directly observed. Further, it was noted that one course of action to resolve this matter was through a zoning text amendment.

Staff, in researching the aforementioned matter as directed by Town Council, was able to determine the following:

Specifically that,

- 1) a portion of the subject property was once used as an active private airplane runway
- 2) any non-conforming use rights previously granted have expired

3) the Town Community Development Office staff, at the time of the alleged violation, had signaled to the property owner, after expressing his interest in pursuing the subject property for private aviation use, that a resolution to this matter was through the Zoning Text Amendment process. The same was expressed to ATM when matter was staffed (discussed) within the department.

More broadly that,

4) neither "general aviation facility" or "private aviation facility" are permitted uses in any zoning district

5) Staff does not believe that "general aviation facility" is an appropriate use to incorporate into the Town's Zoning Districts by right or by special use permit

6) contemplating "private aviation facility" use should include establishing development standards

7) "private aviation facility" as defined in Sec 86-32, Use Types, should be amended to remove helicopters

8) a zoning text amendment is the mechanism to initiate consideration of granting "private aviation facility" use in the zoning district

Town staff researched similar uses from other communities, evaluated best practices, and drafted a set of development standards for review. Further, staff proposes that granting "private aviation facility" subject to certain use and design standards and by Special Use Permit only, may address any noise and safety concerns that community members may express.

In October 2023, Town Staff brought to the Planning Commission for its review and consideration amendments to the Code of the Town of Altavista related to permitting Aviation facility - private in the R-1 Residential District. A motion by the Planning Commission approved staff to take the necessary actions to bring this matter to Public Hearing for a Zoning Text Amendment in December 2023.

Funding Source(s):

Attachments: *(click item to open)*

[*attachment 1. Sec. _86_32._Use_types-omitting-helicopters.pdf*](#)

[*attachment 2. Sec. _86_132._Permitted_uses._adding-aviation-facility-private.pdf*](#)

[*attachment 3. NEW - Sec. _86_463._Use-and-Design-Standards-aviation-facility-private.pdf*](#)

ORDINANCE AMENDMENT OA-2023-07

Chapter 86 – Zoning Article II – Definitions and Use Types

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.

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.

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.

(Ord. of 10-11-2011(3), § 2; Ord. of 7-14-2015(1), § 1; Ord. of 4-12-2016(1), § 1; Ord. of 5-9-2017(2), § 1; Ord. of 8-8-2017(1), § 1; Ord. of 11-13-2018(1); Ord. of 5-14-2019(1), § 1; Ord. of 7-9-2019(3), § 1)

ORDINANCE AMENDMENT OA-2023-07

Chapter 86 – Zoning

Article III – Districts

Division 2 – R-1 (Low-Density Residential) District

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

Aviation Facility, private – Subject to section 86-546, special use permit required

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.

(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))

ORDINANCE AMENDMENT OA-2023-07

Proposed Use and Design Standards for *Aviation Facility - Private*

Chapter 86 – Zoning

Article IV – Development Standards

Division 1 – Use and Design Standards

(NEW) Sec. 86-463. Aviation Facility, private.

- (a) *Intent.* The intent of the development standards of this division are to allow for the use and enjoyment of an Aviation facility-private in the R-1 low-density residential district ensuring adequate separation and other design characteristics to maintain a safe and healthy residential environment.
- (b) *General Standards.*
 - (1) That the use shall be an accessory use only to a principle residential use whether by occupancy or tenancy.
 - (2) That a “*No Objection*” or “*Conditional*” airport determination issued by the Federal Aviation Administration after owner application under Title 14, Chapter 1, Subchapter I, Part 157 (Notice of Construction, Alteration, Activation, and Deactivation of Airports) has been obtained.
 - (3) That proper registration documentation issued by the Federal Aviation Administration has been obtained for each personal aircraft intended to be utilized at the aviation facility.
 - (4) That runway requirements for each aircraft intended to be utilized at aviation facility have been obtained.
 - (5) That satisfactory evidence can be provided that the proposed landing area at the aviation facility is sufficient in length and width to accommodate aircraft intended to be utilized.
 - (6) That satisfactory documentation can be provided that the applicant has secured, by ownership or tenancy, no less than fifteen (15) contiguous acres on which the private aviation facility is purposed.
 - (7) That it can be demonstrated that a minimum clear zone of five hundred (500) feet from the end of all runways can be provided and that the clear zone is adjacent to the landing area and secured by ownership or tenancy.
 - (8) That it can be satisfactorily demonstrated that the landing area or any building or structure intended to be used to shelter, cover, or store private aircraft is not located within one hundred (100) feet of any property line adjacent to residential use.



TOWN OF ALTAVISTA
PLANNING COMMISSION
December 4, 2023
AGENDA COVER SHEET

AGENDA ITEM #: 6.2

Public Hearing(s)

Title: Public Hearing - Ordinance Amendment (OA-2023-08) to Sections 86-352(3) - *Permitted Uses* and 86-382(3) - *Permitted Uses*

Staff Resource: Matt Perkins, Assistant Town Manager

Action(s):

Amend Section 86-352(3) - *Permitted Uses* and Section 86-382(3) - *Permitted Uses* of the Zoning Ordinance in the C-2 (General Commercial) and M (Industrial) districts, respectively, to delete *Correction Facility - Special use permit required* from each.

Explanation:

A Zoning Text Amendment is a change in any part of the Zoning Ordinance. Any such amendment, in this case initiated by a motion of the Planning Commission, is subject to the requirement of a Public Hearing.

Public Notice of this public hearing was published in the Altavista Journal on November 22 and November 29, 2023.

Attached documents show the proposed amendments to Code Sections 86-352(3) and 86-382(3).

Background:

In a continuing effort to align the Code of Altavista with desired outcomes for the Altavista community, staff reviewed the Permitted Uses in all zoning districts. Through that review, staff recognized that *Correction Facility - Special Use Permit required* was listed in both the C-2 (General Commercial) and M (Industrial) Districts as a civic permitted use, Code Sections 86-352(3) and 86-382(3) respectively.

This finding was brought to the Planning Commission at its October 2023 meeting for review and discussion by its members. After discussion, Planning Commissioners agreed that this use should be removed from the Zoning Ordinance. Further, upon a motion of the Planning Commissioners approved staff to take the necessary actions to bring this matter to Public Hearing.

Funding Source(s):

Attachments: *(click item to open)*

attachment 1. Sec. _86_352._Permitted-uses_OMITTING-correction-facility.pdf

attachment 2. Sec. _86_382._Permitted-uses_OMITTING-correction-facility.pdf

ORDINANCE AMENDMENT OA-2023-08

Chapter 86 – Zoning

Article III – Districts

Division 6. C-2 (General Commercial) District

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
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

Recycling center

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

(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)

ORDINANCE AMENDMENT OA-2023-08

Chapter 86 – Zoning

Article III – Districts

Division 7. M (Industrial) District

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

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
Recycling center
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

(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)



TOWN OF ALTAVISTA
PLANNING COMMISSION
December 4, 2023
AGENDA COVER SHEET

AGENDA ITEM #: 10.1

Matters from Staff

Title: Community Development Activity Summary Report

Staff Resource: Matt Perkins, Assistant Town Manager

Action(s):

Informational Item Only

Explanation:

Activity Summary Report for Administrative, Regulatory Cases and Ordinance Amendments 06/23 - Present

Background:

Funding Source(s):

Attachments: *(click item to open)*

[*Activity-Report_as-of-30NOV23.pdf*](#)

Community Development Activity Report

(06/01/2023 – 11/30/2023)

Community Development Administration

Applications

- 39 Zoning permits issued of which:
 - 9 were for new businesses or changes in ownership. (*See chart below*)
 - 20 were for various construction/other projects of which:
 - 3 New Single-Family Constructions
 - 1 New Duplex Construction
- 7 Plats were approved.
- 4 Site Plans reviewed – 2 approved / 2 Projects are *Pending*.
- 4 requests for Zoning Confirmation Letters fulfilled.

Name	Location	Type of Business
Peterson – Sleep in Peace	534 Main Street	Restaurant Relocation/Inn
Furrow – Carolyn Furrow Attorney at Law	529 7 th Street	Attorney/General Office
Saunders	613 Broad Street	Hair Stylist
Rich	508 7 th Street	Consulting/General Office
Ensley	901 7 th Street	Hair Stylist
Ghaleb – Z's Tabacco & Vape	1301 Main Street, Ste J	Retail
Singh	1043 Main Street	Convenience Store – New Ownership
Hicklin	1216 Main Street	Car Wash – New Ownership
Midway Bottled Gas Co., Inc	613 Main Street	General Office – New Ownership

Regulatory Cases

- 1 Rezoning Application Approved by Town Council at the recommendation of the Planning Commission
 - Novelty/Amherst Street – JCJ Holdings, LLC

Ordinance Amendment

- 2 Ordinance Amendments
 - Matter related to: Aviation Facility, private (*Pending*)
 - Matter related to: Correction Facility (*Pending*)



TOWN OF ALTAVISTA
PLANNING COMMISSION
December 4, 2023
AGENDA COVER SHEET

AGENDA ITEM #: 10.2

Matters from Staff

Title: CY2024 Planning Commission Priorities

Staff Resource: Matt Perkins, Assistant Town Manager

Action(s):

Review and Discussion of Planning Commission Priorities

Explanation:

Staff is seeking direction on the priorities of the Planning Commission for the next calendar year. As staff develops a Community Development Work Plan it is helpful to understand those matters/topics that the Planning Commission would like to address to account for staff capacity. Staff recognizes that currently there are some matters important to the the Planning Commissions that continue to be discussed, as follows:

- Solar
- Short-term-rental
- Review of FLUM designations - specifically the addition of Transitional District
- Review of Zoning District boundary/designation - specifically for 3rd, 4th, and 5th Street
- Review and update of both the Subdivision (Ch. 66)
- Review and Update Zoning Ordinances (Ch.86)

Background:

Funding Source(s):

Attachments: *(click item to open)*