



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

**Monday, April 1, 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 3.4.24.pdf](#)
- 5. PUBLIC EXPRESSION**
- 6. PUBLIC HEARING(S)**
  - 6.1 [Public Hearing: Special Use Permit SUP-24-01 attachment. PC Agenda Packet\\_SUP-24-01\\_RKelly\\_Binder.pdf](#)
- 7. UNFINISHED BUSINESS**
- 8. NEW BUSINESS**
  - 8.1 [Solar Energy Systems: Planning and Zoning Review Discussion attachment. 15.2-2288.7 Local Regulations of solar facilities.pdf](#)
  - 8.2 [Consideration of Ordinance Text Amendment for Indoor Pet Boarding Facility attachment. Application for Zoning Text Amendment\\_MLogan\\_Precious-Paws-Dog-and-Cat-Grooming.pdf](#)
- 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

April 1, 2024

AGENDA COVER SHEET

AGENDA ITEM #: 4.1

**Approval of Minutes**

**Title: Meeting Minutes - March 2024**

**Staff Resource: Crystal Hailey, Asst. Town Clerk**

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**Action(s):**

Review for approval

**Explanation:**

The Planning Commission will review the minutes from their previous meeting, March 4th, 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 3.4.24.pdf](#)*

The Altavista Planning Commission held a regularly scheduled meeting on Monday, March 4th, 2024, at 5pm, in Council Chambers at Town Hall, located at 510 7th Street, Altavista, VA.

Members present: Marie Mitchell, Vice Chair  
Reggie Bennett, Vice Mayor  
Meghan Bolling  
Ashby Robinson, Jr.  
Senior Student Rayna Steele  
Junior Student Conner Mattox

Absent: John Jordan, Chairman

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

### **CALL TO ORDER**

With Chairman Jordan's absence, Vice Chair Marie Mitchell called the Altavista Planning Commission Meeting to order at 5:00pm and presided.

### **APPROVAL OF AGENDA**

Upon a motion by Vice Mayor Reggie Bennett, seconded by Commissioner Ashby Robinson, the Planning Commission voted 6-0 to approve the March 2024 meeting agenda as presented.

### **PLEDGE OF ALLEGIANCE & INVOCATION**

Commissioner Robinson delivered an Invocation; and Vice Chair Mitchell led everyone in reciting the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Vice Chair Mitchell asked the Commission if corrections were needed to the February 5th, 2024 meeting minutes; to which there were none.

A motion was made by Vice Mayor Bennett, seconded by Commissioner Robinson, and the minutes for the Altavista Planning Commission's February 2024 meeting were approved, 6-0, as presented.

### **PUBLIC EXPRESSION**

No citizen comments were given at this meeting.

### **PUBLIC HEARING**

#### **Zoning Text Amendment OA-2024-01: Short-term Rental**

The proposed amendments included necessary changes to subsections of Chapter 86 (Definitions and Use Types) of the Zoning Ordinance of the Town of Altavista; in matters related to definitions, permitted use types by district, process (special use permit requirement), and use and design standards.

- adding a definition for Short-term Rentals to *Section 86-32*
- add (new) *Section 86-522: Use and Development Standards for Short-term Rentals*
- add Short-term Rentals as a permitted use in Districts R1, R2, C1, C2, and the DRO (Downtown Revitalization Overlay); with the requirement of a Special Use Permit in districts R1, R2, and the DRO

Assistant Town Manager Matt Perkins facilitated the Public Hearing. He informed the Commission that the hearing had been adequately advertised as required; and to that date, there had been no public input for or against the proposed amendment.

Vice Chair Mitchell opened the public hearing at 5:02 pm. There were no citizen comments made during this hearing, therefore Mrs. Mitchell closed the public hearing at 5:05 pm.

With a motion by Commissioner Robinson, seconded by Vice Mayor Bennett, the Planning Commission voted unanimously in favor of moving this item forward, to be presented to Town Council with their approval recommendation.

## **UNFINISHED BUSINESS**

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

## **NEW BUSINESS**

### Zoning Application Z-2024-128: Review and Discussion

Assistant Town Manager Matt Perkins shared details of the zoning application recently submitted by Joseph Patterson, J&T Welding and Fabrication, for 1301 Main Street, the former location of Rose's Department Store in the Town & Country Shopping Center, which is a C-2 Zoning District.

Mr. Perkins stated that Mr. Patterson submitted his application as "Custom Manufacturing", as defined in *Section 86-32* of Town Code. Mr. Perkins asked the Commission for their input on whether the submitted use of custom manufacturing was a commercial use or industrial, light; and he shared the definition of both for their consideration.

*Custom manufacturing: 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.*

*Industry, light: 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.*

After review, there was a consensus of the Planning Commission that Mr. Patterson's work/intended use would be more identified as an Industrial, light zoning application. Town Attorney John Eller concurred and stated that Mr. Patterson's own description of his business included the word fabrication multiple times, which was considered an industrial use.

Vice Chair Mitchell thanked Mr. Patterson for attending the meeting, and stated that the Commission was in favor of him finding a suitable location for his business to stay in Altavista.

Mr. Perkins said that the Town mirrored the Commission's sentiment, and stated that he and the Town Manager had been working with Mr. Patterson in finding a viable location for his business. He stated that he would take the Commission's input into consideration when determining a ruling for Mr. Patterson's application.

**MATTERS FROM STAFF**

Assistant Town Manager Matt Perkins stated, in response to the request from the Commission to continue its discussion regarding “solar” in the Town of Altavista, he would have the item on the April 1st meeting agenda.

Mr. Perkins also stated that the Altavista Board of Zoning Appeals would be conducting their annual organizational meeting soon, and that he would inform the Commission of that date when it was finalized.

**ADJOURNMENT**

With no further business to discuss, Chairman Jordan adjourned this meeting at 5:23 p.m.

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John Jordan, Chairman  
Altavista Planning Commission

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Mathew Perkins, Asst. Town Manager  
Town of Altavista



TOWN OF ALTAVISTA  
PLANNING COMMISSION  
April 1, 2024  
AGENDA COVER SHEET

AGENDA ITEM #: 6.1

**Public Hearing(s)**

**Title: Public Hearing: Special Use Permit SUP-24-01**

**Staff Resource: Assistant Town Manager Matt Perkins**

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**Action(s):**

Conduct Public Hearing to consider Special Use Permit submitted by Mr. Russell Kelly

**Explanation:**

The Altavista Planning Commission is holding a Public Hearing to consider an application for a Special Use Permit submitted by Russell Kelly, to operate at 508 Pittsylvania Ave, Altavista, an Automobile Dealership, used, as defined in *Section 86-32* and subject to 86-504 of the Town of Code of the Town of Altavista.

**Background:**

Reference Staff Report to Planning Commission for more full and complete background information.

**Funding Source(s):**

**Attachments:** *(click item to open)*

[attachment. PC Agenda Packet\\_SUP-24-01\\_RKelly\\_Binder.pdf](#)

**Planning Commission Staff Report  
Special Use Permit #SUP-24-01  
1<sup>st</sup> Public Hearing April 01, 2024**

**Request:**

The request is for a Special Use Permit for Russell Kelly to operate a Used Automobile Dealership at 508 Pittsylvania Ave, Altavista, VA.

**Summary:**

Mr. Russell has submitted a Special Use Permit to operate a used car dealership to provide previously owned automobiles and motorcycles for sale.

Russell Motor Co.'s does not have current plans to offer any onsite vehicle services such as inspections, repairs, or storage. Though largely internet based, vehicles will be displayed for sale on the lot and monitored via security cameras 24/7. Mr. Russell understands that the operation of the used automobile dealership must conform to Sec 86-504 of the Code of the Town of Altavista. Additionally, all signage for the business will need to comply with Sec 86-428 – Regulations for Signs in the DRO.

**Staff Evaluation in accordance with Zoning Ordinance:**

There are three primary provisions of the Code of the Town of Altavista that are of primary relevance to this matter, as follows:

- Chapter 86 - Article III – Division 9 – DRO (Downtown Revitalization Overlay) District
- Chapter 86 - Article IV – Division 1 - Section 86-504 – Automobile Dealership, Used
- Chapter 86 - Article IV – Division 3 – Sections 86-561 – 566 (Parking)

In matters related to Chapter 86 -Article III – Division 9 – DRO (Downtown Revitalization Overlay) District, staff comments as follows:

The Altavista Town Council recently approved Ordinance Amendment OA-2024-02 which amended Town Code in two aspects. Notably, it amended Section 86-427(5) to include Automobile Dealership, used, Subject to Sec. 86-504, special use permit required.

The applicant has submitted the required Special Use Permit application and all fees have been paid. Application attached for reference.

In matters related to Chapter 86 -Article IV – Division 1 – Section 86-504 – Automobile Dealership, used, staff comments as follows:

The Altavista Town Council recently approved Ordinance Amendment OA-2024-02 which amended Town Code in two aspects. Notably, it amended the use and design standards for *Automobile Dealership, used* found at Sec. 86-504. Attached for reference.

Staff believes, on the information provided by the applicant in the Special Use Permit application, that the use and design standards found at Sec 86-504 will be met.

In matters related to Chapter 86 -Article IV – Division 3 – Sections 86-561-566 – Parking, staff comments as follows:

In review of the proposed site, and the control thereof by lease or ownership, staff has determined that the parking for the proposed use conforms to the Sections 86-561 – 566 of the Code of the Town of Altavista.

Specifically, staff has determined that there are adequate parking stalls available for the use type as described by the applicant.

### **Zoning District and Adjacent Land Use:**

The subject property is Zoned as DRO (Downtown Revitalization Overlay) District. Similarly, adjacent properties to the East, West and South of the subject property are also zoned in the DRO. Immediately to the North, parcels are Zoned C2 – General Commercial District.

### **Relationship to Existing Plans**

#### **Comprehensive Plan**

The future land use map for this site recommends continued use as a Downtown Commercial district.

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 has determined that there will not be any adverse impacts to existing property values or the existing commercial character in the area. Currently, there is a used automobile dealership in operation directly across the street and historically, there was an automobile dealership in operation on the property immediately adjacent to the subject property.

### **Public Input**

Public Advertisements for the Public Hearing in this matter were published as follows:



- For two successive weeks, that being March 20 and March 27 in the Altavista Journal.
- Adjacent Property Owner Letters were sent on March 22, 2024, via first-class mail.
- Property Posted with Public Hearing Notice

As of the writing of this report, staff has received no 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-24-01.

**Attachments:**

1. Application
  - a. Site Plan
2. Aerial Map
3. Zoning Map
4. Future Land Use Map
5. Site photos (*current conditions*)

OFFICE USE ONLY  
SUP # 2024-01FEE PAID: \$400DATE: 3/13/2024**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: Russell Kelly Phone Number: 434-401-8286Address: 212 Ramp Road, Hurt, VA, 24563**Property Information**Property Owner(s): Hicks Family Trust Phone Number: 434-841-3802Property Address or Location: 508 Pennsylvania AvenueParcel ID Number: 83A-46-4Present Zoning District: Downtown Revitalization Overlay**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.

Operator: ALTAVISTA Type: OC Drawer: 2  
 Date: 3/13/24 02 Receipt no: 11226  
 25 PERMIT FEE - ZONING, SIGN, 1.00 \$400.00  
 SUP - RUSSELL KELLY  
 OK CHECK 2027 \$400.00  
 Trans date: 3/13/24 Time: 13:17:58

- 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:

Physical location for an online used car business.  
Incentivizing those from outside our town limits to  
visit as well as support other local small businesses

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.

Answer attached.

(Use separate pages if additional space is required)

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.

Answer Attached

(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).

Town of Altavista

Application for Special Use Permit

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

Russell Motor Co. will primarily use online marketing in which all future customers will be incentivized to come into the Town of Altavista. This will provide exposure to all of the town's small businesses including local restaurants, parks, as well as other recreational businesses.

*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 measures to be taken to achieve such goals.*

All advertised vehicles will remain in a lot that is monitored 24/7 by security cameras. Thus negating all potential tampering with vehicles after hours of operation. All vehicles when taken for a test drive will be accompanied by an owner of the company. Thus, negating any potential roaming or misdirecting into any residential neighborhoods or highly foot trafficked areas. Our target vehicle will be no less than 5 years old. Thus, all vehicles will have up to date emission standard equipment, negating any harmful emissions into the local environment. All vehicles before being listed for sale must pass a Virginia Inspection. Thus, negating the possibility of a vehicle breaking down and disrupting the traffic flow in the area.

*Proposed use of land:*

To build 250 square feet of office space inside the building for administrative purposes. As well as having three to five vehicles no older than 2018 for display for sale purposes. Vehicles will ingress through the middle opening in the car lot and egress through the parking lot exit closest to Scoops. Existing location is the shared half of the building with Cycle Nutz, which is separated by a closed wall structure. The location currently has thirteen parking spaces that are eight feet wide, and 14 feet long with no additional spaces on the road. Net acreage is .38 acres. All landscaping is covered by Scoops, which is owned and operated by J&J enterprises.

Russell Motor Co. LLC  
508 Pittsylvania Avenue, Altavista, VA, 24517  
434-401-8286  
Russkelly03@gmail.com



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: Russell Okey

Date: 3-13-24

**OFFICE USE ONLY**CASE NO: SUP-24-01 TAX MAP NO: 83A-46-4DATE RECEIVED: 3-13-24REFERRED TO PLANNING COMMISSION: 4-1-24REFERRED TO COUNCIL: 4-9-24**PUBLIC HEARINGS & NOTIFICATION TO ADJACENT PROPERTY OWNERS****PLANNING COMMISSION HEARING:** DATE: 4-1-24NUMBER OF PIECES MAILED: 6DATE MAILED: 3-22-24 CERTIFIED: \_\_\_\_\_ 1<sup>ST</sup> CLASS: ☒**COUNCIL HEARING:** DATE: 4-9-24NUMBER OF PIECES MAILED: 6DATE MAILED: 3-22-24 CERTIFIED: \_\_\_\_\_ 1<sup>ST</sup> CLASS: ☒**ACTION TAKEN**

APPROVED BY TOWN COUNCIL: \_\_\_\_\_

DISAPPROVED BY TOWN COUNCIL: \_\_\_\_\_

DATE: \_\_\_\_\_



## Vision Statement:

Russell Motor Co's vision is to provide nearly new, previously owned automobiles, motorcycles to our customers at affordable prices. Doing so in a friendly, hometown environment where we can gain trust and loyalty by operating in an honest and fair manner. Generating profits, providing jobs and giving back to the community we serve.

## Plans of Operation:

Phase one of our business plan includes establishing a physical location that meets all of the requirements set forth by the Virginian Independent Automobile Dealers Association to obtain a dealers license.

Russell Motor Co. intends on using the initial location as a base for internet and local sales, displaying three to five vehicles at any one time. Phase one does not include any onsite vehicle preparation such as inspections, repairs or storage prior to being offered for sale, only the three of five vehicles that are currently offered for sale will be displayed at this location at any one time.

The proposed property at 508 Pittsylvania Avenue is important to the start up phase of Russell Motor Co. due to the business will be the continuing vision of the parent company J&J Kelly Enterprise LLC, which is to diversify and to strengthen our portfolio as well as our presence in the Town of Altavista which generates tax revenue and other business traffic.

This property is currently being leased by J&J Enterprise LLC for the use of Scoops for additional parking, product storage and administration office space. The addition of Russell Motor Co will allow the overhead costs to be shared with Scoops to decrease the overhead aiding to the continued success of two tax revenue generating businesses operating in the Town of Altavista.

Phase two will require additional lot square footage for the display of more than three to five vehicles at any one time. This will allow Russell Motor Co. to increase the volume of sales which will in turn increase the tax revenue and additional business traffic for the Town of Altavista.

Our plan of action for phase two will be to find an alternate location elsewhere in the town of Altavista. That location has not been determined, but will be clearly communicated with the town for additional guidance.

We are a family of entrepreneurs and take pride in growing strong, prosperous businesses. We value our role in the community by creating jobs, tax revenue for the town, and a helpful role with inviting outside patrons into our great community.

## Revenue Projections:

Year one sales: 25-50 vehicles valuing an average of \$20,000 each which results in \$500,000 to \$1,000,000 in sales.

Year two sales: 50-100 vehicles valuing an average of \$20,000 each which will result in \$1,000,000 to \$2,000,000 in sales.

Years three and beyond Russell Motor Co. will seek to increase internet and local sales to market saturation. We intend for Russell Motor Co to thrive for generations and become a pillar of the Town of Altavista business community.

## Additional Business Revenue:

Russell Motor Co. will not self-perform inspections, repairs and intense detailing on the vehicles that we will be offering for sale. Our intent is to utilize the existing Town of Altavista business for these services, creating additional business opportunities for these Town businesses.

Internet sales will generate additional traffic into our town while customers are coming in to test drive and purchase vehicles, allowing other town businesses the opportunity to gain additional business opportunities as well.

# 2045 Future Land Use Map

Legend

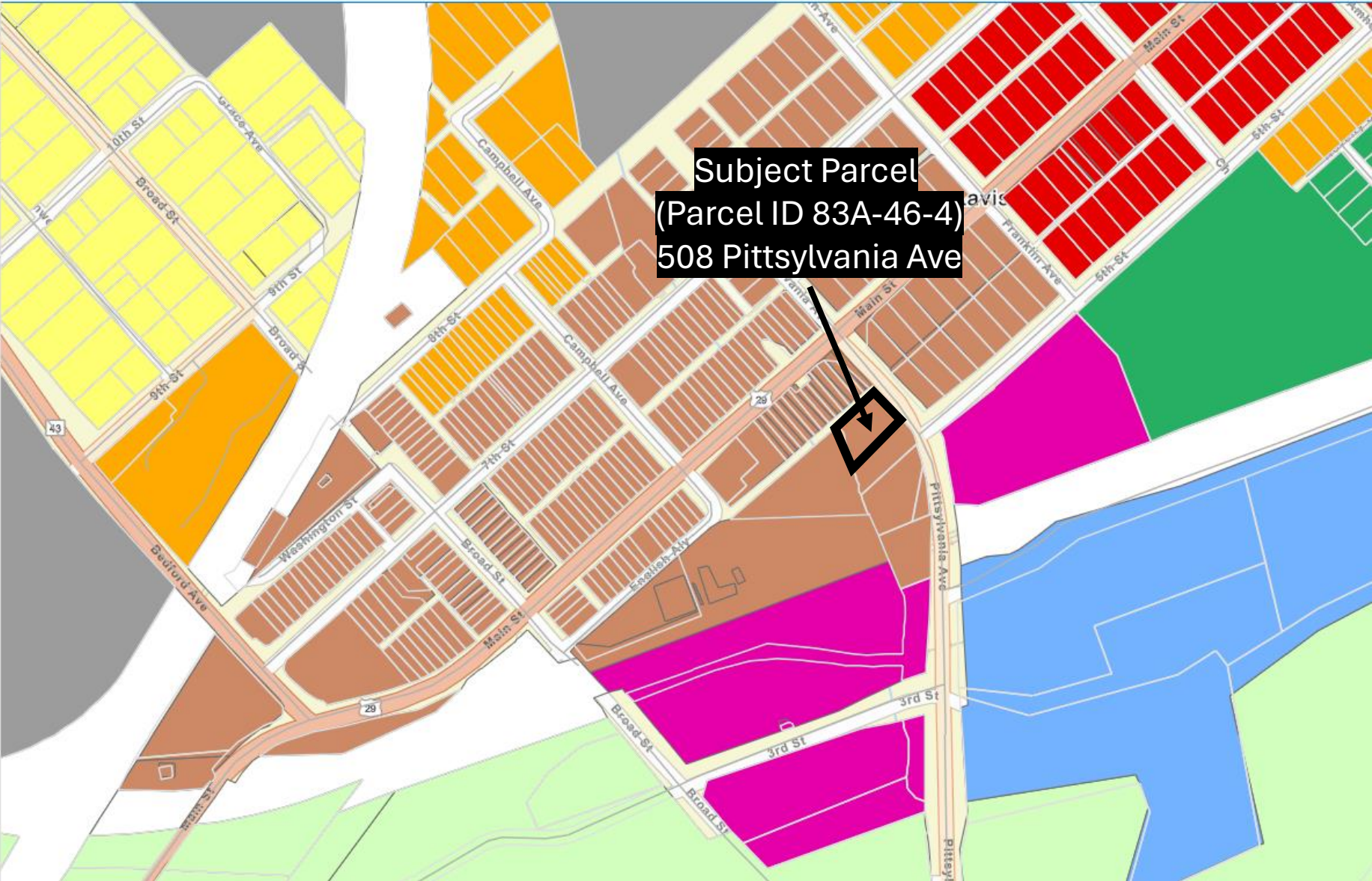
StreetCenterline

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







# PARCEL DATA VIEWER

## *Campbell County, Virginia*

### Town of Altavista Zoning Map

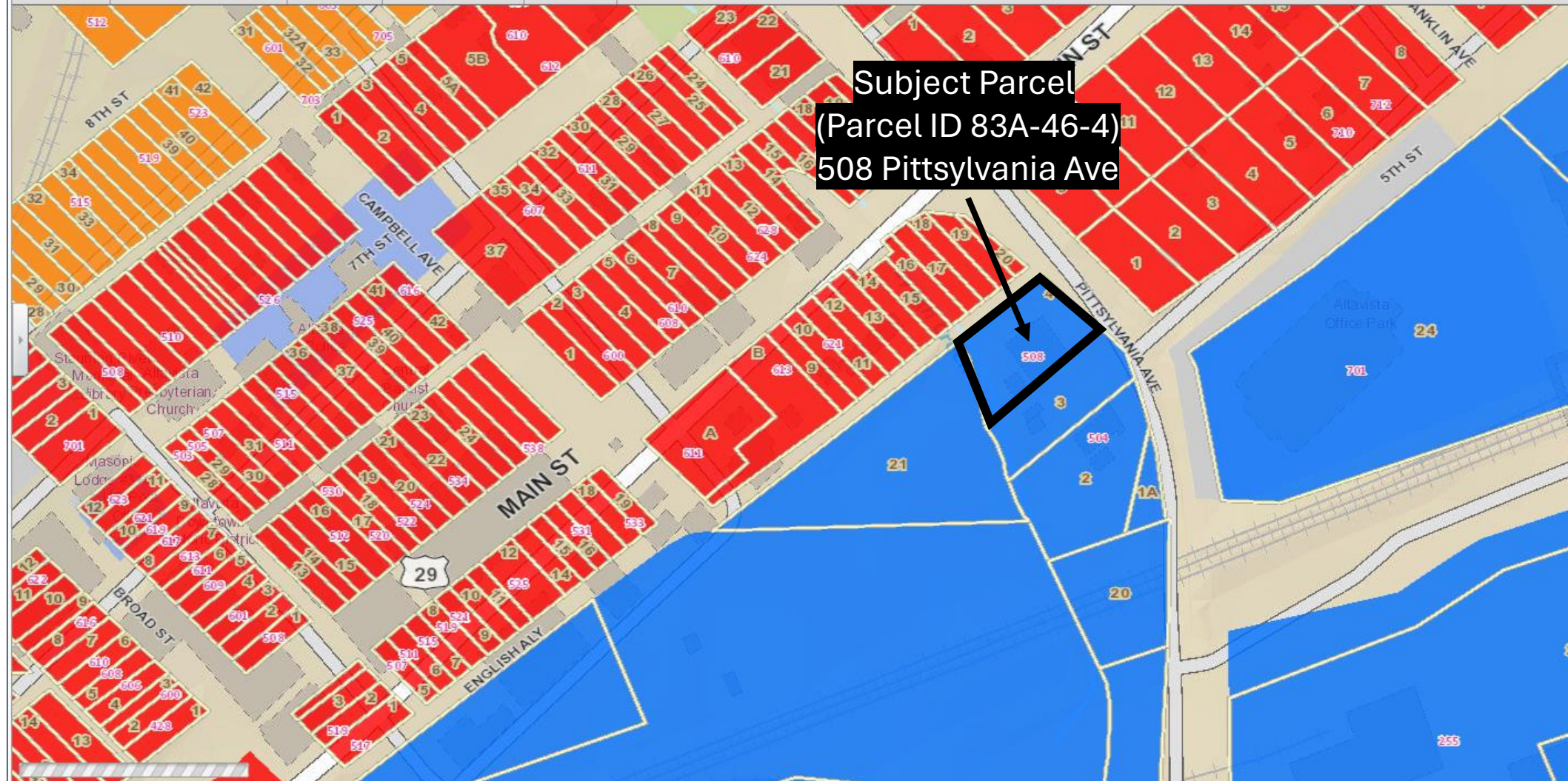
Tools ▾

Create Map Link

Print

Bookmarks ▾

Help







## Aerial Map - 508 Pittsylvania Ave

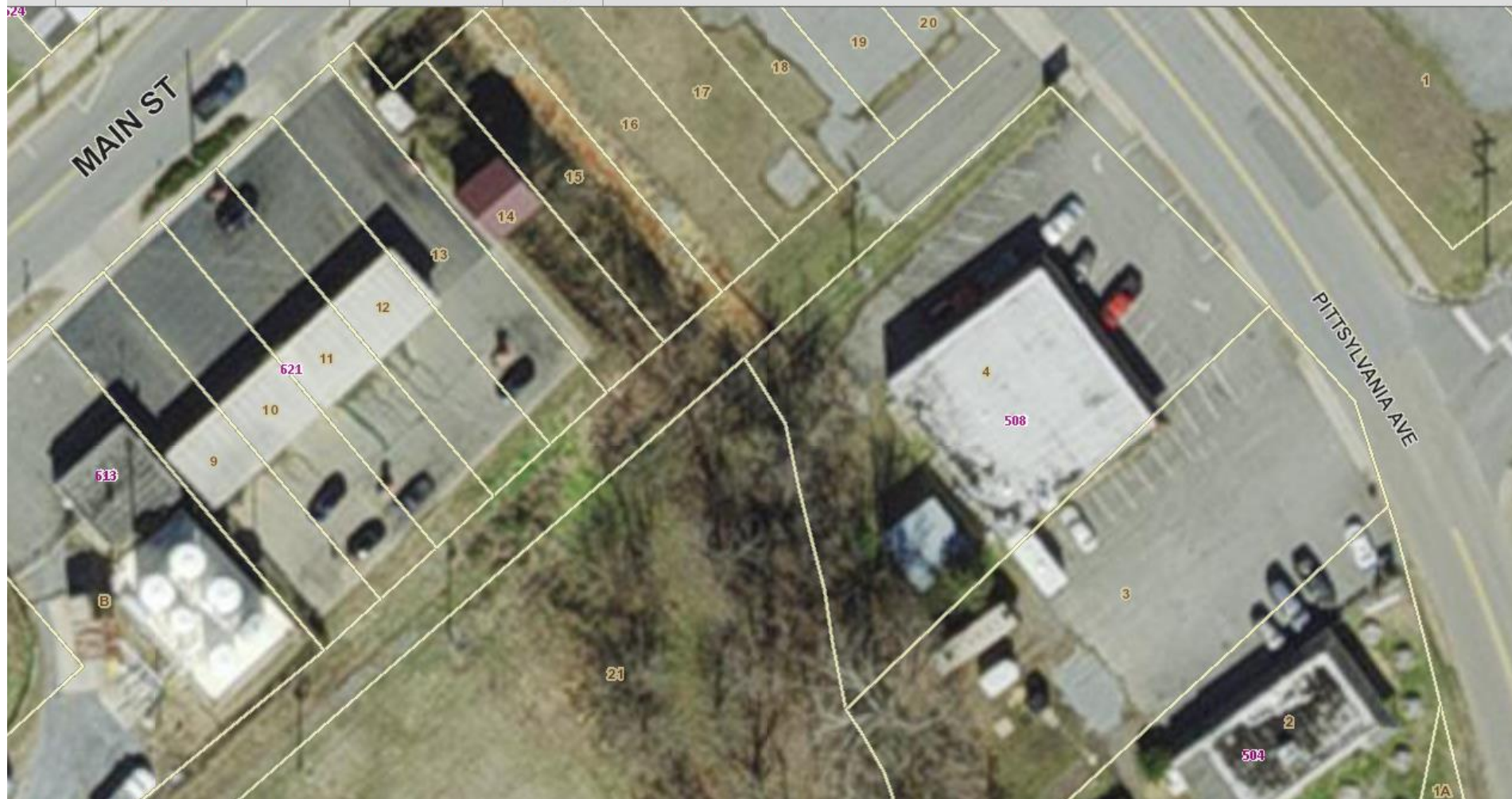
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Create Map Link

Print

Bookmarks ▾

Help





## Site Photos





## Site Photos







TOWN OF ALTAVISTA  
PLANNING COMMISSION  
April 1, 2024  
AGENDA COVER SHEET

AGENDA ITEM #: 8.1

**New Business**

**Title: Solar Energy Systems: Planning and Zoning Review Discussion**

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

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**Action(s):**

Engage in Staff lead discussion on solar energy systems, including local and state regulations, as they pertain to local planning and zoning.

**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*.

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. 15.2-2288.7 Local Regulations of solar facilities.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.



TOWN OF ALTAVISTA  
PLANNING COMMISSION  
April 1, 2024  
AGENDA COVER SHEET

AGENDA ITEM #: 8.2

**New Business**

**Title: Consideration of Ordinance Text Amendment for Indoor Pet Boarding Facility**

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

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**Action(s):**

Staff asks the Planning Commission to discuss and, if deemed reasonable, move the proposed Ordinance Text Amendment to Public Hearing at the next regularly schedule meeting, that being May 06, 2024.

**Explanation:**

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.

**Background:**

Staff has met with the applicant and reviewed the proposed zoning text amendment and found the application suitable to form to bring to the Planning Commission for discussion. Zoning Text Amendment fee has been paid. Staff has completed some preliminary research and draft ordinance planning.

**Funding Source(s):**

Zoning Text Amendment Application Fee

**Attachments:** *(click item to open)*

*[attachment. Application for Zoning Text Amendment\\_MLogan\\_Precious-Paws-Dog-and-Cat-Grooming.pdf](#)*



## APPLICATION FOR ZONING TEXT AMENDMENT

Town of Altavista  
Department of Community Development  
510 7<sup>th</sup> 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

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I. Give detailed justification for the proposed amendment:

See attached.

See attached.

See attached.

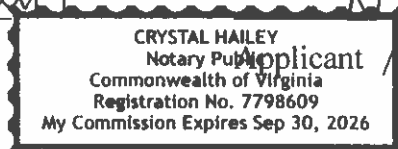
See attached.

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

\*Contract Purchasers must have the written consent of the owner to proceed with the text amendment.

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 26<sup>th</sup> 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.