



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

**Monday, June 5, 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 APRIL 3, 2023 MEETING MINUTES**
 - 4.1 [April 3, 2023 Meeting Minutes
PC Meeting Minutes 4.3.23 Corrected.pdf](#)
- 5. PUBLIC EXPRESSION**
- 6. PUBLIC HEARING(S)**
- 7. UNFINISHED BUSINESS**
 - 7.1 [Short Term Rental Discussion
Extended Stay June 5, 2023 Discussion.pdf](#)
- 8. NEW BUSINESS**
 - 8.1 [Public Institutional, and Community Uses \(i.e. civic and institutional uses\)
Division 10 Community Cultural, and Educational Facilities.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.

The Altavista Planning Commission held a regularly scheduled meeting on Tuesday, April 3rd, 2023, at 5pm, in Council Chambers at Town Hall, located at 510 7th Street, Altavista, VA.

Members present: John Jordan, Chairman
 Reggie Bennett, Vice Mayor
 Meghan Bolling
 Ashby Robinson, Jr.
 Micah Andrews
 Rayna Steele

Absent: Marie Mitchell, Vice Chair

Staff present: Sharon D. Williams, AICP, Community Development Director
 J. Johnson Eller Jr., 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.

DETERMINATION OF QUORUM

Chairman Jordan informed everyone that Vice Chair Marie Mitchell would be absent that evening. With all other Commissioners present, including the two new Student Commissioners, Chairman Jordan confirmed a quorum.

APPROVAL OF AGENDA

Chairman Jordan confirmed there were no amendments needed to the agenda.

Upon a motion made by Vice Mayor Reggie Bennett, and seconded by Commissioner Ashby Robinson, the Planning Commission voted 6-0 to approve the April 3, 2023, meeting agenda as presented.

PLEDGE OF ALLEGIANCE & INVOCATION

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

INTRODUCTION OF NEW COMMISSIONERS

Chairman Jordan introduced Altavista's two new Student Commissioners, Micah Andrews, a regular Commissioner, and Rayna Steele, as the alternate Commissioner. Mr. Jordan asked that they both give a brief introduction of themselves.

Ms. Andrews, a Senior at Altavista Combined School, stated that, after graduation, she would attend UVA and study Political Science.

Ms. Steele, a Junior at Altavista Combined School, stated that she planned to attend college and study Athletic Training and Physical Therapy.

Mr. Jordan welcomed them both to the Altavista Planning Commission; and stated that he looked forward to their input while they served on the Commission.

APPROVAL OF MINUTES

Chairman Jordan confirmed with his fellow Commissioners there were no corrections needed to the March 6, 2023, meeting minutes. A motion was made by Vice Mayor Bennett, and seconded by Commissioner Robinson, approving the minutes for the Altavista Planning Commission's March 2023 meeting as presented, with a 6-0 vote.

PUBLIC EXPRESSION - There were no citizen comments during this meeting.

PUBLIC HEARINGS - There were no public hearings conducted on this date.

COMMITTEE REPORTS

Community Development Director Sharon D. Williams gave the Commission updates on two ongoing projects.

- Mosley Heights Community Enhancement Project

Ms. Williams reminded everyone that the Mosley Heights neighborhood started at the corner of 7th Street and Franklin Avenue, and continued to the end of Eudora Lane. She stated, as part of the Pre-Planning Grant awarded to Altavista for this project through the Virginia Department of Housing and Community Development (DHCD), a Project Team was created, consisting of the Town Manager Gary Shanaberger, Altavista Planning Commissioner Ashby Robinson, a few community advocates, and herself. She stated that a community meeting was held to solicit citizen input. Ms. Williams informed the Commission that DHCD required the grant funds to be used in low to moderate income neighborhoods. She said the Project Team mailed 200+ surveys to Mosley Heights residents requesting that information, and informing the residents of the Town's plans to renovate their neighborhood. Ms. Williams stated that many of the residents were hesitant to offer that information because they thought it would affect their government benefits. She stated that the Project Team assured the residents it would not, and any information collected and submitted to DHCD would be without names and physical addresses.

Commissioner Robinson, a member of the Mosley Heights Community Enhancement Project Team, referenced the Town's Acquire-Renovate-Sell housing program, and stated that he believed, once citizens saw the new houses being built in their neighborhood, they would start to understand the Town's desire to offer affordable housing; and that grant programs were created to be beneficial to housing and community growth and prosperity.

Ms. Williams informed the Commission that Staff recently received an email indicating the Town may be approved for an additional \$50,000 Grant from DHCD to continue this project. She said Staff would wait on the official letter of award for the grant before making any announcements.

- The Town of Altavista's Acquire-Renovate-Sell (ARS) Housing Program

Ms. Williams stated that the ARS Program allowed the Town of Altavista to purchase and remodel homes, or build new single-family homes, for first-time homebuyers with low to moderate incomes. Ms. Williams informed the Commission that Assistant Town Manager Matt Perkins recently acquired a \$189,000 Grant from the Central Virginia Planning District Commission (CVPDC) that would also be used for the ARS Program. She said the first three homes being built through the ARS Program would be located in Mosley Heights.

Chairman Jordan asked who owned the homes being built through the ARS Program.

Ms. Williams stated, while the initial funds for Altavista's ARS Program were awarded from DHCD (\$45,000), the Town owned any properties purchased, until sold to first-time home buyers; afterwards, the Town of Altavista was required to reimburse \$40,000 to DHCD, and any proceeds would be programmatic income.

Chairman Jordan asked who would finance the homes.

Ms. Williams said, while there were two 1st National Bank employees on the ARS Project Team, the team would be encouraging the first-time home buyers to apply for a loan through Virginia Housing, formally the Virginia Housing Development Authority, because they offered a 1% interest rate reduction to first-time home buyers. She said that Virginia Housing also had programs that assisted with down payments and closing costs. Ms. Williams stated the ARS program was part of the continued efforts by the Town of Altavista to improve the quality of life for its citizens. She said the Town would start the first build in Spring 2023.

UNFINISHED BUSINESS

Short-term Rental Discussion

Chairman Jordan asked if Town Council had discussed this subject.

Ms. Williams answered they had not. She informed the Commission that, on October 1st, 2022, the General Assembly enacted *Section 58.1-3826* of the Code of Virginia, which required third-party accommodation intermediary companies to file, collect, and remit local Transient Occupancy Tax; as well as retail sales and use tax on rooms, lodgings, and accommodations. Ms. Williams stated that the Town of Altavista was required to accept the payments submitted; however, there was no provision within the Zoning Ordinance that defined or regulated short term rentals.

Chairman Jordan asked if any Altavista lodging owners had not complied with tax requirements.

Ms. Williams said she did not know of any. She stated that due to the state code change staff recommended that the Zoning Ordinance be amended to establish the use and provision for its allowance. Ms. Williams stated that it was the Planning Commission's decision whether to recommend an amendment to the Town Council, and ultimately the decision of Council whether to amend the code.

Vice Mayor Reggie Bennett said during a recent meeting he attended for certification; this matter was discussed by Campbell County's Planning Commission. He said the County implemented regulations for the number of bedrooms verses occupants, and for parking spaces. He suggested looking at the county's ordinance for rules that may also be applicable for the Town of Altavista.

Ms. Williams informed the Commission that Campbell County only allowed short-term rentals through a Special Use Permit (SUP), which required a process that included both the Planning Commission and the Board of Supervisors. She stated, it might be easier to use a registration process.

Chairman Jordan asked Ms. Williams for her professional opinion on the matter.

Ms. Williams stated that she believed short-term rentals in Altavista should be regulated and the choice made by the Town on whether the matter should be handled administratively or required Council approval through a SUP.

Vice Mayor Bennett shared his preference to require a Special Use Permit for all short-term rentals to determine approval with a case-by-case evaluation.

Town Attorney John Eller suggested the use also be considered by districts.

Chairman Jordan asked Ms. Williams to draft options pertaining to short-term rentals for the Commission's consideration at their May Meeting.

Ms. Williams stated that she would draft an ordinance for each option, a by-right use and a Special Use Permit requirement. She said the Commission could amend the draft ordinances to fit what they believed was the most viable option for the Town of Altavista.

Vice Mayor Bennett asked why Campbell County allowed short-term rentals by-right in some cases and required a SUP in other cases.

Ms. Williams stated in county the use was allowed by right in the commercial zoning districts and in residential districts a SUP was required due to the potential to become a nuisance. She reminded the Commission that short-term rental included both whole-house rentals and home-stay rentals, which meant the use of one bedroom, with or without the use of the kitchen facilities. Ms. Williams said some people consider this use frightening and reminded the Commission that getting in a car with a stranger was considered dangerous until the creation of Uber and codes changed as the world evolved. She said if Altavista allowed the use, it needed to be regulated by the town code.

Commissioner Meghan Bolling referenced the new state code that required localities to collect occupancy tax on short-term rentals and asked why Altavista did not want the tax.

Ms. Williams stated that the town wanted the tax. She said the problem in the past was when the remittance was submitted, staff did not have a source to tie it to and when that happened a locality could return it. Ms. Williams stated with the code change that localities were required to

accept the tax. It was her opinion that since the town was required to accept the remittance that guidelines be established for the use.

Town Attorney John Eller questioned, if the Town restricted short-term rental in its residential districts, and a short-term rental business operated illegally, should the Town accept their taxes.

Ms. Williams stated that the Town's Finance Director, Tobie Shelton, would follow the Code of Virginia's directive and collect the tax as required. She said, if a short-term rental business was not registered with the Town, it would be operating illegally, and that matter would be addressed.

There were no further questions or comments from the Planning Commission concerning this item.

NEW BUSINESS

Lynch Mill Road – Future Land Use Map (FLUM) Designation

Ms. Williams referenced the recent rezoning of a property on Lynch Mill Road from Industrial to Commercial to allow for residential use. She asked the Commission to consider whether Lynch Mill Road should be a commercial district or residential district; or if the Town should consider implementing a new transitional zoning district to accommodate such areas as Lynch Mill Road and parts of 7th Street having both uses.

The Planning Commission Chairman and Town Attorney both shared that they were in favor of the Town having a transitional district.

Chairman Jordan said transitional district offered options to property owners. He asked Ms. Williams to clarify the definition of a transitional district.

Ms. Williams explained that in the commercial zoning districts single-family dwellings should not be a permitted use. She said that a transitional district was areas of the town that were suitable for residential or commercial development.

Commissioner Bolling said that she considered Lynch Mill Road as already having mixed uses, and if the Town had a transitional district, it would be appropriate for that area.

Vice Mayor Bennett referenced the property located on the corner of Clarion Road and Lynch Mill Road, and said the property and building was conducive to both residential and commercial use, but currently had no choice other than residential. He shared his favor in having a transitional district to offer potential buyers the option to be either.

Commissioner Ashby Robinson stated that allowing commercial use in a residential area could cause concern for residents that had to live next to a business with an unsightly front façade. He asked how the Town could regulate a businesses visual presence in a neighborhood to ensure it was tasteful.

Ms. Williams informed the Commission that esthetics could be regulated through zoning, but the restrictions or regulations were often considered contentious to property owners. She said such restrictions were typically only implemented in larger localities.

Commissioner Bolling referenced the intersection of Clarion and Lynch Mill Roads, and asked why the Town's proposed round-about for that intersection was denied by the Virginia Department of Transportation (VDOT).

Ms. Williams stated that the project did not get scores required to move forward. She said that one of the factors was the distance from an economic development site which needed to be within 1 mile of the roundabout. She explained that Dearing Ford Industrial Park was 1.12 miles away from the proposed roundabout.

There was a consensus of the Planning Commission to continue this discussion at a later meeting.

Ms. Williams said she would draft a transitional district ordinance for their consideration.

MATTERS FROM STAFF

Ms. Williams informed the Commission that the Town Council approved their last text amendment recommendation. She said there were two additional text amendments to go before Town Council for consideration at their April 11th meeting.

ADJOURNMENT

Chairman Jordan asked if there were any other concerns or items to discuss that evening, of which there were none.

With no further business to discuss, Chairman Jordan adjourned the meeting at 6:09 p.m.

John Jordan
Planning Commission Chair

Sharon D. Williams, AICP
Planning Commission Secretary



TOWN OF ALTAVISTA
PLANNING COMMISSION

June 5, 2023

AGENDA COVER SHEET

AGENDA ITEM #: 7.1

Unfinished Business

Title: Short Term Rental Discussion

Staff Resource: Sharon D. Williams, AICP, Community Development Director

Action(s):

Continue the discussion on establishing a short term rental policy and provide direction to staff on a text amendment.

Explanation:

The Planning Commission has asked staff to provide recommendations on establishing a short term rental ordinance.

Background:

Staff has recommended creating a short-term rental ordinance in response to a state code change, which requires localities to accept and lodging tax submitted to it.

Funding Source(s):

N/A

Attachments: *(click item to open)*

[Extended Stay June 5, 2023 Discussion.pdf](#)

Planning Commission Staff Report
Short-Term Rental Ordinance Amendment
June 1, 2023 - Discussion

Background:

Staff is providing options to the Planning Commission for including extended stay rental in the Zoning Ordinance.

To aid in the discussion of the subject, staff provided the following definitions for the Planning Commission's use. Staff recommends that any new policy or ordinance amendment contain definitions for the benefit of the reader.

Definitions:

§ 15.2-983 Virginia Code defines a short-term rental (STR) as the provision of a room or space that is suitable or intended for occupancy for dwelling, sleeping, or lodging purposes, for a period of fewer than thirty (30) consecutive days, in exchange for a charge for the occupancy.

Recommended Zoning Ordinance definition: short-term rental is a room or group of rooms, all within a single dwelling unit permitted in the district in which such dwelling use is located, used or intended for use as lodging for at least one but fewer than thirty (30) consecutive nights by the traveling public and similar transient guests in return for compensation on a daily basis. The term "short-term rental" is intended to be distinguished from hotels, motels, tourist homes and lodginghouses, shelters, group homes, and similar forms of housing.

Options:

Option #1:

Amend the Zoning Ordinance to allow short term rentals as a by-right use in the R-1 (Low Density Residential), R-2 (Medium Density Residential), C-1 (Local Commercial), C-2 (General Commercial), and DRO (Downtown Revitalization Overlay District) Zoning Districts.

Option #2:

Amend the Zoning Ordinance to allow short term rentals with a Special Use Permit (SUP) in the R-1 (Low Density Residential), R-2 (Medium Density Residential), C-1 (Local Commercial), C-2 (General Commercial), and DRO (Downtown Revitalization Overlay District) Zoning Districts.

Option #3:

Amend the Zoning Ordinance to allow short term rental in the R-1 and R-2 Zoning Districts with a Special Use Permit and as a by-right use in the DRO, C-1, and C-2 Zoning Districts.

Proposed Regulations for Registration: Staff recommends that a new section be added to the Zoning Ordinance to regulate the registration process.

§86-546 – Short term rental.

All short-term rentals shall be subject to the following conditions:

- (a) Prior to using the dwelling as a short-term rental, the owner(s) shall obtain a Special Use Permit or Zoning Permit for the unit.
- (b) Each short-term rental operator shall provide to the Zoning Administrator and conspicuously post within the short-term rental a floor plan of the layout of the dwelling unit, on which floor plan the short-term rental operator shall label the following:
 1. the use of each room;
 2. the occupancy level of sleeping rooms and cooking facilities;
 3. the location and size of emergency egress and rescue openings; and
 4. the location of fire and carbon monoxide detectors
- (c) Prior to using the dwelling as a short-term rental, a property management plan demonstrating how the short-term rental will be managed and how the impact on neighboring properties will be minimized shall be submitted for review and approval by the Zoning Administrator. The plan shall include local points of contact available to respond immediately to complaints, clean up garbage, manage unruly tenants and utility issues, etc. It shall also be posted in a visible location in the short-term rental. The contact numbers shall be provided to Town staff, public safety officials and, if applicable, the HOA/POA of the subdivision. The plan must be provided as part of the rental contract.
- (d) The maximum number of occupants shall be no more than two individuals over the age of 12 per bedroom.
- (e) Smoke detectors shall be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- (f) A fire extinguisher shall be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- (g) Carbon monoxide detectors shall be present in compliance with the current edition of the Virginia Uniform Statewide Building Code.
- (h) Parking for the short-term rental shall be located in driveways or other designated and approved parking areas. Parking of vehicles is prohibited in or along all rights-of-way.
- (i) The owner(s) of any dwelling shall apply for a Town of Altavista business license.
- (j) Upon application for a zoning permit and business license, the town may request the Building Official conduct a life safety inspection of the short-term rental.
- (k) The owner(s) of the short-term rental shall post in a conspicuous place an emergency evacuation plan for the dwelling and the neighborhood. The owner shall provide a copy of

the proposed plan to the Town at the time of application for a permit, which must be approved by the Town prior to issuance of the zoning permit.

- (l) At least one short-term renter shall be at least 18 years of age.
- (m) The owner(s) of the short-term rental property shall be obligated to pay lodging taxes on the short-term rental.
- (n) Failure to comply with these regulations will result in violation of the Town of Altavista Zoning Ordinance and approval is subject to revocation.
- (o) Pursuant to Code of Virginia, § 15.2-983, as amended from time to time, all owners of short-term rental properties, except those individuals listed in Code of Virginia, § 15.2-983.B.2, shall be required to register annually the use of the property as a short-term rental with the Zoning Administrator. Such application shall be filed no later than January 31 of each year. The application shall be on a form prescribed by the Zoning Administrator. The owner(s) shall be required to provide the complete name of the owner(s) and the address of each property in the locality offered for short-term rental by the owner and such other information as the Zoning Administrator may require. The Town shall collect a registration fee from the property owner(s) at the time of each annual registration in the amount of \$100 per year.
- (p) Notwithstanding any other provision of this Code, failure to comply with this Subsection will result in a \$500 penalty per property per violation. Until such time that the owner(s) pays the penalty and registers such property, the owner(s) may not continue to offer such property for short-term rental. Upon repeated violations of this registry requirement as it relates to a specific property, an owner(s) may be prohibited from registering and offering that property for short-term rental. In addition, any owner(s) required to register a short-term rental property may be prohibited from offering a specific property for short-term rental in the Town upon multiple violations on more than three occasions of applicable state and local laws, ordinances, and regulations, as they relate to the short-term rental.

Discussion questions for the Planning Commission:

1. **Should there be a limit on the number of nights per calendar year that a unit can be rented?**
2. **Should there be a limit on the number of adult persons allowed in a rental unit?**
3. **Is there a preference for Unhosted vs. Hosted Stays.** A hosted stay is where the owner rents a room in a house they occupy. An unhosted stay is where the entire house is rented, and the owner is not onsite.
4. **Should there be a restriction on events?** Consider if events and gatherings of persons other than the authorized lodgers should be prohibited from occurring at the short-term rental.



TOWN OF ALTAVISTA PLANNING COMMISSION

June 5, 2023

AGENDA COVER SHEET

AGENDA ITEM #: 8.1

New Business

Title: Public Institutional, and Community Uses (i.e. civic and institutional uses)

Staff Resource: Sharon D. Williams, AICP, Community Development Director

Action(s):

Receive the information from staff and provide a recommendation on whether a new zoning district should be created.

Explanation:

Staff is seeking input from the Planning Commission on whether a new zoning district should be created for civic/institutional uses, and identified as such on the Zoning Map.

Background:

Staff has discussed whether a new zoning district should be created for public, institutional, and community uses. Many communities separate these into a separate zoning classification and the properties are given their own color on the Zoning Map. By doing this, when a viewer is reviewing the map, the properties that are not available for development are easily identifiable. Examples of these types of uses include Town Hall, English Park, post office, VTI, YMCA, Altavista Presbyterian Church, and Avoca.

Staff will ask the Planning Commission to consider creating a new zoning district. If the Planning Commission recommends the creation of a new zoning district, staff will work on the development standards for it.

Funding Source(s):

N/A

Attachments: *(click item to open)*

[Division 10 Community Cultural, and Educational Facilities.pdf](#)

PART II - CODE
Chapter 86 - ZONING
ARTICLE III. - DISTRICTS
DIVISION 1. GENERALLY

DIVISION 1. GENERALLY

Sec. 86-71. Establishment of districts.

For the purpose of this chapter, the incorporated area of the town is divided into seven districts and one overlay district as follows:

- R-1 (low-density residential);
- R-2 (medium-density residential);
- R-MHP (residential manufactured home park);
- C-1 (local commercial);
- C-2 (general commercial);
- M (industrial);
- PUD (planned-unit development);
- DRO (downtown revitalization overlay).

CCE (community, cultural, and educational facilities)

(Ord. of 10-11-2011(3), § 2)

Sec. 86-72. Official zoning map.

- (a) The town is divided into districts as indicated in section 86-71, and as shown on the official zoning map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter.
- (b) The official zoning map shall be identified by the signature of the mayor attested by the town clerk, and bearing the seal of the town under the following words: "This is to certify that this is the official zoning map referred to in section 86-72 of the Code of the Town of Altavista, Virginia, 2011," together with the date of the adoption of this chapter.
- (c) If, in accordance with the provisions of this chapter and Code of Virginia, § 15.2-2200 et seq., changes are made in districts, boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the town council, with an entry on the official zoning map as follows: "On [date], by official action of the town council, the following [change] changes were made in the official zoning map: [brief description of nature of change]," which entry shall be signed by the mayor and attested by the town clerk. No amendment to this chapter which involves matter portrayed on the official zoning map shall become effective until after such change and entry have been made on such map.
- (d) No changes of any nature shall be made in the official zoning map except in conformity with the procedures set forth in article IX of this chapter.
- (e) Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the town hall shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the town.

- (f) If the official zoning map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the town council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor attested by the clerk, and bearing the seal of the town under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map adopted May 2002, pursuant to section 18-3, 1968 Code of the Town of Altavista, Virginia."
- (g) Unless the prior official zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-73. Ordinances not affected by Code.

Nothing in this Code or the ordinance adopting this Code shall affect any ordinance that rezones any specific property or that amends a zoning map with respect to any specific property, and all such ordinances are hereby recognized as continuing in full force and effect.

(Ord. of 10-11-2011(3), § 2)

Sec. 86-74. Rules for interpretation of district boundaries.

- (a) Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following rules shall apply:
 - (1) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines.
 - (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
 - (3) Boundaries indicated as approximately following town limits shall be construed as following such town limits.
 - (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
 - (5) Boundaries indicated as following shorelines shall be construed to follow such shorelines, and in the event of change in the shoreline shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such centerlines.
 - (6) Boundaries indicated as parallel to or extensions of features indicated in subsections (a)(1)—(a)(5) of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
 - (7) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (a)(1)—(a)(6) of this section, the planning commission shall interpret the district boundaries.
 - (8) Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter, the town council may permit the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.

- (b) Where one or more lots or parcels of land (the transit parcel) is used for vehicular or pedestrian access to another lot or parcel (the accessed parcel), the transit parcel shall be deemed the same use as the accessed parcel and must comply with the use regulations in the district in which it is situated.
- (c) If the rules contained in subsection (a) above do not provide sufficient certainty to determine the location of a zoning district boundary, the administrator shall request the board of zoning appeals to interpret the location of the district boundary pursuant to the authority granted by this chapter.

(Ord. of 10-11-2011(3), § 2)

Secs. 86-75—86-130. Reserved.

DIVISION 10. CCE (Community, Cultural, and Educational Facilities) DISTRICT

Sec. 86-441. Statement of intent.

The Community, Cultural, and Educational Facilities district is composed of uses that provide a local service (e.g., cultural, educational, recreational, counseling, training, religious) directly to people of the community. These uses are generally of a public, quasi-public, nonprofit, or charitable nature. This category does not include commercial health clubs or recreational facilities, or counseling in an office setting .

Sec. 86-132. Permitted uses.

The following uses are permitted by right or by special use permit in the CCE 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) Day nurseries, provided that:
 - a. A minimum outdoor play area of 100 square feet for each child enrolled shall be furnished on the premises, but not within a required front yard;
 - b. The play area shall be enclosed with a continuous opaque structural fence or wall not less than four feet in height, and such fence or wall shall not be located within a required front yard;
 - c. No play equipment or structure shall be located within a front yard or a required side yard;
- (2) Churches, chapels, mosques, synagogues, temples and other religious structures for worship or ceremony, rituals, and education, together with its accessory buildings and uses, operated and maintained, and controlled under the direction of a religious group;
- (3) Public and private nonprofit schools and educational institutions, including classroom, administrative, recreational and student service facilities owned by or operated under the control of such school or institution;
- (4) Libraries, museums and similar uses operated by public or nonprofit agencies;
- (5) Hospitals, public health clinics, adult care residences, group homes, adult day care facilities and nursing homes;
- (6) Philanthropic, charitable and eleemosynary institutions;

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- (7) Uses owned or operated by a governmental agency, but not including facilities intended for incarceration or alternative sentencing or facilities primarily for the care, treatment or housing of persons who are currently illegally using or are addicted to a controlled substance as defined in Section 54.1-3401 of the Code of Virginia;
 - (8) Child care center;
 - (9) Club, service organization, or community center;
 - (10) Specialized instruction center offering instruction in vocational, professional, musical, dramatic, artistic, scientific, performing arts, or other special subjects.