An Ordinance to repeal, amend and re-ordain Section 86-32 of the Code of the Town of

Altavista, 1968, relating to adding a definition of "Accessory Dwelling Unit".

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

That Section 86-32 of the Code of the Town of Altavista, 1968, be repealed, amended

and re-ordained as follows:

Sec. 86-32. Definitions, 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.

Accessory Dwelling Unit means a residential dwelling unit, but not a mobile home, located on

the same lot as a single-family dwelling unit in a detached building and 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 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, gocart,

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.

Donation bin means an unattended container, receptable or similar device used for the purpose of

soliciting and collecting donated items such as clothing or household goods.

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, freestanding

automatic teller machines, and lending establishments, but, for purposes of this chapter,

not including a "pawn shop" or a "payday loan establishment" which are defined separately.

Flea market means a business engaged in the sale of used or new items, involving regular or

periodic display of merchandise for sale or for bartering, that may be located outdoors or

indoors.

Food bank, food pantry, or similar uses means a public or charitable institution that collects

and/or distributes food or edible commodities to individuals in need. This can include food

banks, food pantries, soup kitchens, hunger relief centers or other food or feeding centers similar

in nature.

Funeral services means establishments engaged in undertaking services such as preparing the

dead for burial, and arranging and managing funerals. Typical uses include mortuaries and

crematories.

Garden center means establishments or places of business primarily engaged in retail or

wholesale (bulk) sale, from the premises, of trees, shrubs, seeds, fertilizers, pesticides, plants and

plant materials primarily for agricultural, residential and commercial consumers. Such

establishments typically sell products purchased from others, but may sell some material which

they grow themselves. Typical uses include nurseries, plant stores and lawn and garden centers.

Garden, community means a garden in a residential district for the production of vegetables,

fruits and flowers specifically intended for use and/or consumption by the residents of the

general community and not for commercial production.

Garden, home means a garden in a residential district for the production of vegetables, fruits and

flowers specifically intended for use and/or consumption by the occupants of the premises and

not for commercial production. For purposes of this chapter, a home garden is considered an

accessory use of the parcel to a primary use.

Gasoline station means any place of business with fuel pumps and gasoline storage tanks which

provides fuels for motor vehicles.

General office means use of a site for business, professional, or administrative uses excluding

medical offices. Typical uses include real estate, insurance, management, travel, computer

software or information systems research and development, or other business offices;

organization and association offices; or law, architectural, engineering, accounting or other

professional offices. Retail sales do not comprise more than an accessory aspect of the primary

activity of a general office.

Golf course means a tract of land for playing golf, improved with tees, greens, fairways, hazards,

and which may include clubhouses and shelters. Included would be executive or par three golf

courses. Specifically excluded would be independent driving ranges and any miniature golf

course.

Governmental service means a governmental office providing administrative, clerical or public

contact services that deal directly with the citizens. Typical uses include federal, state, city, town

and county offices.

Group home means a building used as a dwelling unit where not more than eight mentally ill,

intellectually disabled, or other developmentally disabled persons, not related by blood or

marriage, reside, with one or more resident counselors or other staff persons and for which the

Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services is the

licensing authority, pursuant to Code of Virginia, § 15.2-2291. Excluded from this definition are

drug or alcohol rehabilitation centers, half-way houses and similar uses.

Guidance service means a use providing counseling, guidance, recuperative, or similar services

for persons requiring rehabilitation assistance or therapy for only part of a 24-hour day. This use

type shall not include facilities operated for the treatment of drug addiction or substance abuse.

Halfway house means an establishment providing residential accommodations, rehabilitation,

counseling, and supervision to persons suffering from alcohol or drug addiction, to persons

reentering society after being released from a correctional facility or other institution, or to

persons suffering from similar disorders or circumstances.

Home occupation means an accessory use of a dwelling unit, or an accessory use of an accessory

building on a residential property, for gainful employment involving the production, provision,

or sale of goods and/or services in accordance with article IV, use and design standards.

Hospital means a facility providing medical, psychiatric, or surgical service for sick or injured

persons primarily on an in-patient basis and including ancillary facilities for outpatient and

emergency treatment diagnostic services, training, research, administration, and services to

patients, employees, or visitors.

Hotel/motel/motor lodge means a building or group of attached or detached buildings containing

lodging units available for rental or lease to transients for periods of less than 30 consecutive

days. Such uses generally provide additional services such as daily maid service, restaurants,

meeting rooms and/or recreation facilities.

Indoor pet boarding facility is a building or structure located on any lot or parcel in which more

than five dogs and cats are kept, trained, or boarded for a fee. Indoor pet boarding facility may

include pet day care facility.

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.

Manufacturing, light means the manufacturing, processing, compounding, assembly and packaging of products from processed or unprocessed raw materials, where the finished product is nonexplosive, toxic or otherwise hazardous. This manufacturing may produce noise, vibrations, illumination, or particulate that is perceptible to adjacent land users, but is not offensive or obnoxious. Odors produced on-site shall not have a material negative effect on other businesses or properties in the area. This use shall include any packaging of the product being manufactured on-site. Examples include, but are not limited to, the production of the following:

glass products made from manufactured glass; clay and pottery products; food and beverage products; candy and other confectionery products; cosmetics; electronic equipment or hardware; pharmaceuticals, computer software, products made from rubber, plastic, or resin; converted paper and cardboard products; textile production, including apparel; medical appliances; fabricated metal products made from semifinished metals and other products of a similar nature or requiring similar production characteristics.

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

Medical office means use of a site for facilities which provide diagnoses, minor surgical care and

outpatient care on a routine basis, but which does not provide overnight care or serve as a base

for an ambulance service. Excluded from this definition shall be facilities operated for the

treatment of drug addiction and substance abuse. Medical offices are operated by doctors,

dentists, or similar practitioners licensed by the commonwealth.

Microbrewery means a facility for the production, bottling, packaging and sale of beer, malt

beverages, mead, wine, artisan spirits, and/or hard cider, produced on site for distribution, retail

or wholesale, on or off-premises sales, with a capacity of not more than 15,000 barrels per year.

(1) If operated in conjunction with a restaurant, the operation shall be considered a brewpub.

(2) The development may include other uses such as a standard restaurant, bar or live

entertainment as otherwise permitted in the zoning district.

(3) All state ABC laws shall apply to the production and sale of all alcoholic beverages.

Mini-storage means a building designed to provide rental storage space in cubicles where each

cubicle has a maximum floor area of 400 square feet. Each cubicle shall be enclosed by walls

and ceiling and have a separate entrance for the loading and unloading of stored goods. Cubicles

may or may not be climate controlled.

Mobile home means a factory assembled structure or structures equipped with the necessary

service connections and made to be readily movable as a unit or units on its (their) own running

gear and designed to be used as a dwelling unit without a permanent foundation and built before

June 14, 1976 (also see Manufactured Home). This unit does not meet the requirements of the

Council of American Building Officials (CABO) or the Virginia Uniform Statewide Building

Code Use Group R-4. The phrase "without a permanent foundation" indicates that the support

system is constructed with the intent that the manufactured home placed thereon will be moved

from time to time at the convenience of the owner.

Modular home means a dwelling unit constructed on-site in accordance with the Virginia

Uniform Statewide Building Code and composed of components substantially assembled in a

manufacturing plant and transported to the building site for final assembly on a permanent

foundation.

Modular home sales means a site used for the construction and display of model modular homes,

including a sales office and incidental storage associated with the construction of the model

homes.

Multi-family dwelling means a building or portion thereof which contains three or more dwelling

units for permanent occupancy, regardless of the method of ownership. Included in the use type

would be garden apartments, low and high rise apartments, apartments for elderly housing and

condominiums.

Non-profit facility means a building owned or controlled by a non-profit organization holding an

exemption under Internal Revenue Code Section 501(c) said exempt status to be evidenced by a

currently valid exemption letter from the Internal Revenue Service. Such non-profit organization

shall be in good standing with the Internal Revenue Service in all respects.

Nursing home means a use providing bed care and in-patient services for persons requiring

regular medical attention but excluding a facility providing surgical or emergency medical

services and excluding a facility providing care for alcoholism, drug addiction, mental disease, or

communicable disease. Nursing homes have doctors or licensed nurses on duty.

Outdoor gathering means any temporary organized gathering expected to attract 500 or more

people at one time in open spaces outside an enclosed structure. Included in this use type would

be music festivals, church revivals, carnivals and fairs, and similar transient amusement and

recreational activities not otherwise listed in this section. Such activities held on publicly owned

land shall not be included within this use type.

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

Parking facility, structure means a site used for a parking structure unrelated to a specific use

which provides one or more parking spaces together with driveways, aisles, turning and

maneuvering areas, incorporated landscaped areas, and similar features meeting the requirements

established by this chapter. This use type shall not include parking facilities accessory to a

permitted principal use.

Parking facility, surface means a site used for surface parking unrelated to a specific use which

provides one or more parking spaces together with driveways, aisles, turning and maneuvering

areas, incorporated landscaped areas, and similar features meeting the requirements established

by this chapter. This use type shall not include parking facilities accessory to a permitted

principal use.

Pawn shop means an establishment engaged in the loaning of money on the security of property

pledged to a pawnbroker and the incidental sale of such property.

Payday loan establishment means a place of business engaged in offering small, short-maturity

loans on the security of (i) a check, (ii) any form of assignment of an interest in the account of an

individual or individuals at a depository institution, or (iii) any form of assignment of income

payable to an individual or individuals, other than loans based on income tax refunds. For the

purposes of this chapter, such establishments shall not be construed to be "banks" or "financial

institutions."

Personal improvement services means establishments primarily engaged in the provision of

informational, instructional, personal improvements and similar services. Typical uses include

driving schools, health spas or physical fitness studios, reducing salons, dance studios, handicraft

and hobby instruction.

Personal services means establishments or places of business engaged in the provision of

frequently or recurrently needed services of a personal nature. Typical uses include beauty and

barber shops; tattoo and piercing establishments; grooming of pets; seamstresses, tailors; florists;

and laundromats and dry cleaning services.

Planned unit development (i.e. — P.U.D.) means a type of building development specifically

described by ordinance standards in which a thoughtfully designed grouping of varied and

compatible land uses, such as housing, recreation, commercial centers, and industrial parks, are

all contained within one overall development plan.

Post office means an establishment providing postal services directly available to the consumer

operated by the United States Postal Service.

Public assembly means a facility owned and operated by a public or quasi-public agency

accommodating public assembly for sports, amusement, or entertainment purposes. Typical uses

include auditoriums, sports stadiums, convention facilities, fairgrounds, and sales and exhibition

facilities.

Public maintenance and service facility means a public facility supporting maintenance, repair,

vehicular or equipment servicing, material storage, and similar activities including street or

sewer yards, equipment services centers, and similar uses having characteristics of commercial

services or contracting or industrial activities.

Public park and recreational area means publicly-owned and operated parks, picnic areas,

playgrounds, indoor or outdoor athletic facilities, and open spaces.

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

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

Recreational vehicle sales and service means an establishment engaged in the retail sales of

recreational vehicles, boats, and jet skis, including service and storage of vehicles parts and

related accessories.

Recycling center means a receptacle or facility used for the collection and storage of recyclable

materials designed and labeled for citizens to voluntarily take source separated materials for

recycling.

Religious assembly means a use located in a permanent building and providing regular organized

religious worship and related incidental activities, except primary or secondary schools and day

care facilities.

Resource extraction means an establishment involving on-site extraction of surface or subsurface

mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel

operations, mining, and soil mining. Specifically excluded from this use type shall be grading

and removal of dirt associated with an approved site plan or subdivision, or excavations

associated with, and for the improvement of, a bona fide agricultural use.

Restaurant, fast food or drive-thru means an establishment engaged in the preparation and sale

of food and beverages for take-out, delivery, or table service, served in disposable containers at a

counter, a drive-up or drive-thru service facility, or at a curb.

Restaurant, general means an establishment engaged in the preparation and sale of food and

beverages containing more than 3,000 gross square feet and typically characterized by table

service to customers.

Restaurant, mobile means a readily movable wheeled cart, trailer, or vehicle designed and

equipped for the preparing, serving, and/or selling of food and operated at temporary locations.

This definition shall include food trucks, food trailers, and food carts and shall not apply to ice

cream trucks, "meals on wheels" or food home delivery services.

Restaurant, small means an establishment engaged in the preparation and sale of food and

beverages containing no more than 3,000 gross square feet. Typical uses include cafes, coffee

shops and small restaurants. Customers may be served over the counter or by table service by a

wait staff.

Retail sales means an establishment engaged in sale or rental with incidental service, of

commonly used goods and merchandise for personal or household use, excluding those classified

more specifically by these use type classifications.

Safety service means a facility for the conduct of safety and emergency services for the primary

benefit of the public, whether publicly or privately owned and operated, including police, fire

protection, emergency medical and ambulance services.

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

(1) An antenna or dish antenna whose purpose is to receive communication or other signals

from orbiting satellites and other distant sources;

(2) A low-noise amplifier (LNA) which is situated at the focal point of the receiving

component and whose purpose is to magnify and transfer signals; and

(3) A coaxial cable whose purpose is to carry the signals to the exterior of the building.

Sawmill means an establishment for the storage of harvested timber and/or the sawing of timber

into lumber products.

Scrap and salvage service means a place of business primarily engaged in the storage, sale,

dismantling or other processing of uses or waste materials which are not intended for reuse in

their original forms. Typical uses include paper and metal salvage yards, automotive wrecking

yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile

parts and supplies.

Shooting range, outdoor means a site where land is used for archery and the discharging of

firearms for the purposes of target practice, skeet and trap shooting, mock war games, or

temporary competitions, such as a turkey shoot. Excluded from this use type shall be general

hunting and the unstructured and nonrecurring discharging of firearms on private property with

the property owner's permission.

Short-term rental means the primary or secondary use of a dwelling unit, or a portion thereof, by

the owner or host for the provision of a room or space for compensation that is intended to be

occupied for a period of fewer than 30 days and that typically uses a system of advertising,

reservations, deposits, and confirmations.

Single-family dwelling means a site-built or modular building designed for or used exclusively as

one dwelling unit for permanent occupancy.

(1) *Detached* means a single-family dwelling which is surrounded by open space or yards on

all sides, is located on its own individual lot, and which is not attached to any other dwelling by

any means.

(2) *Attached* means two single-family dwellings sharing a common wall area, each on its

own individual lot.

Stable, private means the boarding, keeping, breeding, pasturing or raising of horses, mules,

donkeys, ponies or llamas exclusively for personal use and enjoyment by the owner or occupant

of the property or the riding of said animals by the owner or occupant of the property and/or their

non-paying guests.

Studio, fine arts means a building, or portion thereof, used as a place of work by a sculptor,

artist, photographer or similar artisan and/or for sale of such products.

Substance abuse clinic means an establishment which provides outpatient services primarily

related to the treatment of alcohol, or other drug or substance abuse disorders, which services

include the dispensing and administering of controlled substances and pharmaceutical products

by professional medical practitioners as licensed by the commonwealth.

Temporary family health care structures means as described by Code of Virginia, § 15.2-2292.1

and in section 86-460 of this chapter, a transportable residential structure, providing an

environment facilitating a caregiver's provision of care for a mentally or physically impaired

person, and which has been primarily assembled at a location other than the site of installation.

Tower means any structure that is designed and constructed primarily for the purpose of

supporting one or more antennas. The term includes but is not limited to radio and television

transmission towers, microwave towers, common-carrier towers, and cellular telephone and

wireless communication towers. Tower types include, but are not limited to monopoles, lattice

towers, wooden poles, and guyed towers. Excluded from this definition are amateur radio towers,

which are otherwise defined.

Townhouse means a grouping of three or more attached single-family dwellings in a row in

which each unit has its own front and rear access to the outside, no unit is located over another

unit, and each unit is separated from each other by one or more common walls.

Transfer station means any storage or collection facility which is operated as a relay point for

municipal solid waste which ultimately is to be transferred to a landfill.

Transportation terminal means a facility for loading, unloading, and interchange of passengers,

baggage, and incidental freight or packages between modes of ground transportation, including

bus terminals, railroad stations, and public transit facilities.

Travel center means an establishment containing a mixture of uses which cater to the traveling

public and in particular motor freight operators. A travel center might include such uses as fuel

pumps, restaurants, overnight accommodations, retail sales related to the motor freight industry,

and similar uses.

Truck terminal means a facility for the receipt, transfer, short term storage, and dispatching of

goods transported by truck. Included in the use type would be express and other mail and

package distribution facilities, including such facilities operated by the U.S. Post Office.

Upper-story residential unit means residential dwellings, as a secondary or ancillary use in

mixed-use commercial or office structures, located on any floor above the ground floor (secondstory

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. This use type shall not include utility-scale solar

facilities.

Utility service, minor means services which are necessary to support existing and future

development within the immediate vicinity and involve only minor structures. Included in this

use type are distribution lines and small facilities that are underground or overhead, such as

transformers, relay and booster devices, and well, water and sewer pump stations. Also included

are all major utility services that were in existence prior to the adoption of this chapter.

Veterinary hospital/clinic means any establishment rendering surgical and medical treatment of

animals. Boarding of animals shall only be conducted indoors, on a short term basis, and shall

only be incidental to such hospital/clinic use, unless also authorized and approved as a

commercial kennel.

Warehousing and distribution means an establishment specializing in storage, warehousing and

dispatching of goods within enclosed structures, or outdoors. Typical uses include wholesale

distributors, storage warehouses and moving/storage firms.

Wedding/event facility means a facility which is utilized by individuals or groups to

accommodate private functions including but not limited to, banquets, weddings, celebrations,

and other events. Civic, religious and community owned buildings are not included in this

definition.

This ordinance shall become effective immediately upon passage.