



Amherst County Board of Supervisors
County Ordinance No. 2011-0007

AN ORDINANCE, NO. 2011-0007

Amending sections 302, 702, 706, 707, and 708 of Appendix A to the Code of the County of Amherst to (i) define pawnbrokers and add them as a special exception use in the B-2 district, and (ii) authorize the Planning Director to determine, in the agricultural, village center, general commercial, and industrial districts, that there are other uses not specifically named as special exception uses that are consistent with and of the same general character as special uses in those districts.

Approved as to form by the County Attorney

READING: Planning Commission, December 1, 2011

READING: Board of Supervisors, December 6, 2011

PUBLIC HEARING: Planning Commission, January 5, 2012

PUBLIC HEARING: Board of Supervisors, January 17, 2012

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Section 302.95.1 be and hereby is added to the Code of the County of Amherst, as follows:

302.95.1. Pawnbroker. Any person or business who lends or advances money or other things for profit on the pledge and possession of tangible personal property, or other valuable things, other than securities or written or printed evidences of indebtedness or title, or who makes purchases from another contingent on an agreement to sell the purchased item back to the seller at a stipulated price.

§ 2. That sections 702, 706, 707, and 708 of the Code of the County of Amherst, specifically 706.02, 706.03, 707.02, 707.03, 708.02, and 708.03 be and hereby are amended, as follows:

702.03. Special exceptions (A-1 zone).

1. Public entertainment.
2. Schools.
3. Saw mills.

4. Pallet manufacturing.
5. Wood yards.
6. Feed mills.
7. Truck business.
8. Churches and related facilities.
9. Signs as provided in Section 907.
10. Planned unit developments.
11. Short-term tourist rental of dwelling.
12. Machinery sales and service.
13. Storage of biosolids as provided in Section 917.
14. Mineral extraction per Section 910.
15. Small wind energy systems as provided in Section 918.
16. Substance abuse treatment facility.
17. Off-site directional signs compliant with the requirements of Section 907.04.
18. Any other use which the Planning Director determines is consistent with the statement of intent for this district and is of the same general character as special exception uses in this district.

706.03. Special exceptions:

1. Signs for uses not specified in the permitted use section and as provided for in Section 907.
2. Cemeteries.
3. Private clubs.
4. Civic organization meeting facilities.
5. Parks and recreational facilities where land is owned privately.
6. Professional offices.
7. Restaurants.

8. Manufactured homes.
9. Dual use structure limited to a single-family dwelling use and a business use.
10. Nursing homes and assisted living facilities.
11. Machine shops.
12. Short-term tourist rental of dwelling.
13. Off-site directional signs compliant with the requirements of Section 907.04.
14. Above ground liquefied petroleum gas containers between one hundred twenty-five (125) gallons water capacity and two thousand (2,000) gallons water capacity, provided there is a distance of three (3) feet between other liquefied petroleum gas containers. Liquefied petroleum gas containers shall be set back twenty-five (25) feet from roads and lot lines of adjoining properties and fifty (50) feet from all structures and installed in a manner to reduce exposure and proximity to vehicular traffic. The board of supervisors may impose greater setbacks if above ground liquefied petroleum gas containers are located in close proximity to the following non-exhaustive list of land uses: dwellings, schools, churches, government facilities, or other uses in which higher densities of people gather. The board of supervisors may provide for a reduction in setbacks if engineered provisions are made for blast containment. All requirements shall be in accordance with Chapter 4, Article II, Section 4-27 of the Amherst County Code, as amended.
15. Automobile service stations as provided in Section 902 herein.
16. Day care centers.
17. Farm machinery display, sales and services.
18. Taxidermy.
19. Retail nurseries and greenhouses.
20. Museum.
21. Bed and breakfast.
22. Any other use which the Planning Director determines is consistent with the statement of intent for this district and is of the same general character as special exception uses in this district.

707.03. Special Exceptions.

1. Bulk storage and sale of sand, gravel and rock;
2. Automobile sales, used;
3. Building and excavating contractor facilities with outside storage;

4. Automobile laundry or car wash, provided that a paved area shall be located on the same lot for the storage of vehicles awaiting entrance to the washing process;
5. Building materials dealer, not including handling of bulk materials such as sand and gravel;
6. Farm machinery display, sales and services;
7. Machinery sales and services;
8. Arenas, auditoriums or stadiums;
9. Automotive repair garage, mechanical and body, provided all operations are conducted in a building which shall not have any opening other than a stationary window within one hundred (100) feet of a residential, agricultural or public lands district and which shall not store or otherwise maintain any parts or waste material outside such building;
10. Tire recapping, provided all operations are conducted in a building which shall not have any opening other than a stationary window within one hundred (100) feet of a residential, agricultural or school district and which shall not store or otherwise maintain any parts or waste material outside such building;
11. Adult entertainment establishments in accordance with Section 915;
12. Tattoo establishments;
13. Auction house;
14. Self-service mini-storage and warehouse facilities;
15. Travel trailer sales;
16. Display of and sale of wholesale and retail modular homes;
17. Small wind energy systems as provided in Section 918;
18. Substance abuse treatment facility;
19. Above ground liquefied petroleum gas containers between one hundred twenty-five (125) gallons water capacity and two thousand (2,000) gallons water capacity, provided there is a distance of three (3) feet between other liquefied petroleum gas containers. Liquefied petroleum gas containers shall be set back twenty-five (25) feet from roads and lot lines of adjoining properties and fifty (50) feet from all structures and installed in a manner to reduce exposure and proximity to vehicular traffic. The board of supervisors may impose greater setbacks if above ground liquefied petroleum gas containers are located in close proximity to the following non-exhaustive list of land uses: dwellings, schools, churches, government facilities, or other uses in which higher densities of people gather. The board of supervisors may provide for a reduction in setbacks if engineered provisions are made for blast containment. All requirements shall be in accordance with Chapter 4, Article II, Section 4-27 of the Amherst County Code, as amended.

20. Off-site directional signs compliant with the requirements of Section 907.04.

21. Pawnbrokers.

22. Any other use which the Planning Director determines is consistent with the statement of intent for this district and is of the same general character as special exception uses in this district.

708.03. Special exceptions:

1. Salvage yards;

2. Quarries;

3. Paper mills;

4. Wholesale and retail modular homes;

5. Small wind energy systems as provided in Section 918;

6. Off-site directional signs compliant with the requirements of Section 907.04.

7. Any other use which the Planning Director determines is consistent with the statement of intent for this district and is of the same general character as special exception uses in this district.

§2. That this ordinance shall be in force and effect upon adoption.

Adopted this 17th day of January, 2012.

V. Frank Campbell, Chairman
Amherst County Board of Supervisors

ATTEST:

Clarence Monday, Clerk
Amherst County Board of Supervisors

Ayes ____

No's ____

Abstentions ____