



Amherst County Board of Supervisors
County Ordinance No. 2012-0013

AN ORDINANCE, NO. 2012-0013

Amending the Comprehensive Plan and the Official Zoning District Maps for Amherst County, Virginia, to provide for the rezoning of certain parcels in the Old Town Madison Heights neighborhood from designation as R-2 General Residential District to designation as RMU-1 Residential Mixed Use District, as established by Amherst County Ordinance 2012-0003.

Approved as to form and legality by the County Attorney

FIRST READING: September 4, 2012
PUBLIC HEARING: September 18, 2012

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That the Comprehensive Plan and the Official Zoning District Maps for Amherst County, Virginia, are amended, as follows:

WHEREAS, Amherst County Code §502 provides that the maps entitled the "Official Zoning District Maps for Amherst County, Virginia", dated May 2, 2001, with all notations, references, amendments and dates thereof, and other information shown thereon, and the official flood hazard district maps, adopted by the Amherst County Board of Supervisors (hereafter "Board") on July 3, 1978, as amended, collectively constitute a part of the zoning ordinance and are referred to as the zoning map; and

WHEREAS, Amherst County Code §503 provides that if changes are made in the district boundaries or other information portrayed on the zoning map, such changes shall be entered on the zoning map within thirty (30) days after the Board has approved the amendment; and

WHEREAS, the Planning Commission recommended to the Board that Ordinance 2012-0003, providing for the establishment of the Residential Mixed Use District (the "RMU-1 District") be adopted, and the Board adopted that ordinance subsequent to a public hearing on July 17, 2012; and

WHEREAS, the Planning Commission has recommended to the Board that certain conforming changes be made to the Comprehensive Plan, specifically the addition of provisions describing the RMU-1 District, which proposed provisions are attached hereto as Exhibit A; and

WHEREAS, the Board of Supervisors and the Planning Commission held a joint public hearing on September 18, 2012, to consider the changes to the Comprehensive Plan and rezoning to the RMU-1

District all parcels zoned R-2 General Residential District located in the area generally known as the Old Town Madison Heights neighborhood and demarcated by the James River to the south, Route 210 to the north, U.S. Route 29 Business to the east, and Route 163 to the west, as indicated on the zoning map attached hereto as Exhibit B;

WHEREAS, subsequent to that hearing, the Planning Commission recommended that the Board adopt this Ordinance 2012-0013, amending the Comprehensive Plan and effecting the rezoning of all parcels zoned R-2 General Residential District located in the area generally known as the Old Town Madison Heights neighborhood and demarcated by the James River to the south, Route 210 to the north, U.S. Route 29 Business to the east, and Route 163 to the west, such that those parcels henceforth will be zoned as RMU-1, Residential Mixed Use District; and

WHEREAS, Ordinance 2012-0013 providing for the amendments to the Comprehensive Plan and the rezoning of the subject parcels is properly before the Board for consideration; and

WHEREAS, the Board has considered Ordinance 2012-0013 in a public hearing noticed in accordance with Virginia Code § 15.2-2285.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

1. That the proposed changes to the Comprehensive Plan as shown in Exhibit A are approved.
2. That all parcels zoned R-2 General Residential District located in the area generally known as the Old Town Madison Heights neighborhood and demarcated by the James River to the south, Route 210 to the north, U.S. Route 29 Business to the east, and Route 163 to the west, specifically as shown in Exhibit B, henceforth shall be zoned RMU-1, Residential Mixed Use District, and shall be governed by the provisions established in County Code by Amherst County Ordinance No. 2012-0003.

§2. That the County Administrator is directed to ensure that all changes to the zoning map implemented by this ordinance are made within 30 days of the adoption of this ordinance.

§3. That this ordinance shall not be codified in the Code of the County of Amherst.

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

Adopted this 18th day of September, 2012.

V. Frank Campbell, Chairman
Amherst County Board of Supervisors

ATTEST:

Clarence C. Monday, Clerk
Amherst County Board of Supervisors

Ayes ____

Nays ____

Abstentions ____