

Notice of Public Hearing of the Amherst County Board of Supervisors

The Amherst County Board of Supervisors will conduct a public hearing during its regular meeting on Tuesday, May 20, 2014, at 7:00 p.m., in the Amherst County Administration Building, 153 Washington Street, Amherst, Virginia, 24521, to consider adoption of the following ordinances:

No. 2014-0005: Amending sections 703 and 705, specifically subsections 703.02 and 705.02 of Appendix A to the Code of the County of Amherst, to clarify that townhouses are not by right uses in the limited residential district (R-1) and are distinct uses that are permissible by right in the multifamily residential district (R-3).

No. 2014-0006: Adding subsection 1003.06 to section 1003 of Appendix A to the Code of the County of Amherst, to provide that the existence of delinquent charges shall render certain zoning permit applications incomplete.

No. 2014-0007: Amending section 302 by adding a definition, and amending sections 702, 706, 707, and 708, specifically subsections 702.03, 706.03, 707.02, and 708.02, of Appendix A to the Code of the County of Amherst, to define breweries and establish them as a permitted use in the general commercial and industrial districts, and as a special exception use in the agricultural residential and village center districts.

No. 2014-0008: Repealing Articles VII and VIII in Chapter 4 and replacing the provisions contained in those Articles by adding a new Article V to Chapter 10 of the Amherst County Code. This ordinance moves the provisions governing weeds, garbage, and refuse from Chapter 4 (Building Regulations) to Chapter 10 (Offenses and Miscellaneous Provisions), modifies the provisions to clarify their meaning and simplify enforcement, lowers the notice period for garbage from 10 days to three days, adds new provisions relating to occupied properties that the County can enforce beginning July 1, 2014, and consolidates responsibility for enforcement of these Code provisions in the Sheriff's Office. The ordinance eliminates criminal penalties and establishes the maximum civil penalties permissible under State Code. The ordinance amends Section 14-9 of the Amherst County Code to make internal references to County Code consistent with the changes made by this ordinance.

No. 2014-0009: Clarifying the definitions of drug and alcohol treatment facilities and amending the provisions governing uses in a shopping center. The ordinance amends the name and existing definition of "clinics and medical offices", amends the definition of "substance abuse treatment facility", and adds a definition of "substance abuse treatment clinic" to describe a facility that provides services solely on an outpatient basis. The ordinance authorizes substance abuse treatment clinics as a special exception use in the general commercial (B-2) district. The ordinance eliminates the undefined use "medical facilities" from the permitted uses in a shopping center and adds the defined use "medical clinic or office" as a permitted use in shopping centers. The ordinance adds churches, community centers, and day care centers as permitted uses in shopping centers. The ordinance defines "health club" and adds it as a permitted use in shopping centers. The ordinance eliminates "Other compatible uses approved by the board of supervisors" as a permitted use in a shopping center and establishes as a special exception use any use which the zoning administrator determines is consistent with the statement of intent for a shopping center and is of the same general character as a permitted use for a shopping center.

2014-0010: Amending Article VI of Chapter 4 of the Amherst County Code, containing provisions governing the abatement of public nuisances. The ordinance eliminates criminal sanctions in favor of civil actions, changes the date by which a hearing must be requested from 48 hours prior to the abatement date to five business days after issuance of a notice of abatement, and authorizes the Sheriff to enforce against nuisances.

2014-0011: Establishing authority for the County to recover the costs of cleaning up a methamphetamine lab from persons convicted of manufacturing methamphetamine, making technical corrections to other provisions contained in the same article, and repealing Article III of Chapter 10 of the Amherst County Code because it contains provisions duplicative of those in Chapter 11.5.

The proposed ordinances are available for review Monday through Friday during regular working hours in the Office of the County Administrator at the above address.

Accommodations for disabled persons can be made with the Office of the County Administrator by calling 434-946-9400 or (TTD) 434-946-9335 at least five (5) days prior to the hearing date.

Clarence C. Monday
Amherst County Administrator



**Amherst County Board of Supervisors
County Ordinance No. 2014-0006**

AN ORDINANCE, NO. 2014-0006

Adding subsection 1003.06 to section 1003 of Appendix A to the Code of the County of Amherst, to provide that the existence of delinquent charges shall render certain zoning permit applications incomplete.

Approved as to form and legality by the County Attorney

**FIRST READING: Planning Commission, April 3, 2014
PUBLIC HEARING: Planning Commission, April 17, 2014
FIRST READING: Board of Supervisors, May 6, 2014
PUBLIC HEARING: Board of Supervisors, May 20, 2014**

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That subsection 1003.06, Delinquent charges, be and hereby is added to §1003 of Appendix A to the Code of the County of Amherst, as follows:

1003.06. Delinquent charges.

Applications for a special exception permit, variance, rezoning, or land disturbing permit, including erosion and sediment control permits, shall be considered incomplete if any of the following charges associated with the subject property are unpaid:

1. Real estate taxes.
2. Personal property taxes.
3. Business taxes.

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

Adopted this 20th day of May, 2014.

Donald W. Kidd, Chairman
Amherst County Board of Supervisors

ATTEST:

Clarence C. Monday, Clerk
Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____