



**Amherst County Board of Supervisors
County Ordinance No. 2018-0007**

AN ORDINANCE, NO. 2018-0007

Amending §§ 602.02, 602.03 and 801.02 of Appendix A – Zoning and Subdivisions,
Article VI – General Provisions, to the Code of the County of Amherst to implement Business-
Friendly Parking and Residential Density Amendments.

Approved as to form and legality by the County Attorney

**FIRST READING: Board of Supervisors, March 5, 2019
PUBLIC HEARING: Board of Supervisors, March 19, 2019**

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Sections 602.02, 602.03 and 801.02 of Appendix A – Zoning and Subdivisions, Article VI – General Provisions, to the Code of the County of Amherst be and hereby is amended, as follows:

602. - Off-street parking.

Off-street automobile storage or parking space shall be provided on every lot on which any permitted use or special exception is established in accordance with this ordinance.

602.01. General requirements. For the purpose of this ordinance, the following general requirements are specified:

1. The term "off-street parking space" shall mean a space at least nine (9) feet wide and eighteen (18) feet in length.
2. Parking spaces for all dwellings shall be located on the same lot with the main buildings to be served.
3. If an off-street parking space cannot be reasonably provided on the same lot on which the main use is conducted, such space may be provided on other off-street property, provided such space lies within six hundred (600) feet of the property line of such main use and is so designated on the zoning permit.
4. The required number of parking spaces for any number of separate uses may be combined in one (1) lot, but the required space assigned to one (1) use may not be assigned to another use at the same time.

5. Area reserved for off-street parking in accordance with the requirements of this ordinance shall not be reduced in the area, encroached upon, or changed to any other use unless the use which it serves is discontinued or modified.

6. Off-street parking existing at the effective date of the ordinance in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or use. Existing off-street parking which is provided in an amount less than the requirement stated hereinafter shall not be further reduced.

602.02. Site requirements. All off-street parking shall be laid out, constructed, and maintained in accordance with the following requirements:

1. All such parking areas, except those serving one- and two-family dwellings, which (i) are located within the county's designated growth boundary, or (ii) front along U.S. highways or primary highways as classified by the Virginia Department of Transportation shall be surface treated or paved to eliminate dust. All other off-street parking areas need not be surface treated or paved except where the zoning administrator determines that such treatment or paving is necessary.

2. Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets.

3. The parking lot shall be adequately drained.

4. Access to off-street parking facilities from public streets shall meet the requirements of Section 33.2-241 of the Code of Virginia, 1950, as amended, and the Access Management Regulations of the Virginia Department of Transportation, 24 Va. Admin. Code § 30-73, and be approved by the Virginia Department of Transportation.

5. The parking lot shall have an aisle width of at least twenty-two (22) feet.

602.03. Parking space requirements for all districts. Off-street automobile storage or parking space shall be provided with vehicle access to a street or alley and shall be equal in area to at least the minimum requirements for the specific land use set forth.

Land Use		Parking Requirements
1.	Dwellings:	
	a. One and two families	Two (2) spaces for each dwelling unit
	b. Multi-family	Two (2) spaces per dwelling unit except for efficiency apartments for which one (1) space per dwelling unit should be provided
	c. Hotels, Motels	One (1) space for each bedroom plus one (1) additional space for each two (2) employees
	d. Mobile home parks	Two (2) spaces per mobile home

	e. Travel trailer parks	One (1) space for each travel trailer, motor home, or camper
	f. Boarding and rooming houses, dormitories	One (1) space for each bedroom
2.	Public Assembly:	
	a. Churches and other places of worship	One (1) space for each four (4) seats in the main auditorium or sanctuary
	b. Private clubs, lodges and fraternal or sororal buildings and accommodations	One (1) space for each five (5) members
	c. Theaters, auditoriums, coliseums, and similar places of assembly	One (1) space for each four (4) seats in the main assembly area
	d. Libraries, museums	One (1) space for each 200 square feet of gross floor area
	e. Schools, including kindergartens, play-schools and day care centers	One (1) space for each four (4) seats in assembly hall, or one (1) space for each employee, including teachers and administrators, whichever is greater, plus five (5) spaces per classroom for high school and colleges
	f. Skating rinks, dance halls, exhibition halls, pool rooms, and other places of amusement or amusement or assembly without fixed seating arrangements	One (1) space for each 200 square feet of floor area
	g. Bowling alleys	Four (4) spaces for each alley
3.	Health Facilities:	
	a. Hospitals, homes for adults and similar uses	One (1) space for each four (4) beds, plus one (1) space for each staff or visiting doctor plus one (1) space for each additional four (4) employees, on the maximum working shift
	b. Kennels and animal hospitals	A net parking area equal to 30 percent of the total enclosed or covered area
	c. Medical, dental, and health offices and clinics	One (1) space for each 200 square feet of floor area used for offices and similar purposes
	d. Mortuaries and funeral parlors	Five (5) spaces per parlor or chapel unit, or one (1) space per four (4) seats, whichever is greater
4.	Businesses:	

	a. Automobile repair establishments	One (1) space for each regular employee plus one (1) space for each 250 square feet of floor area
	b. Food stores	One (1) space for each 200 square feet of floor area designated for retail sales only
	c. Restaurants, including bars, cafes, taverns, night clubs, lunch counters and/or drinking establishments	One (1) space for each four (4) seats provided for patron use, plus one (1) space for each 75 square feet of floor area provided for patron use but not containing seats
	d. Office buildings, including banks, businesses, commercial and professional offices and buildings, but not including medical, dental and health offices and clinics	One (1) space for each 300 square feet of ground floor area, plus one (1) space for each 500 square feet of upper floor space
	e. General business, commercial or personal service establishments catering to the retail trade but excluding food stores	One (1) space for each 200 square feet of floor area designated for retail sales only
	f. Governmental offices	One (1) space for each 300 square feet of ground floor area plus one (1) space for each 500 square feet of upper floor area and one (1) space for each governmental vehicle
	g. Shopping centers	One (1) space for each 200 square feet of total floor area
	h. Furniture stores	One (1) space for each 1,000 square feet of gross floor area
	i. Public utilities such as telephone exchanges and substation, radio and TV stations, electric power and gas substations	A parking area equal to 25 percent of the gross floor area
5.	Industries:	
	a. Commercial, manufacturing and industrial establishments not catering to the retail trade	One (1) space for each three (3) employees on the maximum working shift, plus one (1) space for each company vehicle operating from the premises
	b. Wholesale establishments	One (1) space for every fifty (50) square feet of customer service area, plus two (2) spaces for each three (3) employees on the maximum working shift, plus one (1) space for each company vehicle operating from the premises

6. Other Uses: For uses which are not covered above or in Article X of this ordinance, minimum parking requirements shall be determined by the commission.

7. Special Exception Permits: The Board may issue a special exception permit to reduce the parking space requirements in subsections 1 through 5 above up to 25%. In issuing such a permit, the Board shall take into account the nature of the use, the surrounding transportation network, the relative demands of the use, e.g., an office use not designed for customers may need fewer spaces than an office at which customers would regularly come and go, the recommendation, if any, of the Virginia Department of Transportation, and such other factors as may be reasonably related to the public health, safety, and general welfare.

(Ord. No. 2012-0005, § 3, 7-17-12)

801. - Minimum lot area and lot width.

801.01. Residential Uses. Within districts permitting single-, two-family and multi-family residential uses, the following minimum lot areas and minimum lot widths shall apply:

District	Minimum Lot Area (sq.ft.)	Minimum Lot Frontage (feet) ^{1, 2}
A-1 (Agricultural Residential)		
Single-family	43,560	100
Family divisions	43,560	None
R-1 (Limited Residential)		
Single-family (with public water and public sewerage systems)	15,000	75
(with public water and on-site sewerage systems)	22,500	75
(with non-public water and on-site sewerage systems)	25,000	75
R-2 (General Residential)		
Single-family (with public water and public sewerage systems)	10,000	75
(with public water and on-site sewerage systems)	17,500	75
(with non-public water and on-site sewerage systems)	20,000	75
Two-Family (with public water and public sewerage systems)	12,000	80
(with public water and on-site sewerage systems)	27,000	80

(with non-public water and on-site sewerage systems)	32,000	80
Three-family (with public water and public sewerage systems)	16,000	90
(with public water and on-site sewerage systems)	38,500	90
(with non-public water and on-site sewerage systems)	46,000	90
Four-family (with public water and public sewerage systems)	20,000	100
(with public water and on-site sewerage systems)	50,000	100
(with non-public water and on-site sewerage systems)	60,000	100

District	Minimum Lot Area (sq. ft.)	Minimum Lot Area for Each Additional Multi-family Unit (sq. ft.)	Minimum Lot Width (feet)
R-3 (Gen. Res.)			
Multi-Family (1 thru 4 units—Same as R-2)			
5 Units (with public water and public sewerage systems)	24,000	4,000	110
(with public water and on-site sewerage systems)	61,500	7,500	110
V-1 (Village) Single-family (regardless of the type of water and sewerage systems)	43,560	n/a	100
RMU-1 (Residential Mixed Use District)	Standards set forth in the R-2 District	Standards set forth in the R-2 District	Standards set forth in the R-2 District

¹ In the measurement of lot width, the front shall be deemed to be the shorter of the sides of a corner lot facing streets.

² Minimum frontage may be reduced when the entire lot frontage is located on the arc of a cul-de-sac and shall be no less than fifty (50) feet. At the building setback line for the district the lot must meet the district frontage or width requirement.

801.02. Special exception permit for greater density in R-3 district. The Board may

issue a special exception permit to increase the permitted density for multifamily development in the R-3 district as set forth in subsection 801.01 by up to 50%. In issuing such a permit, the Board shall take into account the nature of the use, the demands of the use on public facilities, availability of public water and sewer, additions to the tax base, addition of desirable living spaces to the county, the surrounding transportation network, the relative demands of the use, the recommendation, if any, of the Virginia Department of Transportation, and such other factors as may be reasonably related to the public health, safety, and general welfare.

801.03. Commercial, industrial and other uses. Within districts permitting commercial, industrial and other uses, there are no minimum lot area and lot width requirements except as provided herein in special circumstances and/or as may be required by the board of supervisors, commission and/or board of appeals.

801.04. Health department approval. Area requirements in paragraphs 801.01 and 801.02 are subject to the approval of the health department, and in special circumstances larger lot areas may be required due to health department regulations.

(Ord. of 7-21-09(1); Ord. No. 2012-0003, § 2, 7-17-12)

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

Adopted this 19th day of March, 2019.



L. J. Ayers III, Chair
Amherst County Board of Supervisors

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

