



Planning Commission Annual Report 2019

2019's Numbers

In 2019 the Planning and Zoning Division approved the following¹:

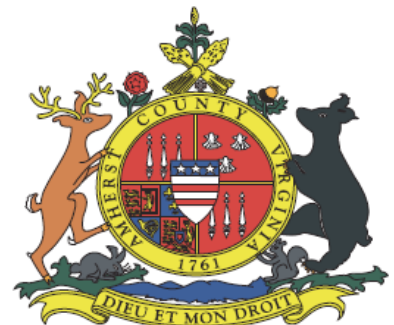
- 375 Zoning permits
- 77 Single family dwelling permits.
- 22 Building addition permits.
- 87 Home occupation permits.
- 105 Accessory structure permits.
- 11 Wireless communication facility permits.
- 10 New sign permits.
- 3 Replacement or modification sign permits.
- 8 Site plans.
- 1 PC Approved Major subdivision.

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Community Development Advancement

In 2019, the Planning Commission members improved their ability to review packets for their meetings, enhance communication and research relevant topics. In the past, the Planning Commission received large paper packets in the mail that included agendas, plats, site plans and reports. Mailing the packets were costly and often times the delivery dates of the material was inconsistent. The Planning Commission has now transitioned to an all-digital platform and has the ability to review all of their items and perform research functions from their iPads. The speed of communication and information has drastically increased.



¹ For a complete breakdown of 2019's numbers please see Appendix A

Route 29 Business Beautification Mini-Grant Program

In an effort to encourage community pride and enhance property fronting U.S. Business in Madison Heights, Amherst County's Route 29 Business Beautification Committee is launching a new mini-grant program for local businesses.

The program's purpose is to assist businesses along the corridor from the James River to Cedar Gate Road in making improvements to the overall appearance of their properties. The committee, a subcommittee of the Amherst County Planning Commission that meets regularly to consider strategies and enhancement steps for the corridor, has about \$7,000 for the program and believes it can assist in up to seven projects.

Under the program, a business can submit an application to the committee for review. If approved, up to \$1,000 per property could be allocated and the business would have to match it.

Examples of qualifying improvements are sign replacement and restoration, landscaping, removal of blight, façade improvement, tree planting and fresh paint on a building. Bryant said he's talked to at least two companies that are willing to take down their dilapidated signs through the program, which would make a positive visual difference along the corridor, and they're excited about it.

Business Friendly Initiative: Ordinance 2019-0001

Amherst County looked to double down on the simplification of its zoning rules through the modification, removal and or addition of special exception uses. Ordinance 2019-0001, which is part of Amherst County's "Business Friendly" initiative, looks to strengthen the relationship between local businesses and the county government.

Prior to the adoption of Ordinance 2019- 0001, the Planning Commission reviewed approximately 30 different special exception uses for code change. Through individual responses and a day long workshop, a comprehensive assessment of all permitted and special exception uses in the zoning ordinance was established and finalized. The Board of Supervisors adopted Ordinance 2019-0001 on March 19, 2019².

² For a complete breakdown of Zoning Ordinance 2019-001, please see Appendix B

Meet the Planning Commission

Member	Phone Number	Email	District
Beverly C. Jones – Chairman	929-7617	bcjones@countyofamherst.com	District 5
Derin S. Foor	941-7345	dsfoor@countyofamherst.com	District 2
Jim D. Thompson	841-7499	jdthompson@countyofamherst.com	District 3
Michael D. Bryant	929-4525	mdbryant@countyofamherst.com	District 4
Michael K. Martineau – Vice Chairman	941-7345	mkmartineau@countyofamherst.com	District 1
Catherine L. Gamble	946-5835	clgamble@countyofamherst.com	At-Large
David Pugh (Board Liaison)	509-2038	dwpugh@countyofamherst.com	District 4



Member Update

It is the intention of the Planning Commission to not only develop the citizenship and political involvement of the youth of the County, but to also obtain their input in as many areas of County leadership as possible.

2019 marked the first year in which the Planning Commission had youth participants act as members on the board. It has been a learning curve for the two youth participants, but the Planning Commission hopes this experience will lead the way for our youth taking a call to public service.

“Being a youth representative on the planning commission has taught me how local government works. I have the opportunity to impact decisions regarding my community and offer ideas for change.” – Kennedy Campbell, Planning Commission Youth Member

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Special Exceptions, Site Plans & Rezoning

Thirteen (13) special exceptions were reviewed by the Planning Commission in 2019, and all were approved by the Board of Supervisors. A complete list of the approved special exceptions can be seen below in Table 1. In addition to the 13 special exception cases, five (5) site plans were also approved by the Planning Commission in 2019. Among the site plans that accompanied previously or simultaneously approved special exceptions, was the addition from 29 to 42 apartment units for the Phelps Road School project. The other four approved site plans include the construction of the new Biscuitville Restaurant, additional units to an already approved storage facility, a new car wash and a minor site plan for an addition to an already existing commercial building for the Greif Brothers Corporation. Table 2 identifies the five approved site plans for 2019. Lastly, the planning commission voted on four rezoning cases in 2019 and all were passed. Please see Table 3 for a complete list of the 2019 rezoning cases.

Date	Classification	Use	Zoning District
1/2/2019	Residential	Short-term Tourist Dwelling	A-1 Agricultural Residential
1/24/2019	Residential	41 apartment units (Phelps Rd. School)	R-3 Multi-Family Residential
2/19/2019	Residential	Short-term Tourist Dwelling	A-1 Agricultural Residential
3/25/2019	Commercial	PUD	A-1 Agricultural Residential
4/18/2019	Residential	Sign	R-2 General Residential
4/23/2019	Residential	Short-term Tourist Dwelling	R-2 General Residential
5/30/2019	Commercial	Addition to the Georgia Pacific landfill	A-1 Agricultural Residential
6/4/2019	Residential	Short-term Tourist Dwelling	A-1 Agricultural Residential
9/4/2019	Residential	Short-term Tourist Dwelling	A-1 Agricultural Residential
9/18/2019	Residential	Addition of one (1) apartment unit	R-3 Multi-Family Residential
9/24/2019	Residential	Short-term Tourist Dwelling	R-1 Limited Residential
10/4/2019	Residential	Duplex with outward appearance of SFD	R-1 Limited Residential
10/23/2019	Commercial	Automotive repair and state inspection business	M-1 Industrial

Table 1. Approved Special Exceptions, 2019

Date	Classification	Site Plan	Zoning District
1/17/2019	Commercial	Biscuitville	B-2 General Commercial
3/21/2019	Commercial	Car Wash	B-2 General Commercial
6/18/2019	Commercial	Additional Storage Buildings	B-2 General Commercial
7/18/2019	Residential	Phelps Road School Apartments	R-3 Multi-Family Residential
9/19/2019	Industrial	Addition to an already existing Industrial Building	M-1 Industrial

Table 2. Approved Site Plans, 2019

Date	Tax Map Number	Use	Rezoning
11/21/2019	147-A-206	Automotive repair and state inspection business	M-1 to B-2
09/19/2019	68-A-62A	Solid waste convenience center	A-1 to P-1
09/19/2019	161C1-A-58	Restaurant	R-2 to V-1
05/16/2019	149-A-64	Land Use	R-1 to A-1

Table 3. Rezoning Cases, 2019

Banners Raised Alongside Route 29 Business Corridor

"The purpose of the Route 29 Business Beautification Committee is to beautify the roadways of Amherst County so as to instill pride and appreciation of the citizenry in the attractiveness of their community."

In June of 2019, Amherst County banners were placed within Riveredge park. In July of the same year, an additional 42 banners were installed alongside the Route 29 business corridor. This initiative is part of a greater objective sought through by the efforts of the Route 29 Business Beatification Committee.

Their goal is to instill pride and appreciation of the citizenry in the attractiveness of their community. Through the help of McBride Signs, a total of 42 banners were installed at three different intersections along the Route 29 business corridor, including the ones already in place at Riveredge Park. Amherst County funded 37 of the banners while McBride Signs and the Bank of the James donated three and two respectively. Through an agreement with AEP, there are 29 more poles in which the county can place banners.

The upcoming budget cycle has set aside funds for an additional 22 banners. Be on the lookout in 2020 for more Amherst County banners being raised!



Amherst County Awarded \$127,000 through Virginia Telecommunication Initiative

Amherst County was awarded \$127,073 through the Virginia Telecommunication Initiative (VATI) grant, which provides targeted funding to extend broadband service to areas that are presently unserved or underserved. Providing internet access to its residents has been a top priority for the County. Through the VATI grant, Amherst County and SCS, the broadband provider partnered with the county, look to hasten this process.

The \$127,073 awarded to the county is directed towards three of the seven towers being equipped for internet access. These towers are in the following areas: Lowesville, Turkey Mountain, and Panther Mountain. This does not mean that the broadband project at the other four locations will be stopped. Instead, SCS will be able to more speedily service the three towers, allowing them to quickly move resources to the remaining four towers.

All seven towers are set to be equipped with internet access by the summer of 2020. Exact completion dates are still pending. However, residents may call SCS at (434) 263-6363 to determine their access to broadband internet.

Riveredge Park

In 2019, Amherst County was notified that its application for the Recreational Trails Program (RTP) 2019 Grant was funded to extend the trail at Riveredge Park along the James River. The Department of Conservation and Recreation (DCR) received 30 applications requesting over \$9,000,000 in funding.

After careful review from the Recreational Trails Advisory Committee, the proposed project from Amherst County was recommended for funding. DCR will propose to obligate \$264,041.76 of RTP Funds for the construction of the Amherst County Riveredge Trail - James River Extension project. These funds will extend the trail approximately 500' and includes a roughly 60-foot bridge.

What to Expect in 2020

- Citizens Portal – apply for all zoning and building permits online.
- Ordinance updates including free standing signs, personal wireless service facilities, and setbacks.
- Route 29 Business Beautification Mini-Grant Program
- Construction of Phelps Road School Apartments
- Car Wash – across from the Madison Heights' Wal-Mart.

In 2020, the Amherst County Planning Commission will meet on the third Thursday of every month at 7 PM at the Amherst County Administration Building.

Appendix A

Figure A1. Total Number of Zoning Permits, 2014-2019

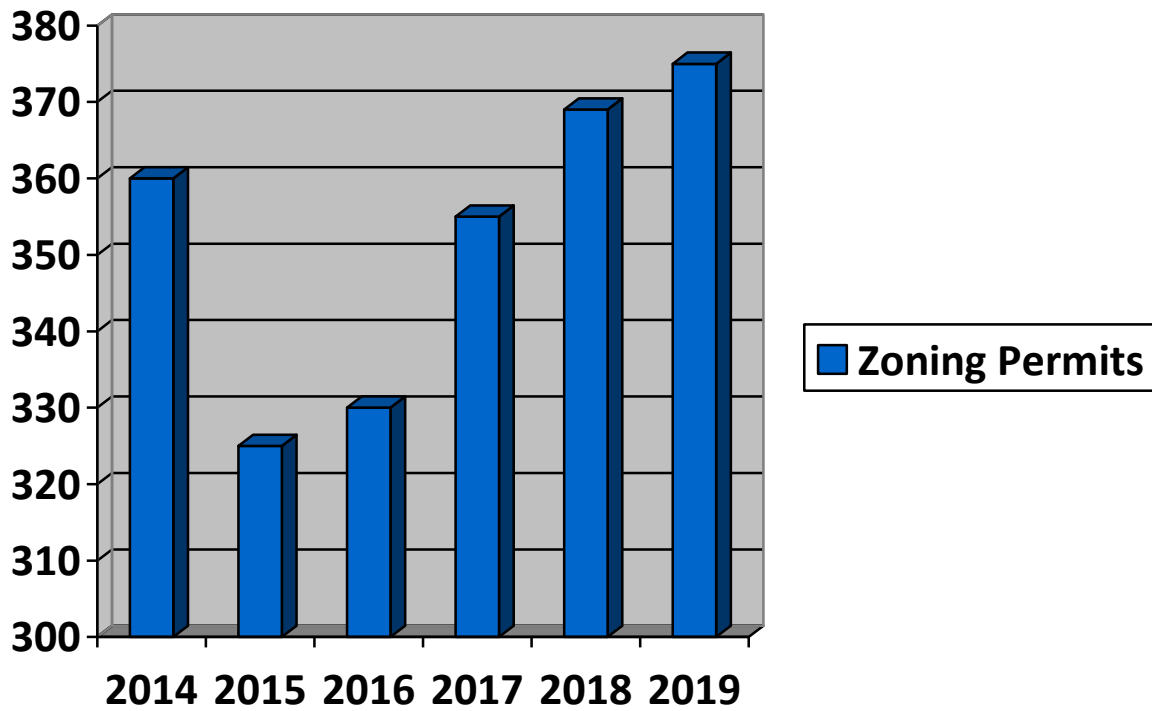
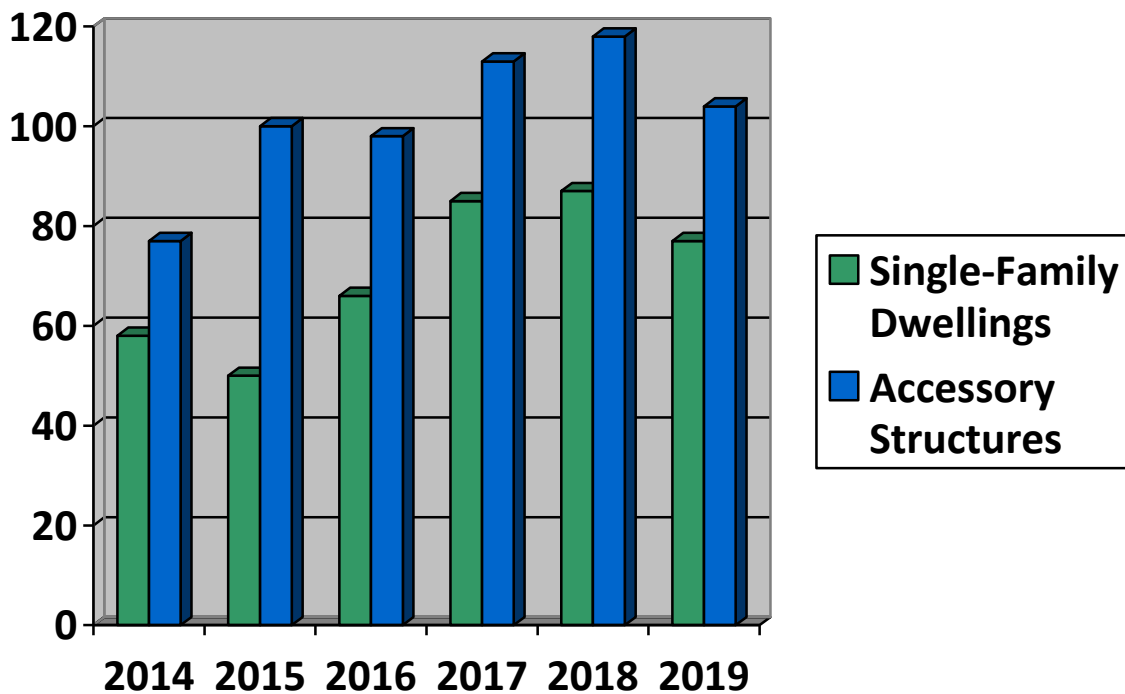


Figure A2. Total Number of Single Family Dwelling and Accessory Structure Permits, 2014-2019





Permit Summary Report Classification by Proposed Use						
Permit Date 1/1/2019 TO 12/31/2019						
	NULL VALUE	Commercial	Industrial	Institutional	Residential	Row Total
Accessory Structure- Deck/Porch	0	0	0	0	22	22
Accessory Structure-Agriculture Building	0	0	0	0	18	18
Accessory Structure-Carport/Garage	0	1	0	0	21	22
Accessory Structure-Other	0	0	0	0	5	5
Accessory Structure-Pools	0	0	0	0	7	7
Accessory Structure-storage/shed	0	2	0	0	28	30
Erosion and Sediment Control Plan	0	6	0	1	0	7
Land Disturbance-Commercial	0	7	0	1	0	8
Land Disturbance-Residential	0	0	0	0	41	41
NULL VALUE	0	0	0	0	1	1
Resurvey	0	0	0	0	14	14
Rezoning	0	2	0	0	3	5
Sign-Alter/Modify Existing	0	3	0	0	0	3
Sign-New	0	9	0	0	1	10
Site Plan-Commercial	0	8	0	0	0	8
Special Exception-Commercial	0	5	0	0	0	5
Special Exception-Residential	0	0	0	0	12	12
Subdivision Plat- Administrative	0	0	0	0	11	11
Subdivision Plat- Family Division	0	0	0	0	13	13
Subdivision Plat- Reconfiguration	0	2	0	0	35	37
Subdivision Plat-Planning Commission	0	0	0	0	1	1
Variance	0	1	0	1	1	3
Wireless Communication Facility	0	1	0	0	0	1
Wireless Communication Modifications	0	9	1	0	0	10
Zoning - Camping	0	0	0	0	3	3
Zoning - Dwelling, short term tourist rental	0	0	0	0	4	4
Zoning - Home Occupation	0	0	0	0	87	87
Zoning - Institutional Use/Structures	0	0	0	3	0	3
Zoning - New Building/Structure (Commercial)	0	3	0	0	0	3
Zoning - Single-Family	0	0	0	0	65	65
Zoning- Change in Use	0	3	0	0	0	3
Zoning Compliance	0	1	0	0	0	1
Zoning- Other (Business Licenses)	0	20	0	1	2	23
Zoning Verification	0	2	0	0	2	4
Zoning-Addition/Expansion	0	1	0	0	21	22
Zoning-Other	5	5	0	0	7	17
Zoning-Single-Family, Doublewide	0	0	0	0	5	5
Zoning-Single-Family, Manufactured	0	0	0	0	4	4
Zoning-Single-Family, Singlewide	0	0	0	0	3	3
Totals:	5	91	1	7	437	541

Appendix B



Amherst County Board of Supervisors County Ordinance No. 2019-0001

AN ORDINANCE, NO. 2019-0001

Amending § Sections 302, 701.03, 702.02, 702.03, 703.02, 703.03, 706.02, 706.03, 707.02, 707.03, 708.02, 708.03, 712.03 of Appendix A – Zoning and Subdivision, Article III – Definitions of Terms, Article VII – Use Requirements by Zoning District to the Code of the County of Amherst to implement Business-Friendly initiatives that includes a comprehensive assessment of all permitted and special exception uses in the Zoning Ordinance.

Approved as to form and legality by the County Attorney

PUBLIC HEARING: Planning Commission, February 21, 2019

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 302, 701.03, 702.02, 702.03, 703.02, 703.03, 706.02, 706.03, 707.02, 707.03, 708.02, 708.03, 712.03 of Appendix A – Zoning and Subdivision, Article III – Definitions of Terms, Article VII – Use Requirements by Zoning District to the Code of the County of Amherst to implement Business-Friendly initiatives that includes a comprehensive assessment of all permitted and special exception uses in the Zoning Ordinance, be and hereby are amended, as follows:

ARTICLE VII. - USE REQUIREMENTS BY ZONING DISTRICTS

701. - Public Lands District P-1.

701.01. Intent of public lands zone. To recognize lands owned or leased by the federal, state, county government and local and/or regional ~~authority~~ authorities as being distinct from non-public properties.

701.02. Permitted uses (Public Lands District - P-1 zone). Those uses deemed by the county to serve the public interests, necessity, and convenience of Amherst County including but not limited to lands designated as national forest, publicly owned reservoirs, parks, schools, libraries, water/sewer utilities, emergency services, animal shelters, pounds, industrial parks, governmental facilities, and personal wireless service facilities as provided in Section 919.

701.03 Special exceptions (Public Lands District - ~~P-1~~ 1 zone).

1. Jail and other detention facilities.
2. Landfill or similar uses.
3. Off-site directional signs compliant with the requirements of Section 907.04.

4. Personal wireless service facilities as provided in Section 919.
5. 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.

(Ord. of 3-20-07; Ord. of 6-19-07(2); Ord. of 3-16-10(3); Ord. of 12-21-10, § 2; Ord. No. 2012-0001, § 2, 3-20-12)

702. - Agricultural Residential District A-1.

702.01. Intent of the Agricultural Residential District A-1. This district is designed to accommodate farming, forestry and limited residential use. While it is recognized that certain rural areas may logically be expected to develop residentially, it is the intent however to discourage the random scattering of residential, commercial or industrial uses in this district.

702.02. Permitted uses. Within the A-1 district, the following uses are permitted:

1. Agriculture and forestry operations; crop production, livestock production, except no confinement facility may be closer than one thousand (1,000) feet to a property line; sale of agricultural and forestal products grown in the county; agritourism; and other activities or events that are usual and customary at Virginia agricultural operations.
2. Temporary sawmills, only for timber on-site or proximate to site.
3. Single-family dwellings that are built in accordance with the statewide building code.
4. Manufactured homes as provided in Section 908.
5. Accessory structures.
6. Emergency services.
7. Home occupations.
8. Reserved.
9. Camping for less than four (4) consecutive weeks in portable facilities; i.e., tent or camper or per Section 904.
10. Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including, but not limited to, sewer, water, gas, electricity, cable television, telephone.
11. Bed and breakfast lodging.
12. Public streets.
13. Confined livestock facilities ("CLF") subject to the following conditions:
 - a. Located more than one thousand five hundred (1,500) feet from any house not on the property owned by the applicant;
 - b. Located more than two thousand five hundred (2,500) feet from a public place such as a school or church;
 - c. Located more than one thousand (1,000) feet from a perennial stream as indicated on the 7.5 minute U.S.G.S. topographic survey maps;
 - d. Located more than one thousand (1,000) feet from a state maintained road;
 - e. A maximum of two hundred fifty (250) animal units may be confined per fifty (50) acres of contiguous property;
 - f. The CLF must be approved by all necessary state agencies prior to county approval;
 - g. The applicant for all permits must be a county resident and the property owner;
 - h. It cannot be visible from a state maintained road;
 - i. A zoning permit must be issued prior to any development of the CLF.

14. Flag lot as provided in Section 1301.04(6).
15. Personal wireless service facilities as provided in Section 919.
16. Farm winery.
17. Group home. The zoning administrator may impose conditions on group homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
18. Family day home which serves no more than five (5) children. The zoning administrator may impose conditions on such family day homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
19. Temporary family health care structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized accessory structures, except as follows:
 - a. Any person proposing to install a temporary family health care structure shall first obtain a zoning permit from the county. The county may not withhold such permit if the applicant provides sufficient proof of compliance with the requirements of this section.
 - b. Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.
 - c. Any temporary family health care structure shall be removed within thirty (30) days after which the mentally or physically impaired person is no longer receiving or is no longer in need of the caregiver's assistance.
 - d. The county may require that the applicant provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. Such evidence may involve the inspection by the county of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation.
 - e. Any temporary family health care structure installed pursuant to this section may be required to connect to any water, sewer, and electric utilities that are serving the primary residence on the property and shall comply with all applicable requirements of the Virginia Department of Health.
 - f. No signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.
20. Club, hunt.
21. Limited brewery.
22. Limited distillery.
23. Short-term tourist rental of dwellings, provided that (i) the dwelling is served by a single-access driveway on a state maintained road, and (ii) is a distance of at least five hundred (500) feet from the nearest dwelling.
24. Time-share projects.
25. Small wind energy systems up to sixty (60) feet in height and at least five hundred (500) feet from property lines, as provided in Section 918.

702.03. Special exceptions (Agricultural Residential District—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 as provided in Section 918.
16. Substance abuse treatment facility.
17. Off-site directional signs compliant with the requirements of subsection 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.~~
- ~~18.19. Personal wireless service facilities as provided in Section 919.~~
- ~~19.20. Club, private.~~
- ~~20.21. Shooting range, outdoor.~~
- ~~21.22. Breweries.~~
- ~~22.23. Family day home which serves six (6) through twelve (12) children.~~
- ~~23.24. Single-family attached dwelling developments, as provided in Section 921.~~
- ~~24.25. Kennels.~~
- ~~25.26. Aviation facilities, private as provided in Section 922.~~
- ~~27. Time share projects.~~
26. Retirement community.
27. Industrial landfill.

28. 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.

(Ord. of 3-18-03(2); Ord. of 9-20-05(2); Ord. of 8-15-06(3); Ord. of 10-17-06(4); Ord. of 1-15-08(1); Ord. of 7-15-08(2); Ord. of 10-21-08(2); Ord. of 7-21-09(1); Ord. of 12-1-09; Ord. of 1-19-10; Ord. of 3-16-10(3); Ord. of 12-21-10, § 2; Ord. No. 2011-0007, § 2, 1-17-12; Ord. No. 2012-0001, § 2, 3-20-12; Ord. No. 2012-0004, § 3, 7-17-12; Ord. No. 2012-0006, § 2, 7-17-12; Ord. No. 2013-0005, § 2, 12-3-13; Ord. No. 2014-0007, § 2, 5-20-14; Ord. No. 2015-0011, § 2, 11-17-15; Ord. No. 2016-0003, § 1, 4-19-16; Ord. No. 2016-0012, § 1, 8-16-16)

702.1. - Reserved.

Editor's note— Ord. No. 2016-0003, § 2, adopted Apr. 19, 2016, repealed § 702.1, which pertained to prohibition of time-share projects in the A-1 zoning classification and derived from Ord. of 2-21-06(2).

703. - Limited Residential District R-1.

703.01. Intent of Limited Residential District R-1. This district is composed of certain quiet, relatively low-density single-family residential areas plus certain open areas where similar residential development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district. To that end, development is limited to single unit dwellings plus certain low impact uses that serve the individual households of the district.

703.02. Permitted uses. Within the Limited Residential District R-1, the following uses are permitted:

1. Single-family dwellings, other than townhouses subject to Section 912, that are built in accordance with the Virginia Statewide Building Code.
2. Accessory structures.
3. Home occupations, so long as the following criteria are met, are permitted: no outside storage, no signage, no employees or customers may come to the property, no increase in neighborhood traffic or change in type of traffic may occur.
4. Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including but not limited to sewer, water, gas, electricity, cable television, telephone.
5. Public streets.
6. Personal wireless service facilities as provided in Section 919.
7. Group home. The zoning administrator may impose conditions on group homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
8. Family day home which serves no more than five (5) children. The zoning administrator may impose conditions on such family day homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
9. Temporary family health care structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized accessory structures, except as follows:
 - a. Any person proposing to install a temporary family health care structure shall first obtain a zoning permit from the county. The county may not withhold such permit if the applicant provides sufficient proof of compliance with the requirements of this section.
 - b. Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.
 - c. Any temporary family health care structure shall be removed within thirty (30) days after which the mentally or physically impaired person is no longer receiving or is no longer in need of the caregiver's assistance.
 - d. The county may require that the applicant provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. Such evidence may involve the inspection by the county of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation.
 - e. Any temporary family health care structure installed pursuant to this section may be required to connect to any water, sewer, and electric utilities that are serving the primary residence on the property and shall comply with all applicable requirements of the Virginia Department of Health.
 - f. No signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.

10. Short-term tourist rental of dwellings, provided that (i) the dwelling is served by a single-access driveway on a state maintained road, (ii) is a distance of at least five hundred (500) feet from the nearest dwelling, and (iii) adjoining property owners shall be notified per Section 1005.2.b.

703.03. Special exceptions (Limited Residential District—R-1 zone).

1. Churches.
2. Public schools.
3. Cemeteries, private or church.
4. Emergency services.
5. ~~Homes for aged.~~ Limited assisted living facility.
6. Two-family dwelling which has an outward appearance of a single-family dwelling.
7. Private clubs having facilities such as golf courses, tennis courts and swimming pools.
8. Planned unit developments.
9. Short-term tourist rental of dwelling.
10. Personal wireless services facilities as provided in Section 919.
11. Neighborhood entrance signs.
12. Off-site directional signs compliant with the requirements of Section 907.04.
13. Family day home which serves six (6) through twelve (12) children.
14. Single-family attached dwelling developments, as provided in Section 921.

(Ord. of 8-15-06(4); Ord. of 10-17-06(4); Ord. of 7-17-07(4); Ord. of 12-16-08; Ord. of 3-16-10(3); Ord. of 12-21-10, § 2; Ord. No. 2012-0001, § 2, 3-20-12; Ord. No. 2012-0006, § 2, 7-17-12; Ord. No. 2014-0005, § 1, 5-20-14; Ord. No. 2015-0011, § 2, 11-17-15)

706. - Village Center District V-1.

706.01. Intent of the Village Center District. This district is designed to allow minimal concentrations of commercial activity and residential-type development within a large agricultural or residential area. As an adjunct to the Public Lands District P-1 and Agricultural District A-1, it is the intent to encourage cluster development of residential, commercial and public uses, thereby helping to discourage random scattering of these uses throughout agricultural and forested areas. To this end, retail activity is greatly limited to neighborhood convenience sales and services and tourists-oriented specialties, thereby protecting against encroachment of general commercial or other similar uses likely to generate noise, light, odors, smoke, or other obnoxious influences.

706.02. Permitted uses. Within the Village Center District V-1 the following uses are permitted:

1. Those allowed in R-1 Limited Residential;
2. Churches and adjacent cemeteries;
3. Signs used for commercial and institutional uses as provided in Section 907;
4. General convenience stores;
5. Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including, but not limited to, sewer, water, gas, electricity, cable television, telephone;
6. Public streets;
7. Banks;
8. Emergency services;
9. Hair-cutting shops;
10. Laundromats;
11. Wearing apparel stores;
12. U.S. post offices;

13. Catering establishments;
14. Retail stores such as: antique, gift and craft, agricultural products, hardware and building supplies, bookstores, consignment, hobby and collectibles provided that the use does not exceed ten thousand (10,000) square feet;
15. Professional offices provided that the use does not exceed ten thousand (10,000) square feet;
16. Small restaurant;
17. Dual use structure limited to a single-family dwelling use and a business use;
18. Retail nurseries and greenhouse;
19. Museums;
20. Bed and breakfast;
21. Short-term tourist rental of dwellings, provided that (i) the dwelling is served by a single-access driveway on a state maintained road, (ii) is a distance of at least five hundred (500) feet from the nearest dwelling, and (iii) adjoining property owners shall be notified per Section 1005.2.b.
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 permitted uses in this district.

706.03. Special exceptions (Village Center District—V-1 zone):

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.~~
- 9.10. Nursing homes and assisted living facilities.
- 10.11. ~~Machine shops.~~
- 11.12. ~~Short-term tourist rental of dwelling.~~
- 12.13. ~~Off-site directional signs compliant with the requirements of subsection 907.04.~~
- 13.14. 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.

14.15. Automobile service stations as provided in Section 902 herein.

15.16. Day care centers.

16.17. Farm machinery display, sales and services.

17.18. 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.~~

18.23. Personal wireless services facilities as provided in Section 919.

19.24. Breweries.

20. Limited brewery.

21. Limited distillery.

22. Limited cidery.

23. 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.

706.04. *Site plan.* Before a building and zoning permit shall be issued for any use in the Village Center District V-1, other than residential or agricultural, a site plan of the proposed development shall be approved by the commission or the zoning administrator, whichever is applicable, in conformance with Section 1003 and Article XI herein.

706.05. All uses in the V-1 zone shall comply with the terms of Section 1301.08 entitled "Operating Conditions in V-1 Village Zone."

~~1. Site plan. Before a building and zoning permit shall be issued for any use in the V-1 Village Zone, a site plan of the proposed development shall be approved by the commission or the zoning administrator, whichever is applicable, in conformance with Section 1003 and Article XI herein.~~

(Ord. of 10-16-06(4); Ord. of 3-16-10(2); Ord. of 3-16-10(3); Ord. of 3-16-10(4); Ord. of 12-21-10, § 2; Ord. No. 2011-0007, § 2, 1-17-12; Ord. No. 2012-0001, § 2, 3-20-12; Ord. No. 2014-0007, § 2, 5-20-14)

707. - General Commercial District B-2.

707.01. *Intent of General Commercial District B-2.* This district covers those areas intended for the conduct of any retail, service or contracting business, for siting of public facilities, and for other similar uses as determined by the zoning administrator. Uses requiring extended hours of operation and generating high volumes of traffic are permitted in this district. The permitted and special exception uses identified in subsection 707.02 and 707.03 may not be listed in alphabetical order.

707.02 *Permitted uses.* Within the General Commercial District B-2, the following uses are permitted:

1. Accessory buildings and uses as provided in Section 901;
2. Banks and savings and loan institutions;
3. Clinics and medical offices;
4. Clubs and lodges, fraternal, civic and patriotic;

5. Drug stores and other establishments for the filling of prescriptions and sale of pharmaceutical and similar supplies;
6. Emergency services;
7. Food stores;
8. General convenience stores;
9. Professional office buildings;
10. Public utilities such as poles, lines, transformers, pipes, meters and related or similar facilities; water sewer distribution lines;
11. Retail nurseries and greenhouses;
12. Retail service stores such as bakeries, barber shops, beauty parlors, shoe shops, self-service laundries, and establishments for receiving and distributing articles for laundering, drying and dry cleaning;
13. Signs as provided in Section 907;
14. U.S. post offices;
15. Antique and gift shops;
16. Automobile service stations as provided in Section 902;
17. Cemeteries;
18. Churches, manses, parish houses and adjacent cemeteries;
19. Day care centers;
20. Garages, public;
21. Hardware stores;
22. Motels, motor hotels and motor inns;
23. Restaurants;
24. Retail stores and shops;
25. Schools;
26. School support facilities;
27. Shopping center, subject to restrictions of Section 909;
28. Shopping complex;
29. Single-family dwelling and a retail sales and/or service store within the same main structure;
30. Telephone repeater substations, with no external antennas;
31. 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;
32. Bakeries employing not more than ten (10) persons other than clerks and vehicle drivers;
33. Cabinet making shops;
34. Catering establishments;
35. Cold storage plants and frozen food lockers not including lard rendering and abattoirs;
36. Dry cleaning plants;
37. Funeral homes;
38. Furniture stores;

39. Printing plants and newspaper offices;
40. Radio and TV offices and studios;
41. Retail automotive parts stores;
42. Satellite dish antenna sales and service establishments;
43. Theaters, indoor;
44. Wholesale and jobbing establishments, with all material stored entirely in buildings enclosed on all sides or screened in accordance with Section 1607;
45. Bowling alleys, roller skating and ice skating rinks, billiard parlors, pool rooms, dance halls, game rooms, pinball parlors, electronic game centers, golf driving ranges and similar forms of amusement;
46. Call centers;
47. Colleges;
48. Community centers;
49. Contractor facilities and storage yards and establishments for installation and servicing the following: air conditioning, electrical service, flooring, heating, interior decorating, painting, plumbing, roofing, steel erection, tiling or ventilating with all material stored entirely in buildings enclosed on all sides or screened in accordance with Section 1607;
50. Dormitories;
51. Excavation contractor's facilities and yards for storage of equipment intended for off-site use;
52. Feed and seed stores;
53. Golf driving range;
54. Governmental facilities;
55. Kennels;
56. Light manufacturing, processing or packaging of products 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, or public lands district; shall not store or otherwise maintain any parts or waste material outside such building unless such parts or waste material are screened in accordance with Section 1607; and shall not create conditions of smoke, fumes, noise, odor or dust detrimental to health, safety or general welfare of the community; and shall be permanently screened from adjoining residential lots and districts by a wall, fence, evergreen hedge and/or other suitable enclosure of a minimum height of seven (7) feet at the original elevation of the property line;
57. Pest exterminating businesses;
58. Public utilities: public water and sewer transmission lines, treatment facilities, and pumping stations; electrical power transmission lines and substations; oil and gas transmission pipelines and pumping stations; microwave and radio wave transmission and relay towers and substations; telephone exchange centers, offices, equipment storage, dispatch centers and warehouse facilities;
59. Radio and TV transmission towers which are set back from any lot line at a distance equal to the maximum height of the tower above ground level;
60. Radio and TV transmitters;
61. Sign manufacturing;
62. Truck stop;
63. Veterinary hospitals and clinics;
64. Libraries;
65. Public utilities;

66. Public streets;
67. Personal wireless service facilities as provided in Section 919;
68. Short-term tourist rental of dwelling;
69. Breweries;
70. Use, temporary;
71. Museums;
72. Warehousing and distribution facilities, with all material stored entirely in buildings enclosed on all sides or screened in accordance with Section 1607.
73. Automobile sales subject to landscaping requirements in Section 1607;
74. Travel trailer sales;
75. Tattoo establishments;
76. Self-service mini-storage and warehouse facilities;
77. Marine sales and service. All service operations shall be conducted in a building. Openings in all buildings shall be located a minimum of one hundred (100) feet from a residential, agricultural, or public lands district. Parts or waste material shall not be stored outside the building;
78. 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 permitted uses in this district.

707.03. Special Exceptions (General Commercial District—B-2 zone).

1. Bulk storage and sale of sand, gravel and rock;
- ~~2. Automobile sales, used;~~
- ~~2.3. Building and excavating contractor facilities with outside storage;~~
- ~~4. 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;~~
- ~~3.5. Building materials dealer, not including handling of bulk materials such as sand and gravel;~~
- ~~6. Farm machinery display, sales and services;~~
- ~~4.7. Machinery sales and services;~~
- ~~5.8. Arenas, auditoriums or stadiums;~~
- ~~6.9. 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 or public lands district and which shall not store or otherwise maintain any parts or waste material outside such building unless such parts or waste material are screened in accordance with Section 1607;~~
- ~~7.40. 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;~~
- ~~8.44. Adult entertainment establishments in accordance with Section 915;~~
- ~~12. Tattoo establishments;~~
- ~~9.43. Auction house;~~
- ~~14. Self service mini storage and warehouse facilities;~~

~~15. Travel trailer sales;~~

~~10.46. Display of and sale of wholesale and retail modular homes;~~

~~11.47. Small wind energy systems as provided in Section 918;~~

~~12.48. Substance abuse treatment facility;~~

~~13.49. 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 Section 4-27, as amended;~~

~~14.20. Off-site directional signs compliant with the requirements of Section 907.04;~~

~~15.21. Pawnbrokers;~~

~~22. Marine sales and service. All service operations shall be conducted in a building. Openings in all buildings shall be located a minimum of one hundred (100) feet from a residential, agricultural, or public lands district. Parts or waste material shall not be stored outside the building;~~

~~16.23. Oil and gas exploration, extraction and production, provided the entity conducting these activities complies with Chapter 22.1 of Title 45.1 (Code of Virginia, § 45.1-361.1 et seq.), and adheres to the oil and gas rules and regulations promulgated by the Virginia Department of Labor and Industry;~~

~~17.24. Personal wireless service facilities as provided in Section 919;~~

~~18.25. Substance abuse treatment clinic; and~~

~~19. Truck business.~~

~~20.26. Any other use which the zoning administrator 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.~~

~~707.04. Site Plan. Before a building and zoning permit shall be issued for any use in the General Commercial District B-2, a site plan of the proposed development shall be approved by the commission or the zoning administrator, whichever is applicable, in conformance with Section 1003 and Article XI herein.~~

~~(Ord. of 8-20-02(2); Ord. of 11-19-02; Ord. of 10-17-06(4); Ord. of 7-17-07(3); Ord. of 7-15-08(1); Ord. of 9-16-08; Ord. of 4-21-09(1); Ord. of 12-1-09; Ord. of 1-19-10; Ord. of 3-16-10(3); Ord. of 3-16-10(4); Ord. of 12-21-10, § 2; Ord. No. 2011-0007, § 2, 1-17-12; Ord. No. 2012-0001, § 2, 3-20-12; Ord. No. 2013-0012, § 1, 10-15-13; Ord. No. 2014-0007, § 2, 5-20-14; Ord. No. 2014-0009, § 3, 5-20-14; Ord. No. 2015-0011, § 2, 11-17-15; Ord. No. 2016-0004, § 1, 4-19-16)~~

708. - Industrial District M-1.

708.01. Intent of Industrial District M-1. This district covers areas intended to allow uses for the production, wholesale, storage or distribution of products, and proprietary office and business support facilities not intended to be generally accessible to the general public.

708.02. Permitted uses. Within the Industrial District M-1, the following uses are permitted:

1. All wholesalers;
2. Breweries;
3. Call centers;

4. Contractor facilities;
5. Corporate or professional offices;
6. Data centers;
7. Manufacturing, processing, fabricating, assembling, distributing or packaging of products, including an on-site retail store for products manufactured or distributed by the permitted business provided that such store is an accessory use to the permitted use and does not exceed twenty (20) percent of the floor area of the permitted facility;
8. Personal wireless service facilities as provided in Section 919;
9. Printing establishments;
10. Public utilities and all attendant structures necessary for transmission or storage;
11. Public streets;
12. Research and development facilities;
13. Signs as provided in Section 907;
14. Truck and freight facility;
15. Utilities;
16. Warehousing operations not open to the general public.
17. Emergency services;
18. Governmental facilities

708.03. Special exceptions (Industrial District—M-1 zone):

- ~~1. Emergency services;~~
- ~~2. Governmental facilities;~~
- ~~1.3. Salvage yards;~~
- ~~2.4. Quarries;~~
- ~~3.5. Paper mills;~~
- ~~4.6. Wholesale and retail modular homes;~~
- ~~5.7. Small wind energy systems as provided in Section 918;~~
- ~~6.8. Off-site directional signs compliant with the requirements of Section 907.04;~~
- ~~7.9. Personal wireless service facilities as provided in Section 919;~~
- ~~8.10. Any other use which the zoning administrator 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.~~

708.04. Site plan. Before a building or zoning permit shall be issued for any use in the Industrial District M-1, a site plan of the proposed development shall be approved by the commission or the zoning administrator, whichever is applicable, in accordance with Section 1003 and Article XI herein.

(Ord. of 11-20-07(2); Ord. of 12-1-09; Ord. of 3-16-10(3); Ord. of 12-21-10, § 2; Ord. No. 2011-0007, § 2, 1-17-12; Ord. No. 2012-0001, § 2, 3-20-12; Ord. No. 2014-0007, § 2, 5-20-14; Ord. No. 2016-0004, § 1, 4-19-16)

709. - Reserved.

Editor's note— Ord. No. 2017-0002, § 2, adopted Apr. 18, 2017, repealed § 709, which pertained to Flood Hazard Overlay District FH, and derived from Ord. of 9-18-07(2).

712. - Residential Mixed Use District RMU-1.

712.01 Intent. The purpose of establishing the Residential Mixed Use District (the "RMU-1 district") is to accommodate development of mixed-use, pedestrian-oriented, activity centers for a variety of uses, including residential, commercial, cultural, educational, and other public and private uses. The standards applicable in the RMU-1 district are intended to encourage redevelopment and reinvestment in residential and supporting commercial areas. The RMU-1 district shall incorporate publicly accessible community open space areas and encourage high quality development and redevelopment that stimulates investment, generates jobs, increases available housing options, and expands the county's tax base. The RMU-1 district standards permit a compatible mix of uses in a single structure or a group of structures on a parcel or group of parcels and are intended to discourage piecemeal development. The RMU-1 district standards will facilitate investment by increasing the number of permitted principal and accessory uses in a single district and will encourage high quality redevelopment by permitting greater regulatory flexibility and innovative and creative design.

712.02 Permitted uses.

1. Single-family dwellings that are built in accordance with the Virginia Statewide Building Code.
2. Accessory structures per Section 901.
3. Home occupations, provided that no outside storage or signage is permitted, no employees or customers may come to the property, and the use shall not result in any increase in or change to neighborhood traffic.
4. Utilities serving the community, including, but not limited to, sewer, water, gas, electricity, cable television, telephone.
5. Public streets.
6. Personal wireless service facilities as provided in Section 919.
7. Public facilities such as schools, parks, emergency services, libraries, post offices, community center.
8. Antique shops, except that no auctions are permitted, and no items can be stored outdoors.
9. Barbershops and beauty parlors.
10. Florist and flower shop.
11. Retail service stores such as bakeries, shoe shops, laundries, and dry cleaners.
12. Restaurant, small.
13. Museum and art gallery.
14. Family day home which serves no more than five (5) children. The zoning administrator may impose conditions on such family day homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
15. Group home. The zoning administrator may impose conditions on group homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.

16. Temporary family health care structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized accessory structures, except as follows:
 - a. Any person proposing to install a temporary family health care structure shall first obtain a zoning permit from the county. The county may not withhold such permit if the applicant provides sufficient proof of compliance with the requirements of this section.
 - b. Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.
 - c. Any temporary family health care structure shall be removed within thirty (30) days after which the mentally or physically impaired person is no longer receiving or is no longer in need of the caregiver's assistance.
 - d. The county may require that the applicant provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. Such evidence may involve the inspection by the county of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation.
 - e. Any temporary family health care structure installed pursuant to this section may be required to connect to any water, sewer, and electric utilities that are serving the primary residence on the property and shall comply with all applicable requirements of the Virginia Department of Health.
 - f. No signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.
17. 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 permitted uses in this district.
18. Signs used for commercial and institutional uses as provided in Section 907.

712.03 Special exceptions:

1. Emergency services.
2. ~~Homes for aged.~~ Limited assisted living facility.
3. Personal wireless service facilities as provided in Section 919.
4. Signs for uses not specified in the permitted use section and as provided in Section 907.
5. Short-term tourist rental of a dwelling as provided in Section 916.
6. Bicycle sales and repair shops provided no items can be stored outdoors.
7. Catering establishments and meal delivery services.
8. Child care centers, babysitting services.
9. Churches and parish houses, except rescue missions and revival tents.
10. Schools, including child care, charitable, cultural, and other community service activities on school property, and colleges and universities, including educational, scientific and other related research facilities.

11. County-owned or county-leased buildings and properties of a conservation, cultural, administrative or public service type and publicly-owned or publicly-leased buildings of a recreational type, with approval of a site plan, in accordance with Article XI of Appendix A to the County Code, Zoning and Subdivisions.
12. Furniture, television and appliance sales, service and repair, including service and repair of any type of home appliance provided no items can be stored outdoors.
13. Grocery or general convenience store, except that no individual store shall contain more than three thousand (3,000) square feet of floor area designated for retail sales and the sale of gasoline shall not be allowed.
14. Drying and dry cleaning retail laundry or cleaning and pressing establishments employing not more than three (3) persons in the actual cleaning process. Establishments shall use nonflammable cleaning solvents, fully enclosed cleaning and solvent reclamation processes, fully enclosed pressing equipment with no outside steam exhaust, and other devices or arrangements necessary to fully protect adjacent properties from noise, odors, and vapors.
15. Studios and shops for artists, photographers, writers, teachers, jewelers, tailors and dressmakers, taxidermists, weavers and other craftsmen, sculptors and musicians, provided no such studio or shop shall contain more than three thousand (3,000) square feet.
16. Single-family dwelling and a retail sales or service store within the same main structure, provided the single-family dwelling unit occupies fifty (50) percent or more of the structure.
17. Two-family dwelling which has an outward appearance of a single-family dwelling.
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.

302. - Specific definitions.

~~*Home for the aged.* A building or place in which the establishment is providing housing, board, lodging and maintenance for four (4) or more aged persons who are not infirmed, chronically ill or incapacitated, with such established having separate sleeping quarters and common areas for dining, recreation and other similar facilities.~~

Limited assisted living facility. A building or place in which the establishment is providing housing, board, lodging and maintenance for four (4) or more aged persons who are not infirmed, chronically ill or incapacitated, with such established having separate sleeping quarters and common areas for dining, recreation and other similar facilities.

