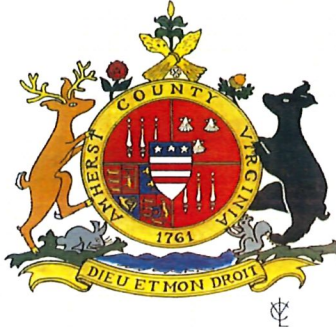


Board of Supervisors

L. J. Ayers III, Chair
District 3
Kenneth M. Campbell, Vice-Chair
District 1
David W. Pugh, Jr., Supervisor
District 4
Jennifer R. Moore, Supervisor
District 5
Claudia D. Tucker, Supervisor
District 2



County Administrator
Dean C. Rodgers

County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES
March 19, 2019

AGENDA
March 19, 2019
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened – 7:00 p.m.

- I. Call to Order**
- II. Approval of Agenda**
- III. Invocation and Pledge of Allegiance**
- IV. Citizen Comment**
- V. Public Hearing**
 - A. Ordinance 2018-0006, Business Friendliness Initiative: Zoning Administrator Variances and Interpretations
 - B. Ordinance 2018-0007, Business Friendliness Initiative: Parking and Residential Density Amendments
 - C. Ordinance 2019-0001, Business Friendliness Initiative: Special Exception code changes
 - D. Ordinance 2019-0003, Parades, demonstrations and unlawful assembly
 - E. Ordinance 2019-0004, Polling Location Changes
 - F. Special Exception Request – Lepire
- VI. Consent Agenda**
 - A. Minutes - February 19, 2019
 - B. Appropriation Request - Commonwealth Attorney
 - C. Amherst County Sheriff Office March 19, 2019
 - D. Naming of the Lucas B. Dowell Bridge
- VII. Special Presentation**
 - A. Policy Committee Recommendations
- VIII. Old Business**
- IX. New Business**

- A. Employee Health Insurance
- B. Appropriation Request - Replacement of Maintenance Truck
- C. Appropriation Request - School Capital Projects

X. County Administrator's Report

XI. County Attorney's Report

XII. Liaison and Committee Reports

- A. Central Virginia Planning District Commission/formerly Local Government Council, March 1, 2019
- B. Blue Ridge Regional Jail Board of Directors meeting, March 7, 2019

XIII. Departmental Reports

- A. Treasurer's Monthly Report for January, 2019
- B. B. Robert E. Lee Soil & Water Conservation District
- C. General Fund Availability Report

XIV. Citizen Comment

XV. Matters from Members of the Board of Supervisors

XVI. Adjournment

MINUTES

At a Regular Meeting of the Amherst County Board of Supervisors and held at the Amherst County Administration building, Amherst, Virginia, thereof on Tuesday, the 19th day of March, 2019, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT:	L. J. Ayers III, Chairman Kenneth M. Campbell, Vice-Chair David W. Pugh, Jr., Supervisor Jennifer R. Moore, Supervisor Claudia D. Tucker, Supervisor	ABSENT: None
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STAFF PRESENT: County Administrator Dean C. Rodgers
Deputy County Administrator David R. Proffitt
County Attorney Michael W. S. Lockaby
EA Clerk to Board Regina M. Rice

OTHER STAFF PRESENT:

Planning/Zoning Director Jeremy Bryant
Major Betty Wise, Amherst Sheriff's Office
Registrar Francine Brown
Finance Director Stacey Wilkes

I. Call to Order

Chairman Ayers called the meeting to order at 7:02 p.m.

II. Approval of Agenda

The Agenda was amended to add a public comment session between Items VIII and IX.

By motion of Supervisor Pugh and with the following vote, the Board approved the Agenda as amended for March 19, 2019.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT None

III. Invocation and Pledge of Allegiance

Chairman Ayers led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

Mr. John Marks, Jr. of Madison Heights, Virginia addressed the Board regarding the decision to close the landfill and construct a transfer station. He was disappointed that additional information was not made available to the public until the day of the meeting and the same day the Board made the decision to close the landfill. **(See Attachment A)**

Mr. Steve Martin of Amherst, Virginia addressed the Board regarding naming the bridge on Rt. 29 at Ambriar in memory of Trooper Lucas Dowell who lost his life February 2019. Mr. Martin advised he collected 2,194 signatures and expressed his appreciation to all the people who helped achieve that. Mr. Martin asked that the Board pass the resolution.

The public comment session was closed.

V. Public Hearing

A. Ordinance 2018-0006, Business Friendliness Initiative: Zoning Administrator Variances and Interpretations

Planning/Zoning Director Jeremy Bryant addressed the Board regarding Ordinance 2018-0006, which allows more flexibility to the variance process and guidance regarding zoning verification and boundary line determinations. The proposed ordinance also directs the Zoning Administrator to develop a form to submit requests for zoning verification and boundary line determinations and sets the fee at \$50. This change was a direct outcome of the county's Business Friendliness Initiative.

Mr. Bryant advised this proposed ordinance was approved by the Planning Commission at a public hearing held on February 21, 2019.

The Public Hearing was opened.

Proponents: None
Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board adopted Ordinance 2018-0006 as proposed. **(See Attachment B)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT None

B. Ordinance 2018-0007, Business Friendliness Initiative: Parking and Residential Density Amendments

Planning/Zoning Director Jeremy Bryant addressed the Board and advised the proposed ordinance would allow a 25 percent reduction in parking and a 50 percent increase in density in the R-3 Multi-Family Residential District. He said the proposed ordinance was part of the Business-Friendliness Initiative and was approved at a public hearing held by the Planning Commission on February 21, 2019.

The Public Hearing was opened.

Proponents: None
Opponents: None

The Public Hearing was closed.

By motion of Vice-Chair Campbell and with the following vote, the Board adopted Ordinance 2018-0007 as proposed. **(See Attachment C)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

C. Ordinance 2019-0001, Business Friendliness Initiative: Special Exception code changes

Planning/Zoning Director Jeremy Bryant addressed the Board and advised the Planning Commission held a workshop to review special exception uses that could be modified, removed or added to make Amherst County a more business friendly community. The Planning Commission held a public hearing on February 21, 2019 recommending those changes be added to an ordinance.

The Public Hearing was opened.

Mr. Bill Peters of Amherst, Virginia provided his comments regarding proposed Ordinance 2019-0001. He asked questions regarding the Agricultural Residential District and General Commercial District language that took services out of the special exception and placed it in the permitted zone section, such as farm machinery, displays, sales and services.

Mr. Bryant responded that language was a duplication and removed.

Proponents: None
Opponents: None

The Public Hearing was closed.

By motion of Supervisor Moore and with the following vote, the Board adopted Ordinance 2019-0001 as proposed. **(See Attachment D)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

D. Ordinance 2019-0003, Parades, demonstrations and unlawful assembly

Major Betty Wise of the Amherst County Sheriff's Office presented Ordinance 2019-0003. Major Wise stated the ordinance would ensure orderly parades and allow dispersion of unlawful assemblies under appropriate circumstances.

The Public Hearing was opened.

Proponents: None
Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board adopted Ordinance 2019-0003 as proposed. **(See Attachment E)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

E. Ordinance 2019-0004, Polling Location Changes

Registrar Francine Brown presented Ordinance 2019-0004 that would amend two current polling locations and add additional language to the Central Absentee Election District Section.

Ms. Brown said the change would move the Lonoc Precinct to Amherst Monroe Ruritan Club and the Monroe Precinct to Amherst County Recreation and Parks location, and add the word “special” elections to the Central Absentee Election District Section.

Supervisor Pugh was concerned about making public aware of those location changes.

Ms. Brown advised her office would be sending information to every voter in those precincts regarding the move and advertising the same in the newspaper, media and the County website.

The Public Hearing was opened.

Proponents: None
Opponents: None

The Public Hearing was closed.

By motion of Vice-Chair Campbell and with the following vote, the Board adopted Ordinance 2019-0004 as proposed. **(See Attachment F)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

F. Special Exception Request – Lepire

Planning/Zoning Director Jeremy Bryant addressed the Board and presented a request by William and Deborah Lepire for a special exception in the A-1 Agricultural Residential District that would allow a short-term tourist rental of a dwelling. The property is located at 495 Hidden Acres Lane and identified as tax map number 64-2-6.

Mr. Bryant advised that on February 21, 2019, the Planning Commission recommended approval with the following three conditions:

- Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
- Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.

- Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

Supervisor Pugh said there have been concerns about property lines and boundaries.

Mr. Bryant explained that before the permit is issued the applicants will be asked to clearly mark the boundary lines.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Chairman Ayers and with the following vote, the Board approved special exception 2019-001 with the conditions recommended by the Planning Commission.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

VI. Consent Agenda

- A. Minutes - February 19, 2019
- B. Appropriation Request - Commonwealth Attorney
- C. Amherst County Sheriff Office March 19, 2019
- D. Naming of the Lucas B. Dowell Bridge

By motion of Supervisor Pugh and with the following vote, the Board approved the Consent Agenda and noted that Supervisor Moore abstained from voting on Minutes of February 19, 2019 Minutes.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

At this time, Chairman Ayers thanked Mr. and Mrs. Steve Martin for all the work they have done regarding naming of bridge at Ambriar in Amherst for Trooper Lucas Dowell and recognizing his sacrifice. **(See Attachment G)**

VII. Special Presentation

- A. Policy Committee Recommendations

Planning/Zoning Director Jeremy Bryant presented a PowerPoint presentation regarding the Policy Working Group Recommendations that reviews and amends internal policies regarding business friendliness. **(See Attachment H)**

Mr. Bryant advised that the Economic Development Authority initiated the business friendly initiative in January 2018. The Board of Supervisors then chose five prioritized items and an internal policy committee of multiple departments and agencies participated in reviewing policies that hamper business friendliness.

Chairman Ayers expressed his thanks to all of those individuals making County government a better service provider to all the citizens.

VIII. Old Business

A Citizen Comment Session was added to review public comment regarding the health insurance issue.

Chairman Ayers opened the public comment session.

Ms. Cassie Foster of Madison Heights, Virginia addressed the Board and her concerns if the Anthem health insurance was switched to the Piedmont Community Health Plan. She said that the plan proposed is a PPO plan with significant out of network costs involved. She stated that her son receives specialized medical care that will be out of network with PCHP. She said she had PCHP in 2013 and had issues with denial of medical procedures and insulin medication.

Mr. John Tetterton of Lynchburg, Virginia addressed the Board as an employee of the Amherst County Sheriff's office. He and his wife who is employed with Centra compared PCHP's coverage to the Anthem coverage and their decision was to stay with Anthem. He said the health insurance was one of the best benefits he has since being employed with the County.

Mr. Bryan Tharpe of Shipman, Virginia addressed the Board regarding the possible health insurance change. He remarked on several large hospital bills and medical procedures his family had incurred that were paid by Anthem with out of pocket expenses less than \$1000. He said he has stayed with Amherst County because of the insurance benefit but said a 3% raise would not cover additional costs and hardships that employees would be faced with.

Ms. Linda Hash of Amherst, Virginia addressed the Board as a retired County employee. She said she stayed with the county for 36 years because of good insurance. She said a 3% raise will not pay the co-pays or deductibles, and asked the Board to consider how this change would impact the employees of Amherst County.

Mr. Joseph Geer of Amherst, Virginia addressed the Board as an employee of eleven years and explained he and his wife incurred over \$500,000 in hospital bills and Anthem covered the majority of these expenses. He said that health insurance is about covering those catastrophic events and believed the county would be lowering the employees' standard of care by going with PCHP.

Amherst County Sheriff E. W. Viar addressed the Board and said his department is the lowest paid in this area and feared that his employees would leave if the health insurance changes to PCHP. He asked the Board to consider keeping Anthem.

Ms. Cassandra Myers of Amherst, Virginia, addressed the Board as an employee of thirty-two years and said she was not given any information to know what the policy coverage and costs would be. She said Amherst County has had the best health insurance plan and VRS retirement and urged the Board to keep Anthem.

Public Safety Director Sam Bryant addressed the Board and said he was impressed with Anthem. He asked the Board to think about the fact that very few healthcare systems own their own insurance company and how care is managed. He said two employees advised they would leave because they valued the current health insurance benefits. Mr. Bryant said that Anthem insurance benefits have been very attractive when hiring new employees.

Mr. James Bagley of Madison Heights, Virginia, addressed the Board and asked the Board to do the right thing and look at alternative ways to come up with the shortfall in money in order to keep the Anthem insurance.

Mr. Jerry Scott of Forest, Virginia addressed the Board and as Public Safety employee appreciated the good health insurance. He said “you get what you pay for” and people depend on good health care and to consider how this change will affect the employees.

Mr. Robert Oliver of Amherst, Virginia addressed the Board and as an employee with the Sheriff's Office expressed his concerns regarding the co-pays. He said he has spoken to other employees who said they would be willing to pay the extra insurance costs without a pay raise and value the good health coverage with Anthem.

Mr. Bill Peters of Amherst, Virginia addressed the Board and asked why the county did not have a management consultant regarding the health insurance change. He asked the Board to stop the “cheap chiseling” on the health insurance for county employees.

Mr. Craig Davis of Amherst, Virginia addressed the Board and stated he had a previous health issue amounting \$80,000 and Anthem paid all except \$1,200. He said he would like the county to stay with the Anthem insurance.

Ms. Joanne Carden, Treasurer of Amherst County addressed the Board and said it was a major concern for her employees.

The public comment session was closed.

IX. New Business

A. Employee Health Insurance

Chairman Ayers commented on his experience with a health issue 2008, the medical costs incurred and Anthem paying all except \$300.00. In 2015 after his retirement, he went on PCHP with his wife's insurance and said there was a difference.

He said that when attracting new employees, often it is the benefits and not always about the salary. He said the employees are the figures of this county who take care of the community and the Board needs to make the right decision. He said it is significant amount of money and this was a very tight year and reiterated his personal experience to be on both sides of this fence and there is a significant difference.

Supervisor Tucker stated for the record that the county did hire a management consultant.

HR Director Linda Warner advised the county interviewed two insurance providers, Anthem and Piedmont Community Health Plan. She advised the recommendation by staff and benefits consultant was to come out of Anthem Local Choice, which would result in considerable savings. She advised the Board a decision would be needed tonight to either renew Anthem by April 1 or to select PCHP.

Mr. Phil Miller, Ms. Carla Garrett and Mr. Neil Heller from PCHP were invited to respond to questions put forth by the Board.

Mr. Sam Irby, the benefits consultant was also present to answer questions and explained the difference in coverages provided by Anthem and PCHP.

By motion of Supervisor Pugh and with the following vote, the Board directed staff to notify The Local Choice staff of the Board's decision to leave The Local Choice insurance pool at the end of

FY2019, and begin contract negotiations with Piedmont Community Health Plan for FY2020 employee health insurance benefits.

AYE: Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: Mr. Ayers
ABSENT: None
ABSTAIN: None

A. Appropriation Request - Replacement of Maintenance Truck

Deputy County Administrator Proffitt advised the Board that the 2010 Chevrolet Truck was totaled from an accident. He said that under State contract the cost for replacement of the vehicle would be \$30,000. He advised that the county received \$12,750 from insurance, however, an appropriation of \$17,250 would be needed in order to purchase a maintenance truck.

By motion of Vice-Chair Campbell and with the following vote, the Board appropriate \$17,250 from the unobligated general fund balance for the purchase of a maintenance truck.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

B. Appropriation Request - School Capital Projects

County Administrator Rodgers advised the Board there was a surplus of \$876,548.55 left over from the school capital projects. The School Board has asked that the Board of Supervisors appropriate that money to use for additional school projects for the remaining PPEA Funds.

By motion of Supervisor Moore and with the following vote, the Board approved the use of left over PPEA funds for projects. **(See Attachment I)**

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker
NAY: None
ABSENT: None

X. County Administrator's Report

XI. County Attorney's Report

XII. Liaison and Committee Reports

- A. Central Virginia Planning District Commission/formerly Local Government Council, March 1, 2019
- B. Blue Ridge Regional Jail Board of Directors meeting, March 7, 2019

For information only.

XIII. Departmental Reports

- A. Treasurer's Monthly Report for January, 2019
- B. B. Robert E. Lee Soil & Water Conservation District
- C. General Fund Availability Report

For information only.

XIV. Citizen Comment

There was no public comment.

XV. Matters from Members of the Board of Supervisors

Supervisor Tucker had no matter to discuss.

Supervisor Moore requested that the new Amherst logo be advertised on as many items including county letter head as well as other county documents.

Supervisor Pugh had no matter to discuss.

Vice-Chair Campbell had no matter to discuss.

Chairman Ayers asked Board members to review the letter sent from Mr. Tom Martin of the Emergency Services Council.

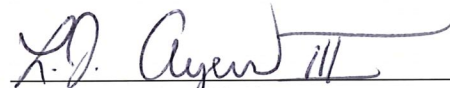
XVI. Adjournment

By motion of Supervisor Pugh and with the following vote, the Board adjourned at 9:27 p.m.


AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None



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



Dean C. Rodgers, Clerk

Presentation to the Amherst County Board of Supervisors

March 19, 2019

Subject: Decision on Landfill/Transfer Station

Good evening Board Members and Staff, my name is John A. Marks, Jr. and I reside at 225 Clark Street in Madison Heights, Virginia.

I realize that on March 5th, 2019 this board made the decision to close the county landfill and construct a transfer station on the landfill site. I want to say that I am disappointed, not only that the landfill is being closed, but also the fact that this board did not provide the public time to evaluate and make comments concerning the latest information made available. On October 2nd, 2018 several citizens addressed the information provided in the Draper Aden Associates report regarding the options for the landfill. At that time the board delayed a decision in order to obtain more data, such as real cost bids and to determine the outcome of the proposed transfer station in Appomattox County. In addition, there has been information presented in the newspapers from meetings that certainly impact this matter. The additional information requested by the board became available to the public on the very same day the board made the decision to close the landfill and construct the transfer station. I picked up a copy of this information as I entered the meeting room. For this board to make this decision and not provide an opportunity for the citizens of the county to at least come before the board at today's meeting, and address the matter now that all data was available, was in my opinion, a disservice to the citizens of Amherst County.

I believe I have evaluated all the information associated with this matter and am convinced that the board made the wrong decision. I

believe Supervisor Pugh was correct when he stated concerning the landfill "We know the hard costs and we're going to get rid of a huge asset and the ability to get rid of trash for two generations."

My allotted three minutes does not permit me to present my analysis of the data, however, I will present the Clerk with a hard copy of both my comments and my analysis, and will provide both to the Clerk by electronic means. I am requesting that both be included in the formal minutes for this meeting.

Thank you for your time.

Attachment to Comments to Board of Supervisors on
March 19, 2019 Regarding Decision to Close the
Landfill/Construct Transfer Station

After all options were explored regarding the landfill three options emerged; continue to operate the landfill at a cost of \$45,199,300 over the FY 2019-2037 time period, resulting in cost per ton of \$97. This was designated as Option 1. Option 2 was to construct a transfer station at the landfill site and transfer the waste to Region 2000 at a cost of \$44,111,100, resulting in a cost per ton of \$94. Option 3 was to construct a transfer station at the landfill site and transfer the waste to WMX-Amelia landfill at a cost of \$40,563,700, resulting in a cost per ton of \$87.

Examining these options on the surface it appears that the most expensive option is the continued use of the landfill. However, when one looks at the data, and the uncertainties associated with options 2 and 3, I believe keeping the landfill becomes the most prudent course of action to take, and likely the least expensive option as well when real costs are known and considered. Continued operation of the landfill is the only one of the three options that does not involve the three variables that are associated with Options 2 and 3. These variables are the tonnage of waste into the system, the cost to transport the waste from the transfer station to a landfill (hauling), and the disposal fee (tipping fee) for the waste. Evaluating each of these variables just enhances the position that maintaining the landfill is the best option.

Tonnage: The study by Draper Aden Associates(the study) dated May 15, 2018 uses an average tonnage of 24,600 per year. This tonnage value is used for the entire time period of the study 2019-2037.

However, if one looks at the Table 1 on page 3 of the study it is obvious that the tonnage into the current landfill is increasing. From 2014 to 2017 there has been a 33% increase in the tonnage into the landfill. These numbers do not reflect the debris placed into the landfill in 2018 when the tornado tore through the Elon area. The study itself makes the statement "Over the past several years the tonnage has been increasing." The amount of tonnage is an important consideration. The cost per ton to process is a function of cost divided by the tonnage. Since the landfill cost is fixed the more tonnage into the landfill decreases the cost per ton. Simple math. Conversely with the other two options the more tonnage the greater the cost per ton. The Draper study makes the statement "A growth rate in tonnage was not assumed given the competition in the region for tonnage." What does competition in the region have to do with how much waste is generated by the citizens?

Hauling: The cost of hauling only impacts options 2 and 3. According to the study Thompson Trucking is a primary hauler for waste in Virginia. Based on this it seems the cost for hauling from transfer stations will not be very competitive and the county will have virtually no control over this aspect. In addition the county will be subjected to the long term variations in costs that cannot be predicted or controlled. In addition there will be fuel escalators included in the costs that can vary significantly and have an impact on budgets and cost, per comments in the study. Based on what we currently see regarding the price of oil one would challenge the inflation rate of 2% which is included in the hauling costs.

Tipping Fees: The tipping fees provided in the study on which the costs are based are \$40.25/ton at Region 2000 and \$21/ton at WMX-Amelia, inflated at the rate of 1.5% over the period. This seems odd since on other items in the study a 2% inflation rate for the period was used.

The county needs to pay attention to what the representative from County Waste told them. "He said he believes in having flexibility and an ability for the county to control its own destiny in waste operations." He also told Amherst Supervisors he believes its nearly impossible to permit a landfill in today's social media climate. He also said "I see tipping fees going up significantly over the next 10 years in Virginia."

Looking at Region 2000 tipping fees the proposal is based on a \$40.25/ton. Based on a recent newspaper article County Waste is the largest private customer of the Region 2000 landfill. If Region 2000 loses County Waste as a customer it is estimated it will cause a loss of \$500,000 per year, and in order to make up that loss of revenue the cost for members would need to increase from \$30.25/ton to \$38.65/ton. That would be a 28% increase in the tipping fee. One would have to believe that such an increase would also be passed along to nonmembers that utilize the landfill, such as Amherst County, making the cost then \$51.52/ton, not \$40.25. One has to believe that County Waste will begin to use their own transfer station and landfill. Also if Appomattox pulls out of the Region 2000 landfill then who knows what will happen.

WMX-Amelia tipping fees used in the calculations are based on \$21/ton, with a 1.5% inflation rate. According to the study the \$21/ton tipping fee was based on "a recent quote to the Roanoke Valley Resource Authority for short term usage." This is talking about a cost for a short term usage and this study is looking at 19 years from now. How applicable is that? According to the study in 2037 disposal of 24,600 tons at Amelia will cost \$675,372. This calculates out to be a tipping fee of \$27.45/ton nineteen years from now. Compare that to the tipping fees currently being quoted, as was previously discussed, and ask just how real a \$27.45/ton tipping fee is going to be 19 years from now. Remember also that the gentleman from County Waste

stated he expected tipping fees to be going up significantly in the next ten years.

Giving up our landfill is a mistake and means we have lost all control of a basic service county government provides for its citizens that is vital to our county. I do not believe the numbers in the report support the decision to close the landfill and construct a transfer station. I believe these numbers and the uncertainties identified with options 2 and 3 command that the county continue the use of the landfill.

B



**Amherst County Board of Supervisors
County Ordinance No. 2018-0006**

AN ORDINANCE, NO. 2018-0006

Adding §§ 1005.1 and 1005.2 of Appendix A – Zoning and Subdivisions, Article X – Administration, to the Code of the County of Amherst to implement the Zoning Administrator Variances and Interpretations.

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 1005.1 and 1005.2 of Appendix A – Zoning & Subdivisions, Article X- Administration, to the Code of the County of Amherst be and hereby is added, as follows:

Sec. 1005.1. – Zoning Verification Letters & Boundary Line Interpretations.

- (a) Upon written request and the payment of a fee of fifty dollars (\$50.00), the zoning administrator shall issue a zoning verification letter indicating the zoning designation of a particular parcel or parcels of land as shown on the official zoning map or interpreting the boundary between two zoning districts as it relates to particular parcels.
- (b) The zoning administrator shall develop forms on which to submit requests for zoning verifications and boundary line determinations. A zoning verification or boundary line determination applies only to the facts and law in existence as of the date of the verification or determination, is not a written order, requirement, decision, or determination regarding the permissibility of a specific use or density, and confers no vested right.
- (c) A zoning verification letter or boundary line determination is appealable to the board of zoning appeals as set forth in Section 1008.02.

Sec. 1005.2. – Administrative variances.

- (a) When specifically provided in any section of this Appendix A to the Amherst County Code, the zoning administrator may grant a modification to such provision(s) with respect to the physical requirements on a lot or parcel of land, including but not limited

to size, height, location, or features of or related to any building, structure, or improvements, if the administrator finds in writing that:

- (1) The strict application of the section would produce undue hardship;
 - (2) Such hardship is not shared generally by other properties in the same zoning district and vicinity; and
 - (3) The modification will not be of substantial detriment to adjacent properties and the character of the zoning district will not be changed by the granting of the modification.
- (b) Prior to granting the modification, the zoning administrator shall give all adjoining property owners, defined as all those whose properties abut the property subject to the modification or are across a road, railroad, or other right-of-way from it, written notice of the request for the modification by First-Class U.S. Mail, postage prepaid, and an opportunity to respond to the request within 21 days of the date of such notice.
- (c) Within 90 days from the initial filing of the request, the zoning administrator shall make a decision on the application for modification and issue a written decision with a copy provided to the applicant and any adjoining landowner who responded in writing to the notice sent pursuant to subsection (b). The decision shall be appealable to the board of zoning appeals as set forth in Section 1008.02.
- (d) The fee for an administrative variance shall be fifty dollars (\$50.00), payable upon application, and the actual cost of mailing notice to adjacent landowners. The zoning administrator shall develop forms on which to submit requests for modifications, notification of adjoining landowners, and final decisions.

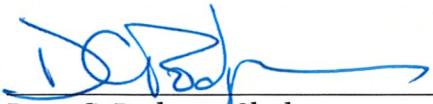
§ 2. That this ordinance shall be in force and effect upon adoption.

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

C



**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)

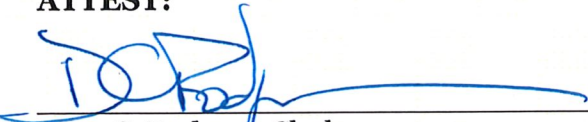
§ 2. That this ordinance shall be in force and effect upon adoption.

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

D



**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

**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 forestall 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 per Section 916, 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 as provided in Section 916.
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 per Section 916, 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 as provided in Section 916.
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 per Section 916, 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 as provided in Section 916.
- 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 as provided in Section 916;
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;

7.10. 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;

8.11. Adult entertainment establishments in accordance with Section 915;

~~12. Tattoo establishments;~~

9.13. Auction house;

~~14. Self service mini storage and warehouse facilities;~~

~~15. Travel trailer sales;~~

10.16. Display of and sale of wholesale and retail modular homes;

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

12.18. Substance abuse treatment facility;

13.19. 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 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.

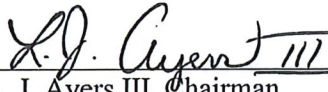
302. - Specific definitions.

~~*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.


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

Adopted this 19th day of March, 2019.



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

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0



**Amherst County Board of Supervisors
County Ordinance No. 2019-0003**

AN ORDINANCE, NO. 2019-0003

Adding §§10-101 through 107 Division I. – In General and §§10-121 through 127 Division II. Permit Article VI - Demonstrations & Parades to Chapter 10 -- Offenses and Miscellaneous Provisions of the County Code.

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 10-101 through 107 and Sections 10-121 through 127 of Chapter 10 of the Code of the County of Amherst be and hereby are added as follows:

ARTICLE VI – DEMONSTRATIONS & PARADES

Division I. – In General

Sec. 10-101. - Definitions.

For the purposes of this article, the following words shall have the meanings respectively ascribed to them by this section:

Demonstration: A group of three (3) or more persons assembled together and acting in concert to then and there call attention of the public to their opposition to, support of, or position with respect to any political, social or other public question.

Parade: Any parade, march, or other procession of six (6) or more persons for the purpose of calling attention of the public thereto.

Riot: Any unlawful use, by three (3) or more persons acting together, of force or violence which seriously jeopardizes the public safety, peace, or order.

Spontaneous event: An unplanned or unannounced coming together of people, animals, or vehicles in a parade or public assembly which was not contemplated beforehand by any participant therein and which is caused by or in response to unforeseen circumstances or events

occasioned by news or affairs first coming into public knowledge within ten (10) days before such parade or demonstration.

Unlawful assembly: A group of three (3) or more persons assembled sharing a common intent to advance some lawful or unlawful purpose by the commission of an act or acts of unlawful force or violence likely to jeopardize seriously public safety, peace, or order, and the assembly actually tends to inspire persons of ordinary courage with well-grounded fear of serious and immediate breaches of public safety, peace, or order.

Sec. 10-102. - Violations of article.

Unless otherwise specifically provided, a violation of any provision of this article shall be a Class 1 misdemeanor.

Sec. 10-103. - Exemptions from article.

- (a) Nothing in this article shall be construed to apply to persons lawfully engaged in picketing in an orderly manner as protected by the National Labor Relations Act.
- (b) This article shall not apply to parades, processions, or convoys of any component of the armed forces of the United States or this state or to any governmental organization or any funeral procession.
- (c) Spontaneous events.
- (d) Recreational activities, including jogging or walking, that do not require closing public streets or other public rights-of-way and that do not interfere with or have a tendency to interfere with normal use of any public property in a place open to the general public.
- (e) Persons duly permitted or exempted under Chapter 19, Solicitors, of this Code.
- (f) Funeral processions.
- (g) Students going to or from classes, or participating in educational activities under the immediate direction and supervision of school authorities.
- (h) Government agencies within the scope of their functions.

Sec. 10-104. - Dangerous weapons and animals prohibited.

No person participating in any parade shall carry any weapon which if concealed would constitute a violation of section 18.2-308 of the Code of Virginia or whose possession would otherwise constitute a violation of any section of title 18.2 of the Code of Virginia, 1950, as amended, with the exception that the lawful carrying of firearms is in no manner regulated by this section. The sheriff shall retain the authority to require that all participants in any parade submit to a pat-down search or other procedure, including passage through a metal detector, to insure compliance with this section prior to any parade. This prohibition shall not apply to members of any color guard, drill team, military unit, lodge, or any other persons by whom the display of weapons during a parade would not constitute a threat to the maintenance of law and order or the preservation of the public peace.

Sec. 10-105. - Participation by vicious animals.

No person parading or demonstrating pursuant to a permit issued under the provisions of this article shall cause or suffer to be caused any vicious or apparently vicious animal to participate in or accompany such parade or demonstration; provided, that the board of supervisors may, in the exercise of sound discretion, include in such permit such variations from this section as it may consider appropriate for circus parades and similar events.

Sec. 10-106. - Hindering, molesting, etc., participants.

No person shall hinder, molest, or harass any other person who is lawfully parading or demonstrating pursuant to a permit issued under the provisions of this article.

Sec. 10-107. - Dispersal to prevent riot or unlawful assembly.

Parades and demonstrations held pursuant to a permit issued under the provisions of this article which become unlawful assembly or riot shall be dispersed in accordance with the laws of the Commonwealth. The sheriff or his deputies shall go among the persons assembled or as near to them as safety will permit and command them in the name of the Commonwealth immediately to disperse. If upon such command the assembly does not disperse, the sheriff may use such force as is reasonably necessary to disperse them, and any person who fails to obey such command shall be subject to immediate arrest. Participating in an unlawful assembly or riot is a Class 1 misdemeanor. Remaining at the place of an unlawful assembly or riot after a warning to disperse, unless one is the owner, lessee, his family, and nonrioting guests of the owner of the premises, shall be a Class 3 misdemeanor.

State Law reference— Authority for above section, Code of Virginia, § 15.2-925; riots and unlawful assemblies generally, § 18.2-405 et seq.

Division II. - Permit

Sec. 10-121. – Findings; purpose.

The board of supervisors finds that it is necessary for the good government and the peace, safety, health, and welfare of the county and the inhabitants thereof, as well as to maintain law and order and to provide for the free and orderly flow of vehicular and pedestrian traffic on the streets and sidewalks and in the public places in the county, to prohibit parades and demonstrations within the county unless a county permit to use the streets, sidewalks, and public places for such purposes has first been granted.

Sec. 10-122. - Required.

It shall be unlawful for any person to sponsor, organize, direct, lead, or participate in any parade or demonstration upon any street or sidewalk or upon or in any public place within the county unless a county permit has been granted to hold such parade or demonstration.

Sec. 10-123. - Application generally.

- (a) Not less than ten (10) days beforehand, any person desiring to sponsor, organize, direct, or lead a parade or demonstration upon any street or sidewalk or upon or in any public place

within the county shall file an application for a parade or demonstration permit with the county administrator and in such application shall be set forth:

- (1) The date and hour for the assembling of the participants in the parade or demonstration and the expected duration thereof.
 - (2) The streets, sidewalks, and public places over and upon which the parade or demonstration is to take place, including the route to be taken, if any.
 - (3) Whether the parade or demonstration is to be conducted on foot or with animals or vehicles, or any combination thereof, and the number of persons, vehicles, and animals expected to participate.
 - (4) The purpose of the parade or demonstration.
 - (5) The names and addresses of the actual sponsors of the parade or demonstration, and the organization or organizations, if any, of which the expected participants are members.
 - (6) The name and address of the person who will be in charge of the parade or demonstration and who will be responsible for the conduct thereof and for compliance with all applicable provisions of law, this Code and other ordinances by participants in the parade or demonstration.
 - (7) The number of persons anticipated to be present at the parade or demonstration, both participating and spectating.
 - (8) A description of any sound-amplification equipment expected to be used.
 - (9) For parades or demonstrations that the county administrator reasonably anticipates will include more than fifty (50) participants or spectators, or that due to the route or location would cause public safety concerns for the participants and spectators, the applicant shall submit a public safety plan to include plans for security, fire, and emergency medical services, and dispersal. Such plan shall be reviewed by the sheriff.
 - (10) Such other information as the county administrator may reasonably require.
- (b) Each application for a parade or demonstration permit shall be signed and sworn to by at least one (1) person, who shall be the person named in the application as the one who will be in charge of the parade or demonstration and who will be responsible for the conduct thereof and for compliance with all applicable provisions of law, this Code and other ordinances by participants in the parade or demonstration.
- (c) For parades or demonstrations anticipated to be held on a regular or recurring basis at the same location, an application for an annual permit may be filed in accordance with section 10-125, at least ten (10) days before the date of the first such parade or demonstration. An annual permit may be revoked for the remainder of a calendar year for any violation thereof.

Sec. 10-124. - Applicant's bond.

- (a) Prior to the granting of a permit pursuant to this article for any event at which, in the judgment of the county administrator fifty (50) or more participants may be expected to attend, the county administrator shall require a bond from the person named in the application as the one to be responsible for the conduct of the parade or demonstration. The bond shall be in the amount of \$2,500 per fifty (50) persons or part thereof expected to attend, conditioned upon the full satisfaction of all judgments and decrees which may result by reason of any negligent or unlawful act or omission of any person participating in the parade or demonstration and

included within the permit. The applicant shall agree that he will save the county harmless from all claims and demands whatever which may arise by reason of the parade or demonstration; and further that he will pay the county for all extra expenses incurred for clearing the streets, sidewalks, and public places of litter and waste matter resulting from the parade or demonstration and for the cleaning and repair of public property which may be soiled or damaged by acts of vandalism during the period of organizing and holding the parade or demonstration and within six (6) hours thereafter, when such acts of vandalism are reasonably attributable to the holding of the parade or demonstration.

- (b) An annual permit for multiple parades, events, or demonstrations of substantially the same type and location shall also require a bond as set forth in subsection (a), provided, however, that a bond shall be required for all annual permits. Such bond shall be in the amount of \$5,000 per fifty (50) persons or part thereof expected to attend.

Sec. 10-125. - Action on application; grant or denial.

- (a) Upon the filing of a completed and properly signed and sworn application for a parade or demonstration permit or an annual permit for multiple events, the county administrator shall transmit copies thereof promptly to the sheriff and the director of public safety. Within five days of receipt of a complete application, the county administrator, upon consultation with the sheriff and the director of public safety, shall issue a parade or demonstration permit, upon finding that:
- (1) The time, duration, route, and size of the parade or demonstration will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic or the normal use of public property in a place open to the general public.
 - (2) The parade or demonstration is not of such a nature that it will require diversion of so great a number of law enforcement or public safety personnel to properly maintain safety as to impair the normal protection of the remainder of the county.
 - (3) The applicant has, where appropriate, provided in his or her public safety plan for designated monitors sufficient to control the ordinary conduct of the parade or demonstration in accordance with the permit.
 - (4) The parade or demonstration will not interfere with another parade or demonstration that has been previously permitted.
 - (5) The parade or demonstration will not violate, and will conform with, all provisions of law, and has been, where necessary, issued all other state permits, including such permits as may be required by the Virginia Department of Transportation.
- (b) If the county administrator denies an application, he shall promptly attempt to call or email and will promptly mail to the applicant a notice of his action stating his reasons therefor.
- (c) Upon denial of a permit by the county administrator, the applicant may appeal such grant or denial to the board of supervisors within five (5) days. The board shall take up the matter at its next regular meeting. The board may affirm, overrule, or modify the decision of the county administrator. The decision of the board shall be final. In the event there is not sufficient time to put the application on the agenda for a regular meeting, the board may, but need not, schedule a special meeting for the purpose of hearing the appeal. If the appeal is not able to be heard, the decision of the county administrator shall be final.

Sec. 10-126. - Conditions, limitations, etc.

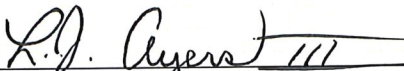
- (a) In granting a permit pursuant to this article, the county administrator, in consultation with the sheriff and the director of public safety, may include therein such prohibitions, conditions, restrictions, and limitations as he may consider appropriate, under the general police powers of the county, to safeguard the good government and the peace, safety, health, and welfare of the county and the inhabitants thereof, as well as to maintain law and order and acceptable traffic conditions within the county, and it shall be unlawful for any person covered by the permit to violate or fail to comply with any such prohibition, condition, restriction, or limitation.
- (b) The provisions of this article shall be deemed to be a part of each parade or demonstration permit, whether or not so stated in the permit.

Sec. 10-127. - Severability.

The provisions of this article shall be presumed severable. If any portion of this article is found for any reason to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this article and such invalid provisions or portions thereof shall be severable.

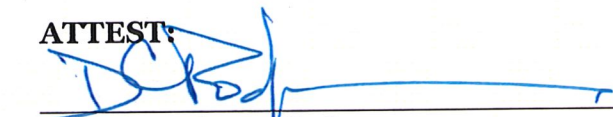
§ 2. That this ordinance shall be in force and effect upon adoption.

Adopted this 19th day of March, 2019.



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

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

F



**Amherst County Board of Supervisors
County Ordinance No. 2019-0004**

AN ORDINANCE, NO. 2019-0004

Amending §§5-17 and 5-17.1. Chapter 5 – Elections, Article II. Election Districts and Central absentee election district, to the Code of the County of Amherst.

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 5-17 and 5-17.1, Chapter 5 – Elections, Article II. Election Districts and Central absentee election district, to the Code of the County of Amherst be and hereby are amended, as follows:

Sec. 5-17. - Precincts; polling places.

(a) Pursuant to authority contained in Code of Virginia (1950) as amended, Title 24.2 Elections, Chap. 3 Election districts, Precincts, and Polling Places §§ 300–312, the precincts and their respective polling places for Amherst County, Virginia are hereby created and established as set forth in this ordinance.

Sec. 2. The precincts for each election district and the polling place for each precinct shall be as set forth below:

Election district	Precinct	Polling place
1	Wright Shop New Glasgow Coolwell	Grace Baptist Church Central Elementary Sch. Coolwell Recreation Ctr.

2	Courthouse Temperance	Amherst Elementary Sch. Temperance Elem. Sch.
3	Monroe Elon Pleasantview	Amherst County Recreation and Parks New Life Church Elon Elementary Sch. Pleasantview Elem. Sch.
4	Amelon Lonco	Amelon Elementary Sch. Amherst Monroe Ruritan Club Coolwell Recreation Ctr.
5	Madison	Monelison Middle School

(b) The boundaries of the respective precincts are as set forth below:

Election district # 1.

WRIGHT SHOP PRECINCT: Beginning on Route 624 (Early Farm Road) at the James River and the Amherst-Appomattox County lines; thence in a northwesterly direction on Route 624 (Early Farm Road) to Partridge Creek; thence in a northerly direction on Partridge Creek to an (un-numbered road) Hayshed Road; thence in a southwesterly direction on Hayshed Road to Route 613 (Kentmoor Farm Road); thence in an easterly direction on Route 613 (Kentmoor Farm Road) to Route 663 (Brightwell's Mill Road); thence in a southerly direction on Route 663 (Brightwell's Mill Road) to Route 669 (Glade Road); thence in a southwesterly direction on Route 669 (Glade Road) to the South Fork of Stoval Creek; thence in a northwesterly direction on the South Fork of Stovall Creek to the Middle Fork of Stovall Creek; thence in a northwesterly direction on the Middle Fork of Stovall Creek to a tributary stream; thence in a westerly direction on the tributary stream to Route 671 (Possum Island Road); thence in a southerly direction on Route 671 (Possum Island Road) to Route 677 (Dixie Airport Road); thence in a southerly direction on Route 677 (Dixie Airport Road) to Route 622 (Wright Shop Road); thence in a southwesterly direction on Route 622 (Wright Shop Road) to Route 833 (Old Wright Shop Road); thence in a southwesterly direction on Route 833 (Old Wright Shop Road) to Route 622 (Wright Shop Road); thence in a southwesterly direction on Route 622 (Wright Shop Road) to Williams Run Bridge; thence in a southerly direction on William Run to the James River Amherst County line; thence in a easterly direction on the James River along the eastern boundary of Amherst County to Route 624 (Early Farm Road) and the point of origin.

NEW GLASGOW PRECINCT: Beginning at the Piney River bridge on Route 151 (Patrick Henry Highway) at the Amherst-Nelson County line; thence in a southerly direction on Route 151 (Patrick Henry Highway) to Route 29 (North Amherst Highway); thence in a southerly direction on Route 29 (North Amherst Highway) to Buffalo River; thence in a southeasterly

direction on Buffalo River to the Norfolk Southern Railroad; thence in a southwesterly direction on the Norfolk Southern Railroad to an unnamed stream; thence in a southeasterly direction following along the stream to Rutledge Creek; thence in a westerly direction along Rutledge Creek to a tributary stream; thence in a southerly direction along the tributary stream to Route 606 (Fox Hall Drive); thence in a westerly direction on Route 606 (Fox Hall Drive) to Route 60 (Richmond Highway); thence in a northwesterly direction on Route 60 (Richmond Highway) to Route 606 (Dulwich Drive); thence in a southerly direction on Route 606 (Dulwich Drive) to Route 659 (Union Hill Road); thence in an easterly direction on Route 659 (Union Hill Road) to Ebenezer Road; thence in a southerly direction on Route 604 (Ebenezer Road) to Route 624 (Early Farm Road); thence in a southeasterly direction on Route 624 (Early Farm Road) to the James River Amherst Appomattox County line to the James River bridge on Route 60 (Richmond Highway); thence in a northerly direction along the Amherst-Nelson County line back to the Piney River bridge on Route 151 (Patrick Henry Highway) and the point of origin.

COOLWELL PRECINCT: Beginning at the intersection of Partridge Creek and Route 624 (Early Farm Road); thence in a northwesterly direction on Route 624 (Early Farm Road) to Route 604 (Bob White Road); thence in a westerly direction on Route 604 (Bob White Road) to the intersection of Route 663/604 (Coolwell Road); thence in a southerly direction on Route 663/604 (Coolwell Road) to Route 663 (Izaak Walton Road); thence in a southeasterly direction on Route 663 (Izaak Walton Road) to Tanglewood Place; thence in a westerly direction on Tanglewood Place to Bell Drive; thence in a westerly direction on Bell Drive to the north fork of Stovall Creek; thence in a southerly direction on the North Fork of Stovall Creek to the Middle Fork of Stovall Creek; thence in a southeasterly direction on the Middle Fork of Stovall Creek to Route 669 (Glade Road); thence in a northeasterly direction on Route 669 (Glade Road) to Route 633 (Brightwell's Mill Road); thence in a northerly direction on Route 663 (Brightwell's Mill Road) to Route 613 (Kentmoor Farm Road); thence in a easterly direction on Route 613 (Kentmoor Farm Road) to an un-numbered road (Hayshed Road); thence in a northeasterly direction on the un-numbered road (Hayshed Road) to Partridge Creek; thence in a southeasterly direction on Partridge Creek to Route 624 (Early Farm Road) and the point of origin.

Election district # 2.

COURTHOUSE PRECINCT: Beginning at the intersection of Route 151 (Patrick Henry Highway) with Route 610 (Turkey Mountain Road); thence in a westerly direction on Route 610 (Turkey Mountain Road) to Route 778 (Lowesville Road); thence in a northerly direction on Route 778 (Lowesville Road) to Route 610 (Sandidges Road); thence in a westerly direction on Route 610 (Sandidges Road) to Route 60 (Lexington Turnpike); thence in a southeasterly direction on Route 60 (Lexington Turnpike) to Route 615 (Sardis Road); thence in a southwesterly direction on Route 615 (Sardis Road) to an unnamed road; thence on the unnamed road to Route 615 (Peters Hollow Road); thence in a southerly direction on Route 615 (Peters Hollow Road) to Route 643 (Matohe Road); thence in a easterly direction on Route 643 (Matohe Road) to Route 655 (Father Judge Road); thence in a southerly direction on Route 655 (Father Judge Road) to Falling Rock Creek; thence in a northeasterly direction on Falling Rock Creek to an unnamed road; thence in an easterly direction on the unnamed road to Route 628 (Strode Mountain Road); thence in a northeasterly direction on Route 628 (Strode Mountain Road) to Route 633 (Smokey Mountain Road); thence in a southeasterly direction on Route 663 (Smokey Mountain Road) to Route 663 (North Coolwell Road); thence in a southeasterly direction on Route 633 (North Coolwell Road) to the Norfolk Southern Railroad bridge; thence in a northeasterly direction along the railroad to Route 661 (Old Stage Road); thence in a

northerly direction on Route 661 (Old Stage Road) to an unnamed road; thence in a southerly direction on the unnamed road to Higginbotham Creek; thence in a northeasterly direction on Higginbotham Creek to Route 624 (Higginbotham Creek Road); then in a southeasterly direction on Route 624 (Higginbotham Creek Road) to Route 604 (Ebenezer Road); thence in a northeasterly direction on Route 604 (Ebenezer Road) to Route 659 (Union Hill Road); thence in a westerly direction on Route 659 (Union Hill Road) to Route 606 (Dulwich Drive); thence in a northerly direction on Route 606 (Dulwich Drive) to Route 60 (Richmond Highway); thence in an easterly direction on Route 60 (Richmond Highway) to Route 606 (Fox Hall Drive); thence in an easterly direction on Route 606 (Fox Hall Drive) to a tributary stream; thence in a northerly direction along the tributary stream to Rutledge Creek; thence in an easterly direction on Rutledge Creek to an unnamed stream; thence in a northwesterly direction along the unnamed stream to the Norfolk Southern Railroad; thence in a northwesterly direction on the Norfolk Southern Railroad to Buffalo River; thence in a northwesterly direction on Buffalo River to Route 29 (North Amherst Highway); thence in a northerly direction on Route 29 (North Amherst Highway) to Route 151 (Patrick Henry Highway); thence in a northerly direction on Route 151 (Patrick Henry Highway) to Route 610 (Turkey Mountain Road) and to the point of origin.

TEMPERANCE PRECINCT: Beginning at the Piney River Bridge on Route 151 (Patrick Henry Highway) at the Amherst-Nelson County line; thence in a southerly direction on Route 151 (Patrick Henry Highway) to Route 610 (Turkey Mountain Road); thence in a westerly direction on Route 610 (Turkey Mountain Road) to Route 778 (Lowesville Road); thence in a northerly direction on Route 778 (Lowesville Road) to Route 610 (Sandidges Road); thence in a westerly direction on Route 610 (Sandidges Road) to Route 60 (Lexington Turnpike); thence in a westerly direction on Route 60 (Lexington Turnpike) to the Amherst-Rockbridge County line; thence in a northeasterly direction along the Amherst County line to the Piney River Bridge on Route 151 (Patrick Henry Highway) at the Amherst-Nelson County line, and the point of origin.

Election district # 3.

MONROE PRECINCT: Beginning at the Norfolk Southern Railroad bridge on Route 675 (Winesap Road); thence in a northerly direction on the Norfolk-Southern Railroad to Route 646 (Woodrow Avenue); thence in an easterly direction on Route 646 (Woodrow Avenue) to Route 29 (South Amherst Highway); thence in a northerly direction on Route 29 (South Amherst Highway) to Route 663 (Smokey Mountain Road); thence in a northwesterly direction on Route 663 (Smokey Mountain Road) to Route 628 (Strode Mountain Road); thence in a southwesterly direction on Route 628 (Strode Mountain Road) to an unnamed road; thence in a westerly direction on the unnamed road to Falling Rock Creek; thence in a southwesterly direction on Falling Rock Creek to the bridge on Route 655 (Father Judge Road); thence in a northerly direction on Route 655 (Father Judge Road) to Route 643 (Matohe Road); thence in a westerly direction on Route 643 (Matohe Road) to Route 615 (Peters Hollow Road); thence in a northerly direction on Route 615 (Peters Hollow Road) 1.33 miles to an unnamed stream; thence in a northerly direction on the unnamed stream to the peak of Cedar Mountain; thence in a northwesterly direction to Pedlar Gap; thence in a northerly direction to the peak of Pedlar Mountain; thence in a northwesterly direction to the peak of Shady Mountain; thence in a southwesterly direction to the peak of Tobacco Row Mountain; thence in a southwesterly direction along the Tobacco Row Mountain ridge to Route 636 (Wares Gap Road); thence in a southerly direction along the Tobacco Row Mountain ridge to an unnamed stream; thence in a southwesterly direction along the unnamed stream bed to the confluence with a second unnamed stream near Route 643 (Wagon Trail Road); thence in a southerly direction up the

second unnamed stream to Route 643 (Wagon Trail Road); thence in an easterly direction along Route 643 (Wagon Trail Road) to Crawford's Gap; thence in a southerly direction along a Forest Service road at Crawford's Gap to High Peak Lookout Tower; thence in a southerly direction along the Appalachian Power Company's power line to Route 653 (Ambrose Rucker Road); thence in an easterly direction on Route 653 (Ambrose Rucker Road) to Route 636 (High Peak Road); thence in a southerly direction on Route 636 (High Peak Road) to Route 657 (Laurel Cliff Road); thence in a southerly direction on Route 657 (Laurel Cliff Road) to Route 652 (Cedar Gate Road); thence in a westerly direction on Route 652 (Cedar Gate Road) to Route 675 (Winesap Road); thence in a southerly direction on Route 675 (Winesap Road) to the Southern Railroad bridge, and the point of origin.

ELON PRECINCT: Beginning at the point of Norfolk Southern Railroad entering Amherst County, crossing the James River; thence in a northerly direction along the Southern Railroad tracks to Route 675 (Winesap Road); thence in a northwesterly direction on Route 675 (Winesap Road) to Route 652 (Cedar Gate Road); thence in a northeasterly direction on Route 652 (Cedar Gate Road) to Route 657 (Laurel Cliff Road); thence in a northerly direction on Route 657 (Laurel Cliff Road) to Route 636 (High Peak Road); thence in a northwesterly direction on Route 636 (High Peak Road) to Route 653 (Ambrose Rucker Road); thence in a westerly direction on Route 653 (Ambrose Rucker Road) to the Appalachian Power Company power line; thence in a northwesterly direction along the Appalachian Power Company power line to the High Peak Lookout Tower at Route 779 (Mistover Drive); thence in a northerly direction on Route 779 (Mistover Drive) and a Forest Service road to Crawford's Gap at Route 643 (Wagon Trail Road); thence in a westerly direction on Route 643 (Wagon Trail Road) to Otter Creek; thence in a northwesterly direction on Otter Creek to the Amherst-Rockbridge County line; thence in a southerly direction along the Amherst County line to the James River; thence in an easterly direction along the James River to the Norfolk Southern Railroad and the point of origin.

PLEASANTVIEW PRECINCT: Beginning on Route 60 (Lexington Turnpike), at the Amherst-Rockbridge County line; thence in an easterly direction on Route 60 (Lexington Turnpike) to Route 615 (Sardis Road); thence in a southerly direction on Route 615 (Sardis Road) to an unnamed road; thence in a southerly direction on an unnamed road to Camden's Gap; thence in a southerly direction 1 mile from Camden's Gap to an unnamed stream; thence in a northerly direction up the unnamed stream to the peak of Cedar Mountain; thence in a northwesterly direction to Pedlar Gap; thence in a northerly direction to the peak of Pedlar Mountain; thence in a northwesterly direction to the peak of Shady Mountain; thence in a southwesterly direction to the peak of Tobacco Row Mountain; thence in a southwesterly direction along the Tobacco Row Mountain ridge to Route 636 (Ware's Gap); thence in a southerly direction along the Tobacco Row Mountain ridge to an unnamed stream; thence in a southwesterly direction along the unnamed stream bed to the confluence with a second unnamed stream to Route 643 (Wagon Trail Road); thence in a southeasterly direction up the second unnamed stream to Route 643 (Wagon Trail Road); thence in a southwesterly and westerly direction on Route 643 (Wagon Trail Road) to Otter Creek; thence in a northwesterly direction on Otter Creek to the Amherst-Rockbridge County line; thence in a northerly direction along the Amherst County line to Route 60 (Lexington Turnpike), and the point of origin.

Election district # 4.

AMELON PRECINCT: Beginning at the point of the Norfolk Southern Railroad entering Amherst County crossing the James River; thence in a northerly direction along the Southern Railroad tracks to Route 646 (Woodrow Avenue); thence in an easterly direction on Route 646

(Woodrow Avenue) to Route 29 (South Amherst Highway); thence in a northerly direction on Route 29 (South Amherst Highway) to Route 671 (Bruner Road); thence in a southeasterly direction on Route 671 (Bruner Road) to Route 604 (South Coolwell Road); thence in a northeasterly direction on Route 604 (South Coolwell Road) to Route 671 (Possum Island Road); thence in a southerly direction on Route 671 (Possum Island Road) to Route 677 (Dixie Airport Road); thence in a southerly direction on Route 677 (Dixie Airport Road) to Route 669 (Amelon Road); thence in a westerly direction on Route 669 (Amelon Road) to Route 1331 (Oakland Drive); thence in a southerly direction on Route 1331 (Oakland Drive) to its dead end; thence in a westerly direction to Route 783 (Woodland Drive); thence in a northerly direction on Route 783 (Woodland Drive) to Route 1341 (Odin's Bow Road); thence in a westerly direction on Route 1341 (Odin's Bow Road) to Route 1329 (Wildwood Drive); thence in a southerly direction on Route 1329 (Wildwood Drive) to Route 682 (Woody's Lake Road); thence in a westerly direction on Route 682 (Woody's Lake Road) to Route 29 (South Amherst Highway); thence in a southerly direction on Route 29 (South Amherst Highway) to Route 766 (Dillard Road); thence in a westerly direction on Route 776 (Dillard Road) to Buck's Branch; thence in a southerly direction along Buck's Branch to the James River; thence in a westerly direction along the James River to the Norfolk Southern Railroad and the point of origin.

LONCO PRECINCT: (The new precinct. The first 3 letters are from the last part of Amelon and the last 2 letters are from the first part of Coolwell.) Beginning at Route 663 (North Coolwell Road) at Faulconerville in a southeasterly direction to the Norfolk Southern Railroad bridge; thence in a northeasterly direction on the railroad tracks to Route 661 (Old Stage Road); thence in a easterly direction on Route 661 (Old Stage Road) to an unnamed road; thence in a southerly direction on the unnamed road to Higginbotham Creek; thence on Higginbotham Creek in a southeasterly direction to Route 624 (Higginbotham Creek Road); thence in an easterly direction on Route 624 (Higginbotham Creek Road) to Route 604 (Ebenezer Road); thence in a southerly direction on Route 604 (Ebenezer Road) to Route 604 (Bob White Road); thence in a westerly direction on Route 604 (Bobwhite Road) to Route 604/663 (North Coolwell Road); thence in a southerly direction on Route 604 (North Coolwell Road) to Route 663 (Izaak Walton Road); thence in a southeasterly direction on Route 663 (Izaak Walton Road) to Tanglewood Place; thence in a westerly direction on Tanglewood Place to Bell Drive; thence in a westerly direction on Bell Drive to the North Fork of Stovall Creek; thence in a southerly direction on the North Fork of Stovall Creek to the Middle Fork of Stovall Creek; thence in a northwesterly direction on the Middle Fork of Stovall Creek to a tributary stream; thence in a westerly direction on the tributary stream to Route 671 (Possum Island Road); thence in a northerly direction on Route 671 (Possum Island Road) to Route 604 (South Coolwell Road); thence on Route 604 (South Coolwell Road) in a southwesterly direction to Route 671 (Bruner Road); thence in a northwesterly direction on Route 671 (Bruner Road) to Highway 29 (South Amherst Highway); thence on Highway 29 (South Amherst Highway) in a northerly direction to Route 663 (North Coolwell Road) at Faulconerville and the point of origin.

Election district # 5.

MADISON PRECINCT: The boundaries of this precinct shall be the same as the boundaries of the Election District #5.

(Ord. of 12-15-81(2), §§ 1-3; Ord. of 3-5-85; Ord. of 2-3-87; Ord. of 6-7-94; Ord. of 5-22-01, §§ 1-3; Ord. of 7-18-06(2); Ord. of 10-17-06(1))

Sec. 5-17.1. - Central absentee election district.

Pursuant to authority contained in Code of Virginia, § 24.2-712, as amended, the following district and its respective polling place for Amherst County, Virginia is hereby created and established to be used for all general, special and primary elections.

The precinct for this election district and the polling place for this precinct shall be as set forth below:

Election District	Precinct	Polling Place
Central absentee	Central absentee	Amherst County Courthouse

(Ord. of 2-2-88, §§ 1, 2)


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

Adopted this 19th day of March, 2019.



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

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0



Amherst County Board of Supervisors
County Resolution No. 2019-0001-R

For consideration on March 19, 2019

A RESOLUTION, NO. 2019-0001-R

A resolution, requesting that the Commonwealth Transportation Board name a certain bridge over Route 29, on South Main Street, near the Town of Amherst, in Amherst County "Trooper Lucas B. Dowell Bridge", in honor of a fallen serviceman of Amherst County.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Board of Supervisors of Amherst County hereby requests, pursuant to Virginia Code §33.2-213, that the Commonwealth Transportation Board name the bridge over Route 29, on South Main Street, near the Town of Amherst, in Amherst County "Trooper Lucas B. Dowell Bridge", as follows:

WHEREAS, Trooper Lucas Dowell is a true serviceman of Amherst County, having served four years with the Virginia State Police; and

WHEREAS, Trooper Dowell was assigned to the Appomattox Division serving the City of Lynchburg, as well as Amherst and Campbell Counties; and

WHEREAS, Trooper Dowell died in the line of duty on February 4, 2019, surrounded by his Division III tactical team; and

WHEREAS, Trooper Dowell demonstrated acts of gallantry and heroism on the day Trooper Dowell lost his life; and

WHEREAS, Amherst County seeks to honor its serviceman with a symbol of gratitude for his dedication and service; and

WHEREAS, Amherst County accordingly requests, pursuant to Virginia Code §33.2-213, that the Transportation Board name the bridge over Route 29, on South Main Street, near the Town of Amherst, in Amherst County, "Trooper Lucas B. Dowell Bridge"; and

WHEREAS, Amherst County stands ready and willing to support the costs of producing, placing, and maintaining the sign bearing Lucas B. Dowell's name, and to take any other needed action in support of this petition to the Commonwealth; and

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

That the Board of Supervisors of Amherst County hereby request pursuant to Virginia Code § 33.2-213, that the Commonwealth Transportation Board name the bridge over Route 29 on South Main Street near the Town of Amherst, in Amherst County, "Trooper Lucas B. Dowell Bridge".

BE IT FURTHER RESOLVED:


That the Board of Supervisors hereby expresses its commitment to supporting the costs of producing, placing, and maintaining the sign bearing Lucas B. Dowell's name, and to taking any other needed action in support of this petition to the Commonwealth.

BE IT FURTHER RESOLVED:

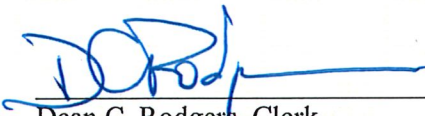
That the Clerk of the Board of Supervisors is directed to forward a copy of this resolution to the Commonwealth Transportation Board under cover of a letter requesting guidance as to next steps.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 19th day of March, 2019.


Jimmy Ayers III, Chair
Amherst County Board of Supervisors

ATTEST:


Dean C. Rodgers, Clerk
Amherst County Board of Supervisors



Policy Working Group Recommendations

Board of Supervisors March 19, 2019

What is the Policy Working Group?

The Policy Committee was created to review and amend internal policies that hamper business friendliness

Result of the top 5 business friendly initiatives

How did it start?



Who was invited to participate?

Community Development

- Planning & Zoning
- Building Safety & Inspections

Economic Development Authority

Commissioner of Revenue

Department of Health

Virginia Department of Transportation

Amherst County Service Authority

Clerk of the Court

Currently Being Implemented - Community Development

- Monthly pre-application meetings for public hearings
 - No increase in time frame
 - Applicant hears what is required prior to committing
 - Minimizes surprises for developers
- Availability of inspection results via email
- Community Development lease of plan scanner
 - Requiring less paper, can accept files digitally
- VDOT, Health Department, and Community Development held a work session on February 27, 2019
 - Shared knowledge on processes, application, fees, etc
 - Better equip staff to assist customers with other agencies

Community Development

- Online applications being updated to be more user friendly – icons, file uploads and online payments
- Contractor portal to schedule inspections and check status updates
- Standardizing erosion and sediment control policies and practices for consistency
- Provide handouts and links to information for different agencies



Commissioner of the Revenue

- Minor changes to business license
- Include link to business license application on the Community Development website
- Conversely, include link to Community Development on the Commissioner of Revenue website
- Improved coordination with Planning & Zoning Division on business license process
- More changes to come after Board reviews potential change from merchants capital/inventory tax to business license tax in September

Amherst County Service Authority

- Water and sewer availability fees policy evaluation
- Major upgrade to communications efforts
- Clear policy regarding ACSA construction of water and sewer lines
- ACSA Board reorganization
- Update ACSA Water Office building
- (Presented at March 5 BOS meeting)



Virginia Department of Transportation

- Participation in monthly pre-application meetings
- Provide correspondences with development community to Community Development department
- Joint meetings with County staff regarding development interest and questions by landowners
- Alternate means to reserve sight distance easements for commercial development
- Include on the Community Development website a VDOT tab to include local land use contacts and links to the Land Development Information Center and Land Use Permits



Virginia Department of Health

- Participation in monthly pre-application meetings
- Distribution of handouts for customers such as list of potential service providers and sewage disposal system maintenance guidance
- Include Health Department tab on the Community Development website with contact information and links to forms
- Yearly Health Department orientation/update on any changes that effect staff, contractors, developers, or new business



VIRGINIA DEPARTMENT OF HEALTH
To protect the health and promote the well-being of all people in Virginia

Thank You



AMHERST COUNTY PUBLIC SCHOOLS

School Administration Office
153 Washington Street
Amherst, VA 24521

Office of the Assistant Superintendent
Dr. William Wells

(434) 946-9343

wwells@amherst.k12.va.us

MEMORANDUM

TO: Dr. Rob Arnold
SUBJECT: PPEA Projects
DATE: February 27, 2019

The Amherst County Public Schools PPEA projects that were recently completed had a surplus of \$876,548.55. The scope of work for the original PPEA project requires the funds be spent on HVAC or lighting projects. The following is a list of recommendations for the remaining PPEA funds for ACPS.

1. ACHS - \$317,606 - HVAC (82 VAV's) upgrades in Science Wing, Vocational Wing, Library, and Cafeteria.
 2. ACHS - \$63,820 - Install HVAC in Old Masonry Shop now utilized for Communication Systems program.
 3. ACHS - \$11,976 - Upgrade HVAC in Agriculture classroom.
 4. MMS - \$26,049 - Upgrade/Replace HVAC units in Gym.
 5. ACHS - \$225,000 - install LED lighting in stadium.
 6. MHES - \$120,000 - replace heating boiler.
 7. ACHS - \$60,000 - install HVAC in field house locker rooms.
- Total - \$824,451

The project cost of \$824,451 will leave a contingency fund of \$52,097.55. It is recommended that these projects be considered for approval.