

BOOK 34**VIRGINIA:**

At a public hearing of the Board of Supervisors of Amherst County and held at the Amherst County High School auditorium thereof on Wednesday, the 11th of June 2014, at 7:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Ms. C. Tucker	ABSENT:
	Mr. R. Curd	
	Mr. D. Pugh	
	Mr. D. Kidd	
	Mr. J. Marks	

Mr. D. Kidd, Chairman, called the meeting to order.

IN RE: APPROVAL OF AGENDA

Mr. D. Kidd motioned to approve the agenda. With the following vote, the Board approved the agenda:

- I. Call to Order**
- II. Approval of Agenda**
- III. Joint Public Hearing with the Planning Commission**
 - a. **No. 2014-0003:** Changing the name of the A-1 Agricultural Residential District to the A-1 Agricultural Limited District, and providing that by-right development of all residential lots in that district shall comply either with new provisions for sliding scale or cluster subdivisions. The requirements for sliding scale subdivisions impose limits on the number of lots that can be generated based on the acreage size of the parcel. The number of lots range from a minimum of two lots for parcels two to 12 acres in size, to a maximum of 70 lots for parcels of 180.01 acres or more, plus 1 lot for each 10 additional acres. Cluster subdivisions are exempt from the sliding scale limitations (unless the subject parcel was created through the sliding scale subdivision process); however, at least 40 percent of the gross acreage of the cluster development must be preserved as open space, and the density of a parent parcel in a cluster subdivision shall not exceed one lot for every three acres. The provisions for sliding scale and cluster subdivision provisions do not apply in planned unit developments. While the minimum lot size for residential development in the A-1 district is unchanged at one acre, the sliding scale and cluster provisions eliminate the ability to develop on a by-right basis subdivisions containing one residence per acre.

Adjourn

AYE: Mr. J. Marks, Mr. D. Pugh, Ms. C. Tucker, Mr. R. Curd and Mr. D. Kidd
 NAY: None

The Planning Commission Chairman, Les Irvin, called the Planning Commission to order and asked to approve the agenda with a second by Derin Foor.

A G E N D A

1. Call to Order
2. Approval of Agenda
3. Public Hearing – PC & BOS
 - A. Ordinance, No. 2014-03 A-1 Agricultural Residential District Zoning Modifications
4. Adjournment

AYE: All

NAY: None

IN RE: PRESENTATION

Mr. J. Bryant presented a power point presentation titled *A-1 Agricultural Residential District with Clustering Provisions*. The presentation focused on the comprehensive plan and a sliding scale for expansion. Mr. Bryant answered questions brought forward from the Board of Supervisors, Planning Commission and the public.

IN RE: PUBLIC HEARING

Mr. D. Kidd opened the floor for the public hearing on Ordinance No. 2014-0003. The following people spoke.

Marcha Rose
 Patricia Pendleton
 John McKemten
 James Fulcher
 Scott Strang
 Mary Waller
 Linwood Allen
 James C. May
 John Batman
 Njeri Mwalimu
 Vance Wilkins
 Roy Stiltner
 Martin Heartley
 Wendy Kendrick
 Idalee Mick
 Terry Morcom
 Gary Jennings
 Phil Lotspeich
 Steven Conner

Kerry Scott
Thomas Brooks
Katherine Barnhart
Bill Peters
Roberta Peters

The Planning Commission discussed the recommendation to the Board of Supervisors. Ms. B. Jones motioned to amend sub section F of section 921 of ordinance 2014-0003 as recommended by the zoning administrator. Mr. M. Martineau seconded.

AYE: All
NAY: None

A motion was made by Les Irvin and seconded by Derin Foor, to reject the ordinance as amended

AYE: All
NAY: None

Action from the Board of Supervisors

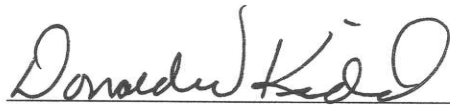
Mr. D. Pugh motioned to postpone Ordinance 2014-0003 as amended indefinitely.

AYE: Mr. D. Pugh, Mr. D. Kidd and Mr. J. Marks
NAY: Ms. C. Tucker and Mr. R. Curd

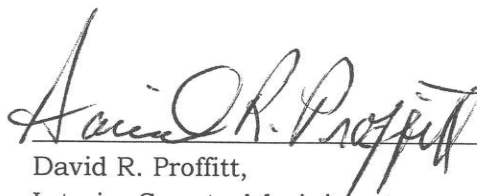
IN RE: ADJOURNMENT

On motion of Ms. C. Tucker, and with the following vote, the Board moved to adjourn.

AYE: Mr. D. Kidd, Mr. R. Curd, Ms. C. Tucker, Mr. D. Pugh and Mr. J. Marks
NAY: None



Donald W. Kidd, Chairman
Amherst County Board of Supervisor



David R. Proffitt,
Interim County Administrator

Notice of Joint Public Hearing of the Amherst County Board of Supervisors and Planning Commission

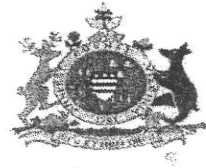
The Amherst County Board of Supervisors and Amherst County Planning Commission will conduct a public hearing on Wednesday June 11, 2014, at 7:00 p.m., in the Amherst County High School Auditorium, 139 Lancer Lane, Amherst, Virginia 24521, to consider adoption of the following ordinance:

No. 2014-0003: Changing the name of the A-1 Agricultural Residential District to the A-1 Agricultural Limited District, and providing that by-right development of all residential lots in that district shall comply either with new provisions for sliding scale or cluster subdivisions. The requirements for sliding scale subdivisions impose limits on the number of lots that can be generated based on the acreage size of the parcel. The number of lots range from a minimum of two lots for parcels two to 12 acres in size, to a maximum of 70 lots for parcels of 180.01 acres or more, plus 1 lot for each 10 additional acres. Cluster subdivisions are exempt from the sliding scale limitations (unless the subject parcel was created through the sliding scale subdivision process); however, at least 40 percent of the gross acreage of the cluster development must be preserved as open space, and the density of a parent parcel in a cluster subdivision shall not exceed one lot for every three acres. The provisions for sliding scale and cluster subdivision provisions do not apply in planned unit developments. While the minimum lot size for residential development in the A-1 district is unchanged at one acre, the sliding scale and cluster provisions eliminate the ability to develop on a by-right basis subdivisions containing one residence per acre.

The purpose of the zoning text amendment is to downzone the Agricultural District by reducing the allowable densities permitted, which is supported by the comprehensive plan's growth policies. The proposed amendments will affect all property zoned A-1 Agricultural Residential District. The full text of ordinance 2014-0003 may be examined in the Office of the County Administrator and Department of Planning/Zoning, and the official Zoning Map may be examined at the Department of Planning/Zoning located at 153 Washington Street, Amherst, Virginia 24521 during normal business hours, Monday – Friday, 8:30 a.m. to 5:00 p.m. If you have any questions regarding these amendments please contact the Amherst County Planning/Zoning Department at (434) 946-9303.

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

David Proffitt
Interim County Administrator



Amherst County Board of Supervisors
County Ordinance No. 2014-0003

AN ORDINANCE, NO. 2014-0003

Changing the name of the A-1 Agricultural Residential District to the Agricultural Limited District, and providing that by-right development of all residential lots in that district shall comply either with new provisions for sliding scale or cluster subdivisions. The requirements for sliding scale subdivisions impose limits on the number of lots that can be generated based on the acreage size of the parcel. The number of lots range from a minimum of two lots for parcels two to 12 acres in size, to a maximum of 70 lots for parcels of 180.01 acres or more. Cluster subdivisions are exempt from the sliding scale limitations (unless the subject parcel was created through the sliding scale subdivision process); however, at least 40 percent of the gross acreage of the cluster development must be preserved as open space, and the density of a parent parcel in a cluster subdivision shall not exceed one lot for every three acres. The provisions for sliding scale and cluster subdivision provisions do not apply in planned unit developments. While the minimum lot size for residential development in the A-1 district is unchanged at one acre, the sliding scale and cluster provisions eliminate the ability to develop on a by-right basis subdivisions containing one residence per acre.

Approved as to form and legality by the County Attorney

FIRST READING: Planning Commission, April 3, 2014

FIRST READING: Board of Supervisors, May 6, 2014

JOINT PUBLIC HEARING: Board of Supervisors and Planning Commission, June 11, 2014

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That Sections 805 and 921 be and hereby are added to Appendix A to the Code of the County of Amherst, as follows:

805. Sliding Scale Subdivisions - Division Rights.

- A. Except as provided in Section 921, lots and subdivisions developed in the A-1 Agricultural Limited District shall conform to the following requirements:
- a. The total number of allowable lots shall be determined by applying sliding scale as shown in Table 1.
 - b. The minimum lot size shall be one (1) acre.
 - c. If a parcel is rezoned, the provisions outlined in the sliding scale shall not apply to the rezoned parcel.
 - d. If the parcel is divided in accordance with the sliding scale division rights pursuant to subsection B, that parcel shall not be eligible for rezoning for a period of ten (10) years

following the date deeds to the divided parcels are recorded, except that this restriction shall not apply to parcels located within the designated Growth Area in the Comprehensive Plan's Future Land Use Map.

- e. If the parcel is divided in accordance with the cluster subdivision criteria contained in section 921, it shall not be divided further.
 - f. Family divisions, as defined in section 1207.01, shall not be counted for purposes of calculating density pursuant to this section.
 - g. The requirements of this section shall not apply to Planned Unit Developments (PUD), as defined in section 911.
- B. Any parent parcel shall have established division rights based on that parcel's acreage as specified in Table 1 in this section. Such division rights may be applied so as to consume the parent parcel, or so as to leave the parent parcel as its own lot, in addition to the lots created through the permitted division rights. The parent parcel lot shall not be eligible for further division beyond the division rights established within the division of the parent parcel.
- C. A family division shall not be considered a division under this section. The plat identifying the family division shall, however, contain a lot assignment table substantially in the form of Figure 1 showing how the division rights associated with the parent parcel are to be allocated among the lots created by the family division. Any such lot assignment table shall contain the acreage and lot assignment figures for "New lot as shown" for each lot created by a given family division.
- D.

TABLE 1 – Sliding Scale: Division rights in the A-1 Agricultural Limited District

<u>Parcel Acreage</u>	<u># Lots*</u>		<u>Parcel Acreage</u>	<u># Lots</u>
<u>2 to 12</u>	<u>2</u>		<u>96.01-108</u>	<u>23</u>
<u>12.01-24</u>	<u>3</u>		<u>108.01-120</u>	<u>28</u>
<u>24.01-36</u>	<u>6</u>		<u>120.01-132</u>	<u>34</u>
<u>36.01-48</u>	<u>8</u>		<u>132.01-144</u>	<u>40</u>
<u>48.01-60</u>	<u>10</u>		<u>144.01-156</u>	<u>46</u>
<u>60.01-72</u>	<u>12</u>		<u>156.01-168</u>	<u>52</u>
<u>72.01-84</u>	<u>15</u>		<u>168.01-180</u>	<u>56</u>
<u>84.01-96</u>	<u>19</u>		<u>180.01+</u>	<u>60 + 1 lot/10 acres</u>

*The number of lots represents the allowable number of new division rights.

FIGURE 1 – SLIDING SCALE: Lot Assignment Table

<u>BEFORE APPROVAL OF SUBDIVISION</u>			
<u>LOT/PARCEL</u>	<u>ACREAGE</u>	<u>LOT ASSIGNMENT</u>	<u>SOURCE</u>

<u>ORIGINAL TM#</u>	<u>=</u>	<u>=</u>	<u>PARENT PARCEL</u>
<u>AFTER APPROVAL OF SUBDIVISION</u>			
<u>LOT/PARCEL</u>	<u>ACREAGE</u>	<u>LOT ASSIGNMENT</u>	
<u>NEW LOT AS SHOWN**</u>	<u>=</u>	<u>=</u>	
<u>REMAINDER OF TM #</u>	<u>=</u>	<u>=</u>	

**This row shall be replicated for each additional newly created lot from the original parent parcel.

921. Cluster Subdivisions.

A. Intent.

The intent of this section is to:

1. Protect vital natural and historic resources from development and permanent loss;
2. Prevent the destruction of valuable view sheds, ridge tops and wildlife corridors, including but not limited to both the Blue Ridge Parkway and the Appalachian Trail, and other resources identified in the Comprehensive Plan;
3. Reserve, enhance, and add to the existing and proposed greenway system throughout the county, as identified in the Comprehensive Plan;
4. Provide the citizens of the county additional open space and recreation areas; and
5. Offer an alternative to conventional subdivision development and encourage the design of creative, innovative developments that utilize the land's natural resources and features, and incorporates them into functional preservation and development plans.

B. Applicability.

1. Cluster subdivisions developed under subsection C are a permitted use in the A-1 Agricultural Limited District.
2. Cluster subdivisions are exempt from the limited division rights established in accordance with the sliding scale density provisions contained in Section 805, except that such exemption shall not apply where the parcel to be developed was created through the sliding scale subdivision process.
3. The zoning administrator shall determine compliance with the standards contained in subsection C.
4. The requirements of this section shall not apply to Planned Unit Developments (PUD), as defined in section 911.

C. Standards.

Cluster subdivisions shall be developed in accordance with the following minimum standards:

1. The original parcel used as the basis for the subdivision shall contain a minimum of ten (10) acres of net developable area.

- a. Net developable area is equal to the gross area of the property as determined by a boundary survey, less the combined areas of the environmental constraints contained within that property.
- b. Environmental constraints are those areas of a parcel or a tract of land for which no credit shall be given for calculation of density and include:
 - i. Slopes 15 percent or greater;
 - ii. Area of the 100 year flood plain;
 - iii. Wetlands, existing water features and streams; and
 - iv. Area that will be designated as a conservation area.
- c. A calculation of the net developable area shall be required for all cluster subdivision plat submissions. Such calculations shall be based on data obtained from USGS 7.5 minute quad maps, aerial photography or other appropriate sources identified by the applicant and approved by the Zoning Administrator.
- d. The plat for a cluster subdivision shall graphically depict the location and spatial area for all environmental constraints to the nearest 0.1 acre.

2. Forty (40) percent of the gross acreage of the entire cluster subdivision development shall be preserved as open space established in compliance with subsection D. The applicant shall have the right to provide conservation areas in excess of the minimum requirement.

3. The cluster subdivision must comply with the applicable requirements contained in section 1302.02 for public water and sewer or for mass drainfields, except that off-site drainfields (i) shall be sited fewer than 1,000 feet from the lots to be served, (ii) shall be supported by any necessary easements, and (iii) shall be approved by the local office of the Virginia Department of Health.

4. Any cluster subdivision located in the primary or secondary watershed district(s) pursuant to section 710.04 (1, 2), shall be connected to public water and public sewer. Public water and sewer shall conform to the Amherst County Service Authority design and construction standards, as amended.

5. The density of a parent parcel in a cluster subdivision shall not exceed one (1) lot for every three (3) acres. Any cluster subdivision lot shall comply with the applicable minimum lot area requirements contained in section 801.01 for the underlying zoning district, provided that calculation of lot area is based on net developable area only such that the net developable area is used to determine the total number of lots that may be established in any such subdivision.

6. Setbacks for lots located in a cluster subdivision shall be as follows: Front Yard - 30'; Side Yard - 10'; Rear Yard - 20'. The front, side, and rear yard setback(s) of any lot adjacent to any lot or public street right of way not located within the proposed cluster subdivision shall be established pursuant to section 804 in accordance with the setback requirements applicable to that lot or right of way.

7. All lots within a cluster subdivision shall have a minimum seventy-five (75) foot frontage on a street within the secondary system of state highways.

8. On street parking shall be prohibited on one (1) side of every street in a cluster subdivision.

9. Drainage design shall meet all applicable standards promulgated by the Virginia Department of Transportation, and any other applicable state and county standards. Drainage easements serving public roads shall be dedicated to the Virginia Department of Transportation.

10. All drainage easements shall be deeded to the homeowners' association for maintenance.

11. All entrance signs to a cluster subdivision shall meet the provisions of sections 702.03 (9), 703.03 (11), and 907.

D. Conservation Area Requirements.

1. No residential development may be placed in a conservation area.

2. Ownership and maintenance of conservation areas shall be in one of the following forms:

- i. Common land owned in perpetuity by the owners of lots in the development through a homeowner, condominium or similar association.
- ii. Dedication of the land in perpetuity to a nonprofit organization or land trust through a conservation easement or fee simple conveyance; and,
- iii. Public land after dedication to, acceptance and maintenance by the County board of supervisors or other governmental entity for recreational, conservation, historic or other open space purposes.

3. The cluster subdivision plat shall plainly identify the conservation area, and shall describe the form of ownership associated with the area, provisions for the maintenance of the conservation area in perpetuity, and covenants that forbid the use of the conservation area for any type of residential dwelling. Any provisions or covenants relating to the conservation area shall be approved by the Zoning Administrator in conjunction with plat approval.

4. Conservation areas are not subject to the design standards for buildable lots contained in a cluster subdivision, except that any non-residential structures placed in a conservation area shall conform to the provisions governing lot coverage contained in section 802, height restrictions contained in Section 803, yard requirements contained in section 804, and the requirements associated with accessory and temporary buildings contained in section 901.

5. No building, building addition, structure, street, driveway, parking area or any other type of physical land improvement shall be located within a conservation area, except those structures necessary to the uses for which the conservation area is preserved.

6. Publicly-dedicated trails and parks may be developed in conservation areas with the approval of the Amherst County Board of Supervisors.

E. Cluster development process.

1. The applicant shall meet with the Zoning Administrator or his designee to review the requirements for a cluster subdivision prior to the preparation of the preliminary plat. The applicant shall present at that meeting a property resource map prepared by a licensed engineer/surveyor, architect or landscape architect, or by another source as approved by the Zoning Administrator.

2. Any such property resource map shall include:

a. Total net developable acreage, acreage of any environmental constraint areas and the acreage of any other areas that may affect the design of the cluster subdivision, including:

- i. Watersheds or conservation easements;
- ii. Flood plains, wetlands, and riparian zones outside the FEMA study area;
- iii. Historic structures and sites;
- iv. Healthy woodlands; and,
- v. Productive agricultural and forested lands.

3. Subsequent to approval of the property resource map, the applicant shall submit a preliminary plat in accordance with Article XII of the Zoning Ordinance. The preliminary plat shall include, along with all other required provisions, the following additional information:

- a. Required open space shall be mapped as conservation lots and noted on the plat, along with an ownership and maintenance statement; and
- b. All deed restrictions and covenants applicable to public services, open space, and cluster subdivision lots.

4. Once the Planning Commission has approved the preliminary plat, the applicant shall submit the final plat in accordance with section 1204.

F. Application.

Application of the standards in this section to a 100 acre parcel in the A-1 Agricultural Limited District would require that forty (40) percent of the parcel be reserved as open space from the net developable area. Sixty (60) percent of the parcel qualifies as developable area. Of the sixty (60) developable acres, the density of the parent parcel shall not exceed one (1) lot for every one (1) acre of land and a lot must be a minimum of three (3) acres in total size. Therefore, twenty (20) lots are permitted within the net developable area.

§ 2. That section 302 of Appendix A to the Code of the County of Amherst be and hereby is amended by the addition of the following new definitions, to be placed in alphabetical order in relation to existing definitions, as follows:

302. Specific definitions.

Conservation area. Any parcel or area of undeveloped land within a cluster subdivision conserved in its undeveloped state for perpetuity via a conservation easement or through another binding commitment, intended for the recreational use of all residents of the cluster subdivision or the public in general, and containing only those structures necessary to the use for which the conservation area is preserved.

Parcel, parent. Any parcel of land as documented on a deed of record existing in the Amherst County Circuit Court on June 12, 2014. The term "parcel" shall be synonymous with the term "lot".

§ 3. That sections 702, 801, 1204, and 1207 of Appendix A to the Code of the County of Amherst, specifically subsections 702.01, 702.02, 702.03, 801.01, 1204.02, 1207.01 and 1207.02, be and hereby are amended, as follows:

702. Agricultural Residential Limited District A-1.

702.01. Intent of the Agricultural Residential Limited 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.~~ The A-1 Agricultural Limited District exists to protect, preserve and enhance important agricultural and forested lands, mountain areas, ridge tops, natural and scenic resources, critical wetlands and river basins, sensitive environmental areas, and other rural tracts of land within the County in accordance with the goals of the Comprehensive Plan.

The requirements governing this district reflects the County's fundamental concern that residential growth occur in an orderly manner that is not injurious to current farming practices, the future viability of agriculture in the County, or the maintenance of a predominantly rural character and quality of life in this district. Residential development in the County appropriately should occur in designated growth areas as referenced in the Comprehensive Plan's Future Land Use Map so that necessary services and infrastructure can be delivered in an efficient and cost effective manner. Due to the limited infrastructure in this district, residences, subdivisions and other uses not developed in accordance with authorized density levels inevitably will experience a lower level of public service than is provided in the designated growth areas.

702.02. Permitted uses. Within the A-1 Agricultural Limited District ~~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.
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. Cluster subdivisions as provided in Section 921.

21. Sliding scale subdivisions pursuant to Section 805.

702.03. Special exceptions (Agricultural Residential Limited District - A-1 zone).

- 1. Public entertainment.
- 2. Schools.
- 3. Saw mills.
- 4. Pallet manufacturing.
- 5. Wood yards.
- 6. Feed mills.
- 7. Truck business.

8. Churches and related facilities.
9. Signs as provided in Section 907.
10. Planned unit developments.
11. Short-term tourist rental of dwelling.
12. Machinery sales and service.
13. Storage of biosolids as provided in Section 917.
14. Mineral extraction per Section 910.
15. Small wind energy systems as provided in Section 918.
16. Substance abuse treatment facility.
17. Off-site directional signs compliant with the requirements of Section 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.
19. Personal wireless service facilities as provided in Section 919.

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 ^{1,2} (feet)
A-1 (Agricultural Residential Limited)		
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	10,000	75

systems)		
(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 Multifamily 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.

1204. - Preparation of final plat.

1204.02. Information contained on final plat. The final plat shall include the following information:

1. All of the information required of preliminary plats in Section 1203.02;
2. Bearings, lengths, widths, centerlines, easements and right-of-way of every street and alley within the subdivision; data for all curves and angles in streets and alleys; location of iron pipes marking street corners, angles in streets, and the beginning (marked "PC") and end ("PT") of each curve in streets;
3. Building setback lines, with distance to street right-of-way and length of the setback line for each lot;
4. Location, bearings, and dimensions of all lot lines with location of markers shown;
5. Land or water areas to be dedicated or reserved for streets, alleys, parking areas, or other public use, or for common use of future property owners in the subdivision;
6. All restrictive covenants or references to where such covenants are filed;
7. An execution of the owner's consent to subdivision, in accordance with Section 15.2-2264 of the Code of Virginia, 1950, as amended, to the effect that the subdivision
8. A certificate signed by the surveyor setting forth:
 - a. The source of title of the owner of the land subdivided;
 - b. The place of record of the last instrument in the chain of title;
 - c. All markers are shown and described in the plat and are in place as shown.
9. Space for signatures of approval of the zoning administrator, a Virginia Department of Transportation representative, a Virginia Department of Health representative, and in the case of property to be served by public utilities or located in a Watershed District, the Director of Public Utilities for the Amherst County Service Authority or a representative of the Town of Amherst, as appropriate;
10. Name and signature of any owners of property over which a right-of-way traverses which is intended to provide required access to the subdivision. The signature block shall include the following statement: "The owners understand and accept the prescribed right-of-way on their property as a means of access to a subdivision of property. It is understood and accepted that maintenance of the access road will take place within the right-of-way."
11. For properties not served by public sewer, a signature block for the developer's Virginia Certified Onsite Soil Evaluator, stating "I Certify that soils evaluation work for this subdivision has been done in accordance with both state law, and Amherst County ordinances relating to onsite sewage disposal. Data resulting from soil work, including treatment systems, pre-treatment systems, primary and reserve drainfields, has been appropriately evaluated and approved by the Virginia Department of Health."
12. For lots that are zoned A-1 Agricultural Limited District, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 805 shall be included on the final plat.
13. Cluster subdivisions shall meet all platting requirements as provided in Section 921.

1207. - Administrative review of certain plats.

The zoning administrator or planning director is hereby delegated the authority to receive, review and approve or disapprove plats of family divisions, reconfigurations and matters described in Section 1207.03.

1207.01. Family divisions.

(A) —A single division of a lot or parcel for the purpose of sale or gift to a member of the immediate family of the property owner. Only one (1) such division is to be allowed per family member, and shall not be for the purpose of circumventing this subsection. For the purposes of this subsection a member of the immediate family is defined as any person who is a natural or legally defined offspring, stepchild, spouse, grandchild, grandparent, sister or brother or parent of the owner. Such a division shall be called a family division. The applicant shall submit three (3) copies of said family division plat to the planning department for review and approval. Within sixty (60) days of official submission, the plat shall be approved or disapproved by the zoning administrator or his/her designee. The applicant shall be responsible for recording the plat in the office of the clerk of the circuit court within six (6) months of approval or it will become invalid. The family division plat shall clearly show the following information:

1. Every plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor, who shall endorse upon each such plat a certificate signed by him or her setting forth the source of title of the owner(s) of the land(s) involved in the family division and the place of record of the last instrument(s) in the chain of title;
2. Date of plat;
3. Scale;
4. North arrow;
5. Adjoining property owners;
6. Bearings and distances of all lines surveyed as part of the family division;
7. Name and signature of owner(s) notarized;
8. Acreage of conveyed property, per Section 801;
9. The acreage and frontage width of the remainder or a statement certifying the surveyor's knowledge that the remainder of the property meets the minimum acreage and frontage width requirements;
10. Tax map section, block and lot number;
11. Plat clearly labeled FAMILY DIVISION by the surveyor;
12. Name(s) of family member grantee;
13. Sufficient dedicated easement to meet the standards of the Virginia Department of Transportation when a lot fronts on a state maintained road;
14. Signature block for county official;
15. All family subdivisions not fronting on a public road shall provide for the conveyance of a right of way twenty (20) feet in width;
16. If the property is located within a watershed overlay district, all requirements applicable to the subdivision of land therein must be met.
17. For lots that are zoned A-1 Agricultural Limited District, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 805 shall be included on the final plat.

1207.02. Reconfiguration plat submission and approval. The applicant shall submit five (5) copies of the plat to the planning department for review and approval. The zoning administrator or planning director will complete the review within seven (7) days of receipt of the plat. Once a determination has been made that the plat meets the standards of this ordinance, the zoning administrator or planning director shall approve it and sign the plat.

The applicant shall be responsible for recording the plat in the office of the Clerk of the Circuit Court within six (6) months of approval or it will become invalid. The reconfiguration plat shall clearly show the following information:

1. Every plat which is intended for recording shall be prepared by a certified professional engineer or land surveyor who shall endorse upon each such plat a certificate signed by him or her setting forth the source of title of the owner(s) of the land(s) involved in the reconfiguration and the place of record of the last instrument(s) in the chain of title;
2. Date of plat;
3. Scale;
4. North arrow;
5. Adjoining property owners;
6. Bearings and distances of all lines surveyed as part of the reconfiguration;
7. Name and signature of owner(s) notarized;
8. The acreage and frontage width of the reconfigured properties or a statement certifying the surveyor's knowledge that the reconfigured properties meet the minimum acreage and frontage width requirements;
9. Tax map section, block and lot number;
10. Plat clearly labeled RECONFIGURATION by the surveyor;
11. Signature block for county official.
12. For lots that are zoned A-1 Agricultural Limited District, a lot assignment table substantially in the form of the Lot Assignment Table shown in Figure 1 in Section 805, shall be included on the final plat.
13. Designated conservation areas in a cluster subdivision shall not be reconfigured.

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

Adopted this 11th day of June, 2014.

Donald W. Kidd, Chairman
Amherst County Board of Supervisors

ATTEST:

Clarence C. Monday, Clerk
Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____