



Amherst County Board of Supervisors
County Ordinance No. 2013-0005

AN ORDINANCE, NO. 2013-0005

Adding definitions of hunt club and outdoor shooting range to the Amherst County Code, and amending section 702 of the Amherst County Code, specifically subsections 702.02 and 702.03, to provide that hunt clubs are permitted uses, and shooting ranges and private clubs are special exception uses, in the agricultural residential district.

Approved as to form and legality by the County Attorney

FIRST READING: Planning Commission, March 7, 2013
PUBLIC HEARING: Planning Commission, April 18, 2013
FIRST READING: Board of Supervisors, May 7, 2013
PUBLIC HEARING: Board of Supervisors, May 21, 2013

THE COUNTY OF AMHERST HEREBY ORDAINS:

§ 1. That the definitions of hunt club and outdoor shooting range hereby are added to the Code of the County of Amherst, as follows:

Club, hunt. Buildings, facilities, and property owned or leased and operated by a business or club for the purposes of hunter education, hunting, or harvesting game. The club may offer overnight accommodation. Such clubs shall not be operated primarily for a profit.

Shooting range, outdoor. The use of land for archery or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions such as turkey shoots. This definition does not encompass general hunting and unstructured and non-recurring discharging of firearms on private property with the property owner's permission.

§ 2. That section 702 of the Code of the County of Amherst, specifically subsections 702.02 and 702.03, be and hereby are amended, as follows:

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.
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.

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

1. Public entertainment.
2. Schools.
3. Saw mills.
4. Pallet manufacturing.
5. Wood yards.
6. Feed mills.
7. Truck business.
8. Churches and related facilities.

9. Signs as provided in Section 907.
10. Planned unit developments.
11. Short-term tourist rental of dwelling.
12. Machinery sales and service.
13. Storage of biosolids as provided in Section 917.
14. Mineral extraction per Section 910.
15. Small wind energy 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.
20. Club, private.
21. Shooting range, outdoor.

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

Adopted this 3rd day of December, 2013.

Robert M. Curd, Chairman
Amherst County Board of Supervisors

ATTEST:

Clarence C. Monday, Clerk
Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____