

The regular meeting of the Amherst Town Council was held on March 14, 2007 at 7:00 P.M. in Council Chambers with Mayor Jacob Bailey presiding. Council Members present were: Bobby J. Bondurant; Jason D. Campbell; Haney Mottley; C. Manly Rucker, III and Harold Swisher.

Also present were Town Manager Jack Hobbs, Town Attorney W. Thomas Berry, Police Chief Kenneth Watts, Superintendent of Plants Thomas W. Fore and Office Manager Colan R. Davis.

The Rev. Decatur H. Rodgers, III, from Amherst Presbyterian Church gave an invocation.

Mr. Rucker made a motion that was seconded by Mr. Bondurant to approve the agenda as presented. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

A duly advertised public hearing on the Union Hill Water Tank project, as required by the United States Department of Agriculture, was opened at 7:03 P.M. There being no one present who wished to speak, the public hearing was closed at 7:04 P.M.

Town Engineer Herb White led a discussion on various Town projects. Mr. Campbell made a motion that was seconded by Mr. Swisher to authorize the Town Manager to execute a contract with the Town Engineer contract for a study of the chemical feed systems at the water plant. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mr. Campbell made a motion that was seconded by Mr. Mottley to approve the minutes of the February 14, 2007 Town Council meeting as previously submitted. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

Mr. Mottley made a motion that was seconded by Mr. Rucker to authorize the purchase of a new pickup truck off the state contract. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

A report from the Property Maintenance Board on the complaint and condition of the property at 135 Gregory Lane was received and discussed. Mr. Rucker made a motion that was seconded by Mr. Campbell to (a) put the owner of the property at 135 Gregory Lane on notice of the situation as outlined in Section 4-2.4 of the Town Code and (b) request that, by May 1, 2007, the owner either address the problems as recommended by the Property Maintenance Investigation Board or provide the Town Council with a written plan with a timetable as to the owner's intentions to remedy the health and safety problems at the site. The motion passed 5-0. Messrs. Bondurant, Campbell, Mottley, Rucker and Swisher voted "Aye".

The Town Manager reported that the Planning Commission reviewed the central business district front setback matter on March 7 as requested by the Town Council on February 14. The Planning Commission revised its earlier recommendation to retain the existing 50' setback in the downtown "central business district" as it exists currently in the B-2 General Commercial District. Mr. Bondurant made a motion that was seconded by Mr. Rucker to adopt an ordinance to effect a series of changes to the Zoning and Subdivision Ordinance. The motion passed 3-2. Messrs. Bondurant, Mottley and Rucker voted "Aye"; Messrs. Campbell and Swisher voted "Nay." A copy of the ordinance is attached and made a part of these minutes.

The Town Manager reported that the Planning Commission made a recommendation on the location of the CBD Central Business District “line” during its March 7 meeting. The Council agreed to hold the required public hearing on this matter during its April 11 meeting.

The Town Manager reported that a request to endorse a funding request involving the Virginia Housing Development Authority and Rutledge Hills Apartments had been received. Mr. Campbell made a motion that was seconded by Mr. Swisher to endorse the proposal as requested. The motion passed 4-1. Messrs. Bondurant, Campbell, Mottley and Swisher voted “Aye”, Mr. Rucker voted “Nay”.

The Council was reminded to attend its planning workshop at Sweet Briar College on March 31 at 8:00 AM.

There being no further business to discuss, the meeting adjourned at 8:36 P.M.

Mayor Jacob Bailey

Attest:

Clerk of Council

AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF AMHERST BY AMENDING CHAPTER 18.1 WHICH REFERS TO THE ZONING AND SUBDIVISION ORDINANCE.

Be it Ordained by the Council of the Town of Amherst:

1. That the Code of the Town of Amherst is hereby amended by amending the following sections of Chapter 18.1, Zoning and Subdivision Ordinance, of the Town Code according to the summary indicated below. A copy of the full text of the revised ordinance shall be maintained within the Town Code.

- §18.1-302:** Changes the definition of dwelling, single-family (.39); adds definition of jail (.66.5); adds definitions for time shares (.137)
- §18.1-408:** Changes language so that only one dwelling can be permitted on a lot unless it is otherwise clearly permitted
- §18.1-501:** Adds a new Central Business District to the list of zoning districts
- §18.1-506:** Classifies the new Central Business District as a business district
- §18.1-602:** Revises automobile parking lot requirements; adjusts required parking space size and includes new language that would allow for flexibility in irregular situations
- §18.1-603:** Updates and clarifies loading space language
- §18.1-605:** Revises language on the required distance between buildings to conform to the Uniform Statewide Building Code; reference §18.1-408
- §18.1-706.1:** Adds a new Central Business District
- §18.1-Table 7.1:** Updates the use list table for courthouses, jails, time shares, PUDs, and Central Business District
- §18.1-801:** Reorganizes and updates area and lot width regulations; establishes minimum lot sizes and widths for all residential uses by zone
- §18.1-803:** Adds building height language for the new Central Business District
- §18.1-804:** Adds setback language for the new Central Business District
- §18.1-909:** Deletes the shopping center regulation and establishes a large scale development regulation whereby special use permits would be required for buildings with more than 60,000 SF of floor area
- §18.1-912:** Clarifies yard requirements for townhouses
- §18.1-917:** Revises planned unit development regulation language
- §18.1-919:** Adds new language to require a traffic impact studies for large new developments
- §18.1-920:** Adds language to require landscaping in new developments
- §18.1-921:** Adds language to regulate outdoor lighting
- §18.1-1002:** Codifies current operating policies re pre-application conferences and single point of contact with a property owner; adds a requirement that signs be posted during zoning hearing processes
- §18.1-1003:** Changes the time limits for the special use permit process; clarifies the reapplication policy
- §18.1-1004:** Changes the time limits for the rezoning process; clarifies the reapplication policy
- §18.1-1006:** Clarifies the variance reapplication policy
- §18.1-1009:** Changes zoning and subdivision fee schedule
- §18.1-1104:** Clarifies and updates site planning requirements

2. That this Ordinance shall be effective on March 14, 2007.

This ordinance was adopted on March 14, 2007.

Mayor

ATTEST:

Clerk of Council