



**MOTION:** Sharon Turner  
**SECOND:** Kenneth Watts

Regular Meeting  
December 13, 2023  
**Ord. No. 231213**

### **ORDINANCE OF THE TOWN OF AMHERST**

#### **AN ORDINANCE AMENDING THE TOWN OF AMHERST CODE OF ORDINANCES TO ADD PROVISIONS TO CHAPTER 24 – ZONING AND SUBDIVISIONS TO INCLUDE PROVISIONS FOR DWELLING UNITS ACCESSORY TO SINGLE-HOUSEHOLD RESIDENCES.**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend, and codify ordinances or portions thereof; and

**WHEREAS**, Sections 15.2-2280, 15.2-2285, and 15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

**WHEREAS**, this amendment of the Town of Amherst Zoning Ordinance is required to serve the public necessity, convenience, general welfare, and good zoning practice pursuant to Section 15.2-2286(A)(7) of the Code of Virginia, as amended; and

**WHEREAS**, the proper advertisement and public hearing was conducted as required by law; and

**WHEREAS**, the full text of this amendment was available for public inspection in the Town Hall located at 174 S. Main Street, Amherst, Virginia.

**NOW THEREFORE, BE IT ORDAINED BY THE AMHERST TOWN COUNCIL** that the Town of Amherst Zoning Ordinance is amended and reenacted as follows:

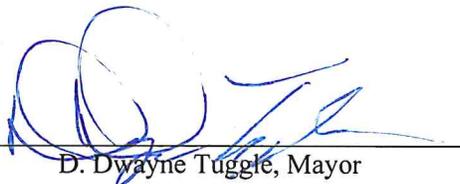
#### **Sec. xx.xx- Dwellings units accessory to single-household residences.**

Dwelling units, which include guest houses, garage apartments, additional dwellings within a home, mother-in law dwellings, and other residential accommodations, may be established accessory to a single-household residence either in the principal dwelling or as a detached accessory structure subject to the following provisions:

- (a) Accessory dwelling units within the home shall retain the appearance of a single household residence, or be located in an accessory structure located in the rear yard and outside the required setback lines for principal structures.
- (b) The number of dwellings shall not exceed the limits established in the applicable zoning district.

- (c) One additional accessory dwelling may be allowed above the limits established in the applicable zoning ordinance, if the additional unit meets the area requirements for subdivision for the district, meets all primary dwelling setbacks, and meets the requirements for water and wastewater provision.
- (d) Accessory dwellings shall comply with all applicable parking, building coverage and density requirements.
- (e) No lot shall contain more than two accessory dwellings, for a total of three dwellings on a lot, which in the case of three total dwellings, shall be contained in no more than two structures, in that where there are a total of three dwelling units on a lot, two of them must be contained within the same structure.
- (f) Before a zoning certificate will be issued for development of an accessory dwelling unit, acceptable provision for water and wastewater must be obtained.

This ordinance was adopted on December 13, 2023.



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D. Dwayne Tuggle, Mayor

ATTEST:



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Clerk of the Council