

**11B. PUBLIC HEARING
ORDINANCE AMENDMENT
HUNT CLUBS****OPENING STATEMENT**

This public hearing is held pursuant to Section 15.2-1427 and 15.2-2204 of the Code of Virginia, 1950, as amended, to consider an amendment to the Southampton County Code, Sec. 18-1, "Definitions", to add definitions of "private hunting club" and "commercial hunting club" to the ordinance and an amendment to Sec. 18-37(31), "Permitted Uses", to permit private hunting clubs as a permitted use and commercial hunting clubs as a permitted use with a Conditional Use Permit in the A-1, Agricultural, zoning district.

At its December 9, 2021 meeting, the Planning Commission unanimously recommended approval of the ordinance amendments.

The notice of public hearing was published in the Tidewater News on January 12 and January 19, 2022 as required by law. After conclusion of tonight's public hearing, the Board of Supervisors will consider the comments offered this evening and will proceed to approve, deny or defer action on the proposed ordinance amendments.

Mrs. Beth Lewis, Secretary of the Planning Commission, will provide introductory remarks after which all interested parties are invited to come forward and express their views.

MOTION REQUIRED: If the Board is so inclined, a motion is required to approve the ordinance amendments.



**DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING**

MEMORANDUM

TO: Michael Johnson, County Administrator
DATE: December 22, 2021
RE: Hunting club definitions

In early 2021 an application for a hunting preserve was submitted. The application was for a Conditional Use Permit for approximately 140 acres located on Ridley Road. The zoning ordinance does not list a hunting preserve as a permitted use in any zoning district. Per Sec. 18-282 of the County Code, a Conditional Use Permit is required for certain uses in the A-1 district. The decision by staff of the most comparable use listed was:

“Sec. 18-37(41) Rifle or pistol range, trap or skeet shooting, with a conditional use permit.”

Note that a similar request was granted a Conditional Use Permit in 1997 on Indian Town Road. The 2021 application on Ridley Road was not approved by the Board of Supervisors.

Hunting activity is taking place on the property now, as the applicant claims to be a commercial hunting club, which is a permitted use in the A-1, Agricultural, zoning district. The zoning ordinance does not include a definition of a private or commercial hunting club. With no definition of a private or commercial hunting club, staff has no basis to disallow the use.

The Planning Commission held a public hearing concerning definitions of a private and commercial hunting club, as well as amendments to the ordinance list of permitted uses to provide a private hunting club as a permitted use by-right, and a commercial hunting club as permitted only with a Conditional Use Permit. One citizen spoke regarding the charitable causes his private hunting club undertakes. The Planning Commission made a motion to recommend approval of the changes, and a unanimous vote of approval was taken.

Note that should the existing commercial hunting club on Ridley Road obtain a Certificate of Occupancy and a zoning clearance prior to the ordinance change that would require a Conditional Use Permit, that club may remain as a legal nonconformity, under the restrictions in the zoning ordinance. Per the zoning ordinance, the nonconforming use may not expand, it may not be abandoned for a period of more than two (2) years, and replacement of damaged structures is limited. The owner of the existing commercial hunting club has been informed of the restrictions placed on a potentially nonconforming use.

The proposed ordinance amendments follow.

AN ORDINANCE TO AMEND SEC. 18-1, "DEFINITIONS", AND SEC. 18-37, "PERMITTED USES", TO ADD DEFINITIONS FOR PRIVATE AND COMMERCIAL HUNTING CLUBS AND PROVIDE FOR SUCH IN THE LIST OF PERMITTED USES IN THE A-1, AGRICULTURAL DISTRICT, IN THE SOUTHAMPTON COUNTY CODE OF ORDINANCES.

PROPOSED ARTICLE I. - IN GENERAL

Sec. 18-1. - Definitions.

Hunting club, commercial means a property containing a structure or structures used to advance the hunting and social activities of the public, typically on a day-to-day basis. Advertising to the public for a commercial hunting club may occur. Principal structure may contain kitchen, sanitary facilities, living/gathering areas, and sleeping quarters. Travel campers may be approved as part of a commercial hunting club as part of the required Conditional Use Permit application, subject to the requirements for campgrounds in Sec. 18-518 of the Southampton County Code. Hunting may take place on the property of a commercial hunting club, subject to the requirements of the Virginia Department of Wildlife Resources. Prey for hunting may be brought to the commercial hunting club property. Cleaning and preparation of the animals harvested by the commercial hunting club may take place on the property, in the main hunting club structure or in accessory buildings that may contain refrigeration facilities. Commerce in the way of sales of goods and services, including food, beverages, and hunting or other supplies, may take place on the property. Standards for kennels accessory to a commercial hunting club are found in Sec. 18-51 of the Southampton County Code.

Hunting club, private means a property containing a structure or structures used to advance the hunting and social activities of recognized members of a private hunting club. Principal structure may contain kitchen, sanitary facilities, and living/meeting areas. Hunting does not typically take place on the property of a private hunting club; the hunting club property is used as a meeting or gathering place. Use of the property for camping is only permitted with a Conditional Use Permit for a campground, subject to Sec. 18-518 of the Southampton County Code. Cleaning and preparation of the animals harvested by the hunting club may take place on the hunting club property, in the main hunting club structure or in accessory buildings that may contain refrigeration facilities. Commerce in the way of the sale of goods or services, including food, beverages and hunting or other supplies, does not take place within the hunting club property. Standards for hunting club kennels accessory to a private hunting club are found in Sec. 18-51 of the Southampton County Code.

PROPOSED ARTICLE II, AGRICULTURAL DISTRICT, A-1

Sec. 18-37. - Permitted uses.

(31) Hunting club, ~~commercial or private~~, provided that any pens or open kennels shall be located at least two hundred (200) feet from any dwelling not on the same property.

(31.a) Hunting club, **commercial**, with a Conditional Use Permit, provided that any pens or open kennels shall be located at least two hundred (200) feet from any dwelling not on the same property.

Proof

Client	SOUTHAMPTON CO BOARD SUPERVISOR	Phone	(757) 653-3015
Address	MIKE JOHNSON PO BOX 400	EMail	
		Fax	
AD #	1374342	Requested By	SOUTHAMPTON CO BOARD SUPERVISOR
Class	2610	PO #	MIKE JOHNSON
Start Date	01/12/22	Created By	BRITTANY.SCH
End Date	01/19/22	Creation Date	01/03/2022
Run Dates	10	Dimensions	1 X 10.111
Pubs	The Tidewater News, TheTidewater-	Price	\$676.48
Order #	News.com 0		
Sales Rep	Kristy Brown	Phone	
		EMail	brittany.schofield@shelbycountyreporter.com
		Fax	

NOT AN INVOICE

PUBLIC NOTICE

advance of the hearing.

**SOUTHAMPTON COUNTY
Board of Supervisors
Notice of Public Hearing**

Southampton County Board of Supervisors
Michael W. Johnson, Clerk

Notice is hereby given pursuant to Section 15.2-1427 and Section 15.2-2204 of the Code of Virginia, 1950, as amended that the Southampton County Board of Supervisors will conduct public hearings at their next regular meeting on Tuesday, January 25, 2022, at 7:00 p.m., or as soon thereafter as may be heard, in the Board of Supervisors Meeting Room, Southampton County Office Center, 26022 Administration Center Drive, Courtland, Virginia to consider the following matters:

Tidewater News:
Jan. 12 and 19, 2022
PUBLIC HEARING

1) **RZA 2021:01** – Application by Tyler Blake Sherman, owner, for a zoning map amendment from A-1, Agriculture, to CRR, Conditional Rural Residential. The application includes approximately 5.0 acres to create one (1) residential lot from a parcel that totals 46.23, a portion of Tax Parcel 36-27. The property is located on the west side of Womble Mill Road (SR 626) approximately 0.48 miles south of its intersection with Unity Road (SR 603). The property is in the Berlin-Ivor Voting and Jerusalem Magisterial Districts.

2) An amendment to the Southampton County Code, Sec. 18-1, "Definitions", to add definitions of "private hunting club" and "commercial hunting club" to the ordinance and an amendment to Sec. 18-37(31), "Permitted Uses", to permit private hunting clubs as a permitted use and commercial hunting clubs as a permitted use with a Conditional Use Permit in the A-1, Agricultural, zoning district.

Any person desiring to be heard regarding these matters may appear in person at the time and place referenced herein above and offer his or her comments to the Board of Supervisors.

Southampton County intends to follow temporary restrictions due to the novel coronavirus (COVID-19), including best practices related to physical distancing, and the use of face coverings.

This hearing will be held at a public facility designed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facility or need for reasonable accommodations should contact Michael W. Johnson, Clerk, at (757) 653-3015. Persons needing interpreter services for the deaf must notify Mr. Johnson at least seven (7) days in