

ORANGE COUNTY

PLANNING COMMISSION

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

Regular Meeting
Gordon Building Meeting Room
112 W. Main St, Orange, VA, 22960
Thursday, February 4th, 2016
AGENDA

6:00 pm

1. Call to order and determination of quorum
2. Approval of agenda
3. Approval of minutes:
 - A. December 3rd, 2015 Division Policies Subcommittee meeting
 - B. December 3rd, 2015 regular meeting
4. Work session
5. Public comment
6. Old business:
 - A. Discussion on potential bylaws revisions
 - B. Board of Supervisors report – Jim Crozier
 - C. Planning & Zoning report – Josh Frederick
 - D. Germanna-Wilderness Area Plan Steering Committee report – Nigel Goodwin & George Yancey
7. Public hearings:
 - A. Amendments to the Zoning Ordinance – General Industrial (I-2) zoning district rewrite
8. New business
9. Commissioner comments
10. Next meeting date – March 3rd, 2016
11. Adjourn for Division Policies Subcommittee meeting @ 7:15 p.m.

The Planning Commission reserves upon itself the right to amend a meeting agenda at any point and with any frequency prior to adoption of said agenda, pursuant to any required public notice.

Any property for which a public hearing is being held will be posted on-site with a notification sign, in accordance with a policy adopted by the Planning Commission.

Orange County Planning Commission

February 4th, 2016 regular meeting

Agenda item #3

**Orange County Planning Commission
Division Policies Subcommittee Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, December 3, 2015**

Present: George Yancey; Jason Capelle; Donald Brooks

Staff Present: Josh Frederick, Planning & Zoning Director; Thomas Wysong, Planner;
Susan Crosby, Senior Administrative Assistant

All discussion and comments made during this meeting was captured via digital audio recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comments or discussion made during the meeting is referred to the recording.

1. Call to Order and Determination of Quorum

Chairman Yancey called the meeting to order at 5:08 p.m.

2. Continued discussion regarding updating the county's subdivision policies

Mr. Brooks stated he had spoken with several of the supervisors and spent a good deal of time with his district supervisor on why they would not serve on the subcommittee, as previously requested. He stated the consensus he got from them was that the Commission should produce recommendations on how to address the subdivision questions within the Zoning Ordinance as development regulations, rather than in the Subdivision Ordinance as was illegally done in past years.

Mr. Capelle agreed and stated that is where it needed to be. He stated he was not as concerned about the residential districts because there is relatively little of that zoning, but most of the county is zoned agricultural. The risk is that 90%+ of the county is zoned agricultural and that is where the majority of single-family homes are located.

Mr. Brooks stated that even though the county is 90%+ agricultural, there is only 41% true open space (land that is not divided into smaller parcels for residential use).

Mr. Capelle feels it is a financial risk to the county to permit unrestricted by-right subdivision activity. He stated that we are the only county he could find that does not have by-right limits on such activities. He stated the only reason there isn't one, in his opinion, is because we went overboard [sic] previously. Mr. Capelle also stated that the county doesn't have subdivision regulations because the citizens don't want anything, the county doesn't have them because they were put in the wrong ordinance previously. Mr. Brooks stated that was the best recognition of what the problem was, we went overboard [sic]. Discussion ensued.

Mr. Brooks thinks the citizens do want some restrictions on by-right subdivision activity, and asked rhetorically what a good minimum lot size would be for agriculturally-zoned lots. Mr. Capelle stated his opinion was that it didn't make sense that in Ag. land you need

5 acres to qualify for agricultural use value tax yet the minimum lot size is 2 acres. In his opinion, in order to stay consistent he thinks it should be 5 acre minimum. Discussion ensued.

Mr. Capelle stated he thinks that for those who want larger subdivisions, they should be rezoned to a residential district. The difference in the tax rate will help offset some of the cost to the county yet still have some reasonable way for people to subdivide some lots for financial reasons. Discussion ensued.

Mr. Brooks asked Mr. Frederick what his thoughts were. Mr. Frederick stated he thinks the concepts discussed would be supportable. He stated at a bare minimum, the county should consider restricting major subdivisions in Ag. zoning due to the incompatibility of large subdivisions with the intent and purpose of that zoning district.

Mr. Brooks would like to summarize the discussions and the key points of what each thinks. He suggested he and Mr. Capelle each write it in a summary form and give it to Mr. Frederick so he can prepare them and have it ready to hand out at the next Planning Commission meeting.

3. Adjourn for regular meeting

Chairman Yancey adjourned the subcommittee meeting at 5:58 pm.

George Yancey, Chairman

Josh Frederick, Secretary

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, December 3, 2015**

Present: George Yancey; Jason Capelle; Donald Brooks; Nigel Goodwin; Crystal Hale

Absent: James Crozier, BOS Representative

Staff Present: Tom Lacheney, County Attorney; Josh Frederick, Planning & Zoning Director; Thomas Wysong, Planner; Susan Crosby, Senior Administrative Assistant

All discussion and comment made during this meeting was captured via digital audio recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comment or discussion made during the meeting is referred to the recording.

1. Call to Order and Determination of Quorum

Chairman Yancey called the meeting to order at 6:03 pm.

2. Approval of Agenda

Chairman Yancey asked for a motion on the agenda.

A motion was made by Mr. Brooks that the agenda be approved as presented; seconded by Mr. Goodwin. Motion carried 5-0.

3. Approval of Minutes:

A. September 3rd, 2015 Division Policies Subcommittee meeting

Mr. Brooks made a motion to approve the minutes as presented. Mr. Capelle seconded the motion. Motion carried 5-0.

B. September 3rd, 2015 regular meeting

Mr. Brooks made a motion to approve the minutes as presented. Mr. Capelle seconded the motion. Motion carried 5-0.

C. October 8th, 2015 special meeting

Mr. Capelle made a motion to approve the minutes as presented. Mr. Brooks seconded the motion. Motion carried 5-0.

4. Work Session

No items.

5. Public Comment

Chairman Yancey opened the floor for public comment. No one came forward. Public comment period was closed.

6. Old Business:

A. Board of Supervisors Report – Jim Crozier

Due to Mr. Crozier's absence there is no report.

B. Planning & Zoning report – Josh Frederick

Mr. Frederick presented the monthly report and noted that permitting activity is, for the most part, on par with the previous year.

C. Germanna-Wilderness Area Plan Steering Committee report – Nigel Goodwin

Mr. Goodwin stated they have started a series of meetings set for every two or three weeks where each one in turn takes a look at the different areas such as; Planning & Zoning, Historic, Master Plan Utilities and Economic Development. Economic Development being the next one. He stated Mr. Frederick is working to produce a flow chart that can show potential developers which steps to take depending on their concept.

Mr. Brooks asked when the Steering Committee thought they would be able to market the Route 3 Corridor pretty heavily. Chairman Yancey stated there was still a lot of work to be done before they take that step. Mr. Goodwin stated that they are working on the infrastructure such as water and sewer but they are just in the beginning stages. Discussion ensued. Mr. Capelle asked if there was a timeline to start addressing the zoning districts within GWAP. Mr. Frederick stated there was no specific timeline yet.

7. Public Hearing:

A. REZ 15-01: Application by Robert Springer, on behalf of Garrett Street LLC, to rezone tax parcels 52A-105, 115 and 52-26, containing 45.97 ac in Barboursville, from Limited Residential (R-1) and General Residential (R-2), to Planned Residential (R-3)

The county attorney, Mr. Lacheney, addressed the commission concerning the night's public hearing. He informed the Commission that the mix of current zoning districts on the property and the ambiguous ownership of a portion of one property could present legal issues.

Chairman Yancey called the public hearing to order at 6:18 and asked Mr. Frederick to present the application. Mr. Frederick provided an overview of the application and the 11/17/15 proffer statement and noted the proffer of a maximum of 113

dwelling units. Mr. Frederick then opened the floor to any comments. Chairman Yancey asked if any commissioners had questions. Mr. Goodwin asked how many units would be duplexes. Mr. Frederick stated the concept plan shows about half with the rest being single family dwellings. Mr. Goodwin also asked if a traffic impact analysis had been done. Mr. Frederick stated that there had not been one done yet, however, the proposed plan does show a turn lane to help mitigate some of the traffic. He further stated VDOT sets the requirements for one is completed during the site plan phase. Ms. Hale asked who had done the transportation information in the packet. Mr. Frederick stated that staff had provided the information, based on AASHTO trip generation figures.

Mr. Capelle asked what the purpose of the 115 lots was for. Mr. Frederick stated that was the number of lots in the approved, but expired subdivision plans. Mr. Capelle stated he thinks having a proffer for max build out of 113 isn't much of a reasonable proffer and went on to explain why. Discussion ensued. Mr. Capelle encouraged staff to take a different approach on the report before it goes to the Board.

Chairman Yancey called the applicant forward. Justin Shimp, the project engineer and applicant's representative, came forward to speak on the owner's behalf. Mr. Shimp stated they would have preferred to do a cluster subdivision but the county's current ordinance was not workable for them. He further highlighted some reasoning behind proposing duplex units in addition to single-family units. He also encouraged all to look at the proffers and what they are trying to accomplish.

Mr. Goodwin asked why they couldn't accomplish what they want with the current zoning. Mr. Frederick explained that in the Planned Residential (R-3) district, the applicant sets the minimum dimensional requirements for lots, which gives them the ability to provide a cluster-type development. R-1 and R-1 are far less flexible.

Mr. Brooks asked what the expected time of build out was. Mr. Springer, the owner, stated that if they started in the spring, looking at a couple of years at the quickest but will depend on economy. Mr. Brooks also asked their opinion on the access issue. Mr. Shimp stated he has come across these issues in other jurisdictions in the past and the key thing is the uses. He stated the uses would be compatible since both R-1 & R-2 both allow single and two family dwellings and the roads associated with it so it should not be a problem.

Mr. Brooks asked who their target market was. Mr. Springer stated they would not be higher end homes and more like starter homes for younger people and older folks not looking for large homes. He stated these would be affordable units with an estimated cost, according to builders for this size dwelling. For a single family dwelling would estimate to be in the mid \$200,000 to low \$300,000. He stated it would draw in those of college age or much older. Since the lots are so small would not appeal to those with kids who want to play in the back yard. Ms. Hale stated that although they are saying starter homes and won't have lots of soccer kids, she sees where it could be. Mr. Shimp stated that while you cannot pick and choose who will live there he doesn't see it be desirable to those with kids who want to play a sport in the back yard.

Mr. Capelle stated that with the lot size averaging 6,000 – 8,000 sq. ft. and their smallest house being 1,100 sq. ft., he doesn't see how they would get the estimated \$250,000 - \$300,000 per dwelling. He further stated it would not come close to offsetting costs to the county. Discussion ensued.

Mr. Capelle stated he would like to know, if there is public water nearby, why does the proffer language suggest it may not be used. Mr. Capelle highlighted the example of a subdivision nearby which had a failed community well system.

Chairman Yancey asked if the trails were for foot traffic or motorized and if they were open to the public. Mr. Shimp replied they were for walking and possibly bicycles but nothing motorized. He also stated that since the trails were within subdivision they would probably not be public.

Chairman Yancey also has concerns of the roads and were there any turn lanes proposed. Mr. Shimp explained that there is a right turn lane already shown on the plans and when VDOT approved the previous plan they stated a left turn lane was not needed so with this having less lots he doesn't believe this one will either. Chairman Yancey is concerned that in the very back side, a school bus would have a very difficult time getting in and out. Mr. Shimp stated that since the streets are to be taken in by VDOT and they have approved them he doesn't feel there should be a problem.

With no further questions of the applicant, Chairman Yancey called the public hearing to order at 7:16 p.m. and called for any speakers. Steve Seigler, of 15284 McWilliams Dr., introduced himself and stated that he owns the property just to the east of applicant's. He spoke of his concern about the potential use of groundwater as well as the existing traffic issues on the roads adjacent to the proposed development. One issue he would like to have answer to is how does the county work with or notify an adjacent county when a development of this size comes so close to their boundary.

Chairman Yancey closed the public hearing at 7:20, and asked for further comments from the commissioners.

Mr. Capelle stated he thinks Mr. Seigler brings up a good point about the traffic backing up at Sheetz. The water is still a huge concern. He does not believe the minimum standards support the price.

Ms. Hale stated she is thinking along the same lines as Mr. Capelle. She has a huge concern over water but the biggest concern to her is she feels that it could potentially have huge impact to the schools and add additional burden. She stated the proffers don't fully address the impacts.

Mr. Brooks stated he doesn't feel he has enough information to vote. He stated he would like to know more about the build out. He also stated the potential legal issue presented by the county attorney regarding the ambiguous ownership of the strip along the road is a big concern. He also stated he sees nothing in proffers to offset impacts.

Mr. Goodwin shares the concerns of the others with the impacts and feels that additional proffers are needed. Mr. Goodwin asked staff about the water supply and

what the process is if they do not take the public water. Mr. Frederick explained the approval process for major subdivisions to utilize groundwater.

Mr. Capelle asked Mr. Lacheney if there was any issue or concern on the right of way. Mr. Lacheney stated his legal advice would be to deny the application unless the applicant clears up the ownership issue.

Chairman Yancey stated there are major unknowns and shared same concerns. He stated his inclination to defer the vote. Discussion ensued.

Chairman Yancey called for motion. Mr. Capelle made a motion to deny. The motion died due to lack of a second. Mr. Brooks made a motion to defer the vote until the January 7, 2016 regular meeting. Mr. Goodwin seconded. Call to vote:

Yancey, Brooks, Hale & Goodwin – Aye

Capelle – Nay

Motion passed 4-1

8. New Business

No new business

9. Commissioner Comments:

Mr. Brooks stated it was very hard to gauge public opinion with little public involvement. Ms. Hale stated it was a sign of the times [sic] and very concerned that the public is not getting involved. Chairman Yancey stated that the public received ample notification and commented on the new public hearing notification signs. Mr. Capelle commented on the way the public hearing and the applicant's proposal were advertised and presented. Discussion ensued.

10. Next Meeting – January 7, 2016 @ 6:00

11. Adjourn:

Mr. Brooks made a motion to adjourn, seconded by Mr. Goodwin.

Aye: Yancey, Hale Brooks and Goodwin.

Nay: Capelle

Motion passed 4-1. Meeting was adjourned at 8:04 pm.

George Yancey, Chairman

Josh Frederick, Secretary

Orange County Planning Commission

February 4th, 2016 regular meeting

Agenda item #6C

ORANGE COUNTY
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: January 28th, 2016

SUBJECT: December 2015 – Department of Planning & Zoning Activity / Information

The following is a list of activity/information for the Department of Planning & Zoning for the month of December, 2015:

ARC

No ARC meeting was held.

BZA

The BZA did not meet in December.

Code Enforcement

Follow-up inspections were conducted on past/active complaints.

Current Planning Activity (2015)

New building lots created in December: 4

New building lots created in 2015 through December: 10 (cumulative year total)

New building lots created in 2014 (year total): 22

Plats Submitted

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	4	3	3	1	7	7	9	5	6	4	1	5	55
2014	4	2	3	7	3	8	7	3	5	5	0	4	51

Plats Approved

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	5	1	3	2	4	9	4	4	8	5	1	6	52
2014	1	3	3	4	5	7	5	5	1	7	4	3	48

Zoning Permits Issued

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	12	16	33	52	29	39	32	42	33	28	21	24	361
2014	28	30	23	26	33	37*	28	28	24	29	19	19	324

Zoning Permits Issued (for construction/placement of dwellings)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	2	5	20	15	9	9	9	10	9	9	5	11	113
2014	7	5	11	6	4	14*	9	10	8	10	5	3	92

*(June '14) Total includes of 1 6-unit townhome building and 8 single family dwellings

Certificates of Occupancy Issued for Dwellings (data provided by Building Dept.)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	7	3	6	9	4	14	14	7	13	6	14	16	113
2014	11	6	2	11	8	11	9	10	9	9	4	11	101

Building Permits Issued (data provided by Building Dept.)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2015	66	44	48	87	70	69	78	74	65	88	92	73	854
2014	61	44	55	82	79	95	67	61	80	77	54	73	828

Erosion and Sediment Control

Erosion & sediment control permits issued: **13** (86 YTD for 2015; 90 total for 2014)

Erosion & sediment control project inspections: **44** (408 YTD for 2015; 551 total for 2014)

Site Plans

Site plans received: **0**

Other Activity

Nothing to report.

Cc: R. Bryan David, County Administrator
 Thomas E. Lacheney, County Attorney
 Alyson Simpson, Chief Deputy Clerk to the Board

Board of Supervisors
 File

ORANGE COUNTY
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission
FROM: Josh Frederick, Director of Planning & Zoning
DATE: January 28th, 2016
RE: 2015 annual report

Attached for your information is the Department of Planning & Zoning's 2015 annual report, as is being provided to the Board of Supervisors. State code requires the annual preparation of these reports; no action is required on behalf of the Commission.

Cc: Board of Supervisors
R. Bryan David, County Administrator
Tom Lacheney, County Attorney
Alyson Simpson, Chief Deputy Clerk to the Board
File

Att: 2015 annual report

Orange County



Department of Planning & Zoning

2015 Annual Report



January 25th, 2016

Foreword

This annual report is being submitted to the Board of Supervisors as an overview of the operation of the Planning Commission and general planning and land use activity within Orange County, as required by VA Code § 15.2-2221. The following pages provide a summary of topics and applications considered by the Planning Commission and Board of Zoning Appeals in 2015, as well as provide information on administrative functions and initiatives of the Department of Planning & Zoning in 2015. Other land use matters are included, as appropriate. This report is intended to be a concise “snapshot” of planning-related matters from the previous year.

Planning Commission Overview

The Commission held 12 regular meetings and 1 special meeting in 2015, and the Division Policies Subcommittee met twice. The meetings included 13 public hearings for 1 rezoning, 1 special use permit, 3 special use permit amendments, 2 Comprehensive Plan amendments, and 6 ordinance amendments:

- REZ 15-01: Garrett Street LLC/Winterberry Creek (R-1 and R-2 to R-3)
- SUP 15-01: Barboursville Fire Dept. telecommunications tower
- SUP 11-01, 11-04, 12-04: Amendments to Liberty Mills Farm, Berrywood at Honah Lee Farm, and Grelen Nursery special use permits
- 2 Comprehensive Plan amendments (GWAP adoption and UDA language)
- 5 Zoning Ordinance text amendments (repeal of administrative variance authority; new agritourism, recreation, and lodging-related definitions and uses; new nonconformities regulations; amendment to public utilities regulations; rewrite of the parking ordinance)
- 1 Subdivision Ordinance text amendment (private road standards revisit)

All of the above applications and amendments were given positive recommendations by the Planning Commission to the Board.

The Division Policies Subcommittee, made up of Jason Capelle, Donald Brooks, and George Yancey, began meeting in late 2015 in order to formulate a recommendation to the Board regarding new subdivision regulations that implement the county’s goals and objectives. Their work continues into 2016. George Yancey and Nigel Goodwin continued as the Commission’s membership on the Route 3 Steering Committee, which was renamed as the Germanna-Wilderness Area Plan Steering Committee.

The Commission saw no change in its membership in 2015, but did amend its meeting schedule to once per month with an alternate day each month. Membership heading into 2016 remains:

District 1: Jason Capelle, term expires 3/31/18 District 4: Crystal Hale, term expires 3/31/18
District 2: George Yancey, term expires 4/1/16 District 5: Nigel Goodwin, term expires 4/1/16
District 3: Donald Brooks, term expires 4/1/16

BZA Overview

The BZA met once in 2015 on January 21st to vote on AV 14-03 (the public hearing was held in December 2014), which was an administrative variance application that was denied by staff due to neighbor objections. The BZA denied the variance request, which was appealed to the Circuit Court without success.

The BZA had one change to its District 4 membership with Jonathan Chasen resigning and Robert Ross being appointed as his successor. The District 5 member was reappointed. Membership heading into 2016 is as follows:

District 1: Andy Hutchison, term expires 6/30/18 District 4: Robert Ross, term expires 6/30/16

District 2: Jerry Bledsoe, term expires 6/30/19 District 5: Serge Ogranovitch, term expires 6/30/20

District 3: R. Duff Green, term expires 6/30/17

Planning & Zoning Overview

Permitting

Planning & Zoning staff issued 361 zoning permits, 86 erosion control permits, and reviewed 6 site plans (including 2 for telecommunications towers) in 2015. Over 400 scheduled inspections were conducted for erosion control activities, not including post-weather event spot checks, individual meetings with landowners and violation complaints. General permitting activity increased slightly compared to 2013 and 2014, and has been trending generally upward over the past several years.

Subdivisions

A total of 55 plats were received for review in 2015, an increase of 4 compared to 2014. Of the total, 19 were actual subdivisions while the remainder were mostly consolidations and boundary adjustments. There were no major subdivisions (having 8+ lots) submitted for review in 2015, but the 15-lot Bella Vista Estates, which was submitted in mid-2014, was finally approved in December. The Planning Commission requested that department staff start tracking the creation of buildable lots back in 2014; the cumulative total was 10 new lots in 2015 which is reflective of a number of lot consolidations performed. This is 12 fewer than the 2014 total.

Code Enforcement

There was no appreciable change in 2015 in the volume of complaints received regarding zoning violations (namely junk vehicles and the general accumulation of junk and debris). The department issued 2 final notices of violation for 2 different violations, and with the failure of the property owners to abate said violations, these were handed over to the county attorney for action in the Circuit Court.

Erosion control violations and general unpermitted land clearing are issues that are becoming more common and more of a problem for department staff as the amount of residential development increases. The department will be seeking more effective enforcement measures in 2016 in order to address these growing problems.

GIS

The county has continued pursuing the full migration of its geographic information system (GIS) to its new provider, the Richmond-based Timmons Group. In mid-2014, the Planning Department took over maintenance responsibilities for all of the county's non-public-safety-related GIS data (e.g. parcels, subdivisions, zoning, future land use, conservation easements, rivers/streams, waterbodies, railroads, town boundaries, etc.). Timmons Group receives data updates from the Planning Department and hosts them as a public, web-based GIS. Performing this data maintenance function in-house has already saved the county tens of thousands of dollars which were budgeted annually to pay the previous GIS vendor to maintain the data for us, in addition to hosting the website. These in-house data maintenance responsibilities have also allowed the department to perform hundreds of corrections to our data in order to increase the overall accuracy (e.g. misplaced parcel lines and inaccurate right-of-way widths). Given the sheer amount of data, this will remain an on-going project for department staff, but its benefits have long since been realized.

In late 2015, the county transitioned completely from the previous vendor to Timmons Group, who now maintains the public safety data (e.g. road centerlines, addresses, driveways, emergency service districts, etc.) for use by the E-911 center and the Sheriff's dispatch center (i.e. our PSAPs). Unfortunately the county currently lacks the staff to maintain this incredibly important data as well as all of the other county data. So, Timmons Group is relied upon to perform these tasks for the time being, as well as host the data on the GIS website along with all the other data.

Having GIS data maintenance responsibilities has proven to be very beneficial, as a department, from both an accuracy standpoint and a customer service standpoint. It has also expanded, beyond measure, the department's analytical capabilities for land use planning.

Staff Review

Thomas Wysong was hired in August as the county's Planner after working as a planning intern for Henrico County for a considerable time. That position was unfilled since 2012 with the departure of Kevin McMahon and the hiring of Josh Frederick as Senior Planner in 2013. Josh was hired as Planning & Zoning Director in March, after serving as the acting director since October 2014. Susan Crosby continues dependably in her position as Permit Technician and Senior Administrative Assistant; she received her Certified Zoning Official certification in October. The Code Compliance Inspector, Davis Smith, continues to diligently perform the duties of the position after more than 9 years.

Land Development

Residential development continues to be primarily focused in the eastern portion of the county, but planning staff have noted a general increase in residential development across the county. Staff have also noted an increase in the number of public inquiries into subdivision rights and the subdivision process itself. Lake of the Woods and Wilderness Shores continue to build out, and some previously-platted major subdivisions, such as Walkers Branch, started seeing building activity again. Compared to 2014, there was a 23% increase in the number of zoning permits issued for new/replacement dwellings, and a 12% increase in the number of certificates of occupancy

approved for new/replacement dwellings. As noted previously, the county received one residential rezoning application, the first since 2011.

Commercially-speaking, the county permitted the construction of a Dollar General store in Unionville, the rezoning for which was approved in early 2015. Also permitted was an expansion of Village Motorsports in Unionville, and plans were submitted for a new facility at Montpelier to be known as Claude Moore Hall. Additionally, implementation began on a considerable expansion of Aerojet-Rocketdyne's facilities, a multi-million dollar economic development project known as Project Soundwave. A new telecommunications tower was constructed near Lahore, and another in the Barboursville area.

From the perspective of economic development, the EDA pursued the grading and preparation of 2 pad sites within the Thomas E. Lee Industrial Park in order to make them more marketable to potential businesses. In Gordonsville, Green Applications continues the implementation of its business expansion and the hiring of new employees. Near Orange, Homestead Building Systems officially began operations in the former Timber Truss facility. The EDA also facilitated the extension of a fiber optic line to their facility in order to enhance the logistics of their operation. In the southern portion of the county, American Color began implementing a very extensive expansion of their commercial greenhouse operation. Finally, late in 2015 the county received notice that a new fiber optic line will be installed along the US 522 corridor on its way to the D.C. area, which brings with it considerable economic development potential.

Comprehensive Planning

The Germanna-Wilderness Area Plan was adopted as part of the Comprehensive Plan in mid-2015 following 2+ years of work by county staff and elected and appointed officials. This was the county's first adopted area plan and its first venture into area planning. Following adoption, work began immediately on the identified tasks for implementation, specifically including the zoning updates and utilities master plan.

A minor Comprehensive Plan amendment was also approved in response to the Commonwealth Transportation Board's new statewide transportation funding program known as House Bill 2 ("HB2"). This amendment designated the newly-created Germanna-Wilderness Area as an urban development area in order to meet the eligibility requirements of HB2.

Looking Ahead

Pursuing policies that represent good planning sense for the entire county while facilitating a modern business climate will remain a top priority. Of equal importance will be increasing the availability of information on the county's website as well as maintaining the department's consistency in operations. Establishing and maintaining positive working relationships with other departments and members of the public will remain essential to the department's function and mission.

Anticipated for 2016:

- Continue the methodical re-write and improvement of the county's dated zoning ordinance.
- Update the county's telecommunications ordinance to reflect modern needs and practices.
- Revise the county's cluster development ordinance, as well as pursue new subdivision policies in general, in order to implement the stated goals and objectives of the Comprehensive Plan.
- Continue the implementation of the Germanna-Wilderness Area Plan.
- Apply for federal grant funding for the proposed Montpelier-Orange greenway.
- Continue improving and expanding the county's GIS data.
- Fully migrate to the Munis software for permitting and general administrative functions.
- Complete the development of an approved rezoning and proffer database, map all the conditional rezonings in the county, and produce a publicly-available proffer catalog.
- Refresh the Community Development building to address dated and inefficient space allocations.

Potentially in 2016:

- Begin the planning process for the Orange-Gordonsville Area Plan.
- Establish more efficient and equitable enforcement procedures and mechanisms to address zoning and erosion control violations.
- Digitize and catalog permits issued in past years to create searchable databases.
- Update the department's fee schedule.
- Implement systems to allow the department to accept debit cards and credit cards for payments.
- Contract a cost-of-services study in order to establish baseline costs of development which will be used to accurately update the county's official proffer policy.

Orange County Planning Commission

February 4th, 2016 regular meeting

Agenda item #7A

ORANGE COUNTY
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission
FROM: Josh Frederick, Director of Planning & Zoning
DATE: January 28th, 2016
RE: Draft zoning ordinance general industrial (I-2) district amendment

At the January 7th regular meeting, staff presented a draft rewrite of the General Industrial (I-2) zoning district as a work session item for discussion purposes. If the Commissioners will recall, in November the Board of Supervisors initiated Planning Commission action to amend the I-2 zoning district to address setback and buffer yard regulations. This was also to codify the applicable Thomas E. Lee Industrial Park covenants and restrictions into the Zoning Ordinance for all I-2 properties. On the recommendation of staff, the Commission chose to pursue the complete rewrite of the district regulations rather than a minor amendment to only address setbacks and buffers.

To briefly recap, the purpose of this amendment is to address a number of deficiencies with the existing district regulations, but also to expand the number of uses and types of uses permitted. Performance standards and development standards have been added to facilitate higher-quality development. A zoning ordinance should be a living document, and with the current I-2 regulations dating to the early 1990s, they are due for a complete update.

Attached to this memo is the draft resolution for the proposed amendment as well as the draft language itself which includes the minor edits made by the Commission during the January 7th work session. Staff recommend approval as presented.

Cc: Board of Supervisors
R. Bryan David, County Administrator
Tom Lacheney, County Attorney
Alyson Simpson, Chief Deputy Clerk to the Board
File

Att: Letter of support from the Economic Development Authority (EDA)
Draft resolution #16-02 and amendment language

TOMMY J. MILLER
DIRECTOR
Phone: (540) 672-1238
Fax: (540) 672-4762
Email: tmiller@orangecountyva.gov



R. Lindsay Gordon III
Building
P. O. Box 111
112 West Main Street
Orange, Virginia 22960

MEMORANDUM

**TO: Orange County Board of Supervisors
Orange County Planning Commission Members**

FROM: Winston L. Sides, Economic Development Authority Chairman *Winston L. Sides*

DATE: November 20, 2015

SUBJECT: Support for Proposed Zoning Amendment to I-2 Property

This memorandum is intended to express the support of the Orange County Economic Development Authority, for a proposed amendment to the Orange County Zoning Ordinance. The proposed amendment would decrease the setback from all agricultural and residential zoning districts from 100 feet to 50 feet for all properties currently zoned I-2. The consensus of the Economic Development Authority, is that this will provide a consistent and competitive solution to all I-2 zoned properties located within the County, making Orange County an ideal location to do business.

Thank you for your continued support and the joint efforts to advance economic development in Orange County.

**cc: Thomas E. Lacheney, County Attorney
R. Bryan David, County Administrator
Tommy Miller, Economic Development Director
Josh Frederick, Planning and Zoning Director**

ORANGE COUNTY
PLANNING COMMISSION

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

DRAFT RESOLUTION RECOMMENDING APPROVAL / DENIAL

MOTION: February 4th, 2016
Regular Meeting
SECOND: Res. No. 16-02

**Amendments to County Code Chapter 70: Zoning Ordinance Article I, Sec. 70-1 –
Definitions; Article IV, Division 10 – General Industrial Zoning District**

WHEREAS, Planning Commission action was initiated to consider certain Zoning Ordinance amendments; and

WHEREAS, the Planning Commission held a duly advertised public hearing during the February 4th, 2016 regular meeting; and

WHEREAS, Staff of the Department of Planning and Zoning have recommended approval of these proposed amendments; and

WHEREAS, the Planning Commission discussed these proposed amendments, considered comments received during the public hearing and desires to recommend **approval / denial** of the proposed Zoning Ordinance amendments.

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends, based on public necessity, convenience, general welfare and good zoning practice, that the Orange County Board of Supervisors **approve / deny** the proposed amendments to Zoning Ordinance Articles I and IV, as attached.

Votes

Ayes:

Nays:

Abstained from Vote:

Absent from Meeting:

For Information: Clerk to the Board of Supervisors
County Attorney

Attached: Draft amendment language (11 pages)

CERTIFIED COPY

Secretary to the Planning Commission

1 **ARTICLE I - IN GENERAL**

2 **Sec. 70-1. - Definitions.**

3 **New definitions.**

4 *Brewery* means any establishment engaged in the production and packaging of fermented, non-distilled
5 alcoholic beverages (e.g. beer and cider) for distribution, retail, or wholesale purposes, meeting all laws
6 related to alcoholic beverage control. A brewery may provide on-site tastings and samples to patrons,
7 and provide for on-site retail sales.

8 *Building materials sales establishment* means a retail or wholesale store of up to sixty-thousand (60,000)
9 square feet in which lumber, millwork, masonry products, tile, stone, soil and other bulk landscaping
10 materials, fencing, plumbing, electrical, paint, roofing, and other similar materials are sold which are
11 used to construct or maintain structures and accessory facilities. Such an establishment is separate from
12 a *large retail use* and does not include the sale of appliances, home furnishings, decorations, and other
13 similar consumer goods.

14 *Contractor's shop* means an establishment primarily engaged in the on-site or off-site provision of
15 services for the construction, maintenance, cleaning, or repair of buildings, building components, and
16 properties on a fee or contractual basis. Such services may include, but are not limited to, plumbing,
17 electrical, heating and air conditioning, landscaping, roofing, painting, general construction, and
18 landscaping.

19 *Data center* means a facility used primarily for the storage, management, processing, and transmission
20 of digital data, which houses computer and/or network equipment, systems, servers, appliances and
21 other associated components related to digital data operations.

22 *Distillery* means a facility engaged in the production and packaging of distilled alcoholic beverages for
23 distribution, retail, or wholesale purposes, meeting all laws related to alcoholic beverage control. A
24 distillery may provide on-site tastings and samples to patrons, and provide for on-site retail sales.

25 *Laboratory* means an establishment devoted to research, testing, and development of new products and
26 substances, the process for which involves controlled experimentation, specialized machinery, and/or
27 specialized processes. Included in this definition are medical laboratories engaged in professional
28 analytic and diagnostic services and/or the manufacture of custom prosthetics and medical devices.

29 *Landfill* means a publicly-owned, engineered land burial facility used for the purpose of disposing of
30 solid waste which is operated and maintained such that it poses no substantial threat to the
31 environment or to public health, safety, and general welfare.

32 *Machine shop* means a commercial facility in which solid raw materials are formed into a desired final
33 shape and size via a controlled material-removal or subtractive manufacturing process.

34 *Materials recovery facility* means an operation engaged in the removal and/or reclamation of recyclable
35 materials from solid waste and other previously-manufactured items.

36 *Printing and publishing facility* means an establishment engaged in the production of printed and digital
37 media such as, but not limited to, books, magazines, newspapers, architectural drawings, engravings,
38 music, photos, and movies.

39 *Self-storage facility* means a building or group of buildings, having controlled access, which contain
40 individually-leasable and individually-accessible units for the general safe keeping of items by lessees. A
41 self-storage facility may have a single dwelling unit with an interior floor area no larger than six-hundred
42 (600) square feet, attached to a main office, for a resident manager.

43

44 **Revised existing definitions:**

45 *Sign, monument* means any free-standing sign permanently affixed to a wall or fence which is less than
46 three feet in height and built of brick, stone, treated lumber or similarly durable materials, other than a
47 pylon sign, erected on the existing grade or on a solid base constructed of durable materials which is
48 visually integral to the design of the sign.

49 *Vocational Training Facility* means a privately-operated, post-secondary school providing education
50 and/or training for a specific occupation, business, trade, or profession. ~~Offices and classroom facilities~~
51 ~~are by right, where permitted. Other facilities are permitted with a Special Use permit. This~~
52 ~~classification, but excludes accessory residential uses, establishments providing training for a use that is~~
53 ~~not otherwise permitted in the zone zoning district, and paramilitary-type training facilities. Incidental~~
54 ~~instructional services in conjunction with another primary use shall not be included in this definition.~~
55 ~~Privately operated and/or owned military-oriented training facilities or uses of a similar private military-~~
56 ~~style training (paramilitary) nature are not permitted in any zoning district.~~

1 **DIVISION 10. - GENERAL INDUSTRIAL ZONING DISTRICT (I-2)**

2 **Sec. 70-541. - Intent.**

3 ~~The general industrial district establishes an area for heavy commercial and industrial uses which may~~
4 ~~create some nuisance, and which are not compatible with residential, institutional or neighborhood~~
5 ~~commercial uses. It encourages heavy commercial and industrial uses by prohibiting residential and~~
6 ~~neighborhood commercial uses, or any other use which would interfere with the development,~~
7 ~~continuation or expansion of commercial and industrial uses in the district. The intent of the general~~
8 ~~industrial district is to provide areas for manufacturing, processing and assembling of parts and~~
9 ~~products, distribution of products at wholesale, and a broad variety of specialized industrial operations,~~
10 ~~and areas which may be conducive to and appropriate for such activities. Because of their potential to~~
11 ~~generate nuisances, an emphasis is placed on adequate buffering and development standards to provide~~
12 ~~reasonable protections for neighboring properties. Industrial uses should be discouraged in situations~~
13 ~~where such uses would incur unmitigated audible or other impacts on neighboring properties,~~
14 ~~particularly those with considerable residential density.~~

15 Typically, general industrial districts should only be located in areas designated for such activities by the
16 comprehensive plan. These districts are generally intended to be located in areas served by public water
17 and sewer, in close proximity to rail lines and/or airports, and where there is quick and convenient
18 access to primary roads.

19 (Ord. of 5-2-1996, § 1001)

20
21 **Sec. 70-542. - Permitted uses.**

22 In the general industrial district, land may be used for the following uses and any customarily incidental
23 accessory use:

24 ~~(1) Automobile sales, repair, storage or service.~~

25 ~~(2) Building materials sales, plumbing and electrical sales and service, lumberyard, or equipment and~~
26 ~~machinery sales and service.~~

27 ~~(3) Manufacturing or processing not involving flammable or explosive materials.~~

28 ~~(4) Signs in accordance with sections 70-546 and 70-696 et seq.~~

29 ~~(5) Utility, fire or rescue station, or maintenance facility.~~

30 ~~(6) Warehouse, wholesale business or freight terminal.~~

31 ~~(7) Office / Office Building~~

32 ~~(8) Vocational Training Facility~~

33 ~~(9) Outdoor Power Equipment Motorcycle. All Terrain Vehicle. Watercraft Repair and Storage~~

34 (1) Accessory retail or office use, not exceeding twenty percent (20%) of the gross floor area of the
35 principal use.

- 36 (2) Brewery.
- 37 (3) Building materials sales establishment.
- 38 (4) Contractor's shop.
- 39 (5) Data center.
- 40 (6) Distillery.
- 41 (7) Feed, grain, and fertilizer sales.
- 42 (8) Greenhouse, commercial.
- 43 (9) Laboratory.
- 44 (10) Lumberyard or sawmill.
- 45 (11) Machine shop.
- 46 (12) Machinery and heavy equipment sales, rental, and service.
- 47 (13) Manufacturing, processing, assembly, and/or packaging of goods within the following
- 48 categories:
- 49 (a) Apparel and other fabricated textile products (SIC Major Group 23*);
- 50 (b) Converted paper and paperboard products (SIC Industry Group 267*);
- 51 (c) Electronics and electrical components;
- 52 (d) Fabricated metal products and machinery, not to include the usage of on-site foundries
- 53 and/or smelting;
- 54 (e) Food products (SIC Major Group 20*), not to include any on-site slaughtering;
- 55 (f) Furniture and fixtures (SIC Major Group 25*);
- 56 (g) Leather products (SIC Major Group 31*);
- 57 (h) Measuring, analyzing, and controlling instruments (SIC Major Group 38*);
- 58 (i) Motor vehicles, motorcycles, travel trailers/campers, and related transportation parts
- 59 and equipment;
- 60 (j) Paperboard containers and boxes (SIC Industry Group 265*);
- 61 (k) Pharmaceuticals, cosmetics, and toiletries;
- 62 (l) Pottery, stone, and glass products;
- 63 (m) Rubber and plastic products (SIC Major Group 30*);
- 64 (n) Carbon fiber and fiberglass products;
- 65 (o) Soaps, detergents, and specialty cleaners (SIC categories 2841 and 2842*);
- 66 (p) Textile mill products (SIC Major Group 22*); and
- 67 (q) Wood products, including prefabricated structures.
- 68 (14) Materials recovery facility.
- 69 (15) Outdoor power equipment, motorcycle, all-terrain vehicle, and watercraft repair and storage.
- 70 (16) Printing and publishing facility.
- 71 (17) Publicly-owned recreational uses and facilities.
- 72 (18) Self-storage facility.

73 (19) Signs in accordance with sections 70-547 and 70-696 et seq.

74 (20) Temporary uses, with an approved zoning permit.

75 (21) Vehicular repair, storage, and service.

76 (22) Vocational training facility.

77 (23) Wholesale or distribution center.

78 * Includes the stated uses as well as the types of manufacturing categorized under the referenced
79 Standard Industrial Classification (SIC) groupings.

80 (Ord. of 5-2-1996, § 1002; Ord. of 11-13-2013; Ord of 06-10-14(9))

81

82 **Sec. 70-543. - Uses permitted by special use permit.**

83 In the general industrial district, the following uses may be permitted upon issuance of a special use
84 permit by the board of supervisors:

85 ~~(1) Any industrial use involving flammable or explosive materials.~~

86 ~~(2) Automobile graveyard or salvage operation.~~

87 ~~(3) Any industrial use which is clearly neither a permitted use in this district nor a use permitted by right~~
88 ~~in any other district.~~

89 (1) Accessory retail or office use exceeding twenty percent (20%) but not greater than fifty percent
90 (50%) of the gross floor area of the principal use.

91 (2) Airport.

92 (3) Brewery or Distillery with on-site food preparation.

93 (4) Bulk fuel storage and distribution as a principal use.

94 (5) Commercial recreational use.

95 (6) Flea market.

96 (7) Junkyard or salvage operation.

97 (8) Landfill.

98 (9) Manufacturing, processing, assembly, and/or packaging of goods within the following
99 categories:

100 (a) Any use involving the usage of an on-site foundry and/or smelting processes;

101 (b) Concrete, gypsum, and plaster products (SIC Industry Group 327*);

102 (c) Explosives (SIC category 2892*);

103 (d) Fertilizer, herbicide, pesticide, and other agricultural chemicals (SIC Industry Group
104 287*);

105 (e) Organic and inorganic chemicals (SIC Industry Groups 286 and 281*);

106 (f) Paints, varnishes, lacquers, adhesives, sealants and other similar fluids/compounds;

107 (g) Refined petroleum products (SIC Major Group 29*); and

108 (h) Structural clay products (SIC Industry Group 325*);

- 109
110 (10) Mining, including stone-crushing and immediate on-site processing of mined materials.
111 (11) Office/Office building as a principal use.
112 (12) Place of worship.
113 (13) Public utility facility.
114 (14) Rendering plant, tannery, or other similar use of an odorous nature involving the production or
115 processing of animal products.
116 (15) Telecommunications tower.
117 (16) Vehicular sales and rental.
118 * Includes the stated uses as well as the types of manufacturing categorized under the referenced
119 Standard Industrial Classification (SIC) groupings.
120 (Ord. of 5-2-1996, § 1003)

121

122 **Sec. 70-544. - ~~Setback and yards~~ Site development standards.**

123 ~~(a) In the general industrial district, the regulations in this section shall apply to all buildings, all~~
124 ~~structures that require building permits, and all temporary or portable buildings greater than 150 square~~
125 ~~feet in floor area or greater than eight feet, six inches in height.~~

126 ~~(b) For setbacks from primary highways, see section 70-646 et seq.~~

127 ~~(c) The setback from any secondary road or subdivision street shall be 35 feet from the right-of-way.~~

128 ~~(d) The minimum side or rear yard width adjacent to a residential or agricultural district shall be 100~~
129 ~~feet. The side or rear yard shall be suitably fenced or landscaped, or both, to protect the adjacent use~~
130 ~~from any adverse impact. Fencing shall be at least eight feet in height as measured from grade and shall~~
131 ~~consist of a solid material such that the industrial use is effectively screened from view. Landscaping~~
132 ~~shall at least consist of two rows of evergreen trees, at least eight feet in height and located 20 feet~~
133 ~~apart and staggered. The suitability of the fencing or landscaping shall be reviewed and approved as part~~
134 ~~of the site plan review before a zoning permit is issued. See section 70-116 et seq. The property owner~~
135 ~~shall be responsible for maintaining landscaping and fencing, including the replacement of dead trees~~
136 ~~and shrubs and the repair of any damaged or broken fencing, in a manner consistent with the provisions~~
137 ~~of this section.~~

138 ~~(e) The minimum side or rear yard width adjacent to a commercial or industrial district shall be 50 feet.~~

139 ~~(f) For corner lots, the minimum side yard width adjacent to the side street shall be 50 feet. For double-~~
140 ~~frontage lots, the minimum rear yard width shall be 50 feet.~~

141 (a) *Lot requirements.*

142 (1) *Minimum lot size.* Lot size shall be large enough to adequately accommodate all
143 requirements of this ordinance and any other regulations affecting site development
144 (e.g. stormwater).

- 145 (2) *Minimum lot frontage.* One-hundred, twenty-five (125) feet along a state primary or
146 secondary road; fifty (50) feet for lots fronting on a cul-de-sac. For corner lots and
147 double frontage lots, the minimum frontage shall be provided on each abutting state
148 primary or secondary roads.
- 149 (3) *Minimum lot width.* One-hundred, twenty-five (125) feet at any given point.
- 150 (b) *Setback/Yard requirements.*
- 151 (1) *Front yard.* Thirty-five (35) feet from any secondary road or fifty (50) feet when the
152 opposing frontage is within an agricultural or residential district. For setbacks from
153 primary road rights-of-way, see section 70-646 et seq.
- 154 (2) *Side yard.* Ten (10) feet when adjacent to an industrial or commercial district; fifty (50)
155 feet when adjacent to an agricultural or residential district; zero (0) feet when adjacent
156 to a railroad right-of-way.
- 157 (3) *Rear yard.* Ten (10) feet when adjacent to an industrial or commercial district; fifty (50)
158 feet when adjacent to an agricultural or residential district; thirty-five (35) feet for
159 double-frontage lots; zero (0) feet when adjacent to a railroad right-of-way.
- 160 (4) *Corner lot yards.* Thirty-five (35) feet adjacent to both frontages; fifty (50) feet when
161 adjacent to or opposite from an agricultural or residential district.
- 162 (5) *Waterways.* Structures shall be setback a minimum of fifty (50) feet from any naturally-
163 occurring waterways and/or waterbodies.
- 164 (6) *Signs.* Signs shall have no minimum setback distances unless otherwise required along
165 primary highways pursuant to Sec. 70-649. Signs shall not interfere with the provision of
166 adequate sight distances at driveways and intersections.
- 167 (c) *Height requirements.* A maximum of sixty (60) feet. This may be increased up to one-hundred
168 (100) feet provided the minimum setback distances for the structure are increased one-and-a-
169 half (1.5) feet for each additional foot above sixty (60). The board of supervisors may permit
170 variations of this requirement via special exception or, for telecommunications towers, as a
171 condition of a special use permit.
- 172 (d) *Lot coverage requirements.* The total footprint of all physical improvements on any lot, including
173 structures, shall not exceed eighty percent (80%) of the total acreage of the lot.
- 174 (e) *Buffer requirements.* These buffer requirements shall apply to all new development, additions
175 and expansions, and any redevelopment whereby any structure is demolished in order to
176 accommodate new development. For any addition or expansion of fifty percent (50%) or more
177 of the gross floor area of the principal use, the entire site shall be brought into compliance with
178 these buffer requirements.
- 179 (1) Any lot abutting an agricultural or residential district, irrespective of road rights-of-way,
180 shall retain within the required yard(s) abutting said districts an undisturbed wooded
181 buffer at least twenty-five (25) feet in width. Where a natural buffer does not exist or
182 does not meet the width requirement, the buffer shall be established or supplemented
183 adjacent to all elements of the use on the property. Any new buffer or buffer
184 supplement shall be a mix of evergreen trees, deciduous trees, and other native plants
185 such that it equals at least twenty-five (25) feet in width and adequately obscures all

186 elements of the use. The suitability of any required buffer shall be determined by the
187 zoning administrator as part of the site plan review process.

188 (2) There shall be no buffer requirement adjacent to a railroad right-of-way.

189 (3) Required buffers may contain utilities and supporting infrastructure such as pump
190 stations and electric transformer boxes, driveway entrances, pedestrian passageways,
191 signs, and stormwater facilities except for retention ponds.

192 (4) Any buffer required by this section may be used to provide compliance with any
193 landscaping standards contained elsewhere in this code.

194 (5) Property owners shall be responsible for maintaining any required buffers in a manner
195 consistent with the standards set forth in this section.

196 (Ord. of 5-2-1996, § 1004; Ord. of 8-11-1998, § 1004.03)

197

198 **Sec. 70-545. —~~Height regulations~~ Design and performance standards.**

199 ~~In the general industrial district, structures shall be 100 feet or less in height. The board of supervisors~~
200 ~~may grant a special exception to allow a structure taller than 100 feet. See section 70-67(a).~~

201 (a) *Building design requirements.* These requirements shall apply to all new development, additions
202 and expansions, and any redevelopment whereby any structure is demolished in order to
203 accommodate new development. The requirements below, unless otherwise stated, shall apply
204 to any portion of a structure fronting on a public right-of-way or any portion which, given the
205 orientation of the building, could be readily seen from a public right-of-way.

206 (1) *Materials.* Unadorned concrete block and unarticulated panel siding is prohibited. Metal
207 siding on any exterior wall may be permitted provided at least the bottom four (4) feet
208 of any such wall is adorned or constructed with brick, stone, or other similar masonry.

209 (2) *Massing.* Vertical wall expanses taller than twenty (20) feet and horizontal wall
210 expanses longer than forty (40) feet shall be broken up with recesses, projecting
211 elements, offsets, varying building materials and colors, and other design techniques.

212 (3) *Mechanical equipment.* Roof-mounted mechanical equipment shall be screened by
213 parapet walls or other opaque material similar to the primary building material(s).
214 Ground-mounted mechanical equipment shall not be located in the front yard of any
215 lot. All mechanical equipment shall be maintained in a rust-free and corrosion-free
216 state.

217 (4) *Prefabricated structures.* Prefabricated accessory structures which are built to be mobile
218 and/or temporary in nature are prohibited for permanent use or occupancy on any lot.
219 Temporary use of these structures may be permitted with an approved zoning permit
220 only during periods of active construction up to the point of issuance of a certificate of
221 occupancy.

222 (b) *Site design requirements.* These requirements shall apply to all new development and any
223 redevelopment whereby any structure is demolished in order to accommodate new
224 development. For any addition or expansion of fifty percent (50%) or more of the gross floor

- 225 area of the principal use, the entire site shall be brought into compliance with these
226 requirements.
- 227 (1) *Public water and sewer.* Connections to public water and/or sewer service shall be
228 required where such services are available to the property being developed.
- 229 (2) *Underground utilities.* All permanent utility connections shall be made underground to
230 the nearest available source.
- 231 (3) *Curb and gutter.* The installation of curb and gutter shall be required in conjunction with
232 any hard-surfaced entrance, driveway, or parking area.
- 233 (c) *General performance standards.*
- 234 (1) *Outdoor storage.* All outdoor storage of materials, inventory, and equipment shall be
235 contained within storage yards, which shall not be located in any required front yard. All
236 outdoor storage shall be obscured from view from a public right-of-way by fencing,
237 buffers, and/or landscaping in accordance with an approved site plan.
- 238 (2) *Burning and emissions.* No open burning or other emission of particulate matter into the
239 air shall be allowed unless permitted by the Virginia Department of Environmental
240 Quality or other state or federal regulatory authority.
- 241 (3) *Fencing.* Chain-link fencing shall be prohibited from being located adjacent to any public
242 right-of-way except if such fencing contains privacy slats/inserts and/or is obscured by a
243 required buffer or by landscaping installed in accordance with an approved site plan.
- 244 (4) *Refuse containment.* Dumpsters and other refuse containers shall be prohibited in the
245 front yard of any lot, and shall be enclosed on at least three (3) sides by opaque walls at
246 least as tall as the receptacle(s).
- 247 (5) *Parking, loading/unloading, and landscaping.* See Article 5, Division 5 of this chapter.
- 248 (d) *Performance standards for specific uses.*
- 249 (1) *Above-ground storage tanks.* For any above-ground tanks for the storage of fuels and
250 other flammable substances, minimum separation distances from structures, as
251 provided in the Uniform Statewide Building Code, shall be shown on any site plan.
- 252 (2) *Accessory office and retail uses.* Accessory office and retail uses shall be located as close
253 to the front of the lot as practicable given the nature of the principal use. Parking areas
254 for such uses shall be separated from any internal truck traffic so as to remove potential
255 conflicts.
- 256 (3) *Breweries and distilleries.*
- 257 i. Production waste (e.g. spent grains) may be stored in silos and other accessory
258 structures provided they are completely enclosed.
- 259 ii. Temporary events including live music and other entertainment shall be limited
260 to weekends and holidays, and after customary business hours during
261 weekdays.
- 262 (4) *Incineration on-site.* Any use utilizing on-site incineration of solid waste shall locate such
263 facilities no closer than five-hundred (500) feet to any property line.
- 264 (5) *Lumberyards, sawmills, and other lumber cutting/surfacing operations.*

- 265 i. All cutting, sawing, grinding, or other processing shall occur within a fully-
266 enclosed structure or structure(s).
- 267 ii. Structures shall be oriented such that openings and other service entrances do
268 not directly face any existing dwelling units or a residential district. This
269 standard may be waived if such structures are setback at least two-hundred
270 (200) feet from the property lines.
- 271 (6) *Non-domestic waste and wastewater.* Industrial waste lagoons and other open-air
272 wastewater and general waste containment areas shall be located no closer than five-
273 hundred (500) feet to any property line.
- 274 (7) *Repair and service operations.* All repair and service of vehicles, equipment, and
275 machinery shall be conducted within fully-enclosed structures.
- 276 (8) *Self-storage facilities.*
- 277 i. Each externally-accessible unit shall have a minimum of ten (10) feet in front of
278 it for loading and unloading, in addition to a drive aisle as required by Article 5,
279 Division 5 of this chapter.
- 280 ii. Auctions and garage sales shall be prohibited.
- 281 iii. Outdoor storage of vehicles shall be limited to automobiles, automobile trailers,
282 recreational vehicles, and watercraft.
- 283 iv. Individual unit openings shall not face any residentially-zoned property.
- 284 (9) *Testing.* Areas dedicated to outdoor testing of manufactured goods, pre-assembly or
285 pre-fabrication components, and/or machinery used in a production process shall not
286 be located closer than five-hundred (500) feet to any residential district. The board of
287 supervisors may grant special exceptions to this provision.

288 (Ord. of 5-2-1996, § 1005)

289

290 **Sec. 70-546. – Signs Signage standards.**

291 (a) In the general industrial district, signs are permitted as set forth in this section. In granting a special
292 use permit, the board of supervisors may allow signs that exceed these **guidelines standards**.

293 (a) *Permanent on-site signs.*

- 294 (1) *Permitted types.* Building sign; monument sign; pylon sign with two (2) or more
295 supporting posts.
- 296 (2) *Setbacks.* See Sec. 70-544(b) and Sec. 70-649.
- 297 (3) *Maximum height.* Ten (10) feet for monument and pylon signs; building signs may not
298 project above the maximum height of the principal use.
- 299 (4) *Maximum area per lot.* One (1) square foot of signage for each linear foot of building
300 frontage.
- 301 (5) *Illumination.* Signs may be internally or externally illuminated. Sources of external
302 illumination shall be shielded and arranged so that glare is minimized for passing
303 motorists and adjacent properties.

- 304 (b) *Permanent off-site signs.*
- 305 (1) *Permitted types.* Monument sign; pylon sign with two (2) or more supporting posts.
- 306 (2) *Setbacks.* See Sec. 70-544(b) and Sec. 70-649.
- 307 (3) *Maximum height.* Ten (10) feet.
- 308 (4) *Maximum area per lot.* Thirty-two (32) square feet; sixty-four (64) square feet for signs
- 309 for industrial parks and other projects under a common plan of development for which
- 310 the sign provides advertising space for all lots or tenants.
- 311 (5) *Maximum number.* One (1) per lot; see Sec. 70-699.
- 312 (6) *Illumination.* Signs may be externally illuminated. Sources of external illumination shall
- 313 be shielded and arranged so that glare is minimized for passing motorists and adjacent
- 314 properties.

315 (c) *Temporary signs.* One (1) per lot may be permitted at any given time for seasonal and

316 temporary activities. Such signs shall not exceed thirty-two (32) square feet in area or eight (8)

317 feet in height pursuant to Sec. 70-697.

318 ~~(b) The total area of permanent signs on any improved lot shall not exceed one square foot of sign for~~

319 ~~each linear foot of building frontage. The total area of signs shall be distributed among building, pylon~~

320 ~~and monument signs such that pylon signs make up no more than half the total.~~

321 ~~(c) The total area of signs on any unimproved lot shall not exceed 32 square feet.~~

322 ~~(d) The height of on-site pylon signs shall not exceed 18 feet. Building signs shall not project above the~~

323 ~~top of the building more than one-third of the total height of the building. The height of off-site signs~~

324 ~~shall not exceed eight feet.~~

325 ~~(e) Signs may be lighted so that they are illuminated from within or have one or more lights shining on~~

326 ~~them so that each face of the sign is illuminated. Lights used to internally and externally illuminate each~~

327 ~~face of a sign shall be directed so as to minimize glare to passing motorists or pedestrians.~~

328 ~~(f) Digital signs are permitted as set forth in section 70-701.~~

329 (Ord. of 5-2-1996, § 1006; Ord. of 7-26-2011)

330

331 **Secs. 70-547—70-580. - Reserved.**

ORANGE COUNTY

PLANNING COMMISSION

COMMUNITY DEVELOPMENT BLDG.
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

Division Policies Subcommittee Meeting
Gordon Building Meeting Room
112 W. Main St, Orange, VA, 22960
Thursday, February 4th, 2016
AGENDA

7:15 pm

1. Call to order
2. Continued discussion regarding updating the county's subdivision policies and formulation of a recommendation to the Planning Commission
3. Adjourn