

ORANGE COUNTY PLANNING COMMISSION

COMMUNITY DEVELOPMENT BUILDING
128 WEST MAIN STREET
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Regular Meeting Auditorium of the Orange County High School 201 Selma Road, Orange, VA 22960 Thursday, June 7, 2012 AGENDA

7:00 p.m.

1. Call to Order
2. Determination of Quorum
3. Approval of Agenda
4. Public Comment
5. Old Business
 - A. Board of Supervisors Report – Jim White
 - B. Planning and Zoning Report – Gregg Zody
 - C. Comprehensive Plan – discussion

7:15 P.M. PUBLIC HEARING:

Summary: The proposed Subdivision Ordinance text amendment repeals Sec. 54-27, the phased development element of the County's division policy by removing the concept of one (1) division every four (4) years. All related references in the Subdivision Ordinance to Sec. 54-27 have strikethroughs as shown below.

DRAFT SUBDIVISION ORDINANCE LANGUAGE

Sec. 54-27. Divisions of land in the agricultural zoning district. Repealed.

The division of land in the agricultural zoning district is allowed as follows:

~~(1) No more than one lot may be subdivided from any parent parcel within any four-year period.~~

~~(2) Phased division.~~

~~a. Any lot divided from the parent tract pursuant to this section may be further divided one time every four years as counted from the date of county approval of the initial division. However, the tract divided from the parent tract shall not be further divided into tracts smaller than 50 acres. The following note shall be shown on the plat and in the corresponding deed:~~

~~"The division of property as shown hereon is subject to the provisions of [section 54-27](#) of the Orange County Code of Ordinances. The parent tract, tax map # _____ consisting of (A) _____ acres is being subdivided to create a new tract of (B) _____ acres as shown hereon. A subsequent division of this newly created tract shall not be smaller than 50 acres and shall not occur until four years have elapsed from the date of the county's approval of this plat as signed hereon." ((A) is the total acreage of the parent parcel prior to subdivision and (B) is the acreage of the parcel being subdivided off.)~~

~~b. The residue may continue to be subdivided at a rate of one lot every four years. The following note shall be shown on the plat and in the corresponding deed:~~

~~"Further division of the _____ acre residue as shown hereon shall not occur until four years have elapsed from the date of approval by the county."~~

~~e. Where a tract of land was simultaneously divided into four lots during the four years prior to the effective date of this chapter, further division of those four lots shall not occur until four years from the date of approval on the plat, or until one year has elapsed from the effective date of this chapter, whichever is later.~~

~~(3) Simultaneous division. Parcels of land in the Agricultural zoning district may be simultaneously divided into an unlimited number of tracts 50 acres or larger in size. Divisions of land in accordance with this provision are not subject to the limit on divisions as stated in subsection (1) above. However, further division of tracts created under this provision is prohibited. For such divisions, the following note shall be shown on the plat and in the corresponding deed:~~

~~"The simultaneous division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section 54-27(1) of the Orange County Code of Ordinances. However, further division of these newly created tracts as shown hereon is prohibited pursuant to section 54-27(3) of the Orange County Code of Ordinances."~~

~~(4) The following divisions of land are exempt from this section: family subdivisions, court-ordered subdivisions, part-and-parcel subdivisions, and the division of property for the purposes of boundary line adjustment.~~

Sec. 54-28. Family Subdivision.

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17. Family subdivisions are exempt from the provisions of [section 54-27](#).

Sec. 54-30. Boundary Line Adjustment Survey.

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Divisions of property for the purposes of a boundary line adjustment are exempt from the provisions of section 54-27.

Sec. 54-36. Court-ordered subdivisions.

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Court-ordered subdivisions are exempt from the provisions of section 54-27.

Sec. 54-37. Family Subdivisions.

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Family subdivisions are exempted from the provisions of section 54-27.

Sec. 54-42. Part-and-Parcel Subdivisions.

Part-and-Parcel subdivisions require the submission of a final plat pursuant to the requirements of Division 5, Final Plats, of this ordinance. Land divided pursuant to this section and made a bona fide portion of an adjoining tract through the vacation of a common boundary line shall not count as a division of property pursuant to [section 54-27](#). Staff approval of part-and-parcel subdivisions shall be given within 30 working days of submission by the owner or designated agent unless the plat is: (a) incomplete; (b) review by other agencies, e.g. VDOT and VDH, is not completed; or (c) the subdivision does not meet the requirements of this ordinance.

Sec. 54-94. Certificates.

The following certificates shall appear on the final plat, and shall be executed as appropriate:

....

(6) For divisions of land in the Agricultural zoning district, the plat shall clearly state the following:

"The division of property as shown hereon is subject to the provisions of section 54-27 of the Orange County Code of Ordinances. The parent tract, tax map # _____ consisting of _____ (A) _____ acres is being subdivided to create a new tract of _____ (B) _____ acres as shown hereon. A subsequent division of this newly created tract shall not be smaller than 50 acres and shall not occur until four years have elapsed from the date of the county's approval of this plat as signed hereon. Further division of the _____ (C) _____ acre parent parcel/residue as shown hereon shall not occur until four years have elapsed from the date of approval by the county." ((A) is the total acreage of the parent parcel prior to subdivision and (B) is the acreage of the parcel being subdivided off, and (C) is the acreage of the residue.)

~~(7)~~ For the division of land into 50-acre tracts or larger in the Agricultural zoning district, the plat shall clearly state the following:-

~~"The simultaneous division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section 54-27(1) of the Orange County Code of Ordinances. However, further division of these tracts as shown hereon is prohibited pursuant to section 54-27(5) of the Orange County Code of Ordinances."~~

~~(8)~~ (6) For court-ordered subdivisions, the plat shall clearly state the following:

~~"The division of property as shown hereon is a court-ordered subdivision pursuant to sections 54-5 and 54-36 of the Orange County Code of Ordinances. This subdivision is exempt from the provisions of section 54-27."~~

~~(9)~~ (7) For subdivisions showing the creation of a private street the plat shall clearly state the following:

"The streets in this subdivision serve _____ lots and do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the Department of Transportation or the county and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board."

~~(10)~~ (8) For subdivisions showing the creation of a public street that will be included in the system of state highways for maintenance by VDOT, the plat shall clearly state the following:

"The streets in this subdivision serve lots and shall be constructed to meet the Virginia Department of Transportation Subdivision Street Requirements and, upon meeting the necessary state requirements and making the appropriate petition to the Orange County Board of Supervisors, may be included in the system of state highways for maintenance by VDOT, upon VDOT approval."

~~(11)~~ (9) For subdivisions showing the creation of a street that will be constructed in accordance with the Virginia Department of Transportation Subdivision Street Requirements but will be privately maintained, the plat shall clearly state the following:

"The streets in the subdivision serve lots and shall be constructed to meet the Virginia Department of Transportation Subdivision Street Requirements, but are not intended for inclusion in the system of state highways and will not be maintained by the Department of Transportation or the county and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board."

~~(12)~~ (10) For family subdivisions, the plat shall clearly state the following:

"This is a family subdivision as defined in section 54-5 and pursuant to all requirements of section 54-28. Each lot created on this plat as a family subdivision shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than five years from the date of final plat approval. ~~This subdivision is exempt from the provisions of section 54-27.~~"

~~(13)~~ (11) For part-and-parcel subdivisions, the plat shall clearly state the following:

"This is a part-and-parcel subdivision pursuant to sections 54-5 and 54-42 of the Orange County Code of Ordinances. ~~This subdivision is exempt from the provisions of section 54-27.~~
(Ord. of 3-9-2010)

State law reference— Code of Virginia, §§ 15.2-2241; 15.2-2258; 15.2-2262; 15.2-2264; 42.1-78 et seq.

6. New Business
7. Commissioner Comments
8. Next meeting
9. Adjourn