ORANGE COUNTY
PLANNING COMMISSION

JASON CAPELLE, DISTRICT 1
GEORGE YANCEY, DISTRICT 2
DONALD BROOKS, DISTRICT 3
CRYSTAL HALE, DISTRICT 4
JIM HUTCHISON, DISTRICT 5

JOSH FREDERICK, AICP
DIRECTOR OF PLANNING & ZONING

MAILING ADDRESS:
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

PLANNING & ZONING:
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ORANGECOUNTYVA.GOV

Regular Meeting
Gordon Building Meeting Room
112 W. Main St, Orange, VA, 22960
Thursday, November 3rd, 2016
AGENDA

6:00 pm

1. Call to order and determination of quorum
2. Approval of agenda
3. Approval of minutes:
   A. September 1st, 2016 regular meeting
4. Work session:
   A. Proposed Zoning Ordinance amendment and rezoning – the Montpelier District
   B. Proposed Zoning Ordinance amendment – a revisit of recently-amended regulations pertaining to home-based businesses
   C. Proposed Zoning Ordinance amendment – self-storage facilities as a special use in the C-2 district
   D. Proposed Zoning Ordinance amendment – Article III – Nonconformities regulations pertaining to expansions of nonconforming structures
   E. Proposed Zoning Ordinance amendment – Multifamily Residential (R-4) setback adjustments
5. Public comment
6. Old business:
   A. Board of Supervisors report – Jim Crozier
   B. Planning & Zoning report – Josh Frederick
   C. Germanna-Wilderness Area Plan Steering Committee report – George Yancey & Jim Hutchison
7. Public hearings (none)
8. New business
9. Commissioner comments
10. Next meeting date – December 1st, 2016
11. Adjourn

Unless otherwise indicated, agenda items will be taken in the order in which they appear above. 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. Time limits may be imposed by the Chairman for speakers addressing the Commission.

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 3A

Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, September 1, 2016

Present: Donald Brooks, George Yancey, Crystal Hale, Jason Capelle, Jim Hutchison,

Absent: James Crozier; BOS Representative

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

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1. **Call to order and determination of quorum:**

   Chairman Brooks called the meeting to order at 6:02 p.m.

2. **Approval of agenda:**

   Mr. Yancey made a motion to have a closed meeting pursuant to the provisions of Sec. 2.2-3711(a)(1) of the Code of Virginia; motion seconded by Mr. Hutchison. Motion passed 5-0. Commissioners convened for the closed meeting.

   Upon returning from the closed meeting Chairman Brooks called the meeting back into session. Mr. Lacheney then asked the Commissioners: "To the best of your knowledge, were the only matters discussed in the closed meeting public business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting?" Chairman Brooks asked for a role call:

   Vote:
   Ayes: Capelle, Brooks, Hale, Yancey, Hutchison
   Nays: 0

   Mr. Capelle made a motion to approve the agenda with the changed agenda item 4 (work session) after item 7 (public hearings); motion seconded by Mr. Yancey. Motion passed 5-0.

3. **Approval of minutes:**

   A. **July 7, 2016 regular meeting:**

      Mr. Yancey made a motion to add Mr. Hutchison as present and approve the minutes as presented; motion was seconded by Mr. Hutchison. Motion passed 5-0.

   B. **August 8, 2016 special meeting:**

      Mr. Hutchison made a motion to add himself as present and approve the minutes as presented; motion was seconded by Mr. Capelle. Motion passed 5-0.

4. **Public comment:**

Chairman Brooks opened the floor to public comments at 6:13 pm. No one came forward.

Chairman Brooks closed public comment.

5. **Old business:**

A. **County Administrator's report – R. Bryan David**

Mr. David came forward and gave a presentation regarding the Board of Supervisors initiating Planning Commission action to pursue a unique zoning district for the Montpelier property. Mr. David also spoke of the county's broadband initiative.

B. **Board of Supervisors report – Jim Crozier**

Mr. Crozier was absent.

C. **Planning & Zoning report – Josh Frederick**

Mr. Frederick stated he had nothing to report.

D. **Germanna-Wilderness Area Plan Steering Committee report – George Yancey & Jim Hutchison**

Mr. Yancey stated their last meeting centered around transportation planning, particularly in subarea 4 of the GWAP. He also stated the county has engaged the services of a professional transportation planning consultant.

Mr. Hutchison stated they are just beginning the transportation planning which will be a big effort.

6. **Public hearings:**

A. **<u>Proposed Zoning Ordinance amendment</u> – the addition of the Barboursville Village Overlay District (BVOD) as a new overlay district in the Ordinance**

Chairman Brooks opened the public hearing at 6:43 calling for the public to speak.

There were many citizens who came forward and spoke in support of or shared their concerns regarding the BVOD.

Chairman Brooks closed the public hearing. The Commissioners thanked all for coming and sharing their thoughts. The Commissioners then asked for clarification from Planning Staff and/or the County Attorney on several matters presented at the meeting.

Mr. Capelle made a motion to approve; motion was seconded by Mr. Hutchison. Discussion ensued concerning the proposed BVOD ordinance amendment.

Mr. Capelle made a motion to amend his motion by changing line 63 to state that temporary/seasonal sales would be prohibited unless they are conducted by non-profit organizations for fundraising purpose, or those of an agricultural nature; motion seconded by Mr. Hutchison. Motion carried 5-0.

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Mr. Capelle made another motion to amend the original motion to approve in order to add Colonial Post & Beam as a permitted architectural style; motion seconded by Mr. Hutchison. Motion carried 5-0.

Mr. Brooks made a motion to amend the original motion to approve which would remove the architectural style example pictures; motion seconded by Ms. Hale. Motion failed 2-3.

Mr. Capelle made another motion to amend the original motion to approve which would "one" to "any" on line 96 in regards to permitted architectural styles; Ms. Hale seconded motion. Motion carried 5-0.

Mr. Capelle made another motion to amend the original motion to approve in order to add in language from off-street parking and loading section of the Zoning Ordinance to line 116; motion seconded by seconded by Mr. Hutchison. Motion failed 2-3.

Ms. Hale made a motion to amend the original motion to approve in order to decrease the setback requirement along Route 20 and Route 33 from 100' to 50' (Line 74); motion seconded by Chairman Brooks. Motion carried 3-2.

Mr. Yancey stated his desire to amend the draft resolution of approval to state that the Commission recommends the Board appoint an advisory committee for the BVOD. There was a unanimous consensus to do so.

There being no further proposed amendments to the original motion to approve, Chairman Brooks asked for a roll call vote to approve PC Resolution #16-07, as amended.

Votes:
Ayes: Brooks, Hale, Yancey, Hutchison, Capelle
Nays: None

Commissioners passed Resolution #16-07 recommending approval of the proposed amendment.

B. REZ 16-01 – adoption of the boundaries for the Barboursville Village Overlay District (BVOD)

Planning Staff explained that the BVOD boundaries are identical to what was approved as part of the 2013 Comprehensive Plan.

Chairman Brooks opened the public hearing. Several citizens shared their views and ideas on the draft boundary map.

Chairman Brooks closed the public comment. Ms. Hale made a motion to approve PC Resolution #16-08, as presented; motion was seconded by Mr. Hutchison. Discussion ensued.

Votes:
Ayes: Hutchison, Capelle, Brooks, Hale, Yancey
Nays: None

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Commissioners passed Resolution #16-08 recommending approval of the proposed boundaries for the Barboursville Village Overlay District (BVOD).

7. New business:

There was no new business.

8. Work session:

A. <u>Proposed Zoning Ordinance amendment</u> – a revisit of recently-amended regulations pertaining to home-based businesses

Mr. Capelle made a motion to table this work session item until the next regular meeting; motion seconded by Mr. Yancey. Motion carried 5-0.

9. Commissioner comments

Commissioners shared their thoughts on the night's meeting.

10. Next meeting date – October 6th, 2016

11. Adjourn

Meeting was adjourned at 9:02 p.m.

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_____

Donald Brooks, Chairman

_____

Josh Frederick, Secretary

The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 4A

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

OFFICE: (540) 672-4347
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orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: October 28th, 2016

RE: November 3rd work session – the proposed Montpelier District (MD)

As previously alluded to, Planning Staff have been working on drafting a unique zoning district for the Montpelier property. This district would apply to the approx. 2,050-acre area which is owned by the National Trust for Historic Preservation and leased to the Montpelier Foundation for their operations. Its purpose is twofold: 1. To reasonably permit Montpelier to conduct operations which align with its mission, especially in light of its importance in generating tourism income and notoriety for the county; and 2. To allow Montpelier and the county to capitalize on the findings and recommendations of the grant-funded AFID study that was recently completed as a means of economic development. The Montpelier property is currently zoned Agricultural (A), which is not entirely consistent with the property's use or future goals.

The draft district language has been developed in coordination with the Montpelier Foundation and has the blessing of the National Trust. It has been drafted in a reasonable manner that respects good planning practice and provides protections for the area's character. The Board has initiated Planning Commission action to review both a Zoning Ordinance amendment to accommodate the new district, as well as a rezoning to change the classification of this property from A to MD.

The intent is to hold a public hearing on these matters during the December 1st regular meeting.

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

Att: Draft Montpelier District language, dated 10/13/16
Map, dated 9/13/16

MONTPELIER DISTRICT – (MD)

Sec. 70-*. – Purpose and Intent.**

The purpose of the Montpelier District (hereinafter referred to as the "MD") is to recognize the importance of James Madison's Montpelier as a historic, civic, cultural, and educational asset to Orange County, to encourage its preservation and vitality, as well as to support its significance in promoting tourism, agriculture, and economic development in Orange County. For the purposes of this Ordinance, all uses and structures permitted within the MD shall be considered accessory to the operation of Montpelier as a historic house and museum, which shall be considered the principal use and structure. The intent of the MD as a unique zoning district is to:

a) Permit activities and uses which align the land use policies and goals of Orange County with the mission and operation of Montpelier as a historic house museum and historic site;
b) Allow avenues for Montpelier, as a historic site unique to Orange County and the nation, to preserve, interpret, and enhance its historical significance, as well as to encourage the adaptive reuse of historic structures;
c) Emphasize the importance of Montpelier to the reputation and economy of Orange County;
d) Preserve significant agricultural and forestal land via active agricultural uses, forestry uses, and conservation easements; and
e) Regulate uses and activities only to the extent necessary to protect the public health, safety, and general welfare and to comport with good planning and zoning practice.

Sec. 70-*. – Permitted Uses.**

In the MD, land may be used for the following uses, and any accessory use that is customarily incidental to such uses.

1) The following uses related to the operation of Montpelier as both a historic house museum and historic site:
    a) Educational and research uses such as, but not limited to, tours, exhibitions, classes and classrooms, residential educational programs, conferences, workshops, lectures and lecture halls, day programs, day camps, and archaeology activities and facilities;
    b) Historical interpretation facilities and displays;
    c) Administrative support uses such as, but not limited to, visitor ticketing and programming, shuttle bus operations, security facilities, general maintenance facilities, vehicle maintenance and refueling facilities, and general administrative offices; and
    d) Visitor amenities such as, but not limited to, stand-alone parking areas, picnic facilities, walking paths and trails, and equine trails.
2) Agriculture.
3) Agritourism.
4) Brewery with production of up to 15,000 barrels per calendar year.
5) Cemetery.
6) Distillery with production of up to 36,000 gallons per calendar year.
7) Farmers market.

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8) Farm enterprise.
9) Farm stand.
10) Lodging uses within permanent structures.
11) Restaurant without drive-through facilities up to 7,500 sq. ft. gross floor indoor/outdoor area (no more than 4).
12) Retail store up to 4,000 sq. ft. gross floor area (no more than 4).
13) Single-family detached dwelling, including rentals of such.
14) Temporary uses/events which are related to or supportive of the historic and civic importance of Montpelier such as, but not limited to, the Montpelier Hunt Races, Constitution Day Celebration, Fall Fiber festival, Working Woods Walk, wine festivals, musical performances, and commemorative events. A temporary use/event permitted under this use category shall not be required to obtain a temporary use zoning permit as may be required elsewhere in this Ordinance, provided that any single-day attendance of such an event does not exceed 25,000 attendees.

Sec. 70-*. – Uses Permitted by Special Use Permit.**

In the MD, the following uses may be permitted upon issuance of a special use permit by the Board of Supervisors:

1) Any restaurant in excess of what is permitted by-right.
2) Any retail store in excess of what is permitted by-right.
3) Public utility facility.
4) Telecommunications tower.

Sec. 70-*. – Nonconformities.**

Any structure which is nonconforming due to encroaching on the minimum setback requirement for Constitution Highway (Route 20) and/or Montpelier Road (Route 693) may be expanded or enlarged provided the new portion of the structure is no closer to the affected property line(s) than the nonconforming portion(s). Such an expansion may be up to fifty percent (50%) of the footprint of the building that exists at the time of adoption of these district regulations. Nonconforming situations not referenced herein shall be otherwise regulated by Article III of this Chapter.

Sec. 70-*. – Area Regulations.**

In the MD, the minimum lot area for newly-created lots shall be one-hundred (100) acres.

Sec. 70-*. – Frontage Regulations.**

There shall be no minimum frontage requirement in the MD. Newly-created lots shall have legitimate legal access to a state primary or secondary road shown on a plat and approved pursuant to the Orange County Subdivision Ordinance.

Sec. 70-*. – Setbacks and Yards.**

a) The setback from Constitution Highway (Route 20) right-of-way shall be three-hundred (300) feet, pursuant to section 70-646 et seq.

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b) Except as provided for in the above subsection, there shall be no minimum required setbacks from property lines or minimum yards in the Montpelier District (MD). Setbacks and yards notwithstanding, a minimum buffer of one-hundred (100) feet shall be maintained around the entire perimeter of the district in which there shall be no structures.

c) No structures, other than bridges, may be placed or constructed within fifty (50) feet from any naturally-occurring watercourse.

Sec. 70-*. – Height Regulations.**

In the MD, structures shall not exceed forty (40) feet in height except for telecommunications towers and bona fide agricultural structures. The Board of Supervisors may grant special exceptions to allow other structures taller than forty (40) feet.

Sec. 70-*. – Building Design Standards.**

In consideration of the vernacular architecture which characterizes many of the buildings within the MD, it is essential to the purpose of the MD and of the Comprehensive Plan to require all readily-visible construction to be complementary of and consistent with this Montpelier vernacular. Accordingly, the standards contained within this section shall apply to: 1. All new construction within six-hundred (600) feet north of the Constitution Highway (Route 20) right-of-way; 2. All new construction within six-hundred (600) feet of Montpelier Road (Route 693) right-of-way; and 3. Any rehabilitation or expansion of any existing structure within the areas listed above which was originally constructed in this vernacular. The main elements of this vernacular, which shall constitute the minimum design standards, are as follows:

a) The architectural style shall be consistent with and complement the predominantly Federal and Folk Victorian architecture present in the MD.

b) The roof construction style may be either gable, cross-gable, bonnet, or gambrel. Dormers are permitted.

c) Roofing materials may be dark asphalt shingles, slate tile, silver standing-seam metal, or any roofing material that substantially simulates these.

d) Exterior siding materials shall be either clapboard or board-and-batten siding in the characteristic Montpelier/DuPont green or the characteristic Montpelier golden yellow.

e) Exterior trim elements shall be white.

f) Operable windows shall be double-hung in a 9-over-9 or 6-over-6 pattern. Inoperable windows shall simulate these patterns.

g) Foundation elements shall be either in brick/stone of a red/brown palette or painted in a medium gray palette.

Figure 1: Montpelier Vernacular Example 1

Figure 2: Montpelier Vernacular Example 2

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Sec. 70-*. – Signs.**

There shall be no regulations regarding dimensional requirements for signage within the MD except along the right-of-way for Constitution Highway (Route 20) and Montpelier Road (Route 693). Along these roads, signs may be permitted upon issuance of a zoning permit and as follows:

a) Permanent freestanding signs may be placed no more frequently than one (1) per two-hundred (200) linear feet. Such signs shall not exceed eight (8) feet in height or twenty (20) square feet in area. Notwithstanding other requirements elsewhere in this Ordinance, there shall be no minimum setback from the right-of-way for such signs. However, under no circumstances shall they block sight distances at any road intersection.
b) For temporary signs, refer to the Supplementary District Regulations section of this Chapter.
c) Building signs may not exceed one (1) square foot per linear foot of building frontage on which the sign is installed, and may not project above the roofline of the building.

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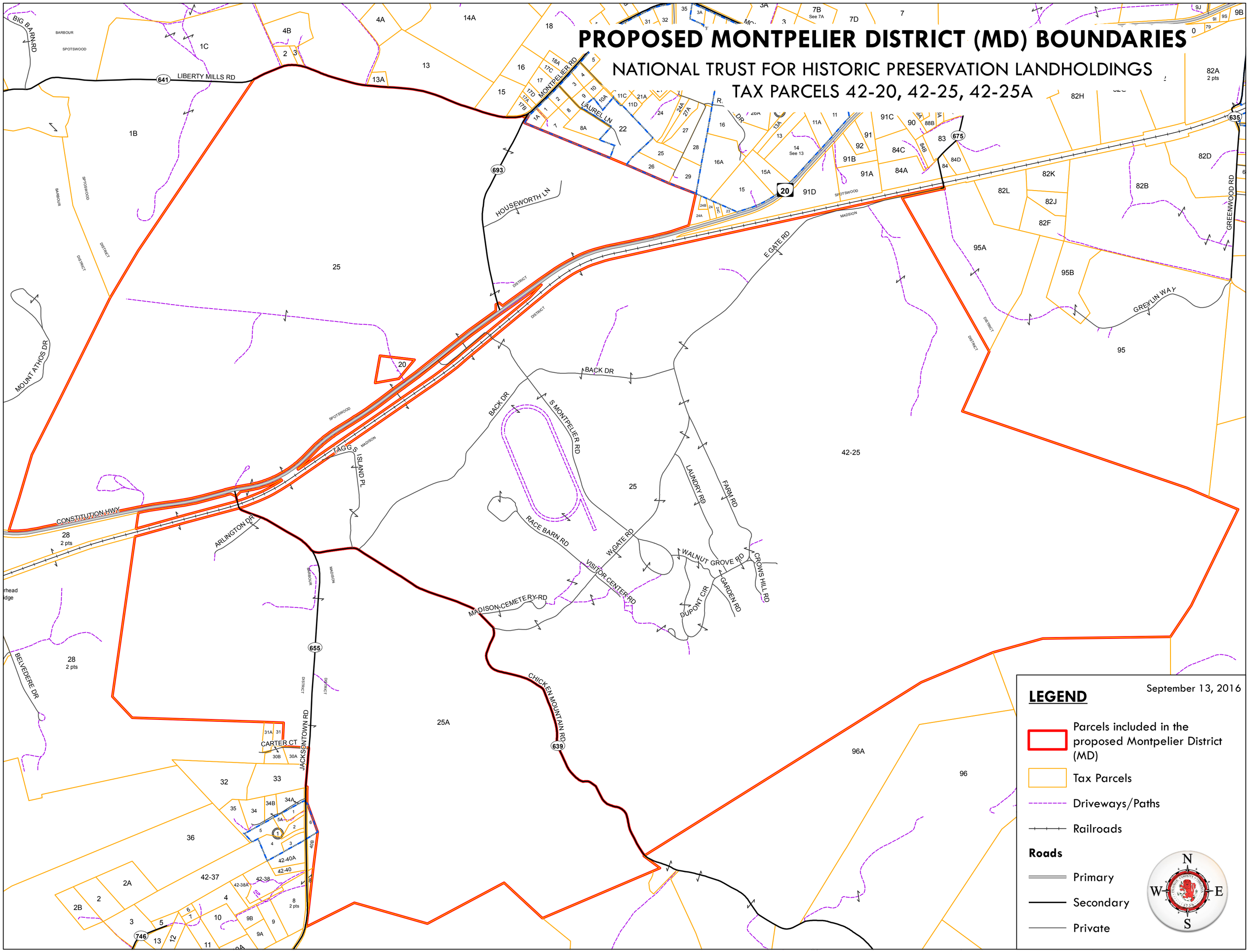
PROPOSED MONTPELIER DISTRICT (MD) BOUNDARIES

NATIONAL TRUST FOR HISTORIC PRESERVATION LANDHOLDINGS
TAX PARCELS 42-20, 42-25, 42-25A



September 13, 2016

LEGEND

- Parcels included in the proposed Montpelier District (MD)
- Tax Parcels
- Driveways/Paths
- Railroads

Roads

- Primary
- Secondary
- Private

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Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 4B

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
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: October 28th, 2016

RE: Revisit of recently-amended regulations pertaining to home-based businesses – November 3rd work session (postponed from the 9/1/16 regular meeting)

You may recall that the Commission drafted a comprehensive amendment pertaining to home occupations and home enterprises earlier this year. The amendment was recommended for approval to the Board, but at that time they chose to remove most of the requirements out of the Commission's proposal. What was ultimately adopted was a new definition for "home enterprises" as well as the listing of "home enterprise" as a permitted accessory use in the Agricultural (A) zoning district. "Home occupation" requirements were unchanged.

The Board has initiated Commission action on this topic again, and have drafted specific language for your consideration. That language is attached to this memo. One notable change is the elimination of the zoning permit requirement for home occupations and home enterprises.

The intent is to hold a public hearing on this matter during the December 1st regular meeting.

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

Att: Home-based businesses amendment language, as proposed by the Board

Proposed Amendment Language: MJ

Chapter 70 – Zoning

Article I – In General

Section 70-1. – Definitions.

[…]

~~*Home enterprise* means a low-impact, home-based business that is conducted within a single-family dwelling and/or accessory structure on a parcel at least 2 acres in size, along with the passive, incidental use of immediately adjacent land. For the purpose of this chapter, a home enterprise is intended to be more intensive than a home occupation, but remains an accessory use to a dwelling.~~

Home enterprise means any occupation conducted within a dwelling unit or accessory structure(s) such as a garage or a barn, along with the incidental use of adjacent land, in which all the following conditions are met:

1. The business owner resides on the premises.
2. No more than four (4) non-family employees work on site at a time (employees who report to the site for job assignment and staging purposes in preparation for off-site activity do not count toward this number).
3. The parcel size is a minimum of two (2) acres of Agricultural Zoned land.
4. Retail sales conducted on the premises are not the primary purpose or function of the business.
5. Total vehicle trips per day will generally not exceed twenty-five (25).
6. All parking will be situated on the interior of the property and not along any public road or property line.
7. Any mechanical equipment that produces sound levels in excess of 50 decibels such as air compressors and air guns will be confined to interior use.
8. Except for one (1) sign, there is no evidence during non-business hours that would indicate from the exterior that the building and/or land is used for purposes not generally found in the Agricultural District.
9. If there is more than one (1) Home Enterprise on a single parcel, the numerical limitations listed above in lines 2, 5, & 8 will apply cumulatively.

~~*Home occupation* means any occupation customarily incidental to and conducted within a dwelling unit or accessory structure on site (such as a garage), in which the business owner resides on the premises, no more than one additional nonfamily employee works on site at a time, retail sales conducted on the premises constitute only a minor part of the occupation, no mechanical equipment is used that is not customarily incidental to a residence, and there is no evidence, except one sign, that would indicate from the exterior that the building is used for any nonresidential use. For the purpose of this chapter, a home occupation is an accessory use to a dwelling.~~

Home occupation means any occupation conducted within a dwelling unit or accessory structure(s) such as a garage or a barn, in which all the following conditions are met:

1. The business owner resides on the premises.
2. No more than one (1) non-family employee works on site at a time.
3. Retail sales conducted on the premises are not the primary purpose or function of the business.
4. Except for one sign, there is no evidence during non-business hours that would indicate from the exterior that the building is used for non-residential purposes.
5. If there is more than one (1) Home Occupation on a single parcel, the numerical limitations listed above in lines 2 & 4, will apply cumulatively, i.e.: a total of one (1) nonfamily employee and one (1) sign for all Home Occupations combined.

[…]

Chapter 70 – Zoning

Article II – Administration

Division 4. – Zoning Permits and Site Plans.

Section 70-116. – Zoning permit requirements.

[…]

(b) *When not required*. Unless otherwise regulated by approved proffers or county-imposed conditions, a zoning permit shall not be required for:

1. At-grade modifications (e.g. patios, landings, sidewalks, and driveways, but not including pools);
2. Below-grade modifications, not including new well and septic drainfield installations;
3. Building interior modifications not qualified under Sec. 70-116(a);
4. Accessory structures up to one-hundred fifty (150) square feet;
5. Graveyards, including crypts/mausoleums up to fifteen-hundred (1,500) square feet;
6. Sign "refacing" (i.e. the like-for-like replacement of a permanent, conforming sign's advertising message whereby the physical dimensions of the sign do not change);
7. Fences, handrailing, screening walls, and retaining walls; ~~and~~
8. Common residential yard accessories (e.g. LP-gas or oil tanks, air conditioning units, mailboxes, flagpoles, satellite dishes); and,
9. Home enterprises and home occupations.

[…]

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 4C

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

OFFICE: (540) 672-4347
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orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: October 28th, 2016

RE: November 3rd work session – self-storage facilities as a special use in the C-2 district

Planning Staff have uncovered an issue with the Zoning Ordinance and certain permitted uses, namely self-storage facilities. Before the Board adopted the I-2 zoning district amendment earlier this year, self-storage facility as a permitted use was never defined or explicitly identified in the Ordinance. With the I-2 amendment, a definition was adopted for *self-storage facility* and it was added as a permitted use in the I-2 district.

These uses have historically been permitted in the C-2 district as a special use under the catchall category: *Any commercial use which is not expressly permitted in <u>any</u> district*. Now that *self-storage facility* is a permitted use in <u>a</u> district (the I-2 district), it is no longer permitted at all in the C-2 district due to the above wording. This has rendered all existing self-storage facilities in the C-2 district as legal nonconforming uses which may not be further expanded.

In order to remediate this issue, the Board has initiated Planning Commission action on the attached amendment language.

The intent is to hold a public hearing on this matter during the December 1st regular meeting.

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

Att: Draft C-2 district amendment language

[…]

Sec. 70-483. - Uses permitted by special use permit.

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

1) Carnival, circus, noncommercial fairground or similar temporary activity.
2) Bed and breakfast inn with/without a restaurant open to non-guests.
3) Limited manufacturing and processing.
4) Manufactured home sales and service.
5) Theater, video game parlor, or other recreational use.
6) Wholesale distribution or warehouse.
7) Adult-oriented business.
8) Commercial outdoor vehicular recreational use.
9) Public utility facility
10) Self-storage facility
11) Any commercial use which is not expressly permitted in ~~any~~ this district.

[…]

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 4D

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

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MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: October 28th, 2016

RE: November 3rd work session – Zoning Ordinance Article III – Nonconformities regulations pertaining to expansions of nonconforming structures

Planning Staff have been asked to develop amendment language for the portion of the Zoning Ordinance that deals with expansion and/or enlargement of nonconforming structures (Sec. 70-244(a)). This section currently allows nonconforming structures (i.e. those that encroach into minimum setback distances) to be expanded up to 25% of their original footprints, provided the expansion does not exacerbate the nonconformity. The request for Planning Staff was to increase this amount, and the Board has initiated Planning Commission action on the attached draft language.

It is important to note that this expansion limit is needed so that a blanket variance is not granted to all nonconforming structures. Without it, all nonconformities would be granted a special right not otherwise granted to all properties. This amendment should allow some greater flexibility for those wishing to expand their nonconforming homes, while still respecting the intent of nonconformities requirements.

The intent is to hold a public hearing on this matter during the December 1st regular meeting.

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

Att: Draft Article III amendment language

Article III – Nonconformities.

[…]

Sec. 70-244. - Expansion or enlargement.

(a) A nonconforming structure or use may be expanded or enlarged only in conformance with the requirements of this chapter. If a structure is nonconforming due to encroaching on a setback area or required yard, it may be expanded or enlarged provided the new portion of the structure is no closer to the affected property line than the nonconforming portion. Such an expansion or enlargement of a residential structure may be up to ~~25%~~ 50% of the original footprint of the nonconforming structure. Such an expansion or enlargement of a nonresidential structure may be up to 25% of the original footprint of the nonconforming structure.

[…]

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 4E

ORANGE COUNTY

DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

OFFICE: (540) 672-4347
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orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: October 28th, 2016

RE: November 3rd work session – Multifamily Residential (R-4) setback adjustments

In reviewing the R-4 district regulations with respect to existing/proposed developments within the Germanna-Wilderness Area, some oddities have been identified. Namely, the district requires a 35' setback for attached single-family dwellings (i.e. townhouses), which is unusually restrictive. There are some other matters of semantics that have been identified as well which cause interpretation issues. The Board has initiated Planning Commission action to address these matters. Draft amendment language is attached to this memo.

While the current R-4 district regulations are dated and in need of substantial revisions, this particular amendment addresses some more immediate needs given the considerable amount of R-4 zoning in the Germanna-Wilderness Area.

The intent is to hold a public hearing on this matter during the December 1st regular meeting.

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

Att: Draft R-4 district amendment language

DIVISION 6. – Multifamily Residential Zoning District (R-4)

[…]

Sec. 70-427. - Setback and yards.

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

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

(c) The setback from any existing or proposed secondary road ~~or subdivision street~~ shall be 35 feet from the right-of-way. The setback from any street internal to the development shall be 20 feet from the right-of-way.

(d) The setback for any apartment building from ~~a~~ its parking lot shall be ~~25~~ 20 feet.

(e) The minimum rear yard for attached or unattached single-family dwellings or accessory structures shall be 25 feet.

(f) The minimum side or rear yard for ~~multifamily dwellings~~ apartment buildings and commercial buildings shall be 50 feet.

(g) The space between buildings in a ~~multifamily project~~ apartment complex shall not be less than 1.5 times the height of the taller of the buildings if windows exist in one or both facing walls. If facing walls have no windows, the distance between buildings shall not be less than the height of the taller of the buildings.

(h) The setback for any new dwelling shall be a minimum of 50 feet from the shoreline of any body of water. Construction proposed to take place within any floodplain shall comply with those provisions as outlined in chapter 34

[…]

Orange County Planning Commission

November 3rd, 2016 regular meeting

Agenda item 6B

ORANGE COUNTY
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

OFFICE: (540) 672-4347
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orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission

FROM: Josh Frederick, Director of Planning & Zoning

DATE: October 25th, 2016

SUBJECT: July / August / September 2016 – Department of Planning & Zoning Activity/Info

The following is a list of activity/information for the Department of Planning & Zoning for the months of July, August, and September, 2016:

ARC
No ARC meeting was held. One special use permit application was received and is currently under staff review.

BZA
The BZA did not meet.

Code Enforcement
Follow-up inspections were conducted on past/active complaints. No new complaints were received.

Current Planning Activity (2016)
New buildable lots created in July: 2
New buildable lots created in August: 1
New buildable lots created in September: 1
New buildable lots created in 2016 through September: 29
Total buildable lots created in 2015: 9 Total buildable lots created in 2014: 21

Plats Submitted for Review

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2016	3	7	4	10	3	3	4	5	3				**42**
2015	4	3	3	1	7	7	9	5	6	4	1	5	**55**

Plats Approved

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2016	3	3	5	6	11	2	4	3	2				**39**
2015	5	1	3	2	4	9	4	4	8	5	1	6	**52**

Zoning Permits Issued (Total)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2016	21	17	25	42	28	30	29	34	20				**246**
2015	12	16	33	52	29	39	32	42	33	28	21	24	**361**

Zoning Permits Issued (for construction/placement of dwellings)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2016	7	6	9	15	12	10	15	16	12				**102**
2015	2	5	20	15	9	9	9	10	9	9	5	11	**113**

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
2016	4	2	7	3	8	10	7	8	10				**59**
2015	7	3	6	9	4	14	14	7	13	6	14	16	**113**

Building Permits Issued (data provided by Building Dept.)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
2016	50	53	59	88	85	79	61	62	62				**599**
2015	66	44	48	87	70	69	78	74	65	88	92	73	**854**

Erosion and Sediment Control

Erosion & sediment control permits issued: **22, 18, 10** (109 YTD for 2016; 86 total for 2015)
Erosion & sediment control project inspections: **27, 37, 34 (**207 YTD for 2016; 408 total for 2015)

Site Plans

Site plan received: 3 (Eden Ministries church construction; Zamma Corp. expansion; a minor amendment to the Aerojet expansion project approved last year)

Other Items of Interest

During their July 12th regular meeting, the Board approved the zoning text amendments to repeal the bonding requirements for telecommunications tower removal, and to add *pyrotechnics testing/manufacturing on a parcel 50 acres or greater in size* as a special use in the Agricultural zoning district. No changes were made to what was recommended by the Planning Commission.

Planning Staff submitted 3 projects for the Commonwealth Transportation Board's new SmartScale funding program. The first two projects are to realign the two sharp curves in Flat Run Road (Route 601). The third project was submitted with the encouragement of VDOT, and it is to replace the Route 20 / Route 522 signalized intersection with a roundabout. We will find out next year whether or not these projects are funded by the CTB.

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