

ORANGE COUNTY  
PLANNING COMMISSION

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



OFFICE: (540) 672-4347  
FAX: (540) 672-0164  
[orangecountyva.gov](http://orangecountyva.gov)

**Regular Meeting**  
**Gordon Building Meeting Room**  
**112 W. Main St, Orange, VA, 22960**  
**Thursday, April 16<sup>th</sup>, 2015**  
**AGENDA**

**7:00 pm**

1. Call to order and determination of quorum
2. Approval of agenda
3. Approval of minutes
4. Work session
5. Public comment
6. Old business:
  - A. Board of Supervisors report – Jim Crozier
  - B. Planning & Zoning report – Josh Frederick
  - C. Route 3 Steering Committee report – George Yancey/Nigel Goodwin
7. Public hearings:
  - A. SUP 11-01 amendment – Liberty Mills Farm
  - B. SUP 11-04 amendment – Berrywood at Honah Lee Farm
  - C. SUP 12-04 amendment – Grelen Nursery
8. New business:
  - A. Appoint Planning Commission Secretary for 2015
  - B. County Administrator's presentation on the county's revenues and expenditures and Capital Improvements Plan
  - C. Commence review of the draft Germanna-Wilderness Area Plan
9. Commissioner comments
10. Next meeting – May 7<sup>th</sup>, 2015
11. Adjourn

**ORANGE COUNTY**  
DEPARTMENT OF PLANNING AND ZONING

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**MEMORANDUM**

**TO:** Orange County Planning Commission

**FROM:** Josh Frederick, Director of Planning & Zoning

**DATE:** April 9<sup>th</sup>, 2015

**SUBJECT:** March 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 March, 2015:

**ARC**

No ARC meeting was held.

**BZA**

The BZA did not meet in March.

**Code Enforcement**

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

**Current Planning Activity (2015)**

New lots created in March: 2

New lots created in 2015 through March: -1 (due to lot consolidations)

New lots created in 2014 (year total): 22

**Subdivision Plats Submitted**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
<b>2015</b>	4	3	3										<b>10</b>
<b>2014</b>	4	2	3	7	3	8	7	3	5	5	0	4	<b>51</b>

**Subdivision Plats Approved**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
<b>2015</b>	5	1	3										<b>9</b>
<b>2014</b>	1	3	3	4	5	7	5	5	1	7	4	3	<b>48</b>

**Zoning Permits Issued**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
<b>2015</b>	12	16	33										<b>61</b>
<b>2014</b>	28	30	23	26	33	37*	28	28	24	29	19	19	<b>324</b>

**Zoning Permits Issued (for construction/placement of dwellings)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
<b>2015</b>	2	5	20										<b>27</b>
<b>2014</b>	7	5	11	6	4	14*	9	10	8	10	5	3	<b>92</b>

\*(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
<b>2015</b>	7	3	6										<b>16</b>
<b>2014</b>	11	6	2	11	8	11	9	10	9	9	4	11	<b>101</b>

**Building Permits Issued (data provided by Building Dept.)**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD TOTAL
<b>2015</b>	66	44	48										<b>158</b>
<b>2014</b>	61	44	55	82	79	95	67	61	80	77	54	73	<b>828</b>

**Erosion and Sediment Control**

Erosion & sediment control permits issued: **10** (15 YTD for 2015; 90 total for 2014)

Erosion & sediment control project inspections: **24** (73 YTD for 2015; 551 total for 2014)

**Site Plans**

Site plan received: **0**

**Other Activity**

During their March 10<sup>th</sup> regular meeting, the Board approved an amendment to the Subdivision Ordinance, specifically to Sec. 54-167 which pertains to private road standards. This amendment corrected a minor loophole created when the private road standards were adopted in February 2014. Except for roads in existence as of March 10<sup>th</sup>, the maximum number of lots that may be served by a road built to the private road standards is 7. Beyond that, the road must be improved to meet VDOT's Secondary Street Acceptance Requirements.

During their March 24<sup>th</sup> regular meeting, the Board approved the vacation of the old Somerville Rd right-of-way which traverses the Wilderness Shores subdivision. This vacation was really to clean up the plat, since the road is nothing more than an old dirt path at this point. With the platting and construction of the road network through Wilderness Shores, this old Somerville Rd alignment became superfluous, so it was necessary to vacate its original right-of-way.

Staff met with VDOT and 2 Commonwealth Transportation Board (CTB) members from the Culpeper District on March 26<sup>th</sup> in order to present to them and discuss the draft Germanna-Wilderness Area Plan. The County Administrator provided a presentation on the plan and the county's future efforts, and solicited feedback and guidance from the CTB members.

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

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**MEMORANDUM**

**TO:** Orange County Planning Commission

**FROM:** Josh Frederick, Director of Planning & Zoning

**DATE:** April 9<sup>th</sup>, 2015

**RE:** Board-initiated action to amend SUP 11-01, 11-04 and 12-04

With direction from the Board, Staff prepared this memo originally for their February 24th work session agenda to address the special use permits for Liberty Mills (SUP 11-01), Berrywood at Honah Lee Farm (SUP 11-04) and Grelen Nursery (SUP 12-04) as they relate to recent and proposed code changes. Following discussion, the Board instructed Staff to develop a draft set of revised conditions for these SUPs in preparation for their March 10th work session and ultimately on which to initiate Planning Commission action. The Board also requested some consistency be introduced to the individual conditions so they don't vary so wildly between such similar uses. Following the work session on the 10<sup>th</sup>, the Board requested that these amendments be delivered to the Planning Commission for their consideration.

The Planning Commission held a brief discussion on these proposed amendments during their March 19<sup>th</sup> regular meeting and agreed to hold public hearings on each of them during their April 16<sup>th</sup> regular meeting. Staff met with each business owner last month to get input on language for the amendments to their respective SUPs. The draft conditions for each SUP are reflective of their input.

Attached to this memo are the currently-approved conditions for each SUP, followed by a draft resolution and the proposed amendment to each set of SUP conditions. Each SUP amendment requires a separate public hearing, and they have appropriate cover sheets to correspond with the meeting agenda. Notice of these public hearings was advertised in the Orange County Review on April 2<sup>nd</sup> and 9<sup>th</sup>, and adjacent property owner notices were mailed on April 2<sup>nd</sup>. No public comment was received prior to distribution of agenda packets to the Commission.

Staff recommends approval of the amendment of each SUP in order to better reflect the nature of the businesses in accordance with code changes and guidance from the 2013 Comprehensive Plan.

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

Atch: Currently-approved conditions for SUP11-01  
Draft resolution #15-06 to amend SUP11-01  
Currently-approved conditions for SUP11-04  
Draft resolution #15-07 to amend SUP11-04  
Currently-approved conditions for SUP12-04  
Draft resolution #15-08 to amend SUP12-04

Public Hearing #1

SUP 11-01 amendment

Liberty Mills Farm

Currently-approved conditions for SUP 11-01:

CORRECTED Conditions

SUP 11-01, Liberty Mills Farm, LLC: To operate a Farm Market, as well as provide Associated "Agriculturally-Based" Activities

Orange County T.M. # 41.18E

Date: April 6, 2011

Amended by Planning Commission: April 14, 2011

Amended by the Board of Supervisors: May 24, 2011

Corrected by the Board of Supervisors: June 14, 2011

Corrected by the Board of Supervisors: November 14, 2012

The conditions of this Special Use Permit shall apply to parcel Tax Map # 41-18E (the "Subject Property"), and compliance is the responsibility of the applicant, owners and assigns ("Applicant"). If the conditions of this special use permit or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance or approved conditions, the more restrictive provisions shall apply, unless specifically modified, waived or otherwise specified by these conditions. Violation of these conditions, in whole or in part, shall be cause for revocation of the special use permit by the Board of Supervisors pursuant to §15.2-2309(7) VA Code Ann.

1. Controlling Documents:

Controlling documents shall be the conditions as set forth herein and materials submitted as part of the application for the special use permit.

2. Compliance:

Use and development of the Subject Property shall be in conformance with these conditions. The Zoning Administrator shall determine "conformance." The Applicant shall be responsible for obtaining all required site plan approvals, building permits, health permits, VDOT permits, and zoning permits.

a. Agriculturally based activities as set forth below:

Permitted Activities:

Hay Wagon Rides;

Antique Tractor Displays;

Hay bale mazes, corn pit, petting zoo (limited to farm animals which are pastured on the farm); Day Retreat/Group Picnics;

Pumpkin Patch:

U-Pick operation;

CSA activities (Community Sponsored Agriculture) – weekly subscription of produce;

Corn maze to be operated during the months of September and October.

b. Farm Market use within a structure not exceeding 2000 square feet of retail space for the sale of the following permitted items:

3. Permitted Sales:

On-site grown fruits, herbs, produce and honey;

Meat, dairy, or eggs from livestock, or poultry raised on-site;

Jams, jellies, salsas, fruit butters, sauces made from on-site grown fruits, herbs and vegetables;

Food Products made from on-site grown fruits, herbs and produce, i.e. dried, frozen, canned, bottled;

Water, soft drinks, sport drinks;

Liberty Mills Farm ("LMF") logo products such as t-shirts, hats, sweatshirts, postcards, shopping bags;

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**DRAFT RESOLUTION RECOMMENDING APPROVAL / DENIAL**

**MOTION:** April 16<sup>th</sup>, 2015  
**Regular Meeting**

**SECOND:** Res. No. 15-06

**SUP 11-01 amendment: Liberty Mills Farm**

**WHEREAS**, the Board of Supervisors has initiated Planning Commission action to amend the special use permits for Liberty Mills Farm (SUP 11-01), Berrywood at Honah Lee Farm (SUP 11-04) and Grelen Nursery (SUP 12-04); and

**WHEREAS**, the current conditions placed on SUP 11-01 were approved by the Board of Supervisors on November 14<sup>th</sup>, 2012; and

**WHEREAS**, the Planning Commission held a duly advertised public hearing on this proposed amendment to SUP 11-01 during the April 16<sup>th</sup>, 2015 regular meeting; and

**WHEREAS**, Staff of the Department of Planning and Zoning have recommended approval of the amendment to the conditions placed on this existing special use permit; and

**WHEREAS**, the Planning Commission has determined that this amended special use permit, as conditioned, would **further / not further** the purposes of the Comprehensive Plan and the Zoning Ordinance; **not threaten / threaten** the public health, safety or welfare; promote **compatibility / incompatibility** with the surroundings; and **not result / result** in substantial detriment to the surrounding property.

**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 amendment to SUP 11-01 for tax parcel 41-18E with the attached conditions, in order to mitigate potential impacts.

# ORANGE COUNTY

## PLANNING COMMISSION

### SUP 11-01 amendment: Liberty Mills Farm

The conditions of this special use permit (SUP) shall apply to County tax parcel 41-18E as well as any future division or consolidation of said property. Compliance is the responsibility of the applicant, owners and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the special use permit, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine “substantial conformance.” The business owner and/or property owner shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning, stormwater and erosion & sediment control permits.

The business owner and/or property owner shall be responsible for complying with all local, state and federal laws and regulations that are applicable to the business.

3. Uses – This SUP shall permit a *farm stand/retail store* of up to 4,000 ft<sup>2</sup> gross floor area for the sale of goods produced or grown on-site and the sale of goods related to any agritourism activity on the property. Such goods may include, but are not limited to, fruits, vegetables, animal products, packaged/prepared foods, baked goods, beverages, horticultural items, crafts and logo merchandise. The sale of any machinery or mechanical/self-propelled/motorized equipment is not permitted. Such a stand/store may be housed in multiple buildings but the total gross square footage shall not exceed 4,000 ft<sup>2</sup>.

This SUP shall also permit special events with a maximum attendance of 250 guests at any one time. Such events shall not require individual special event permits unless they will attract greater than 250 guests at any one time. Events related to agritourism, which are otherwise permitted by-right, are exempt from this attendance limit and permitting requirements. For all events, adequate provisions must be made for parking, security, safe ingress and egress, refuse disposal and sanitary facilities.

4. Performance Standards:
  - 1) Parking areas shall not contain general lighting. The non-event parking area may contain up to one security light, as needed.
  - 2) Parking areas for events, if not otherwise graveled or paved, shall be maintained in a generally well-vegetated state so as to inhibit erosion.
  - 3) Hours of operation for all business activity, including special events and any necessary setup/knockdown shall be within the following:

# ORANGE COUNTY

## PLANNING COMMISSION

- Sunday – Thursday: 7:00 a.m. – 10:00 p.m.
  - Friday – Saturday: 7:00 a.m. – 12:00 a.m. (midnight)
- 4) No digital sign shall be permitted for the property so as not to detract from the character of the area.

### Votes

**Ayes:**

**Nays:**

**Abstained from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY**

\_\_\_\_\_  
**Secretary to the Planning Commission**

Public Hearing #2

SUP 11-04 amendment

Berrywood at Honah Lee Farm

Currently-approved conditions for SUP 11-04:

CONDITIONS

SUP 11-04, Eric and Brandy Hopwood (BerryWood at Honah Lee Farm):  
Operating a farm market and a choose-and-cut Christmas tree farm  
Orange County T.M. # 57-10  
Date: June 6, 2011  
*Amended by Planning Commission: June 16, 2011*  
*Amended by the Board of Supervisors: July 12, 2011*

The conditions of this Special Use Permit shall apply to parcel Tax Map # 57-10 (the "Subject Property"), and compliance is the responsibility of the applicants, owners, and assigns ("Applicant"). If the conditions of this special use permit or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance or approved conditions, the more restrictive provisions shall apply, unless specifically modified, waived or otherwise specified by these conditions. Violation of these conditions, in whole or in part, may be cause for revocation of the special use permit by the Board of Supervisors pursuant to §15.2-2309(7) of the VA Code Ann.

1. Controlling Documents:

Controlling documents shall be the conditions as set forth herein and materials submitted as part of the application for special use permit, including the general site plan submitted with the application.

2. Compliance:

Use and development of the Subject Property shall be in conformance with these conditions. The Zoning Administrator shall determine "conformance." The Applicant shall be responsible for obtaining all required site plan approvals, building permits, health permits, VDOT permits, and zoning permits.

3. Uses:

By-right uses shall not be denied by this special use permit, and may be exercised.

- a. Farm market use within a structure less than 1,000 square feet for the sale of the following permitted items:

Permitted Sales:

- On-site grown flowers, fruits, herbs, vegetables, plants, produce, trees, and wreaths;
- Meat, dairy, or eggs from livestock or poultry raised on-site;
- Honey, jams, jellies, fruit butters, salsas, sauces, and syrups made from on-site grown fruits, herbs, and vegetables and other on-site raised or growth products;
- Food products made from on-site grown fruits, herbs, vegetables, and produce (i.e. bottled, canned, dried, frozen);
- Candy and baked goods (produced on-site) including: artisan chocolates and candies, breads, brownies, cakes, cookies, and pies;
- Crafts (hand-crafted on-site, including items such as gift baskets containing on-site raised, grown or produced products);

- b. Choose-and-cut Christmas tree farm.

4. Performance Standards:

- a. Hours of Operation:  
8:00 a.m. – 10:00 p.m. Daily

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**DRAFT RESOLUTION RECOMMENDING APPROVAL / DENIAL**

**MOTION:** April 16<sup>th</sup>, 2015  
**Regular Meeting**

**SECOND:** Res. No. 15-07

**SUP 11-04 amendment: Berrywood at Honah Lee Farm**

**WHEREAS**, the Board of Supervisors has initiated Planning Commission action to amend the special use permits for Liberty Mills Farm (SUP 11-01), Berrywood at Honah Lee Farm (SUP 11-04) and Grelen Nursery (SUP 12-04); and

**WHEREAS**, the current conditions placed on SUP 11-04 were approved by the Board of Supervisors on July 12<sup>th</sup>, 2011; and

**WHEREAS**, the Planning Commission held a duly advertised public hearing on this proposed amendment to SUP 11-04 during the April 16<sup>th</sup>, 2015 regular meeting; and

**WHEREAS**, Staff of the Department of Planning and Zoning have recommended approval of the amendment to the conditions placed on this existing special use permit; and

**WHEREAS**, the Planning Commission has determined that this amended special use permit, as conditioned, would **further / not further** the purposes of the Comprehensive Plan and the Zoning Ordinance; **not threaten / threaten** the public health, safety or welfare; promote **compatibility / incompatibility** with the surroundings; and **not result / result** in substantial detriment to the surrounding property.

**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 amendment to SUP 11-04 for tax parcel 57-10 with the attached conditions, in order to mitigate potential impacts.

# ORANGE COUNTY

## PLANNING COMMISSION

### **SUP 11-04 amendment: Berrywood at Honah Lee Farm**

The conditions of this special use permit (SUP) shall apply to County tax parcel 57-10 as well as any future division or consolidation of said property. Compliance is the responsibility of the applicant, owners and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the special use permit, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine “substantial conformance.” The business owner and/or property owner shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning, stormwater and erosion & sediment control permits.

The business owner and/or property owner shall be responsible for complying with all local, state and federal laws and regulations that are applicable to the business.

3. Uses – This SUP shall permit a *farm stand/retail store* of up to 4,000 ft<sup>2</sup> gross floor area for the sale of goods produced or grown on-site and the sale of goods related to any agritourism activity on the property. Such goods may include, but are not limited to, fruits, vegetables, animal products, packaged/prepared foods, baked goods, beverages, horticultural items, crafts and logo merchandise. The sale of any machinery or mechanical/self-propelled/motorized equipment is not permitted. Such a stand/store may be housed in multiple buildings but the total gross square footage shall not exceed 4,000 ft<sup>2</sup>.

This SUP shall also permit special events with a maximum attendance of 250 guests at any one time. Such events shall not require individual special event permits unless they will attract greater than 250 guests at any one time. Events related to agritourism, which are otherwise permitted by-right, are exempt from this attendance limit and permitting requirements. For all events, adequate provisions must be made for parking, security, safe ingress and egress, refuse disposal and sanitary facilities.

4. Performance Standards:
  - 1) Parking areas shall not contain general lighting. The non-event parking area may contain up to one security light, as needed.
  - 2) Parking areas for events, if not otherwise graveled or paved, shall be maintained in a generally well-vegetated state so as to inhibit erosion.
  - 3) Hours of operation for all business activity, including special events and any necessary setup/knockdown shall be within the following:

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- Sunday – Thursday: 7:00 a.m. – 10:00 p.m.
  - Friday – Saturday: 7:00 a.m. – 12:00 a.m. (midnight)
- 4) No digital sign shall be permitted for the property so as not to detract from the character of the area.

### Votes

**Ayes:**

**Nays:**

**Abstained from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY**

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**Secretary to the Planning Commission**

Public Hearing #3

SUP 12-04 amendment

Grelen Nursery

Currently-approved conditions for SUP 12-04:

**SUP 12-04, Grelen Nursery, Inc. and Assigns:**  
To operate a Retail Market, as well as provide associated  
"Agriculturally-Based" Activities  
Orange County T.M. # 56-20 and 56-20A  
Date: November 14, 2012

The conditions of this Special Use Permit shall apply to parcel Tax Map # 56-20 and 56-20A (the "Subject Property"), and compliance is the responsibility of the applicant, owners and assigns ("Applicant"). If the conditions of this special use permit or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance or approved conditions, the more restrictive provisions shall apply, unless specifically modified, waived or otherwise specified by these conditions. Violation of these conditions, in whole or in part, shall be cause for revocation of the special use permit by the Board of Supervisors pursuant to §15.2-2309(7) VA Code Ann.

1. **Controlling Documents:**  
Controlling documents shall be the conditions as set forth herein and materials submitted a part of the application for the special use permit.
2. **Compliance:**  
Use and development of the Subject Property shall be in conformance with these conditions. The Zoning Administrator shall determine "conformance." The Applicant shall be responsible for obtaining all required site plan approvals, building permits, health permits, VDOT permits, and zoning permits.
3. **Uses:** (by-right uses shall not be denied by this special use permit and may be exercised)
  - a. **Agriculturally-based activities as set forth below:**  
Retail Market;  
Educational classes;  
U-Pick operation;  
Display gardens;
  - b. **Retail Market use within four structures (existing market building, greenhouse, potting shed, u-pick shed) which, in total, does not exceed 4,000 square feet of retail space for the sale of the following items and accessory products:**
    - Including nursery plants such as bedding plants, vegetable plants, and miscellaneous horticultural products;
    - Jams, jellies, salsas, fruit butters, ice-cream, smoothies, and sauces made from fruits, honey, herbs, and vegetables;
    - Pre-packaged food products made from fruits, herbs and produce, i.e. dried, frozen, canned, bottled;
    - Prepared soups, salads, and baked goods;
    - Seasonal products (Christmas trees – pre-cut and cut-your-own, wreaths, greens, and hand-made ornaments);
    - Beverages;
    - Accessory nursery items including pots, statues, urns, soils, gardening tools and soil products, and gardening gifts;
    - Educational materials including books and brochures;
  - c. **Special Events with no amplified music for less than 100 hundred attendees on a weekly basis with catering services as required, such as garden club meetings, lectures, book signings, company retreats, family reunions or similar types of events.**

4. Signage for the use shall be in accordance with the rules and regulations contained in the Orange County Zoning Ordinance.
5. Performance Standards:
  - a. Lighting Requirements:  
The parking area will not be lit, except for the security light on the south side of the building as specified on the plat that was submitted with the Application.
  - b. Hours of Operation: (excluding special events)  
Monday – Friday: 7:00 a.m. – 7:00 p.m.  
Saturday: 7:00 a.m. – 9:00 p.m.  
Sunday: 10:00 a.m. – 6:00 p.m.
6. Applicant shall coordinate with the Building Department to provide adequate ADA compliant accessibility to accommodate the public.
7. Applicant shall widen Yager Road to a minimum of fourteen feet (14') before opening the facility. Said widening of the road shall comply with all Virginia Department of Transportation requirements as it relates to Yager Road intersecting with Route 655.

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**DRAFT RESOLUTION RECOMMENDING APPROVAL / DENIAL**

**MOTION:** April 16<sup>th</sup>, 2015  
**Regular Meeting**

**SECOND:** Res. No. 15-08

**SUP 12-04 amendment: Grelen Nursery**

**WHEREAS**, the Board of Supervisors has initiated Planning Commission action to amend the special use permits for Liberty Mills Farm (SUP 11-01), Berrywood at Honah Lee Farm (SUP 11-04) and Grelen Nursery (SUP 12-04); and

**WHEREAS**, the current conditions placed on SUP 12-04 were approved by the Board of Supervisors on November 14<sup>th</sup>, 2012; and

**WHEREAS**, the Planning Commission held a duly advertised public hearing on this proposed amendment to SUP 12-04 during the April 16<sup>th</sup>, 2015 regular meeting; and

**WHEREAS**, Staff of the Department of Planning and Zoning have recommended approval of the amendment to the conditions placed on this existing special use permit; and

**WHEREAS**, the Planning Commission has determined that this amended special use permit, as conditioned, would **further / not further** the purposes of the Comprehensive Plan and the Zoning Ordinance; **not threaten / threaten** the public health, safety or welfare; promote **compatibility / incompatibility** with the surroundings; and **not result / result** in substantial detriment to the surrounding property.

**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 amendment to SUP 12-04 for tax parcels 56-20 and 56-20A with the attached conditions, in order to mitigate potential impacts.

# ORANGE COUNTY

## PLANNING COMMISSION

### SUP 12-04 amendment: Grelen Nursery

The conditions of this special use permit (SUP) shall apply to County tax parcels 56-20 and 56-20A as well as any future division or consolidation of said property. Compliance is the responsibility of the applicant, owners and assigns. The following conditions are intended to offset and mitigate impacts of the proposed development, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the conditions of the SUP or the information on the SUP plans are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless, specifically modified, waived or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the special use permit, pursuant to §15.2-2309(7) of the Code of Virginia.

1. Controlling documents – Controlling documents shall be the conditions as set forth herein.
2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine “substantial conformance.” The business owner and/or property owner shall be responsible for obtaining all required County licenses, site plan approvals, building permits, health permits, VDOT permits, zoning, stormwater and erosion & sediment control permits.

The business owner and/or property owner shall be responsible for complying with all local, state and federal laws and regulations that are applicable to the business.

3. Uses – This SUP shall permit a *farm stand/retail store* of up to 4,000 ft<sup>2</sup> gross floor area for the sale of goods produced or grown on-site and the sale of goods related to any agritourism activity on the property. Such goods may include, but are not limited to, fruits, vegetables, animal products, packaged/prepared foods, baked goods, beverages, horticultural items, crafts and logo merchandise. The sale of any machinery or mechanical/self-propelled/motorized equipment is not permitted. Such a stand/store may be housed in multiple buildings but the total gross square footage shall not exceed 4,000 ft<sup>2</sup>.

This SUP shall also permit special events with a maximum attendance of 250 guests at any one time. Such events shall not require individual special event permits unless they will attract greater than 250 guests at any one time. Events related to agritourism, which are otherwise permitted by-right, are exempt from this attendance limit and permitting requirements. For all events, adequate provisions must be made for parking, security, safe ingress and egress, refuse disposal and sanitary facilities.

4. Performance Standards:
  - 1) Parking areas shall not contain general lighting. The non-event parking area may contain up to one security light, as needed.
  - 2) Parking areas for events, if not otherwise graveled or paved, shall be maintained in a generally well-vegetated state so as to inhibit erosion.
  - 3) Hours of operation for all business activity, including special events and any necessary setup/knockdown shall be within the following:

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- Sunday – Thursday: 7:00 a.m. – 10:00 p.m.
  - Friday – Saturday: 7:00 a.m. – 12:00 a.m. (midnight)
- 4) No digital sign shall be permitted for the property so as not to detract from the character of the area.

### Votes

**Ayes:**

**Nays:**

**Abstained from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY**

\_\_\_\_\_  
**Secretary to the Planning Commission**

ORANGE COUNTY  
DEPARTMENT OF PLANNING AND ZONING

COMMUNITY DEVELOPMENT BLDG.  
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**MEMORANDUM**

**TO:** Orange County Planning Commission

**FROM:** Josh Frederick,  
Director of Planning & Zoning

**DATE:** April 8<sup>th</sup>, 2015

**RE:** Review of the draft Germanna-Wilderness Area Plan (GWAP)

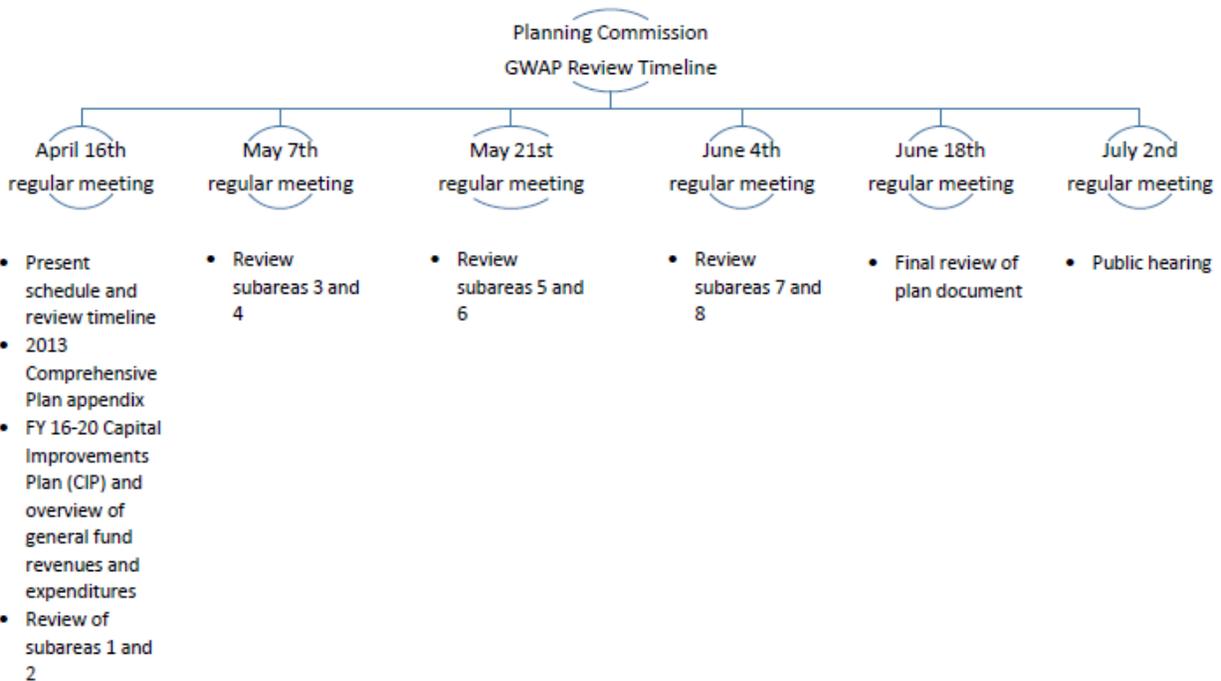
As previously discussed, the Planning Commission is scheduled to begin reviewing the draft Germanna-Wilderness Area Plan (GWAP) at their April 16<sup>th</sup> regular meeting. Given that this plan is intended to be adopted as part of the Comprehensive Plan, the Planning Commission's review is both necessary and important. To facilitate the review process, Staff would like to offer the following for your consideration:

- Each of the 8 subareas is divided into 3 distinct categories: "Land Use & Development," "Economic Development" and "Infrastructure". These categories are further subdivided into the elements of *Existing Conditions*, *Future Conditions*, *Policy Statements to Shape Future Conditions* and *Tasks to Refine and Implement Policies*. These subcategories can be thought of as "what currently exists," "what we would like to exist within the next 50 years" and "what policies will help to achieve this vision."
- The entire plan is intended to be a predominantly visual tool, so the future land usage guidelines map for each subarea is the "plan" for each subarea. The text and the maps are reflective of one another, so the text should be viewed as the narrative for each future land usage guidelines map.
- Staff suggests that the Commission not review the entire plan at once, but rather by subarea (see the included timeline). This should provide for a more efficient and productive review.
- While it is important to ultimately review the plan as a whole document, the Commission's focus in particular should be on the "Land Use & Development" and "Infrastructure" categories for each subarea.
- By consensus, it is certainly within the Commission's purview to recommend edits to any part of the GWAP. These edits will be included into the comment matrix (along with any EDA comments) as has been done with all public comments received thus far, and forwarded to the Board of Supervisors.

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- It is worth noting that the *Policy Statements to Shape Future Conditions* and the *Tasks to Refine and Implement Policies* under the Land Use & Development category for each subarea will be the elements of future work to be undertaken by the Commission.
- When the Commission has completed its review, it will take action by voting to recommend to the Board an amendment to the 2013 Comprehensive Plan which incorporates the GWAP as an appendix. This amendment will necessitate a revision to the Comprehensive Plan’s table of contents, transportation projects (pp. 37-40) and the recommended land use map (pg. 70).



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

Enclosed by reference: Draft Germanna-Wilderness Area Plan  
 Public comment tracking matrix (last updated 2/10/15)