

ORANGE COUNTY

PLANNING COMMISSION

JASON CAPELLE, DISTRICT 1
GEORGE YANCEY, DISTRICT 2
DONALD BROOKS, DISTRICT 3
JENNIFER BOYER, DISTRICT 4
JIM HUTCHISON, DISTRICT 5

JOSH FREDERICK, AICP
DIRECTOR OF PLANNING & ZONING



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Regular Meeting
Gordon Building Meeting Room
112 W. Main St, Orange, VA, 22960
Thursday, January 4th, 2018
AGENDA
6:00 pm

1. Call to order and determination of quorum
2. Election of chair and vice chair; appointment of secretary
3. Approval of agenda
4. Approval of minutes:
 - A. December 7th, 2017 regular meeting
5. Public comment
6. Work session:
 - A. ZTA 18-01 – a zoning text amendment to accommodate and permit microbreweries and microdistilleries in certain zoning districts
7. 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
8. Public hearings (none)
9. New business:
 - A. Review of current subcommittee appointments:
 - i. Germanna-Wilderness Area Plan Steering Committee
 - ii. Division Policies Subcommittee
 - B. Annual review of bylaws
10. Commissioner comments
11. Next meeting date – February 1st, 2018
12. Adjourn

Orange County Planning Commission

January 4th, 2018 regular meeting

Agenda item 4A

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, December 7, 2017**

Present: Donald Brooks; Jason Capelle; George Yancey; Jim Hutchison; Jennifer Boyer; James Crozier, BOS Representative

Absent: N/A

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

1. Call to order and determination of quorum:

Chairman Brooks called the meeting to order at 6:04 pm.

2. Approval of agenda:

Mr. Hutchison made a motion to approve the agenda as presented; motion was seconded by Mr. Yancey. Motion carried 5-0.

3. Approval of minutes:

A. October 19th, 2017 regular meeting:

Mr. Capelle made a motion to approve the minutes as presented; motion was seconded by Mr. Hutchison. Motion carried 5-0.

B. November 2nd, 2017 regular meeting:

Mr. Capelle made a motion to approve the minutes as presented; motion was seconded by Mr. Hutchison. Motion carried 4-0; Mr. Yancey abstained.

4. Public comment:

Chairman Brooks opened the floor to public comment. There were no comments from the public. Chairman Brooks closed public comment.

Mr. Hutchison made a motion to move the public hearing agenda item before the work session; motion was seconded by Mr. Yancey. Motion carried 5-0.

5. Public hearings:

A. ZTA 17-02: A proposed text amendment to the Zoning Ordinance which provides supplemental requirements for solar energy generation facilities (i.e. “solar farms”), which are currently permitted as special uses in all zoning districts. This amendment would introduce a definition to Sec. 70-1 for “public utility facility,” which includes solar farms. It would also introduce specific regulations for solar farms within Article V (Supplementary District

Regulations) related to facility location and siting, facility design and layout, required application materials, and facility abandonment:

Mr. Frederick presented the proposed text amendment. Commissioners reviewed the draft amendment. Mr. Yancey noted a typo on line 43; “Lan” should be “Land”. After a brief discussion there was consensus to remove “..., *including any chain link fencing that is used,...*” on line 49. Chairman Brooks opened and closed the public hearing with there being no speakers.

Mr. Yancey made a motion to approve the proposed amendment with the above changes made; motion was seconded by Mr. Capelle. Discussion ensued. Mr. Hutchison stated he didn’t feel an ordinance for solar farms was necessary, and that a policy guidance document would suffice. Following discussion, Commissioners voted 4-1 (Hutchison) to approve the text amendment, as amended.

Commissioners passed Resolution # 17-10 recommending approval of the proposed text amendment (ZTA 17-02).

6. Work session:

A. Continued review of the proposed Subdivision Ordinance rewrite:

Commissioners discussed the rewrite and thanked staff for their work and diligence during the process. Chairman Brooks asked for clarification on the term “immediate family,” as defined. Mr. Frederick explained. Discussion ensued.

Following discussion, there was consensus to hold the public hearing on the Subdivision Ordinance rewrite (STA 17-01) during the February 1st, 2018 regular meeting.

7. Old business:

A. Board of Supervisors report – Jim Crozier:

Mr. Crozier announced that the Board of Supervisors approved the SolUnesco solar farm SUP application (SUP 17-06) with a modification for stricter landscape buffering standards adjacent to Route 20. He also mentioned the ongoing progress on the County’s initiative to link the schools with fiber optic cables. He also briefly mentioned the new public safety radio system deployment and a recent pre-bid meeting that was held for it. Lastly, he gave an update on the ongoing design of the new public safety facility, and mentioned the Board is anticipating a May 2018 ground-breaking and 20 months of construction. Discussion ensued.

B. Planning & Zoning report – Josh Frederick:

Mr. Frederick stated staff are preparing an amendment to the public facilities section of the Comprehensive Plan in order to properly accommodate the new public safety facility and other near-future projects. This will come before the Commission in early 2018. Mr. Frederick also stated the last amendment to the Comp Plan was completed in 2013, and per state code the Commission will need to consider any other potential amendments and updates in 2018. Mr. Frederick informed the Commission that the zoning text amendments to implement the Germanna-Wilderness Area Plan will be forthcoming next year as well.

C. Germanna-Wilderness Area Plan Steering Committee report – George Yancey & Jim Hutchison:

Mr. Hutchison stated there have been no meetings for the past couple of months but there will be soon.

8. New business:

Chairman Brooks stated the January 4th meeting will be their organizational meeting. He asked Commissioners to come with thoughts for nominations for chair and vice chair. Chairman Brooks also stated for the coming year for the Planning Commission to be prepared to look at the Comprehensive Plan and review for potential updates and implementation strategies. Discussion ensued.

9. Commissioner comments:

Mr. Capelle would like to address the fact that Orange County has the most permissive by-right subdivision standards of any of the surrounding counties and would like to address this in the coming year.

10. Next meeting date – January 4, 2018

11. Adjourn:

Mr. Hutchison made a motion to adjourn; motion was seconded by Mr. Yancey. Meeting adjourned at 7:26 pm.

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

January 4th, 2018 regular meeting

Agenda item 6A

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: December 29th, 2017
RE: ZTA 18-01 – microbreweries and microdistilleries

On your January 4th, 2018, regular meeting agenda there is a work session item to consider ZTA 18-01, which is a draft text amendment to the Zoning Ordinance to permit microbreweries and microdistilleries in certain zoning districts. This amendment accomplishes the following:

- Clarifies the inclusion of farm wineries, farm breweries, and farm distilleries within the existing *agriculture* use definition, per state code provisions.
- Creates new definitions for *microbrewery* and *microdistillery*.
- Adds *microbrewery* and *microdistillery* as permissible special uses in the Agricultural (A) zoning district.
- Adds *microbrewery* and *microdistillery* as permitted uses subject to conditions in the Limited Commercial (C-1) zoning district.
- Adds *microbrewery* and *microdistillery* as permitted uses in the General Commercial (C-2) zoning district.

The Planning Dept. and the Economic Development Dept. have initiated this amendment in order to provide avenues to permit these growing industries, where appropriate. Given the long-term growth outlook for these industries in Virginia, this amendment will help support Orange County's goals of strategic, context-sensitive economic development and tourism associated with these industries.

If there is consensus among the Commission, Planning Staff anticipate holding a public hearing on this proposed amendment during the February 1st, 2018 regular meeting.

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

Att: ZTA 18-01 draft amendment language (3 pages)

CHAPTER 70 - ZONING

Article I - In General

Sec. 70-1. – Definitions

[...]

Agriculture means the tilling of soil, the raising of crops, horticulture, forestry and husbandry, including the keeping of animals customarily raised on farms. The term includes dairies, orchards, wholesale nurseries, and farm wineries / limited (i.e. farm) breweries / limited (i.e. farm) distilleries pursuant to the Code of Virginia and similar uses, but shall not include packing plants, retail nurseries, wayside stands or keeping of animals not customarily raised on farms. Industrial processing of agricultural products, including a sawmill, may be an accessory use to a farm but shall not be considered agriculture if it is the principal use of the property.

[...]

Microbrewery means a brewery, other than a limited (i.e. farm) brewery as defined in the Code of Virginia, which produces no more than fifteen thousand (15,000) barrels of fermented, non-distilled alcoholic beverages per calendar year.

Microdistillery means a distillery, other than a limited (i.e. farm) distillery as defined in the Code of Virginia, which produces no more than thirty-six thousand (36,000) gallons of distilled alcoholic beverages per calendar year.

[...]

Article IV - District Regulations

Sec. 70-303. - Uses permitted by special use permit. (A)

In the **agricultural district** the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

- 1) Agricultural equipment sales or service, or both.
- 2) Airport.
- 3) Bed and breakfast inn with a restaurant open to non-guests.
- 4) Boarding kennel or commercial breeding kennel.
- 5) Camp, campground or recreational vehicle park.
- 6) Fairground
- 7) Elder care center, child day care center, or nursery school.
- 8) Livestock auction or farmer's market of greater than 4,000 square feet gross floor area.
- 9) Manufactured home park.
- 10) Mine or quarry.
- 11) Office not exceeding 4,000 square feet gross floor area, including professional or contracting office.
- 12) Cultural use.
- 13) Commercial recreational use.
- 14) Institutional use.
- 15) Public garage.

- 16) Public use such as school, park, library, or fire and rescue station.
- 17) Retail store not exceeding 4,000 square feet gross floor area, including, a farm stand greater than 1,000 square feet gross floor area, flea market, or retail nursery.
- 18) Restaurant which is accessory to an agritourism use where said use has been in existence for at least five years
- 19) Sanitary landfill.
- 20) Veterinary service, including animal hospital.
- 21) ~~Cluster housing development (see also article VI).~~
- 22) Outdoor power equipment, motorcycle, all-terrain vehicle, watercraft repair and storage.
- 23) Public utility facility.
- 24) Pyrotechnics testing/manufacturing on a parcel 50 acres or greater in size.
- 25) **Microbrewery / Microdistillery.**

[...]

Sec. 70-452. - Permitted uses. (C-1)

In the **limited commercial district**, land may be used for the following uses and any customarily incidental accessory use, provided that no merchandise, materials, tractor-trailers, or equipment are stored outdoors:

- 1) Office not exceeding 4,000 square feet of gross floor area.
- 2) Place of worship.
- 3) Public use such as school, park, library, or fire/rescue station.
- 4) Retail store not exceeding 4,000 square feet of gross floor area.
- 5) Signs in accordance with sections 70-456 and 70-696 et seq.
- 6) Up to four dwelling units attached to an office or a retail store.
- 7) Temporary uses, with a zoning permit pursuant to section 70-940, limited to the following:
 - a. Temporary or seasonal sales.
 - b. Special events.
- 8) Outdoor power equipment, motorcycle, all-terrain vehicle, watercraft repair and storage.
- 9) Cultural use.
- 10) Commercial indoor recreational use.
- 11) Institutional use.
- 12) **Microbrewery / Microdistillery, provided that outdoor live music/entertainment is not permitted.**

[...]

Sec. 70-482. - Permitted uses. (C-2)

In the **general commercial district**, land may be used for the following uses and any accessory use:

- 1) Automobile sales, service, storage or rental.
- 2) Commercial assembly plant, such as a printing or framing shop.
- 3) Office / Office building.
- 4) Place of worship.

- 5) Cultural use.
- 6) Commercial indoor or non-vehicular outdoor recreational use.
- 7) Institutional use.
- 8) Public use such as school, park, library, or fire/rescue station.
- 9) Restaurant.
- 10) Retail store.
- 11) Signs in accordance with sections 70-486 and 70-696 et seq.
- 12) Up to four dwelling units attached to any permitted commercial use.
- 13) Temporary uses, with a zoning permit pursuant to section 70-940, limited to the following:
 - a. Temporary or seasonal sales.
 - b. Special events.
- 14) Vocational training facility.
- 15) Outdoor power equipment, motorcycle, all-terrain vehicle, watercraft repair and storage.
- 16) Microbrewery / Microdistillery.

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