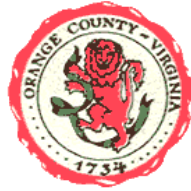


ORANGE COUNTY

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



MAILING ADDRESS:
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

PLANNING & ZONING:
OFFICE: (540) 672-4347
FAX: (540) 672-0164
ORANGECOUNTYVA.GOV

Regular Meeting
Gordon Building Meeting Room
112 W. Main St, Orange, VA, 22960
Thursday, August 2nd, 2018
AGENDA
6:00 pm

1. Call to order and determination of quorum
2. Approval of agenda
3. Approval of minutes:
 - A. July 19th, 2018 regular meeting
4. Public comment
5. Work session:
 - A. ZTA 18-08: Minor and major grading plans
 - B. CPA 18-02: 5-year review of the adopted 2013 Comprehensive Plan
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
8. New business
9. Commissioner comments
10. Next meeting date – September 6th, 2018
11. Adjourn

Orange County Planning Commission

August 2nd, 2018 regular meeting

Agenda item 3A

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, July 19, 2018**

Present: George Yancey (Chair – arrived late); Jason Capelle (Vice Chair); Donald Brooks; Jennifer Boyer; Jim Hutchison; James Crozier, BOS Representative

Absent: None

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:

Vice Chairman Capelle called the meeting to order at 6:05 pm.

2. Approval of agenda:

Mr. Brooks made a motion to move the work session to after the public hearing (item #5 to #7B); motion was seconded by Mr. Hutchison. Motion carried 4-0. Mr. Hutchison made a motion to approve the agenda as amended; motion seconded by Mr. Brooks. Motion passed 4-0.

3. Approval of minutes:

A. June 7, 2018 regular meeting:

Mr. Brooks made a motion to approve the minutes as presented; motion seconded by Mr. Hutchison. Motion passed 4-0.

4. Public comment:

Vice Chairman Capelle opened the floor for public comment. No one came forward. Public comment was closed.

5. Old business:

A. Board of Supervisors report – Jim Crozier:

Mr. Crozier stated that at the last Board meeting they adopted the *planned development – business* district, and consideration of the other two was deferred until the next two meetings. He stated the fiber optic project is moving along and the contractor has started preliminary work on the public safety radio project.

B. Planning & Zoning report – Josh Frederick:

Mr. Frederick presented the quarterly report and opened the floor to questions from Commissioners. No questions.

Chairman Yancey arrived late; asked Mr. Capelle to continue.

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

Mr. Hutchison stated there was nothing to report. They have not had a recent meeting, and none have been scheduled yet.

6. Public hearings:

A. SUP 17-08: An application by Albemarle County for a special use permit to open and operate Phase II of the Preddy Creek Trail Park in Orange County; the park is accessed via 3690 Burnley Station Rd in Albemarle. This request is pursuant to Sec. 70-303(16) of the Orange County Zoning Ordinance. The subject property is 104 acres in size (referenced by County tax parcel 52-59) and is situated at the confluence of Albemarle, Orange, and Greene counties. Phase II of the park involves the construction and operation of multi-use trails (hiking, biking, and equestrian) for patrons. The subject property is zoned Agricultural (A) and is within the Agricultural A2 future land use map designation in the Orange County Comprehensive Plan.

Mr. Frederick presented the SUP application along with the county's recommended approval conditions. Mr. Frederick opened the floor to questions.

Following brief discussion, Vice Chairman Capelle called the applicant forward. Dan Mahon, with Albemarle Parks and Recreation, came forward and presented their application. He mentioned the park will close at dusk and the trails will accommodate bicycles, horses, and hiking. He also stated there would be no camping. Discussion ensued.

Bob Crickenberger, Director of Albemarle Parks & Rec, came forward to help answer questions. Discussion ensued.

Vice Chairman Capelle opened the public hearing. Ms. Elizabeth Petofi, of 1215 Kokpelli Ln, spoke and expressed general support for the park. Ms. Barbara Colbert, of 14201 Cox Mill Rd, also spoke and expressed general support.

Public hearing was closed; discussion ensued.

Mr. Hutchison made a motion to approve as presented; Mr. Brooks seconded and suggested the following change to draft condition 4(c): "~~Within six (6) months of~~ *Prior to approval of this SUP by the Board of Supervisors, the Albemarle County Police Department (ACPD) shall execute a Memorandum of Understanding (MOU) with the Orange County Sheriff, the purpose of which, among other things, shall be to designate ACPD as the primary law enforcement provider for all portions of the park within Orange County.*"

Mr. Hutchison agreed to amend his motion accordingly. There was general consensus among the Commission that this change was acceptable.

Vice Chairman Capelle suggested they add a condition 4(f): "*At any point should Albemarle County begin levying fees for access and/or use of Preddy Creek Trail Park, Orange County residents shall be charged fees no higher than those charged to Albemarle County residents.*"

Mr. Hutchison agreed to amend his motion accordingly. There was general consensus among the Commission that this change was acceptable.

Chairman Yancey suggested they amend Vice Chairman Capelle's proposed condition to state: "At any point should Albemarle County begin levying fees for access and/or use of Preddy Creek Trail Park, Orange County residents shall be charged fees no higher than those charged to Albemarle County residents. *Orange County residents shall have the same rights and privileges associated with the park as do Albemarle County residents.*"

Mr. Hutchison did not agree to this change to his original motion. There was not consensus among the Commission to include this amended language. There being no further suggestions or changes to the draft conditions, Vice Chairman Capelle called for a vote:

Vote:

Aye: 5

Nay: 0

Commissioners approved Resolution #18-12, as amended, for SUP 17-08.

7. Work session:

A. CPA 18-02: 5-year review of the adopted 2013 Comprehensive Plan

Commissioners reviewed pages 14-24 (Goals and Objectives), as previously agreed upon, and gave their recommendations where they felt changes needed to be made.

8. New business (none)

9. Commissioner comments:

There were no Commissioner comments.

10. Next meeting date – August 2, 2018:

There was a consensus among Commissioners to review pages 25-31 of the Comp. Plan at the next meeting, in addition to the future land use map.

11. Adjourn:

Mr. Brooks made a motion to adjourn; motion was seconded by Mr. Hutchison. Meeting adjourned at 8:22 pm.

Jason Capelle, Vice Chair

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

August 2nd, 2018 regular meeting

Agenda item 5A

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: July 27th, 2018
RE: ZTA 18-08: minor and major grading plans – August 2nd work session

On your August 2nd, 2018, regular meeting agenda there is a work session item to consider ZTA 18-08, which is a draft text amendment to Article II of the Zoning Ordinance that permits the approval of minor grading plans and major grading plans. The amendment also includes necessary lists of required plan information as well as some other minor amendments to some existing text for internal consistency. The Board has initiated this amendment as a means of providing flexibility to property owners and developers who wish to mass-grade project sites prior to having firm development plans. Currently, the Zoning Ordinance does not permit grading projects where development is not concurrently proposed. As with minor site plans and major site plans, the type of grading plan required depends on the amount of land disturbance proposed.

If there is consensus among the Commission, Planning Staff anticipate holding a public hearing on this proposed amendment during the September 6th, 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 18-08 draft amendment language (5 pages)

5 **Chapter 70 – ZONING**

6 **Article II – Administration**

7 **Division 4. – Zoning Permits and Site Plans**

8 [...]

9 **Sec. 70-118. - Minor site plans and minor grading plans.**

10 (a) Applicability. Prior to an application for a zoning permit, a minor site plan shall be
11 reviewed and approved by the zoning administrator for the following:

12 1) Any use which results in total land disturbance of less than one (1) acre, unless
13 specifically subject to administrative site plan requirements.

14 (b) Plan preparation. A minor site plan, or a minor grading plan if permitted pursuant to
15 subsection (g) below, shall be prepared by a licensed surveyor, engineer, or architect.

16 (c) Contents of plan. In addition to the administrative site plan elements specified in Sec. 70-
17 117(c), a minor site plan shall also depict, as appropriate:

18 1) Project name, a written description of the proposed use(s), current property
19 owner(s) and address(es), and the plan preparer's information;

20 2) A vicinity map;

21 3) The zoning classification of the property;

22 4) Approval blocks for relevant review departments and/or agencies;

23 5) All information necessary to show compliance with the parking, loading/unloading,
24 and landscaping requirements pursuant to Article V, Division 5 of this chapter;

25 6) Any required buffer yards and the associated fencing and landscaping;

26 7) Any known places of burial;

27 8) Location and description of any planned demolition of existing structures, roads,
28 utilities, and other site fixtures proposed for removal;

29 9) All easements;

30 10) All existing and proposed utilities;

31 11) North, south, east, and west elevation drawings for all principal structures;

32 12) Proposed signage;

33 13) Photometric drawings and fixture/installation details for all exterior lighting;

34 14) Existing topography and proposed final grades;

35 15) The extent of any land disturbance and all erosion control measures and plans
36 pursuant to Chapter 26 of this Code and/or requirements of the Code of Virginia;

37 16) The name, phone number, certification number, and certification expiration date
38 for the designated responsible land disturber(s), pursuant to Chapter 26 of this
39 Code;

40 17) Details for any stormwater management and/or drainage infrastructure to be
41 installed and/or modified;

42 18) An itemized bond estimate for all erosion control measures, including any
43 stormwater management and/or drainage facilities;

- 44 19) The location of any perennial or intermittent streams, flood hazard areas, mapped
45 dam break inundation zones, steep slopes (generally exceeding 25% grade), or
46 previously-delineated/identified wetlands present on the site; and
47 20) All proposed transportation improvements within the site and external to the site.
- 48 (d) Timeframe for review. Permissible timeframes for review and approval of any minor site
49 plan or minor grading plan shall be in accordance with § 15.2-2259 of the Code of Virginia.
- 50 (e) Expiration. Minor site plan approval shall expire after five (5) years unless construction
51 has begun and work has been diligently pursued.
- 52 (f) Zoning compliance certificates. See Sec. 70-119(f).
- 53 (g) Minor grading plans. Prior to submittal of a minor site plan, or for situations where a minor
54 site plan submittal is required per subsection (a) above but no structures and/or uses are
55 immediately proposed, the Zoning Administrator may approve a minor grading plan for
56 the proposed activities.
- 57 1) Contents of plan. A minor grading plan shall depict:
- 58 i. Project name, current property owner(s) and address(es), the plan preparer's
59 information, and the proposed use of the property, if applicable;
- 60 ii. A vicinity map;
- 61 iii. Property lines and their courses and measurements;
- 62 iv. The tax parcel number, acreage of the lot, scale, and north arrow;
- 63 v. Approval blocks for relevant review departments and/or agencies;
- 64 vi. Compliance with any proffers or County-imposed conditions;
- 65 vii. All public and private rights-of-way (including easements), their name(s),
66 and the width of said rights-of-way;
- 67 viii. All existing utilities and associated easements, if applicable;
- 68 ix. Any known places of burial;
- 69 x. Location and description of any planned demolition of existing structures,
70 roads, utilities, and other site fixtures proposed for removal;
- 71 xi. Existing and proposed entrances to the property, and if the proposed
72 activities affect any public road or right-of-way, details sufficient for
73 VDOT review;
- 74 xii. Existing topography and proposed final grades;
- 75 xiii. Any tree-save areas and/or buffer retention areas;
- 76 xiv. The extent of land disturbance and all erosion control measures and plans
77 pursuant to Chapter 26 of this Code and/or requirements of the Code of
78 Virginia;
- 79 xv. The name, phone number, certification number, and certification expiration
80 date for the designated responsible land disturber(s), pursuant to Chapter 26
81 of this Code;
- 82 xvi. Details for any stormwater management and/or drainage infrastructure to
83 be installed and/or modified;

- 84 xvii. The location of any perennial or intermittent streams, waterbodies, flood
85 hazard areas, mapped dam break inundation zones, steep slopes (generally
86 exceeding 25% grade), or previously-delineated/identified wetlands present
87 on the site; and
- 88 xviii. An itemized bond estimate for all erosion control measures, including any
89 stormwater management and/or drainage facilities.
- 90 2) Expiration. Minor grading plan approval shall expire after two (2) years unless
91 necessary permits have been obtained and site work has commenced.

92 *(Ord. of 5-2-1996, § 1101.02, Ord. of May 10, 2016; Ord. of 05/08/18)*

93
94
95 **Sec. 70-119. - Major site plans and major grading plans.**

- 96 (a) Applicability. Prior to an application for a zoning permit, a major site plan shall be
97 reviewed and approved by the zoning administrator for the following:
- 98 1) Any use which results in total land disturbance of one (1) acre or more, except for
99 single-family detached dwellings, two-family dwellings, and manufactured homes.
- 100 (b) Plan preparation. A major site plan, **or a major grading plan if permitted pursuant to**
101 **subsection (h) below**, shall be prepared by a licensed surveyor, engineer, or architect.
- 102 (c) Contents of plan. In addition to the minor site plan elements specified in Sec. 70-118(c), a
103 major site plan shall also depict, as appropriate:
- 104 1) The owners, tax parcel numbers, sources of title, zoning classifications, and current
105 uses of all adjacent properties;
- 106 2) A current boundary survey of the site;
- 107 3) Existing and proposed lot coverage ratios;
- 108 4) The estimated daily vehicular trip generation figures for the development;
- 109 5) Provisions, **details**, and best management practices for addressing stormwater
110 requirements;
- 111 6) Details for any retaining walls;
- 112 7) Tree-save areas and/or areas to remain undisturbed;
- 113 8) Any proposed phasing of development;
- 114 9) A soils evaluation;
- 115 10) ~~The identification and delineation of any A current~~ wetlands **delineation**;
- 116 11) The design and placement of any refuse facilities; and
- 117 12) Any information related to existing archeological or historical resources.
- 118 (d) Additional review. The zoning administrator may refer a major site plan to the planning
119 commission or other appointed or elected review committee if it is determined the proposed
120 project, based on the intensity, potential impacts, or complexity of approved proffers or
121 conditions, would warrant an additional level of review.
- 122 (e) Timeframe for review. Permissible timeframes for review and approval of any major site
123 plan **or major grading plan** shall be in accordance with § 15.2-2259 of the Code of Virginia.

124 (f) Zoning compliance certificates. A zoning compliance certificate shall be required for all
125 site work and improvements approved via the minor or major site plan approval process,
126 prior to issuance of any permanent certificate of occupancy by the Building Official. The
127 purpose of the zoning compliance certificate is to confirm that all site improvements
128 required pursuant to this chapter, to the approved site plan, to accepted proffers, and/or to
129 other county-imposed conditions are installed in substantial conformance with said
130 requirements. The zoning administrator may rely on any reasonable means necessary to
131 determine "substantial conformance," particularly in circumstances where the professional
132 licensure of others is required to properly confirm the validity of the installed improvement.

133 1) Temporary certificates. In situations where the building or structure must be
134 occupied and the use must otherwise commence prior to completion of all required
135 improvements, the zoning administrator may issue a temporary zoning compliance
136 certificate subject to the following:

137 i. The period of validity for the temporary certificate may not exceed six (6)
138 months, unless the zoning administrator approves a longer period of time
139 for unusual circumstances.

140 ii. The site and building is in a safe and usable condition, free from conditions
141 that might endanger the health, safety, or welfare of persons using the site.

142 iii. The property owner or authorized agent submits a written performance
143 guarantee specifying the required improvements yet to be completed and
144 the timeframe required for their completion. The guarantee shall be
145 accompanied by a surety payable to the county in an amount determined by
146 the county to be sufficient to ensure satisfactory completion of all required
147 improvements yet to be completed within the timeframe of the temporary
148 certificate. The guarantee may be in the form of cash/check, an irrevocable
149 letter of credit, or other collaterally-assigned funds acceptable to the county
150 attorney. The developer shall submit a surety estimate, to be approved by
151 the county, along with a reasonable amount for administrative costs not to
152 exceed ten (10) percent of the estimated costs.

153 iv. The surety requirement may be waived in instances where the unfinished
154 improvements have an estimated cost of no greater than five-hundred
155 dollars (\$500).

156 v. The county may make use of the surety if the obligee fails to comply with
157 the terms of the performance guarantee or the county determines the
158 unfinished improvements have not been completed in a timely manner so
159 as to negatively impact the public health, safety, or general welfare.
160 Alternatively, the county may revoke the certificate of occupancy until said
161 terms are fulfilled.

162 (g) Expiration. Major site plan approval shall expire after five (5) years unless construction
163 has begun and work has been diligently pursued.

164 (h) Major grading plans. Prior to submittal of a major site plan, or for situations where a major
165 site plan submittal is required per subsection (a) above but no structures and/or uses are

166 immediately proposed, the Zoning Administrator may approve a major grading plan for the
167 proposed activities.

168 1) Contents of plan. In addition to the minor grading plan elements specified in Sec.
169 70-118(g), a major grading plan shall also depict:

170 i. Provisions, details, and best management practices for addressing
171 stormwater management requirements;

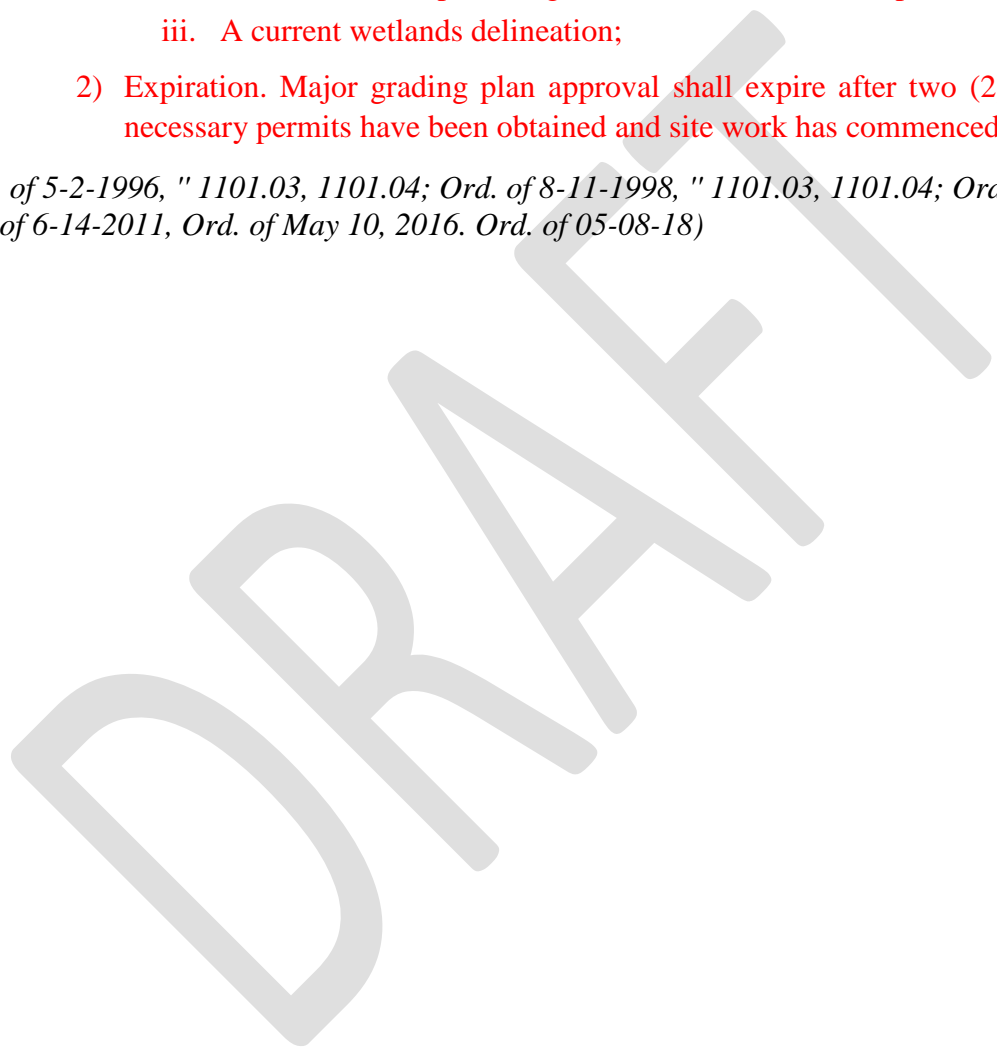
172 ii. Generalized areas planned or anticipated to accommodate future
173 development, as well as generalized utility/roadway locations, and a
174 tabulation of the percentage of surface area to be adapted to these uses;

175 iii. A current wetlands delineation;

176 2) Expiration. Major grading plan approval shall expire after two (2) years unless
177 necessary permits have been obtained and site work has commenced.

178 *(Ord. of 5-2-1996, " 1101.03, 1101.04; Ord. of 8-11-1998, " 1101.03, 1101.04; Ord. of 5-8-2001;*
179 *Ord. of 6-14-2011, Ord. of May 10, 2016. Ord. of 05-08-18)*

180
181 [...]



Orange County Planning Commission

August 2nd, 2018 regular meeting

Agenda item 5B

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: July 27th, 2018
RE: 5-year review of the adopted 2013 Comprehensive Plan – August 2nd work session

During your July 19th work session, you reviewed and provided recommendations for updates to pages 14-24 (through Section III) of the 2013 Comprehensive Plan. During your August 2nd work session, you're scheduled to continue your review of the Plan, proceeding through page 31 (Section IV) and including the recommended future land use map. Planning Staff will be present to assist with your review of these pages and to provide recommendations where appropriate.

Once review of the Comprehensive Plan is concluded, Planning Staff will prepare a draft containing all the suggested updates and Staff recommendations for review by the Commission.

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: Adopted 2013 Comprehensive Plan (by reference)