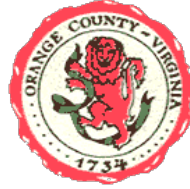


**JASON CAPELLE, DISTRICT 1**  
**GEORGE YANCEY, DISTRICT 2**  
**DONALD BROOKS, DISTRICT 3**  
**JENNIFER BOYER, DISTRICT 4**  
**JIM HUTCHISON, DISTRICT 5**



**MAILING ADDRESS:**  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960

**R. BRYAN DAVID**  
COUNTY ADMINISTRATOR

**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, September 6<sup>th</sup>, 2018**  
**AGENDA**

**6:00 pm**

1. Call to order and determination of quorum
2. Approval of agenda
3. Approval of minutes
  - A. August 23<sup>rd</sup>, 2018 special meeting
4. Public comment
5. Work session:
  - A. CPA 18-02: 5-year review of the adopted 2013 Comprehensive Plan
6. Old business:
  - A. Board of Supervisors report – Jim Crozier
  - B. Planning and Zoning report
  - C. Germanna-Wilderness Area Plan Steering Committee report – George Yancey & Jim Hutchison
7. Public hearings:
  - A. ZTA 18-08: Minor and major grading plans
8. New business
9. Commissioner comments
10. Closed meeting
  - A. §2.2-3711(A)(1) of the Code of Virginia
11. Next meeting date – October 4<sup>th</sup>, 2018
12. 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

Orange County Planning Commission  
September 6<sup>th</sup>, 2018 regular meeting  
Agenda item 3A

**ORANGE COUNTY**  
PLANNING COMMISSION

**Orange County Planning Commission  
Special Meeting  
Gordon Building Meeting Room  
112 W. Main Street, Orange, VA 22960  
Thursday, August 23, 2018**

**Present:** George Yancey (Chair); Donald Brooks; Jennifer Boyer; Jim Hutchison; James Crozier, BOS Representative

**Absent:** Jason Capelle (Vice Chair)

**Staff Present:** Josh Frederick, Planning Director; Thomas Wysong, Planner; Susan Crosby, Senior Administrative Assistant

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

Chairman Yancey called the meeting to order at 6:01 pm.

**2. Approval of agenda:**

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

**3. Approval of minutes:**

**A. July 19th, 2018 regular meeting:**

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

**4. Public comment:**

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

**5. Work session:**

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

Commissioners reviewed a markup of corrections and suggestions given through page 35. Following review, Mr. Hutchison stated he would still like to see some reference to the reuse of water on page 16 under Objective C.

There was consensus among the Commissioners to wait until Mr. Capelle's return to move forward.

**6. Old business:**

**A. Board of Supervisors report – Jim Crozier:**

Mr. Crozier stated the fiber optics project is still moving forward. Mr. Crozier stated that the fiber is in the process of being pulled through the line toward Locust Grove Middle School and will move south once this portion is complete.

**ORANGE COUNTY**  
**PLANNING COMMISSION**

Mr. Crozier mentioned that at the last Board meeting, the Board decided to run fiber to all towers except for two, one being on Clark's Mountain and one other elsewhere in the County.

Mr. Crozier also stated that following a pre-bid meeting concerning the Public Safety building, all bids will need to be in by September 30<sup>th</sup>.

**B. Planning & Zoning report – Josh Frederick:**

Mr. Frederick stated the last of the GWAP development districts was adopted by the Board recently. With that being completed, all that is left is the Overlay. Mr. Crozier stated there may be some minor tweaks.

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

Mr. Hutchison stated there will be a meeting with VDOT Transportation on September 5<sup>th</sup> at 6:00 and strongly recommend all members to attend.

**7. New business:**

No new business.

**8. Commissioner comments:**

Chairman Yancey announced the passing of Judy Carter.

Mr. Brooks stated he is still waiting for input from the County Attorney's office as to whether failure of all Commissioners to visit sites subject to public hearings presents any issues with respect to their bylaws.

**9. Next meeting date – September 6, 2018**

Mr. Frederick stated there will be a public hearing that night.

**10. Adjourn:**

Mr. Brooks made a motion to adjourn; motion was seconded by Mr. Hutchison. Meeting adjourned at 6:39 pm.

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George Yancey, Chair

---

Planning and Zoning 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.*

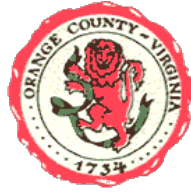
ORANGE COUNTY  
PLANNING COMMISSION

Orange County Planning Commission  
September 6<sup>th</sup>, 2018 regular meeting  
Agenda item 5A

# ORANGE COUNTY

## PLANNING COMMISSION

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



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

### MEMORANDUM

**TO:** Orange County Planning Commission  
**FROM:** Thomas Wysong, County Planner  
**DATE:** August 31<sup>st</sup>, 2018  
**RE:** 5 year review of the adopted 2013 Comprehensive Plan-September 6<sup>th</sup> work session

During your August 23<sup>rd</sup> work session, you reviewed and provided comments regarding staff's updates of pages 1-35 of the 2013 Comprehensive Plan. During the September 6<sup>th</sup> work session, you're scheduled to discuss the comprehensive plan update with the County Administrator.

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

ORANGE COUNTY  
PLANNING COMMISSION

Orange County Planning Commission  
September 6<sup>th</sup>, 2018 regular meeting  
Agenda item 7A

# ORANGE COUNTY

## PLANNING COMMISSION

COMMUNITY DEVELOPMENT  
128 WEST MAIN STREET  
ORANGE, VIRGINIA 22960



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### MEMORANDUM

**TO:** Orange County Planning Commission  
**FROM:** Thomas Wysong, County Planner  
**DATE:** August 31<sup>st</sup>, 2018  
**RE:** ZTA 18-08: minor and major grading plans – September 6<sup>th</sup> public hearing

A public hearing is scheduled during your September 6<sup>th</sup>, 2018, regular meeting to consider a text amendment to Article II of the Zoning Ordinance (ZTA 18-08) to permit 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.

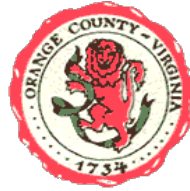
This text amendment was discussed as a work session item during your August 2<sup>nd</sup> regular meeting of this year. During this meeting, you directed staff to revise the text amendment language such that major grading plans are not allowed for property zoned Agricultural (A). Planning Staff has made this revision and recommends approval of ZTA 18-08 as presented.

**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 resolution 18-13



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



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**R. BRYAN DAVID**  
COUNTY ADMINISTRATOR

**DRAFT RESOLUTION RECOMMENDING **APPROVAL / DENIAL****

**MOTION:** September 6<sup>th</sup>, 2018  
**Regular Meeting**  
**SECOND:** Res. No. 18-13

**ZTA 18-08: Major and minor grading plans**

**WHEREAS**, Planning Commission action was initiated to consider an amendment to the Zoning Ordinance to allow for major and minor grading plans; and

**WHEREAS**, the Planning Commission held a duly advertised public hearing on this proposed amendment during their September 6<sup>th</sup>, 2018 regular meeting; and

**WHEREAS**, Staff of the Department of Planning and Zoning have recommended approval of this proposed amendment; and

**WHEREAS**, the Planning Commission discussed this proposed amendment, considered comments received during the public hearing, and desires to recommend **approval / denial** of the proposed Zoning Ordinance amendment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Orange County Planning Commission hereby recommends, based on public necessity, convenience, general welfare, and good planning/zoning practice, that the Orange County Board of Supervisors **approve / deny** ZTA 18-08, as attached.

**Votes**

**Ayes:**

**Nays:**

**Abstained from Vote:**

**Absent from Meeting:**

**CERTIFIED COPY** \_\_\_\_\_

**Secretary to the Planning Commission**

**Attached: draft amendment language (5 pages)**

1 **Chapter 70 – ZONING**

2 **Article II – Administration**

3 [...]

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

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

7 1) Any use which results in total land disturbance of less than one (1) acre, unless  
8 specifically subject to administrative site plan requirements.  
9

10 (b) Plan preparation. A minor site plan, or a minor grading plan if permitted pursuant to  
11 subsection (g) below, shall be prepared by a licensed surveyor, engineer, or architect.  
12

13 (c) Contents of plan. In addition to the administrative site plan elements specified in Sec. 70-  
14 117(c), a minor site plan shall also depict, as appropriate:

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

17 2) A vicinity map;

18 3) The zoning classification of the property;

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

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

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

23 7) Any known places of burial;

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

26 9) All easements;

27 10) All existing and proposed utilities;

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

29 12) Proposed signage;

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

31 14) Existing topography and proposed final grades;

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

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

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

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

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

- 80                    xv. The name, phone number, certification number, and certification expiration  
81                    date for the designated responsible land disturber(s), pursuant to Chapter 26  
82                    of this Code;
- 83                    xvi. Details for any stormwater management and/or drainage infrastructure to  
84                    be installed and/or modified;
- 85                    xvii. The location of any perennial or intermittent streams, waterbodies, flood  
86                    hazard areas, mapped dam break inundation zones, steep slopes (generally  
87                    exceeding 25% grade), or previously-delineated/identified wetlands present  
88                    on the site; and
- 89                    xviii. An itemized bond estimate for all erosion control measures, including any  
90                    stormwater management and/or drainage facilities.
- 91                    2) Expiration. Minor grading plan approval shall expire after two (2) years unless  
92                    necessary permits have been obtained and site work has commenced.

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

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
- 101                    (b) Plan preparation. A major site plan, **or a major grading plan if permitted pursuant to**  
102                    **subsection (h) below**, shall be prepared by a licensed surveyor, engineer, or architect.
- 103
- 104                    (c) Contents of plan. In addition to the minor site plan elements specified in Sec. 70-118(c), a  
105                    major site plan shall also depict, as appropriate:
- 106                    1) The owners, tax parcel numbers, sources of title, zoning classifications, and current  
107                    uses of all adjacent properties;
- 108                    2) A current boundary survey of the site;
- 109                    3) Existing and proposed lot coverage ratios;
- 110                    4) The estimated daily vehicular trip generation figures for the development;
- 111                    5) Provisions, **details**, and best management practices for addressing stormwater  
112                    requirements;
- 113                    6) Details for any retaining walls;
- 114                    7) Tree-save areas and/or areas to remain undisturbed;
- 115                    8) Any proposed phasing of development;
- 116                    9) A soils evaluation;
- 117                    10) ~~The identification and delineation of any A current~~ wetlands **delineation**;
- 118                    11) The design and placement of any refuse facilities; and
- 119                    12) Any information related to existing archeological or historical resources.

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- (d) Additional review. The zoning administrator may refer a major site plan to the planning commission or other appointed or elected review committee if it is determined the proposed project, based on the intensity, potential impacts, or complexity of approved proffers or conditions, would warrant an additional level of review.
- (e) Timeframe for review. Permissible timeframes for review and approval of any major site plan **or major grading plan** shall be in accordance with § 15.2-2259 of the Code of Virginia.
- (f) Zoning compliance certificates. A zoning compliance certificate shall be required for all site work and improvements approved via the minor or major site plan approval process, prior to issuance of any permanent certificate of occupancy by the Building Official. The purpose of the zoning compliance certificate is to confirm that all site improvements required pursuant to this chapter, to the approved site plan, to accepted proffers, and/or to other county-imposed conditions are installed in substantial conformance with said requirements. The zoning administrator may rely on any reasonable means necessary to determine "substantial conformance," particularly in circumstances where the professional licensure of others is required to properly confirm the validity of the installed improvement.
  - 1) Temporary certificates. In situations where the building or structure must be occupied and the use must otherwise commence prior to completion of all required improvements, the zoning administrator may issue a temporary zoning compliance certificate subject to the following:
    - i. The period of validity for the temporary certificate may not exceed six (6) months, unless the zoning administrator approves a longer period of time for unusual circumstances.
    - ii. The site and building is in a safe and usable condition, free from conditions that might endanger the health, safety, or welfare of persons using the site.
    - iii. The property owner or authorized agent submits a written performance guarantee specifying the required improvements yet to be completed and the timeframe required for their completion. The guarantee shall be accompanied by a surety payable to the county in an amount determined by the county to be sufficient to ensure satisfactory completion or all required improvements yet to be completed within the timeframe of the temporary certificate. The guarantee may be in the form of cash/check, an irrevocable letter of credit, or other collaterally-assigned funds acceptable to the county attorney. The developer shall submit a surety estimate, to be approved by the county, along with a reasonable amount for administrative costs not to exceed ten (10) percent of the estimated costs.
    - iv. The surety requirement may be waived in instances where the unfinished improvements have an estimated cost of no greater than five-hundred dollars (\$500).
    - v. The county may make use of the surety if the obligee fails to comply with the terms of the performance guarantee or the county determines the unfinished improvements have not been completed in a timely manner so

164 as to negatively impact the public health, safety, or general welfare.  
165 Alternatively, the county may revoke the certificate of occupancy until said  
166 terms are fulfilled.

167  
168 (g) Expiration. Major site plan approval shall expire after five (5) years unless construction  
169 has begun and work has been diligently pursued.

170 (h) Major grading plans. Prior to submittal of a major site plan, and/or for situations where a  
171 major site plan submittal is required per subsection (a) above but no structures and/or uses  
172 are immediately proposed, the Zoning Administrator may approve a major grading plan  
173 for the proposed activities. A major grading plan may be approved for properties within  
174 any zoning district other than the Agricultural (A) district.

175 1) Contents of plan. In addition to the minor grading plan elements specified in Sec.  
176 70-118(g), a major grading plan shall also depict:

177 i. Provisions, details, and best management practices for addressing  
178 stormwater management requirements;

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

182 iii. A current wetlands delineation;

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

185  
186 (*Ord. of 5-2-1996, " 1101.03, 1101.04; Ord. of 8-11-1998, " 1101.03, 1101.04; Ord. of 5-8-2001;*  
187 *Ord. of 6-14-2011, Ord. of May 10, 2016. Ord. of 05-08-18)*

Orange County Planning Commission  
September 6<sup>th</sup>, 2018 regular meeting  
Agenda item 10A

MOTION: \_\_\_\_\_

September 6, 2018  
Regular Meeting

SECOND: \_\_\_\_\_

**RE: RESOLUTION TO AUTHORIZE CLOSED MEETING**

**WHEREAS**, the Planning Commission of Orange County desires to discuss in Closed Meeting the following matter:

- Discussion and consideration of the assignment, performance, and resignation of a specific employee of the public body. - §2.2-3711(A)(1) of the Code of Virginia

**NOW, THEREFORE, BE IT RESOLVED**, on this 6<sup>th</sup> day of September, 2018, that the Planning Commission of Orange County hereby authorizes discussion of the aforesated matters in Closed Meeting.

**Votes:**

**Capelle:**

**Yancey:**

**Brooks:**

**Boyer:**

**Hutchison:**

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