

**Orange County Planning Commission  
Regular Meeting  
Town of Orange Community Meeting Room  
235 Warren Street, Orange, Virginia 22960  
Thursday, August 1, 2013  
Minutes**

**Present:** Donald Brooks, Chairman; Andy Hutchison, Vice-Chairman; Nigel Goodwin, George Yancey, J.P. Tucker, III, Jim White, BOS Representative

**Absent:** none

**Staff Present:** Gregg B. Zody, Director; Tom Lacheney, County Attorney; Josh Frederick, Senior Planner; Janet Jones, Senior Administrative Assistant

*All discussion and comment made during this meeting was captured via digital audio and video recording. The minutes as written below are intended to be a summary of this discussion and comment. Anyone desiring detailed information about comment or discussion made during the meeting is referred to the recording.*

**7:00 p.m.**

**1. Call to Order**

**2. Determination of Quorum**

Chairman Brooks called the meeting to order at 7:00 p.m., and stated a quorum was present to conduct business.

**3. Approval of Agenda**

Chairman Brooks asked if there were any additions to or deletions from the agenda.

There were no additions or deletions from agenda.

A motion was made by Mr. Goodwin, seconded by Mr. Yancey that the agenda be approved as presented. Motion carried 5-0.

**4. Approval of Minutes**

Chairman Brooks asked for additions to or deletions from the minutes of June 6, 2013.

A motion was made by Mr. Yancey, seconded by Mr. Hutchison that the minutes of June 6, 2013 be approved as presented. Motion carried 5-0.

Chairman Brooks asked for additions to or deletions from the minutes of July 11, 2013.

A motion was made by Mr. Hutchison, seconded by Mr. Yancey that the minutes of July 11, 2013 be approved as presented. Motion carried 5-0.

**5. Public Comment**

Chairman Brooks opened the floor for public comment.

There were no speakers.

**6. Old Business**

**A. Board of Supervisors Report – Jim White**

Supervisor White highlighted the July 30, 2013 joint retreat with the BOS, EDA and Commission and also the joint meeting between the BOS and the Gordonsville Town Council held earlier in the week.

**B. Planning and Zoning Report – Gregg Zody**

Mr. Zody stated he would reserve his time for later.

**C. Joint efforts of the BOS, PC and EDA discussion**

The joint efforts of the BOS, EDA and Commission were not discussed.

**7:15 P.M. PUBLIC HEARINGS:**

**PUBLIC HEARING # 1**

*SUP 13-03: Scott Pattillo, on behalf of Discount Propane Services, has applied for a special use permit to install a propane gas tank storage facility on property located on Dulin Lane in Locust Grove, Virginia and referenced by tax map 50-05. This request is pursuant to Section 70-543(1) of the Orange County Zoning Ordinance. The property has an existing special use permit (#03-08) for a propane gas tank storage facility under separate ownership. This parcel is 29.5 acres in size, zoned General Industrial (I-2) and located on the west side of Dulin Lane (Route 608), approximately 1 mile south of the intersection with Mine Run Road (route 621).*

Chairman Brooks read the request from Scott Pattillo on behalf of Discount Propane Services stating Discount Propane has applied for a special use permit to install a propane gas tank storage facility on property located on Dulin Lane in Locust Grove, VA.

Mr. Frederick, Senior Planner briefed the Commission on the request from Discount Propane Services. Mr. Frederick stated staff recommends approval of the special use permit. Mr. Frederick stated he would answer any questions of the Commission.

Chairman Brooks opened the public hearing and asked for persons to speak on the public hearing.

There were two speakers on the application, they are as follows:

- Howard Kierzawski, 30391 Catharpin Road, Mine Run, VA
- Stephen Loughman, 30421 Dulin Lane, Mine Run, VA

The above speakers spoke in opposition to the request.

Mr. Pattillo, on behalf of Discount Propane Services briefed the Commission on the special use application for the placement of the propane storage tanks and the facility installation.

There being no other speakers, the public hearing was closed.

The Commission discussed the application, points of discussion were buffering or screening of the site from nearby residential uses. Mr. Pattillo stated juniper trees will be installed to help screen the tanks. The Commission had questions about training of the Mine Run Fire Department in case of an incident with the tanks, and the effects of stray bullets hitting the tanks. Chairman Brooks asked about the typical cause of accidents with propane storage. Mr. Pattillo stated that accidents could happen at the loading and unloading of propane into the large storage tanks or delivery trucks. Mr. Pattillo stated the site is inspected on a monthly basis. Mr. Goodwin stated the Orange County Fire & EMS Director should be contacted regarding the potential safety impacts of the site.

Mr. Goodwin made a motion seconded by Chairman Brooks to table the application until the next meeting of the Commission scheduled for August 15, 2013. Motion carried 3-2, with Tucker and Yancey voting Nay.

The Commission requested that Chief John Harkness provide his comments on this application at the August 15, 2013 meeting.

## **PUBLIC HEARING # 2**

*The Orange County 2013 Draft Revised Comprehensive Plan. The plan addresses an entire range of issues as they relate to the future of Orange County. It establishes the vision as "Sustain the rural character of Orange County while enhancing and improving the quality of life for all its citizens." The Plan sets forth the following primary goals: 1. Promote and preserve our unique historic and environmental resources; 2. Ensure the County is a competitive location for economic development opportunities; 3. Provide for adequate public services and facilities to serve the needs of County citizens; 4. Provide the citizens of Orange County with the safest and most efficient transportation system based on state, local and regional future land use and transportation plans*

**Goal 1** includes these objectives: Promote preservation of significant historical areas, sites, and buildings; Sustain and enhance agricultural and forestal uses; Develop plans to protect the quality and supply of surface water and groundwater and other valuable environmental resources.

**Goal 2** includes these objectives: Provide adequate adult training resources to ensure a marketable and sustainable local labor force; Utilize the recommendations contained in the Existing and Target Industry Analysis (TJPED, 2012) and target the following industries based on the screening criteria contained in the report: Agribusiness, Business & Financial Services, Transportation & Logistics, Health Services, Light Manufacturing; Evaluate the County's overall approach to retaining and attracting business and industry; Assure that sufficient land, in desirable locations, is designated for economic development uses; Promote tourism as a viable component of the County's economy; Promote health services as a viable component of the County's economy.

**Goal 3** includes these objectives: Promote effective and efficient government; Ensure quality education for all County citizens; Meet the health and human services needs of County citizens; Encourage affordable housing development; Provide for public safety through adequate emergency services and law enforcement; Ensure adequate infrastructure; Serve the parks and recreation needs of County residents.

**Goal 4** includes these objectives: Provide a safe and efficient transportation network for Orange County; Coordinate regional transportation needs with surrounding localities, including phased implementation of an intermodal transportation network, by coordinating planning efforts with the Towns of Orange and Gordonsville, as necessary; encourage a system of non-motorized recreational trails throughout the County.

The future land use policy recommends guidelines and criteria for future land use decisions. The Agricultural 1 (A1) and Agricultural 2 (A2) land use categories are similar to the Agricultural Conservation and Agricultural categories found in the current comprehensive plan. The Residential and Mixed Use categories have been removed while the Economic Development category remains in place.

New categories include Village and Potential Economic Development. The following describes each land use category:

***Agricultural 1 (A1)*** : This land use category covers areas of the County that are actively farmed, have significant forest cover, are under public or private easements, and encompass historically sensitive areas or areas that are environmentally sensitive due to topography or other unique physical characteristics. Areas of the County included in this category include the Madison-Barbour Rural Historic District, the Clarks Mountain area, areas adjacent to the Rapidan River and Lake Anna, and areas owned or authorized for purchase by the National Park Service. Locations covered by this category are nearly identical to those covered by the Agricultural Conservation category in the current plan, albeit slightly expanded.

***Agricultural 2 (A2)***: This land use category covers areas of the County that feature a mix of agricultural activities and single family residential neighborhoods. Large undeveloped tracts of land surrounded by neighborhoods are common in this category. In the future, land in the A2 area is intended to retain the rural residential lifestyle and continue the characteristics of our small neighborhoods and farming communities. The plan for these areas is based on a modest increase in the number of similar or compatible mix of uses, especially adjacent to existing residential or commercial developments (i.e. "infilling"). Care should be taken to assure that development in the A2 area does not negatively impact the land located in the A1 areas of the County, or conflict with the County's vision and the stated principles in the Plan. Areas of the County included in this future land use category include most of the land area situated on both sides of Route 20 between Route 522 and Routes 614/603, areas surrounding Lake Orange, Madison Run Road, Mountain Track Road, and Cox Mill Road, as well as the Montford area and the area surrounding Eheart.

***Village***: This land use category consists of well established communities and Census Designated Places throughout the County. Primarily located at crossroads, these communities exhibit clustered rural residential development, and in some instances, also include a basic level of retail establishments such as convenience stores and food shops. The following communities are designated under the Village category: Barboursville, Unionville, Rhoadesville and Locust Grove. This category is intended to protect and encourage the unique land use patterns contained within each area.

***Town/Suburban***: The Town-Suburban land use category includes those areas adjacent to incorporated towns and Lake of the Woods. This category maintains and promotes the continuity of established development patterns of the incorporated towns and Lake of the Woods. Public water and sewer are available in most areas, and the predominant type of development is single family detached dwellings, although greater density or a non-residential use may be appropriate through rezoning if consistent with the existing, adjacent uses. Other public facilities and uses may include fire and rescue stations, public schools, solid waste collection sites, libraries, and emergency operations centers.

***Economic Development***: This land use category has been identified in the County's Comprehensive Plans for many years to serve two main goals: 1) Create more jobs in the County; and 2) Create tax sources that are based on economic activity. Areas of the County that are designated for economic development (including commercial, mixed use, and industrial developments) are primarily for locating businesses that address these goals by providing employment, shopping and other activities for the residents of Orange County and increasing the business tax base while not changing the character of the majority of the County. The areas of the County designated for economic development are north of Route 3, the Lee Industrial Park and other properties suitable for commercial or industrial use along Route 15 between the towns of Orange and Gordonsville, along Route 20 near the airport and a large tract in tax blocks 19 and 20.

***Potential Economic Development***: There are general corridors and small areas located along two primary highways with potential economic development opportunities: Route 15, between the towns of Gordonsville and Orange, and Route 3, in the eastern-most end of the County. When considering the potential for business location or expansion, several conditions should be taken into account including, but not limited to, compatibility with adjacent uses, impact on traffic flow, available infrastructure and public services, and suitable land conditions.

The Draft 2013 Comprehensive Plan includes a Technical Supplement which provides current data and information on: Climate, Physical Geography, Water Resources, Soils, Demographics, Economic Conditions, Agricultural Statistics, Tourism, Historic Resources and Community Infrastructure. This section also includes an overview of current public services and details the process for review of public uses and uses of a public nature, as required under the Code of Virginia.

Following the Technical Supplement is an appendix of maps: Parcel Distribution, Population Density; Recommended Land Use, Infrastructure, Physiography, Steep Slopes, Groundwater Protection Zones, Soils and the Madison-Barbour Rural Historic District.

Chairman Brooks opened the public hearing and asked for persons to speak on the public hearing.

There were the following speakers:

- Joan Bergstrom, 16075 Zachary Taylor Highway, Unionville, VA 22567
- Susan I. Young, 10800 Millridge Lane, Spotsylvania, VA 22553 (**Spotsylvania Co.**)
- Robert Foster, 10812 Millridge Lane, Spotsylvania, VA 22553 (**Spotsylvania Co.**)
- Barbara Parks, 23494 Village Road, Unionville, VA 22567
- Dan Holmes, Culpeper, VA. (**Culpeper Co.**)
- Victor King, 15278 Cox Mill Road, Gordonsville, VA 22942
- R. Duff Green, 193 Red Hill Road, Orange, VA 22960
- Sandra Mullins, 28383 Morel Way, Rhoadesville, VA 22542
- Steve Satterfield, 21041 Clarks Mtn. Road, Rapidan, VA 22733
- Diane Strong, 3495 Hamm Road, Barboursville, VA 22923
- Steve Yelton, 15620 Burnley Road, Barboursville, VA 22923
- Anne Snyder, 12574 Chicken Mtn. Road, Orange, VA 22960
- Ron Burluson, 25541 London Lane, Unionville, VA 22567
- Jack Snyder, 12574 Chicken Mtn. Road, Orange, VA 22960
- Carl Prober, 15246 Double Top Lane, Barboursville, VA 22923
- Traci L. Griggs, 15246 Double Top Lane, Gordonsville, VA 22942
- Zack Burkett, 14162 Marquis Rd. Unionville, VA 22567
- Teri Pace, 25485 Gooch Lane, Unionville, VA 22567
- Reid Whitlock, 3874 Solaris Dr. Barboursville, VA 22923 (**Albemarle Co.**)
- Anne Stelter, 12171 Spicers Mill Rd. Orange, VA 22960
- Barbara Culbert, 14201 Cox Mill Rd. Gordonsville, VA 22942
- Bill Speiden, 12046 Blue Hill Drive, Somerset, VA 22972
- Carolyn Merkley, 5291 Scuffletown Rd. Barboursville, VA 22923
- Charlotte Tieken, Waverly Farm, Somerset, VA 22972
- David Heyl, 13488 Brookman Rd. Somerset, VA 22942

Chairman Brooks asked for any other speakers. There being no other speakers, the public hearing was closed.

A summary of concerns voiced by the speakers were; negative impacts on the county, A-2 land use category, protect agricultural and tourism in the county. The protecting of personal property rights was a frequent topic as well as the plan's language and the need for higher standards. Several speakers suggested that the plan be further reviewed.

Several speakers commended the Commission on the work that was done on the comprehensive plan to date.

The Commission held a short discussion on the draft comprehensive plan. It was the consensus of the Commission that most of the public's concerns have been addressed in the comprehensive plan. Mr. Goodwin stated that the idea that "anything goes in the A-2 district" is simply unfounded. Mr. Yancey and Mr. Tucker stated it is a good, not a perfect plan and to forward the comprehensive plan to the BOS. Chairman Brooks stated "job well done" to fellow Commissioners and has no problem with comprehensive plan moving forward to BOS.

A motion was made by Mr. Goodwin, seconded by Mr. Tucker to forward the draft 2013 Orange County Comprehensive Plan to the BOS with a positive recommendation. Motion carried 4-1, Hutchison voting nay.

**RESOLUTION RECOMMENDING APPROVAL**

**MOTION: Goodwin**

**August 1, 2013  
Regular Meeting  
Res. No. 13-06**

**SECOND: Tucker**

**RE: Proposed revisions to the Comprehensive Plan**

**Proposed revisions to the 2010 Comprehensive Plan, including, , but not limited to: New land use categories; Revised goals, objectives, and strategies for implementation; Recommended Land Use Map; Updates to demographics; Restructuring of Plan format; Making various other text changes as needed to make the language of the plan clearer.**

**WHEREAS**, the Board of Supervisors directed the Planning Commission to consider changes to the Comprehensive Plan; and

**WHEREAS**, the Planning Commission advertised and held a public hearing on August 1, 2013 to receive public comment regarding such proposed changes; and

**WHEREAS**, the Planning Commission discussed the proposed changes at length, and considered comments received during the public hearing and desires to recommend approval of the draft Comprehensive Plan revision; and

**WHEREAS**, public necessity, convenience, general welfare, and good zoning practice supports approval of the draft Comprehensive Plan revision;

**NOW, THEREFORE, BE IT RESOLVED**, that the Orange County Planning Commission hereby recommends approval to the Orange County Board of Supervisors of the proposed Comprehensive Plan revision, as modified.

**Votes:**

**Ayes: Goodwin, Yancey, Brooks, Tucker**

**Nays: Hutchison**

**Abstained from Vote: none**

**Absent from Meeting: none**

**7. New Business**

Mr. Yancey thanked the press for a job well done in covering the review of the comprehensive plan.

**8. Commissioner Comments**

Mr. Goodwin questioned the possibility of having one of the Commission meetings at Lake of the Woods. The Commission agreed this would be a good idea and the details will worked out with both staff and Lake of the Woods persons.

**9. Next meeting**

The next meeting of the Commission will be Thursday, August 15, 2013.

**10. Adjourn**

A motion was made by Mr. Hutchison, seconded by Mr. Goodwin that the meeting be adjourned. Motion carried 5-0. Meeting adjourned at 9:25 p.m.

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Donald Brooks, Chairman

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Gregg B. Zody, Secretary