Orange County Planning Commission Regular Meeting

Auditorium of the Orange County High School 201 Selma Road, Orange, VA 22960

> Thursday, September 20, 2012 Minutes 7:00 p.m.

Present: Nigel Goodwin, George Yancey, Andy Hutchison, J.P. Tucker, III,

Donald Brooks

Absent: Jim White, BOS Representative

Staff Present: Gregg B. Zody, Director; Tom Lacheney County Attorney; Janet Jones,

Permit Technician

All discussion and comment made during this meeting was captured via digital audio 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.

1. Call to Order

2. Determination of Quorum

Chairman Goodwin called the meeting to order at 7:00 p.m. He stated no quorum was present and therefore no business could be conducted.

3. Approval of Agenda

Chairman Goodwin asked if there were any additions to or deletions from the agenda. Chairman Goodwin stated he request that Gregg Zody, Director brief those in attendance about the postponement of the SUP 12:03 public hearing.

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

4. Public Comment

There was no public comment.

5. Old Business

- A. Board of Supervisors Report Jim White No report due to the absence of Supervisor White
- B. Planning and Zoning Report Gregg Zody
 Mr. Zody briefly discussed the proposed timeline for the "draft" Comprehensive plan and zoning and subdivision ordinances.

Chairman Goodwin called for recess at 7:07 p.m.

Chairman Goodwin called the meeting back to order at 7:16 p.m.

Chairman Goodwin asked Mr. Zody to brief the Commission on the proposed Tactical Training Facility Text Amendments.

Mr. Zody stated the proposed zoning ordinance text amendments consist of: a new definition in Section 70-01. Definitions; amendments to Sec. 70-303 and 70-543 to allow the proposed Tactical Training Facility as a Special Use Permit in both Agricultural and General Industrial zoning districts; and a new section of the zoning ordinance, 70-702, "Tactical Training Facility Standard Conditions or as modified by specific conditions based on the site."

7:15 P.M. PUBLIC HEARING:

PH # 1: Tactical Training Facility Text Amendments

Summary: The proposed Zoning Ordinance text amendments consist of: a new definition ("Tactical Training Facility") in Sec. 70-1. Definitions; amendments to Sec. 70-303 and 70-543 to allow the proposed Tactical Training Facility as a Special Use Permit in both Agricultural and General Industrial zoning districts; and a new section of the Zoning Ordinance, 70-702, "Tactical Training Facility Standard Conditions or as modified by specific conditions based on the site".

Tactical Training Facility Text Amendments

New Sec. 70-1. Definitions.

Tactical Training Facility: Privately or government-owned facility for the training of military, law enforcement, private security personnel and individuals, personal protection; military and private medical training, and emergency management personnel. Such facilities may include indoor and outdoor training facilities, and may incorporate the use of vehicles and equipment relating to the performance of these jobs. Tactical Training Facility may include: indoor and outdoor shooting ranges, mobile Military Operations on Urban Terrain (MOUT) sites, K-9 training (which may include the following: explosives handling, munitions handling, narcotics detection, hazardous materials handling, human trailing, riot control training), obstacle courses, physical conditioning courses, rappelling towers and related training structures, vehicular training course facilities, emergency response training, confined space training, storage, classroom, associated housing, dining and recreational facilities and other ancillary facilities necessary and in support of these activities.

New Sec. 70-303(20). Tactical Training Facility – subject to the standard conditions contained in (Article V. Supplementary District Regulations, Sec. 70-701. Tactical Training Facility Standard Conditions.

New Sec. 70-543 (4). Tactical Training Facility – subject to the standard conditions contained in (Article V. Supplementary District Regulations, Sec. 70-701. Tactical Training Facility Standard Conditions.

New Sec. 70-702. Tactical Training Facility Standard Conditions or as modified by specific conditions based on the site:

- Reasonable care shall be taken to preserve existing natural buffering to shield sound and visibility from adjacent properties;
- Said use may involve the use of armored vehicles and helicopters;
- Said use shall be permitted to burn on-site temporary structures as part of training exercises if a certified firefighter is on-site to supervise the activity and functioning fire extinguishing equipment is readily available for such training exercises;
- Indoor and outdoor firing ranges shall be for training purposes only and open only to facility staff and training students;
- Retail firearm sales may be available to the public as an accessory use when clearly incidental and subordinate to the principal use;
- Customized gunsmith services may be available to the public as an accessory use when clearly incidental and subordinate to the principal use;
- Building and structure height shall not exceed 100 feet;
- Telecommunication towers and facilities shall follow the standards and procedures as defined in Sec. 70-846 through Sec. 70-938 (Article IX. Telecommunications Towers and Facilities), including seeking a separate special use permit;
- Firearms shall be limited to common military and hunting small arms calibers, including, but not limited to, calibers ranging from .22 to .50 caliber; and shotgun rounds restricted to 12 gauge or less (e.g. 16, 20, 28);
- All ordnance storage shall be located in structures or under conditions that comply with applicable local, state and federal regulations;
- No vehicular training course facilities are available for lease or use by the public and are solely for the use of the training facility staff and students;
- Special events, including sporting events such as shooting cup matches, canine and law enforcement trials, shall be limited to a total of twelve (12) events per year and may be open to the public with local vendors providing services such as food and other related services and goods;
- The location of the canine training facilities (housing, runs, etc) shall, at a minimum, comply with the standards for kennel use (permitted in) in this chapter-.;

Chairman Goodwin opened the public hearing.

The following is a list of speakers on the Tactical Training Facility Text Amendment.

Speaker		
#	Name	Address
1	Stacey Donnelly	14295 Blue Ridge Turnpike, Somerset, VA
	Mary Jane	
2	Shackelford	15416 Matthews Mill Rd. Orange, VA
3	Carl Prober	15246 Double Top Lane, Gordonsville, VA
4	Traci Griggs	15246 Double Top Lane, Gordonsville, VA
5	Dan Holmes	PEC/Main Street, Orange, VA
6	Marcia Poole	P.O. Box 544, Somerset, VA
7	Tom Poole	8521 Webb Road, Somerset, VA
8	Kai Dozier	15553 Hardwick Mtn., Gordonsville, VA
9	David E. Gibson	14258 Blue Run Farm, P.O. 561, Somerset, VA
10	Melissa Zeller	8398 Webb Road, Somerset, VA 22972

11	Hal Young	3816 Vineyard Road, Barboursville, VA
12	Ellen Wessel	10377 Little Skyline Dr. Orange, VA
13	Linda Gibson	14258 Blue Run Farm, P.O. 561, Somerset, VA
14	Rhodes Perdue	8490 Pumphouse Road, Somerset, VA
15	Jasmine Warren	5290 Ridge Road, Somerset, VA
16	Jason Capelle	6315 Spotswood Trail, Gordonsville, VA
17	Charles J. Stick	220 Court Square, Charlottesville, VA
18	Charlotte Tieken	Waverly Farm, Somerset, VA
19	Marta Buzzelli	P.O. Box 98, Somerset, VA
20	Monte Gingery	Somerset Plantation, Somerset, VA
21	Mark Warren	5290 Ridge Road, Somerset, VA
22	Janet Pendergrast	9244 Lovers Lane, Gordonsville, VA
23	William Rogers	736 Race Ground Rd., Rochelle, VA
24	Frank McClendon	9453 Elijah Craig Rd. Somerset, VA
25	Sean O'Brian	Montpelier Station, VA
	Dr. Jeanette	
26	McClendon	P.O. Box 551, Somerset, VA
27	Loring Woodriff	411 N. 1st Street, Charlottesville, VA
28	Piers Woodriff	Rt. 231, Somerset, VA
29	Rod Hansen	14201 Cox Mill Rd., Gordonsville, VA
30	Jan Spiers	15553 Hardwick Mtn., Gordonsville, VA
31	Barbara Culbert	14201 Cox Mill Rd., Gordonsville, VA
32	Margaret T. Hill	7119 Constitution Hwy., Gordonsville, VA
33	Karl L. Santone	9086 Spotswood Trail, Gordonsville, VA
34	Bob Pumphrey	13068 Spring Brook Rd. Somerset, VA
35	Marc Silling	15485 Hardwick Mt. Rd., Gordonsville, VA
36	Suzanne Bromfield	7085 Constitution Highway, Gordonsville, VA
37	Garland Tyree	P.O. Box 480, Somerset, VA
38	Charles Seilheimer	Box 511, Orange, VA
39	Mike Anthony	1801 Englewood Drive, #1, Charlottesville, VA
40	James Goodloe	9130 Zachary Taylor Highway, Unionville, VA
41	Jack Miller	11601 Montford Rd., Orange, VA
42	William Coleman	9171 Tivoli Drive, Gordonsville, VA
43	William M. Gilbert	16262 Hardwick Mtn. Gordonsville, VA
44	Rev. Peggy Brice	262 Crew Rd. Louisa, VA. (Pastor Blue Run Baptist Church)
45	Willie Brice	262 Crew Rd. Louisa, VA.
46	Jack Snyder	12574 Chicken Mtn. Road, Orange, VA
47	Jack North	12460 Mayhurst Lane, Orange, VA
48	Linda Jewell	14739 Porterfield Dr. Orange, VA
49	Lee D. Griffith	9160 Fair View Farm Lane, Somerset, VA
50	Chuck Meehan	12046 Spicers Mill Road, Orange, VA
51	James Adams	8381 Old Somerset Rd. Somerset, VA
52	Julie Perdue	8490 Pumphouse Rd. Somerset, VA
53	Jennifer Nesbit	12407 Cox Mill Rd. Gordonsville, VA
54	Robert Griffith	9160 Fair View Farm Lane, Somerset, VA

55	Robert A. Clore	14244 Old Blueridge Turnpike, P.O. Box 506 Somerset, VA
56	Logan E. Mueller	13068 Spring Brook Rd. Somerset, VA
57	Diana Dodge	11103 Liberty Mills Rd. Montpelier Station, VA
58	Alice Muller	14190 Blueridge Turnpike, Somerset, VA
59	Betsy Brantley	6086 Ridge Road, Somerset, VA
60	Phil Audibert	9116 Open Gate Rd. Gordonsville, VA
61	Julia Parker Lyman	8154 Old Somerset Rd. Somerset, VA
62	Stephen Muller	P.O. Box 565, Somerset, VA
63	Patricia Robey	7325 Constitution Hwy., Gordonsville, VA
64	Joan Hebrance	11223 Montford Rd. Orange, VA
65	Bonnie Vansant	19036 Blue Ridge Turnpike, Gordonsville, VA
66	Susan Jamme	15431 Hardwick Mtn. Dr. Gordonsville, VA
67	Susie Audibert	9116 Open Gate Rd. Gordonsville, VA
68	Renee Lawson	P.O. Box 25, Somerset, VA
69	Guy Blunden	P.O. Box 59, Somerset, VA
70	Porter J. Goss	7413 Retreat Rd, Rapidan, VA
71	Arthur Fauntleroy	P.O. Box 45, Somerset, VA
72	Geneva B. Davis	6193 Charles Wood Rd., Gordonsville, VA
73	Kevin Davis	9089 Liberty Mills Rd., Somerset, VA
74	Lucy Colby	P.O. Box 137, Barboursville, VA
75	Anita Whitney	P.O. Box 175, Barboursville, VA
76	Nancy McDaniel	P.O. Box 535, Somerset, VA
77	Sarah Poole	P.O. Box 1766, Gordonsville, VA
78	James Collins	12384 Merriewood Dr. Somerset, VA
79	Virginia Donelson	12384 Merriewood Dr. Somerset, VA
80	David Heyl	13488 Brookman Rd., Somerset, VA
81	Susan C. Hahn	19272 Lovers Lane, Gordonsville, VA
00	Valta Dallages	5451 Burnley Station Rd., Barboursville, VA (Not present when name
82	Velta Pelham	called)
83	Frank Walker, Jr.	10199 Little Skyline Dr., Orange, VA

For record only: (Handwritten note from):Carla Estes McDevitt, 210 Piedmont

Street, Culpeper, VA

The concerns of many speakers cited safety, noise impact, value of property, and the affect on tourism if this type of facility was allowed. Some speakers objected to the accelerated pace of the proposal and the possible use of .50-caliber weapons. Concerns of being located within the circle of impact of .50-caliber weapons that will be fired in the proposed location of the special use permit application were also mentioned.

There being no further speakers, Chairman Goodwin closed the public hearing at 10:01 p.m.

Chairman Goodwin proposed voting on the amendment for each respective zoning district. Commissioner Brooks made a motion, seconded by Mr. Hutchison to recommend denial of the tactical training facility amendment. Motion carried 5-0.

RESOLUTION RECOMMENDING DENIAL

MOTION: Brooks September 20, 2012

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SECOND: Hutchison Res. No. 12-10

RE: Amendment to the Zoning Ordinance, New definition Sec. 70-1; New use permitted by special use permit, Sec. 70-303(20) and Sec. 70-543(4); and New Sec. 70-702 Relating to Tactical Training Facility Conditions

Proposed Amendments to County Code Chapter 70, Zoning Ordinance.

WHEREAS, on July 24, 2012, the Board of Supervisors initiated a zoning text amendment to the following sections of Chapter 70 – Zoning: Article I Definitions; Article IV District Regulations; and Article V. District Regulations, pertaining to the creation of a new use definition and the zoning districts where it would be permitted with the approval of a special use permit.

WHEREAS, on August 14, 2012, the Board of Supervisors requested action from the Planning Commission regarding the draft language for the proposed new use, Tactical Training Facility, by September 22, 2012.

WHEREAS, the Planning Commission advertised and held a public hearing on September 20, 2012 to receive public comment regarding such proposed amendment; and

WHEREAS, the Planning Commission discussed the proposed amendments, and considered comments received during the public hearing and desires to recommend denial of the draft Zoning Ordinance amendment; and

WHEREAS, public necessity, convenience, general welfare, and good zoning practice do not support approval of the draft Zoning Ordinance amendment;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Planning Commission hereby recommends denial to the Orange County Board of Supervisors of the proposed amendments to County Code Chapter 70, Zoning Ordinance.

Votes:

Ayes: Hutchison, Goodwin, Yancey, Brooks, Tucker

Navs: None

Abstained from Vote: None

Absent from Meeting: White (BOS Liaison)

PH # 2: Global Dynamic Security, Inc.

SUP 12-03: Application from Sean Deehan, President of Global Dynamic Security, Inc. The Applicant is requesting a special use permit to operate a tactical training facility on the following parcels ("Subject Parcels"): Tax Map # 55-4A (zoned Agricultural, 73 acres +/-), 55-

4 (zoned Agricultural and General Industrial, 196 acres +/-), and 55-5 (zoned General Industrial, 36.23 acres +/-). The Subject Parcels are currently owned by General Shale Webster, Inc., and are located northeast of the intersection of Route 20 (Constitution Highway) and Route 655 (Weyburn Road), on the former General Shale site.

The Commission meeting recessed for 10 minutes at 10:05 p.m.

The Commission meeting reconvened at 10:13 p.m.

6. New Business

a. Staff Presentation of Draft Comprehensive Plan, Zoning and Subdivision Ordinance Amendments

Mr. Zody discussed briefly the draft Comprehensive Plan, Zoning and Subdivision Ordinance amendment language according to the BOS adopted timeline and provided a brief overview regarding the major points of the amendment package.

Chairman Goodwin distributed a draft letter to the editor to the Commissioners regarding the special informational meeting on October 4, 2012 between 6:00 p.m. and 7:00 p.m. (prior to the regular meeting) to discuss the draft text amendments for the Comprehensive Plan/Zoning Ordinance/Subdivision Ordinance. Chairman Goodwin also asked that staff post the draft amendment package be posted to the county website.

7. Commissioner Comments

There were no commissioner comments.

8. Next meeting

The next meeting of the Commission will be Thursday, October 4, 2012 at 6:00 p.m.

9. Adjourn

A motion was made by Mr. Hutchison, seconded by Mr. Tucker that the meeting be adjourned. Motion carried with all members present voting in the affirmative. Motion carried 5-0. Meeting adjourned at 10:23 p.m.

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