

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, October 3, 2013
Minutes**

Present: Donald Brooks, Chairman; Andy Hutchison, Vice-Chairman;
George Yancey, J.P. Tucker, III

Absent: Nigel Goodwin, Jim White, BOS Representative

Staff Present: Gregg B. Zody, Director; Josh Frederick, Senior Planner;
Janet Jones, Senior Administrative Assistant

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.

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. Tucker, seconded by Mr. Yancey that the agenda be approved as presented. Motion carried 4-0, Mr. Goodwin absent.

- 4. Public Comment**

Chairman Brooks opened the floor for public comment.

There were no speakers.

Chairman Brooks closed the public comment period.

- 5. Old Business**

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

No report was presented due to the absence of Mr. White

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

Mr. Zody reviewed with the Commission the September monthly report for the Department of Planning and Zoning.

Mr. Zody stated the first Route 3 subcommittee meeting has been scheduled for October 24, 2013 at 6:00 p.m. in the BOS Meeting Room. It was also mentioned the joint meeting with EDA, BOS and Commission is scheduled for November 7, 2013 at 6:00 p.m. at the Orange

Airport. Mr. Zody stated this is the same night of a scheduled Commission meeting. The members discussed the conflict and by consensus cancelled the November 7, 2013 Commission meeting.

Mr. Zody talked briefly on the Pribble presentation that was conducted last week. The Commission briefly discussed the copy of the presentation each Commissioner had received with their packet.

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

Mr. Zody requested that the Commission review and adopt the revised redesigned rack card for the Route 3 Vision. Mr. Zody stated one word ("dynamic") was changed. A motion was made by Mr. Yancey, seconded by Mr. Hutchison to approve the rack card. Motion carried with a vote of 4-0, Mr. Goodwin was absent.

7:15 P.M. – PUBLIC HEARING

Public Hearing # 1 (Sec. 54-67)

A PROPOSED AMENDMENT TO DIVISION 2 OF THE ORANGE COUNTY SUBDIVISION ORDINANCE:

Sec. 54-167. – Construction Standards.

~~The Virginia Department of Transportation Subdivision Street Requirements (hereafter referred to as "public street requirements") are hereby adopted by reference. Private Streets shall be constructed as follows:~~

1. Any road created to serve one (1) or two (2) lots may be privately constructed and maintained.
2. Any road created to serve ~~three (3) or more~~ between three and up to seven lots shall be privately constructed and maintained to meet the public, provided the following minimum street construction standards requirements as referenced are met:
 - 1) The minimum width of pavement shall be sixteen (16) feet and the minimum vertical clearance shall be fourteen (14) feet;
 - 2) The grade shall not exceed ten (10) percent;
 - 3) The road surface may be either paved or gravel. Gravel roads shall consist of a minimum of six (6) inches of compacted aggregate;
 - 4) The roadway shall provide adequate drainage so as not to promote standing water;
 - 5) All culverts shall be constructed to VDOT standards.
3. Any existing private road where property or properties are divided such that the road serves three (3) or more lots must be improved to meet the ~~public~~ private street requirements as referenced.
4. Any road created to serve three (3) or more lots within a family subdivision may be privately maintained but shall be constructed to meet the ~~public~~ private street requirements as referenced.

Mr. Zody reviewed with the Commission the need to amend the subdivision ordinance to provide local road standards for minor subdivisions between 3 and up to 7 lots.

Chairman Brooks opened the public comment for public hearing #1 (Sec. 54-67).

There were two speakers who provided comment in favor of the amendment with regards to their family subdivision.

Mr. Henry Lee Carter stated the need to make sure the land beneath the right-of-way is not held in the developer's name as he/she may not ever construct it to any standard, and the same applied to HOA's and RMA's ("signed by all, enforced by none).

Chairman Brooks asked for other speakers, there being none the public comment was closed on Public Hearing #1.

The Commission held a lengthy discussion on the impacts of the proposed amendment language would have on existing subdivision division roads. Mr. Zody and Mr. Lacheney explained that any further development of a private road would only necessitate the proposed improvements for the parcel(s) seeking to subdivide, as the proposal addresses new subdivisions.

The Commission had several concerns; 1) 10% grade requirement; 2) surfacing requirements; 3) drainage ditches. After much deliberation, the following language was added, changed, or deleted:

- Adding language to subsection 2.3 stating that in addition to gravel roads shall have a minimum of six (6) inches of compacted aggregate, that if someone chose to use asphalt, it could be a combination of 6" of asphalt and gravel.
- (Section 2.1) Reducing the road width from 16' to 12';
- (Section 2.2) ~~40% grade requirement.~~

An additional inclusion into the amendment was the addition of a Road Maintenance Agreement.

A motion was made by Mr. Tucker seconded by Mr. Hutchison, recommending the Board adopt the draft amendments. The motion passed 4-0, Mr. Goodwin absent.

PUBLIC HEARING #2

PROPOSED AMENDMENTS TO ARTICLES 1 AND 4 OF THE ORANGE COUNTY ZONING ORDINANCE:

ACCESSORY APARTMENTS

Sec. 70-1. Definitions. Accessory Apartment means an accessory residential use of less than 600 square feet or 25% of the floor area of the principal residential structure, whichever is less, contained within a private garage, an accessory structure (such as a cottage or carriage house), or within the principal residential structure. The accessory apartment shall be served by a water supply and sewage disposal system approved by the Virginia Department of Health. There shall be no more than one such apartment per lot of record.

Sec. 70-302. Permitted uses. (Agricultural district)
(10) Accessory Apartment

Sec. 70-332. Permitted uses. (Limited Residential district)
(6) Accessory Apartment

OFFICES/OFFICE BUILDINGS

Sec. 70-1. Definitions. Office means an establishment primarily engaged in providing professional, financial, administrative, clerical and other similar services.

Office Building means a structure containing multiple office uses.

Sec. 70-482. Permitted uses. (General Commercial)
(3) Office/Office Building.

Sec. 70-512. Permitted Uses. (Limited Industrial)
(4) Offices/Office Building.

Sec. 70-542. Permitted Uses. (General Industrial)
(7) Office/Office Building.

VOCATIONAL TRAINING FACILITIES

Sec. 70-1. Definitions. Vocational Training Facility means a school providing education and/or training for a specific occupation, business, trade, or profession. Offices and classroom facilities are by right, where permitted. Other facilities are permitted with a Special Use permit. This classification excludes establishments providing training for a use that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be included in this definition. Privately operated and/or owned military-oriented training facilities or uses of a similar private military-style training (paramilitary) nature are not permitted in any zoning district.

Sec. 70-482. Permitted uses. (General Commercial)
(4) Vocational Training Facility.

Sec. 70-512. Permitted Uses. (Limited Industrial)
(5) Vocational Training Facility.

Sec. 70-542. Permitted Uses. (General Industrial)
(8) Vocational Training Facility.

Mr. Zody reviewed with the Commission the proposed amendments to the Zoning Ordinance (Sec. 70-1, etc.).

Chairman Brooks opened the public comment for public hearing #2.

There was one person who spoke on accessory apartments.

Chairman Brooks asked for other speakers, there being none the public comment was closed on Public Hearing #2.

The Commission held a discussion on the text changes and inquired about the "Office" definition and how would that impact a person who operated a home-based business with an office, or a farmer with an office. Mr. Lacheny explained that the amendment was for the commercial and industrial zoning districts. Mr. Zody stated home offices and agricultural-related offices were protected uses (home occupations in certain cases and accessory uses in agricultural-related cases). Mr. Zody asked the Commissioners to consider Mr. Goodwin's attached email comments and the suggested changes were not considered.

A motion was made by Mr. Yancey, seconded by Mr. Tucker recommending the Board adopt the draft amendments. The motion passed 4-0, Mr. Goodwin was absent.

6. New Business

There was no new business.

7. Commissioner Comments

Mr. Hutchison expressed his confusion with the staff packet and the different versions of the text amendment for public hearing #2. Mr. Zody explained that the Staff memo pointed out the different versions of the text amendment chronicling how they've evolved since first introduced to the BOS – and subsequently, the PC. Mr. Hutchison would like to see a listing of the attachments in the future within the packet. Chairman Brooks would like to see different-colored paper used to distinguish various versions. Mr. Zody suggested they would make it easier to distinguish in addition to identifying the versions in forthcoming Staff memos.

8. Next meeting

The next meeting of the Commission will be October 17, 2013.

9. Adjourn

A motion was made by Mr. Tucker, seconded by Mr. Yancey that the meeting be adjourned. Motion carried 4-0. Mr. Goodwin was absent. Meeting adjourned at 8:30 pm.

Donald Brooks, Chairman

Gregg B. Zody, Secretary