

**Orange County Planning Commission
Regular Meeting
Gordon Building Meeting Room
112 W. Main Street, Orange, VA 22960
Thursday, November 21, 2013
Minutes**

Present: Donald Brooks, Chairman; Andy Hutchison, Vice-Chairman;
George Yancey

Absent: J.P. Tucker, III, 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 noted the absence of Mr. Goodwin and Mr. Tucker was due to family medical concerns.

3. Approval of Agenda

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

A motion was made by Mr. Yancey, seconded by Mr. Hutchison that the agenda be approved as presented. Motion carried 3-0; Goodwin, Tucker absent.

4. Approval of minutes

Chairman Brooks asked for additions to or deletions from the minutes of September 19, 2013.

A motion was made by Mr. Yancey, seconded by Mr. Hutchison that the minutes of September 19, 2013 be approved as presented. Motion carried 3-0; Goodwin, Tucker absent.

Chairman Brooks asked for additions to or deletions from the minutes of October 3, 2013.

A motion was made by Mr. Hutchison, seconded by Mr. Yancey that the minutes of October 3, 2013 be approved as presented. Motion carried 3-0; Goodwin, Tucker absent.

Chairman Brooks asked for additions to or deletions from the minutes of October 17, 2013.

A motion was made by Mr. Yancey, seconded by Mr. Hutchison that the minutes of October 17, 2013 be approved as presented. Motion carried 3-0, Goodwin, Tucker absent.

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

In the absence of Supervisor White Mr. Zody gave to the Commission copies of resolutions the BOS passed at their last meeting.

B. Planning and Zoning Report – Gregg Zody

Mr. Zody spoke briefly on Low Impact Development for storm water management. Mr. Zody stated staff had a meeting this week with Troy Smith, Storm-water Compliance Specialist to talk about the new Storm water program getting off the ground. Mr. Zody stated DEQ is struggling to get the program started and the E-permitting is still having issues, it will not be an easy roll-out. Mr. Zody stated he is working to have the fees reduced for single family dwelling construction.

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

No discussion held.

7:15 P.M. – PUBLIC HEARING

DIVISION 2. – GENERAL STREET DESIGN STANDARDS

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 or two lots, or any family subdivision of up to seven (7) lots, may be privately constructed and maintained.
2. Any road created to serve ~~three or more~~ between three and up to seven lots (i.e. minor subdivision), or any other road not otherwise provided for in this ordinance, shall may 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 the roadway shall be twelve (12) feet and the minimum vertical clearance shall be fourteen (14) feet;
 - 2) The road surface may be either paved or gravel. Gravel roads shall consist of a minimum of six (6) inches of compacted aggregate; paved roads shall consist of a minimum six (6) inches of gravel or asphalt;
 - 3) The roadway shall provide adequate drainage so as not to promote standing water;
 - 4) All culverts shall be constructed to VDOT standards.
3. Any existing private road ~~where upon which property or properties are is~~ divided such that the road serves ~~between three or and up to seven more~~ lots must be improved to meet the ~~public private~~ street requirements as referenced in Sec. 54-167(2). Nothing in this paragraph shall be construed to apply to any previously approved lot or subdivision unless a new division occurs which affects said private road.
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. Any road created to serve eight or more lots (i.e. a major subdivision), or any other subdivision road as so desired by the property owner(s), shall be constructed to meet the Virginia Department of Transportation Subdivision Street Requirements (i.e. the public

street requirements).

5. Covenants outlining the responsibility of construction and maintenance of any private right-of-way created to serve a subdivision shall be submitted to the county attorney for review with a plat of said subdivision and subsequently recorded with said subdivision plat upon approval.

DIVISION 4. – PLATS AND PLANS

Sec. 54-28. – Family Subdivision.

11. ~~Any street created to serve three (3) or more lots within a family subdivision shall be built to the VDOT subdivision street standards. Streets serving a family subdivision may be privately maintained in accordance with provision 12 below.~~
13. Prior to the issuance of a building permit on a family subdivision lot not having frontage on a state road, the property owner shall sign and record in the land records an agreement, which shall be reflected in the chain of title for that lot, stating that the property owner understands that:
 - a. The easement or right-of-way serving the lot is private and the road or drive within it shall be maintained by the benefited property owner(s);
 - b. The road or drive is ineligible for admission into the state secondary road system for maintenance unless it is brought into conformance with the requirements of this subdivision ordinance at no cost to the county or state;
 - c. Until the road is accepted into the secondary road system, state maintenance will not be provided, and mail service and school bus service may not be available to the property.

DIVISION 5. – FINAL PLATS

Sec. 54-94. – Certificates.

(9) For subdivisions showing the creation of a private street the plat shall clearly state the following:

“The streets in this subdivision serve ____ lots and do not meet the standards necessary for inclusion in the system of state highways and will not be maintained by the Department of Transportation or the county and are not eligible for rural addition funds or any other funds appropriated by the General Assembly and allocated by the Commonwealth Transportation Board. Such streets shall be constructed and maintained in accordance with the standards set forth in Sec. 54-167.”

The Commission revisited the road construction standards in the subdivision ordinance (Sec. 54-167), to make final adjustments to the subdivision ordinance regarding private road standards to complete the text amendments heard and recommended by the Planning Commission at the public hearing held on October 3rd. Staff suggested additional minor changes to Sec. 54-28 and 54-94(9) to correct some discrepancies elsewhere in the ordinance. The Commission briefly discussed potential scenarios.

A motion was made by Mr. Hutchison to approve, seconded by Mr. Yancey. Motion passed 3-0, Goodwin, Tucker absent from meeting.

7. New Business

A. Suggestion for new Old Business item – Gregg Zody

Mr. Zody requested the Rt. 3 Sub-Committee report be added to future Commission Agendas.

B. Corridor Overlay District language – Gregg Zody

Mr. Zody presented a slightly modified version of Goochland County's Corridor Overlay District with a few staff recommendations. Mr. Zody discussed highlights of the text, such as variable landscaping options, architectural feature choices, signage, and etc. The Commission held a discussion on the potential creation of a Design Review Committee. Staff will bring back corrected language (minus the Design Review Committee section) to the Commission at the December 5, 2013 meeting.

C. Planned Unit Development language – Josh Frederick

Mr. Frederick presented language for two types of Planned Unit Developments; Mixed Use and the other Business Park. Commissioners inquired about where they should be applied and the benefits. Staff responded that it allows a property owner to essentially customize a development proposal to suit their needs while working towards the County's future vision for the Route 3 Area, and to the County as a whole.

The minor changes discussed will be made and brought back to the December 5, 2013 Commission meeting.

D. Miscellaneous draft zoning definitions – Gregg Zody

Mr. Zody presented 4 new uses/definitions for the PC to consider:

- 1 - Digital Fuel Signs;
- 2 - Commercial Kitchen/Smokehouse;
- 3 - Allowing Farm Stands/Wayside Stands as permitted uses in the R-1 zoning district and allowing Farm Markets with a SUP.
(Farm Markets currently in the Agricultural District require a SUP.)

Mr. Zody explained the impetus behind each definition, the fact the BOS initiated PC action for #'s 1 and 2, after a brief discussion, the Commissioners were comfortable with the language. The language will be presented at the December 5, 2013 meeting when all members (except Mr. Hutchison) will be in attendance.

8. Commissioner Comments

Chairman Brooks proposed holding a town hall meeting for citizens regarding the Route 3 Area, and Mr. Yancey and Mr. Hutchison suggested the Commission begin holding a town hall meeting in each district. The holding of these meetings will be discussed at the December 5, 2013 meeting.

Staff made a suggestion that the Commission consider moving to one meeting per month until business picks back up, and that staff can still reserve the BOS room for a second meeting, and the Commission can call a special meeting with appropriate notification when the need arises. The members were in agreement and it will be discussed further at the December 5, 2013 meeting.

9. Next meeting

The next meeting of the Commission will be December 5, 2013.

10. Adjourn

A motion was made by Mr. Yancey, seconded by Mr. Hutchison that the meeting be adjourned. Motion carried 3-0. Meeting adjourned at 8:43 p.m.

Donald Brooks, Chairman

Gregg B. Zody, Secretary