



The Orange County Board of Supervisors will hold a public hearing at 7:30 p.m. on Tuesday, May 14, 2013, in the Meeting Room of the Gordon Building, located at 112 West Main Street, Orange, Virginia, to receive comments on, and consider the following:

TWO PROPOSED AMENDMENTS TO THE ORANGE COUNTY ZONING ORDINANCE:

DIVISION 1. GENERALLY.

~~Sec. 70-38. Penalties. Any person, whether as principal, agent, employee or otherwise, violating, causing or permitting the violation of the provisions of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be fined not less than \$10.00 or more than \$1,000.00.~~

Any person, whether as principal, agent, employee or otherwise, violating, causing or permitting the violation of the provisions of this chapter shall be guilty of a misdemeanor punishable by a fine of not less than \$10 nor more than \$1,000. If the violation is uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine or not less than \$10 nor more than \$1,000, and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense for each 10-day period punishable by a fine of not less than \$100 nor more than \$1,500.

DIVISION 7. - CONDITIONAL ZONING

Sec. 70-191. - Authorized.

~~The board of supervisors may rezone property subject to conditions, provided the applicant proffers such conditions in writing prior to the public hearing before the board of supervisors. Any such rezoning shall conform to the provisions of Code of Virginia, §§ 15.2-2296 through 15.2-2303. Any landowner applying for rezoning may voluntarily proffer to place restrictions on the use of his land in addition to the restrictions imposed by this chapter, to dedicate to the county or to an agency approved by the county real estate or public facilities located off the site to be rezoned but necessitated by the rezoning, or to pay to the county a fixed sum of cash or other consideration to defray the cost of capital improvements necessitated by the rezoning. The board of supervisors may rezone the property on the condition that the landowner and his heirs and assigns abide by such conditions. Such conditions shall have the same force and effect as the regulations provided for the zoning district by this chapter. Failure to abide by such conditions shall render the rezoning voidable and may cause the zoning of the property to revert to its classification prior to the conditional rezoning.~~

The board of supervisors may rezone property subject to conditions, provided the applicant proffers such conditions in writing prior to the public hearing before the board of supervisors. Any such rezoning shall conform to the provisions of §15.2-2296 through §15.2-2303 of the Code of Virginia.

(1) Any landowner applying for rezoning may voluntarily proffer to place restrictions on the use of his land in addition to the restrictions imposed by this chapter. The landowner may also:

(a) dedicate to the county, or to an agency approved by the county, real estate or public facilities located off the site to be rezoned;

(b) pay to the county a fixed sum of cash or other consideration to defray the cost of capital improvements;

(c) pay to the county a fixed sum of cash for any off-site road improvement or any off-site transportation improvement that is adopted as an amendment to the comprehensive plan and incorporated into the capital improvements program.

provided that (i) the rezoning itself gives rise to the need for the conditions; (ii) the conditions have a reasonable relation to the rezoning; and (iii) all conditions are in conformity with the county comprehensive plan.

(2) The board of supervisors may rezone the property on the condition that the landowner and his heirs and assigns abide by such conditions. Such conditions shall have the same force and effect as the regulations provided for the zoning district by this chapter. Failure to abide by such conditions shall render the rezoning voidable and may cause the zoning of the property to revert to its classification prior to the conditional rezoning.

(3) The zoning administrator shall prepare a "proffer policy guide" to aid landowners in preparing and submitting proffers. Said policy guide shall be approved by the board of supervisors prior to implementation, and may be amended from time to time with the approval of the board.

All interested persons are invited to attend the hearing and to present their views and/or to submit written comments. Related documents may be examined during regular business hours of 8:00 a.m. – 5:00 p.m., Monday – Friday, at the Office of the County Administrator, located on the second floor of the Gordon Building, 112 West Main Street, Orange, Virginia. Materials may also be viewed on the County website at orangecountyva.gov. For further information, please contact the County Administrator's Office at (540) 672-3313.

Julie G. Summs
County Administrator
Clerk to the Board of Supervisors