

JASON CAPELLE, DISTRICT 1
GEORGE YANCEY, DISTRICT 2
DONALD BROOKS, DISTRICT 3
JULIE ZEIJLMAKER, DISTRICT 4
JIM HUTCHISON, DISTRICT 5



SANDRA THORNTON
PLANNING SERVICES MANAGER

MAILING ADDRESS:
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960

PLANNING SERVICES:
OFFICE: (540) 672-4347
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orangecountyva.gov

Orange County Planning Commission Agenda
Thursday, January 7, 2021 – 6:00 p.m.

This meeting is being held electronically pursuant to and in compliance with the Continuity of Government Ordinance (or "An Ordinance to Effectuate Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with the COVID-19 Pandemic"), adopted April 28, 2020 by the Orange County Board of Supervisors in accordance with Virginia Code § 15.2-1413. The meeting is accessible by:

https://www.youtube.com/channel/UCnL_EM-lgrXYdfKcPI8-jOQ

This meeting will be conducted remotely and there will be no physical public access. During this meeting, there will be no opportunity for public comment.

1. Call to Order and Determination of Quorum
2. Moment of silence in remembrance of Supervisor S. Teel Goodwin
3. Approval of Agenda
4. Approval of Minutes
 - a. December 3, 2020 regular meeting
5. New Business - None
6. Public Hearings
 - a. **ZTA 20-02 continued:** The Orange County Planning Board of Supervisors has proposed to amend Sec. 70-646 (5) of the Orange County Zoning Ordinance to reduce the required setback from the right-of-way of Constitution Highway (VA Route 20) between Hardwick Mountain Drive and Maudes Lane in the Barboursville vicinity from 300 feet to 150 feet.

-Review public comments and consider recommendation to Board of Supervisors
7. Worksession
 - a. Potential application calendar
8. Old Business – none
9. Reports
 - a. Board of Supervisors report – Mark Johnson

b. Planning Services report – Sandra Thornton

(1) Adjacent property owner letter from Greene County

10. Commissioner Comments

11. Next meeting date – February 4, 2021

12. Adjourn

Unless otherwise indicated, agenda items will be taken in the order in which they appear above. The planning Commission reserves upon itself the right to amend a meeting agenda at any point and with any frequency prior to adoption of said agenda, pursuant to any required public notice. Time limits may be imposed by the Chairman for speakers addressing the Commission.



**Orange County Planning Commission
Regular Meeting
January 7, 2021**

Agenda Item 3a

**Orange County Planning Commission
Regular Meeting
Thursday, December 3, 2020
Meeting Held Electronically via Zoom video conference**

Present: Donald Brooks (Chairman), Jason Capelle (Vice Chairman); George Yancey; Jim Hutchison, Julie Zeijlmaker, Mark Johnson, Board of Supervisors Liaison

Absent:

Staff Present: Sandra Thornton, Planning Services Manager; Eric Lansing, Assistant County Attorney; Tracey Newman, Planning Services Associate

Due to Covid-19 concerns, this meeting was conducted virtually and live-streamed on YouTube. The meeting was held in compliance with the Orange County Continuity of Government Ordinance ("Ordinance to Effectuate Temporary Changes in Certain Deadlines and to Modify Public Meeting and Public Hearing Practices and Procedures to Address Continuity of Operations Associated with the COVID-19 Pandemic") adopted by the Board of Supervisors on April 28, 2020 pursuant to Virginia Code § 15.2-1413.

1. Call to order and determination of quorum:

Chairman Brooks called the meeting to order at 6:00 pm and live streaming began on YouTube. A quorum was established.

2. Approval of agenda:

On a motion of Mr. Hutchison, seconded by Mr. Capelle, which carried by a vote of 5-0, the agenda was approved.

3. Approval of minutes:

a. October 15, 2020 regular meeting:

On the motion of Mr. Hutchison, with a second by Mr. Yancey, the minutes were accepted as presented on a vote of 5-0.

4. New Business:

a. REZ 20-01 Signature Station: Request for deferral

Mrs. Thornton advised the applicants had requested a deferral. Mr. Lansing explained the deferral was requested due to COVID-19. He confirmed materials will be due on March 22, 2021 and REZ 20-01 would be on the April 1, 2021 Agenda. Mr. Yancey made a motion to grant the deferral for ninety (90) days from December 28, 2020. The motion was seconded by Mr. Hutchison and passed on a vote of 5-0.

5. Public hearings:

a. ZTA 20-01 Continuation: The Orange County Planning Commission has proposed amendments to Sections 70-306(h), 70-336(g), and 70-366 (6) in order to eliminate contradictions with Section 70-64 of the Orange County Zoning Ordinance, which provides that the Orange County Board of Zoning Appeals has no authority to grant special exceptions.

Chairman Brooks reviewed the Zoning Text Amendment and Mrs. Thornton confirmed no comments were submitted. Chairman Brooks closed the public hearing. Mr. Yancey made a motion to recommend approval of ZTA 20-01 which was seconded by Mr. Hutchison. The motion passed with a vote of 5-0.

- b. **STA 20-01:** The Orange County Planning Commission has proposed to amend Section 54-20 of the Orange County Subdivision Ordinance to provide for notification to the Planning Commission of waivers or modifications of subdivision ordinance requirements as may be granted by the Subdivision Agent.

Mrs. Thornton reviewed the Subdivision Text Amendment and advised no public comments were received. Mr. Hutchison made a motion to recommend approval of STA 20-01. The motion was seconded by Mr. Capelle and carried with voted of 5-0.

- c. **ZTA 20-02:** The Orange County Planning Board of Supervisors has proposed to amend Sec. 70-646 (5) of the Orange County Zoning Ordinance to reduce the required setback from the right-of-way of Constitution Highway (VA Route 20) between Hardwick Mountain Drive and Maudes Lane in the Barboursville vicinity from 300 feet to 150 feet.

Chairman Brooks opened the public hearing and advised comments will be accepted through the deadline for submission on December 30, 2020.

Supervisor Johnson suggested that the required setback of three-hundred (300) feet should have not been applied to this section of Constitution Highway due to the number of pre-existing small lots, some of which already had houses on them, adjacent to the roadway where compliance with the large setback is impossible. He advised that the three-hundred (300) foot setback was established for aesthetic purposes to preserve the Route 20 and Route 15 corridors and to limit development. He noted that a three-hundred-foot (300) foot setback has been established for only two (2) roadways: Rt. 20 between the Barboursville Village Overlay District and the Town of Orange and along Rt. 231 north of Gordonsville to the Madison County line. Discussion ensued and Mr. Hutchison made a motion to continue ZTA 20-02 at the January 7, 2021, meeting. The motion was seconded by Chairman Brooks and passed on a vote of 5-0.

6. Work session:

- a. **Potential application calendar**

Mrs. Thornton advised work on the calendar is ongoing due to current staff workload.

7. Old business: None

8. Reports:

- a. **Board of Supervisors Report – Mark Johnson – none**

- b. **Planning Services Report – Sandra Thornton**

Mrs. Thornton advised the Board of Supervisors expect to take action on SUP 20-01 MAPAG and SUP 20-03/REZ 20-02 Storeland at their December 15, 2020, meeting.

9. Commissioner comments:

Mr. Capelle thanked Supervisor Johnson for his courtesy and commended Chairman Brooks on his handling of meetings during the COVID-19 pandemic.

Chairman Brooks advised that he had visited with Supervisor Teel Goodwin who was very appreciative of the Planning Commission's resolution.

Mrs. Thornton reported that she had met remotely with representatives of the VFW post in Gordonsville to discuss zoning concerns associated with their property. The Commission briefly discussed the subject property.

10. Next meeting date – January 7, 2021

11. Adjourn

On the motion of Mr. Hutchison, seconded by Mr. Capelle, which carried by a vote of 4-0, the meeting adjourned at 7:32 p.m.

Donald Brooks, Chairman

Planning Commission Secretary

The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.



**Orange County Planning Commission
Regular Meeting
January 7, 2021**

Agenda Item 6a

ORANGE COUNTY
PLANNING SERVICES

COMMUNITY DEVELOPMENT
128 WEST MAIN STREET
ORANGE, VIRGINIA 22960



OFFICE: (540) 672-4347
FAX: (540) 672-0164
orangecountyva.gov

MEMORANDUM

TO: Orange County Planning Commission
FROM: Sandra B. Thornton, Planning Services Manager
DATE: December 31, 2020
SUBJECT: Public Comments – ZTA 20-02

Attached please find public comments submitted in reference to the pending zoning text amendment referenced above.

December 28, 2020

To the Orange County Board of Supervisors and Planning Commissioners,

My name is Randy Grymes and my wife and I own and live at 15381 Willow Spring Road outside of the Town of Orange. My wife, Diane, also owns her family home at 13243 Blue Ridge Turnpike in Somerset.

I need to comment on ZTA 20-02 after watching the December planning commission meeting. I wrote a letter prior to the meeting, but I feel there is more I need to say and ask now. More than 30 years from the enactment of the arbitrary and unprecedented 300 foot setback for aesthetic purposes, we are asking the planning commission to make a recommendation without supplying them all of the data available to the county. The county should be better now at informing our planning commissioners of the details of a case than they were over 30 years ago or it will confirm that we have not made any progress in planning.

My first concern arises from the number of homes which Mrs. Thornton said would be nonconforming in the ZTA 20-02 area. I think she said that GIS found that 10 homes would be nonconforming and I think this means after the setback is changed from 300 feet to 150 feet, but I am not sure. If I am correct in this, it means that I don't understand the setback or I don't understand the area included in this action. My count indicates that on the northwest side of Route 20 in this area there are currently 15 nonconforming homes due to the 300 foot setback, changing to 10 nonconforming homes with the change to the 150 foot setback. However, in this same stretch of road there are 5 nonconforming homes on the southeast side of Route 20 and these would still be nonconforming with a 150 foot setback. I guess the advertisement is to be literally interpreted as the area on the northwest side of the road based on this count, but I do not normally work in areas where the setbacks are different on either side of the road out in the country on a primary highway.

I want to make sure that we all understand the setbacks the same way. In Sec. 70-646 of the zoning ordinance, the setbacks for any structure are measured from the right of way of the highway and not the center of the highway. In this ZTA 20-02 action, Route 20 has generally a 110 foot right of way width and some variable width. Toward Barboursville and toward Orange this highway tends to have some areas with an 80 foot and variable width right of way. It is generally accepted that Route 231 has between 30 and 40 feet of width in right of way or easement. If you are in the center of the road in these areas, the right of way line, therefore, will be located anywhere between 15 and 55 feet to your right or left. This right of way line is the starting point for measuring the 300 foot setback. In the ZTA 20-02 section there is an approximate 55 foot buffer from the center of the road before beginning to measure the 300 foot setback.

In the Barboursville Overlay District (BVOD) which is within sight of the ZTA 20-02 action, only on the southeast side of Route 20 here, the setback is 75 feet as measured from the center of the highway. This is the same as 35 feet from the right of way. Directly across the road here, the setback is 300 feet from the right of way which translates into 340 feet from center of the road.

By having the setback defined as measured from the right of way line in Sec. 70-646, the setback line is a variable distance from the center of the highway depending on the right of way width. The new BVOD has a constant setback because it is measured from the center of the road.

I think good planning is a critical need for the county. The issue behind the need for ZTA 20-02 is a prime example of this. In the meeting Mr. Johnson said the area in question already had homes on them and that they should not have been included in the 300 foot setback. He went on to say that the difference on Route 20 here and Route 231 is how they are built out and they need to make the regulation here what it should have been all along and bring it into alignment with the 150 foot setback on Route 15 north of the Town of Orange.

While I agree with much of what Mr. Johnson stated in the meeting, and I agree with the idea of giving people relief from this setback, I feel the county should not make a major change in just one area without giving commissioners facts to consider. It is my hope that by giving them more facts, they will realize we have more work to do for the people within these two corridors. The following information is based upon what I could extract from the GIS and other limited information available. I am sure the county has the ability to give more exact information for these areas. The zoning information I have is from the GIS and not checked against the official hardcopy Tax Map in the planning office.

By my own estimate, the approximate one mile area included in ZTA 20-02 has something in the neighborhood of 20 homes that appear to be within the 300 foot setback. This count is 15 if the proposed change is limited to the northwest side of the road. Further review of the GIS indicates most of the properties within the ZTA 20-02 area are zoned A with the exception of one being zoned R2 and one zoned R4. The R4 zoning is multifamily and seems like an unusual zone for this area. The railroad is close to Route 20 on the southeast side near the south end of this section, but not as much toward the northern end. I think there has been at least one variance given in the ZTA 20-02 section.

In Section A through D I tried to highlight some other areas within the 300 foot setback corridors which are somewhat similar to the ZTA 20-02 area in which the barn was burning and the horse had already left as Mr. Johnson put it so well.

Section A

The first one mile area on Route 20 leaving the Town of Orange and heading toward Somerset is an area that has approximately 20 homes within the 300 foot setback. The zoning includes A, R1, and C1. Leaving the town limits on the left are several homes abutting the railroad, similar to the

ZTA 20-02 area. These properties are generally less than 300 feet deep to the railroad and their C1 zoning makes them nonconforming due to zoning. The 300 foot setback dimension is mostly unnecessary for these properties. There are two cemeteries on the right leaving the Town and the 300 foot setback is probably unnecessary here, also. I think there is at least one dwelling built in Section A that required a variance.

Section B

Beginning just before Dolley Madison Road on Route 20 and running approximately one mile toward Somerset to the property of Montpelier is another area which has approximately 20 homes within the 300 foot setback. The zoning is R2 and some A. The railroad is close to the highway near the end of this section. I believe there are at least two dwellings in Section B that required a variance.

Section C

At the intersection of Route 20 and 231 is a cluster of houses, store building, church, and possible rebuild of a store. This section has 6 buildings within the 300 foot setback and one possible rebuild of the Somerset store here within about 1,150 feet of highway. This is the equivalent density of approximately 32 units per mile. The old Colvin gas station building is zoned A though it was used as commercial. Two dwellings built in the 1950's here are zoned C1 though always used as residential and there is other A zoning here. No variances have been given in Section C to my knowledge.

Section D

The one mile area on Route 231 from the bridge over Blue Run to the last dwelling just past the intersection with the Jacksontown Road has approximately 21 dwellings and 1 post office within the 300 foot setback. The zoning here appears to be R1, C2, and A. The post office and approximately 4 dwellings needed a variance from the setback to build in Section D.

In the planning meeting there was discussion mainly of special use permits and a little about variances. Variances have been the most common action in these areas over the years. "A variance allows an owner to do what is otherwise not allowed under the ordinance." (Sec. 13-100 Albemarle County Land Use Law Handbook, Kamptner/Feb.2018). "Because a facially valid zoning ordinance may prove to be unconstitutional in its application to a particular property, some device is needed to protect landowner's rights without destroying the viability of zoning ordinances." (Sec.13-200 Albemarle County Land Use Law Handbook, Kamptner/Feb. 2018). In this same Albemarle County Handbook it is also said that variances should be sparingly granted; a high number of variance applications on a recurring issue indicates problems with the zoning ordinance, and the solution is to amend the regulations, not to keep considering variance applications. I hope the county attorney can address the use of variances within the county to the planning commission and whether they will continue to be allowed.

The adjoining county of Madison has a 100 foot from centerline setback on Route 231 in their agricultural zone leaving Orange County. Even though this is a scenic byway, they don't see the need for excessive setback requirements.

The adjoining county of Albemarle handles their scenic byways with the Entrance Corridor Overlay District. This district requires certain building guidelines, but keeps the setback distances the same as the underlying zoning of each property. In their Rural Area Zoning which takes in a lot of country properties, the front setback is 75 feet from the right of way line of the highway. They, like Madison County, did not enact excessive setbacks, even on Route 53, the road to Monticello. The overlay gives landowners the reasonable use of their land provided they meet certain building guidelines. It gives properties a chance for renewal and revival for current and future owners. I would guess that over time everyone benefits from this as property values are enhanced rather than being driven down by zoning.

In the meeting Mrs. Zeijlmaker asked why the 300 foot setback was enacted. Mr. Johnson made a response to the effect that it was 100 percent aesthetic to preserve these two corridors and to limit development on them. I agree, but I would add that the setback was added without study or concern for the affected landowners. I feel sure there was little or no turnout for the meetings dealing with this years ago as few people either saw the notices or understood what the implications of the action would be. Also, variances were routinely approved back then.

Mr. Yancey stated that he thought if the setback was changed for this area, then it should be changed for the rest of the areas. Mr. Capelle, who seemed to side with Mr. Johnson on the area within ZTA-20-02 pointed out that not everyone agrees with Mr. Yancey. He said something to the effect that if they start fussing (or futzing) around with the viewshed around Montpelier, they would see a sizable number of people in District One who do not share his view. He said something to the effect that as an owner of an establishment that lives off tourism, you would be amazed at the number of people bringing their money to Orange County and spending it. He went on to say we may think we are helping people, but we're also hurting other people, those who rely on tourism dollars and those who have businesses who rely on these sorts of views and aesthetics.

I would tend to agree with Mr. Capelle that a sizable number of people will not agree with fussing around with the viewshed of Montpelier. I would respond to this by saying that disagreement is a good thing for us to have since there should always be differing points of view on important issues. This is an important issue. It is when everyone has the same opinion that I begin to worry.

I would like Mr. Capelle to explain what he thinks a small lot homeowner is going to do to hurt the Montpelier viewshed. Many of the homes are positioned at or closer to the road than the old 100 foot setback and would never need or be able to build toward the highway to further disturb the viewshed. Some few may need help because of their positioning. I think that most all of us have great respect for Montpelier and don't wish any ill will toward those making a living from tourism. Most of the homeowners here keep up their places, mow their yards, and pick up the trash thrown out in their front yards by passing cars. If you have been by Montpelier lately you will have seen a disgusting amount of trash and trash bags along the highway, even across from the entrance and down toward the road to the dumpster site. This trash has been accumulating for several months and was there over Christmas. How in the world can anyone who is making a lot of money off of tourism centered on Montpelier let this happen? How can people be so concerned that the good neighbors of Montpelier are going to do something with

their land to hurt their business, but they won't see to the simple task of keeping the main thing that drives their business, clean and respectable looking? To me, this is a more serious problem from an aesthetics point of view than any of the small homes along these corridors. Most people will keep up their homes a little better if you return some of their dignity in ownership to them.

Through zoning, if your elected and appointed representatives allow it, the county has the power to put what I consider to be an unconstitutional, unprecedented, blanket 300 foot setback on our property without compensation. The only remedy available is actions like ZTA 20-02 which Mr. Johnson has initiated and the Board of Supervisors are the only ones that have the power to fix this. Unless the county actually takes your house or puts some structure on your property, there can be no remedy through the court system no matter the amount of money you have. By putting a few ads in the newspaper or online, which nobody may notice, and having a couple of meetings, the county can almost silently change the very nature of your home ownership for good or bad. If VDOT wants a small easement they contact you by mail and phone. They make a written agreement, have an appraisal, have you sign a deed and pay you money. This is the dignified way to acquire property rights. Not so with the county and zoning. No one needs to contact you or look you in the eye to take your rights in your land. This is the undignified way to acquire property rights. It is up to you to stay on guard to protect your land. Otherwise, we have to simply trust our representatives not to hurt us. I think a lot of people, to this day, don't believe that this type of taking can happen to them.

I am glad for the many successes of Orange County. Mr. Johnson and the other supervisors and the planners have worked hard to continue making Orange a better place for the citizens. I fully understand and appreciate what he said about the difference between trying to solve a problem versus trying to solve all of the problems. But I have faith that this Board of Supervisors can do anything they want to do. If they can run broadband all over a 40 mile wide county, they can certainly fix a bad setback problem to help balance the needs of property owners with the needs of the tourism industry. All of these areas affected by the 300 foot setback are connected. If the correct answer is to pick an area to fix, then you should be able to pick any other area to fix as well. I know that there is no decision that makes everyone happy, but I fully support the rights of all of the landowners in these 300 foot setback corridors to have some rights returned to them, preferably to the old 100 foot setback.

Orange is the county of James Madison, the Father of the Constitution. Do you want Orange County to be known for having one of the most restrictive setbacks in the state of Virginia as their best solution for improving the aesthetics around James Madison's home? As you make your decision, just try to imagine what James Madison would think of his county imposing such a taking of his neighbor's rights.

Sincerely,



Randy Grymes

December 30, 2020

Sandra Thornton, Planning Services Manager

Orange County Virginia

128 West Main Street

Orange, Virginia 22960

Reference: The Planning Commission 's Consideration of reduction of Rt. 20 setback in Barboursville, per the November 2, 2020 memorandum

We owned a parcel/tract at the corner of Maude's Lane and Constitution Highway. This .908 +/- acres was totally engulfed by the 300' setback in question. We asked for a various to build a house, which was by right for this lot as it was Agriculturally zoned, at that time, but the 300' setback gave us no chance to do so. The county turned us down as they said we had originally said we would do something agricultural on the land. Which we had originally planned to do but had changed our mind. We appealed it to the Board of Zoning Appeals. They turned us down, as we were not going to use the property for a bonafide agricultural purpose. We then decided to use the property for agricultural purposes so then we called Josh Frederick, who oversaw Planning/Zoning at that time. I asked if we could go ahead and use it for agricultural use as the Board of Zoning Appeals had said, as we now had agricultural use for the land. He said no we could not use it for anything, and we could not appeal to the zoning appeals board as no more appeals were allowed by the county at all for any land variance or usage situations.

I find it interesting now the Board of Supervisors is has decided to spot zone this small portion of Route 20 and ask for a change to the 300' setback, in just this limited area. The must have some special interest they are trying to appease. It isn't fair to only do the bidding for one person, and not represent the community as a whole. I find this is arbitrary and racist to all the families and homeowners

already living in that area, many have been there for generations. This area has been historically low income.

I know of one property owner in the area that has tried unsuccessfully several times to be allowed to build an addition on their property, to the existing house that has been there for quite a while and have been turned down because it is in the 300' set back. It did not matter that it was an existing house, on an improved lot, and had been there way before this 300" setback was in existence.

If you are changing the setback on Rt. 20, they should be the same for everyone else, not just specially selected people. The setbacks are 150' from Orange on Rt 20, towards Rt 3. Why not make the setbacks the same for all Rt 20 and not just specially selected people?

This really seem like exclusionary irrational selective spot zoning as it is currently proposed.

Cordially,

Robin Canard-Lovett

9471 Little Skyline Drive

Orange, Virginia

540-672-0666

Tracey Newman

From: Thedosia Munford <tlgreene0520@gmail.com>
Sent: Thursday, December 31, 2020 1:57 PM
To: Tracey Newman
Subject: Proposed Amendment to Sec 70-645(5) of Orange County Zoning

Dated - December 30, 2020

TO: Tracey Newman
Planning Services Associate
Orange County Planning Commission

FROM: Thedosia L. Munford
Descendent of Ella G. Campbell and payor of property taxes
Property Owner- Parcel # 05400000000600
Constitution Highway
Orange County, VA

Per the Orange County Board of Supervisors proposal to amend Sec 70-646 (5) of the Orange County Zoning Ordinance to reduce the required setback from the right-of-way of Constitution Highway (VA Route 20) between Hardwick Mountain Drive and Maudes Lane in the Barboursville vicinity from 300 feet to 150 feet.

As property owners in this included area, we are in complete agreement with and support this reduction of required setback from the right-of-way of Constitution Highway. This is in the best interest of our property.

If you have questions and/or need further info, please do not hesitate to let us know. Please contact me (Cheryl Quick) for Thelma Quick by phone (240) 535-1986; or by email: cquick2913@verizon.net.

Thedosia L. Munford
8805 Junaluska Terrace
Clinton, MD 20735
301.633-1442



**Orange County Planning Commission
Regular Meeting
January 7, 2021**

Agenda Item 7a

ZONING ORDINANCE DEADLINES FOR PLANNING COMMISSION MEETINGS

DIVISION 5 – SPECIAL USE PERMITS

Sec. 70-143. – Notice and hearing required.

No action to approve, modify, or deny a special use permit may be taken by the governing body except after notice and hearing as provided in Code of Virginia, § 15.2-2204.

Sec. 70-144. – Expiration and revocation.

- (a) any special use permit shall become void if the applicant does not obtain a building permit for the facility or otherwise commence the use within two (2) years of its issuance.

In the event any use allowed by a special use permit is discontinued for a period of two (2) years or longer,
the use shall be deemed abandoned and the special use permit shall become void.

Renewal and/or reestablishment of such a use shall require a new application, public notice, and subsequent approval by the board of supervisors.

Sec. 70-145. – Application submittal requirements and review.

- (b) An application that provides all of the required information, in appropriate detail, shall be determined to be complete and be accepted for review. An application omitting any required information shall be deemed to be incomplete and shall not be accepted
- 1) The zoning administrator shall determine whether an application is complete within ten (10) business days after the application is received.
 - 2) Applications deemed incomplete shall have the required missing information submitted within ninety (90) calendar days of the date of the zoning administrator's notice,
- (c) The zoning administrator shall refer the application to the planning commission only after allowing for a sufficient time period for review, not to exceed forty-five (45) business days, by other county departments and external agencies.

2021 PLANNING COMMISSION MEETING SCHEDULE

Thursday, January 7, 2021
Thursday, February 4, 2021
Thursday, March 4, 2021
Thursday, April 1, 2021
Thursday, May 6, 2021
Thursday, June 3, 2021
Thursday, July 1, 2021
Thursday, August 5, 2021
Thursday, September 2, 2021
Thursday, October 7, 2021
Thursday, November 4, 2021
Thursday, December 2, 2021

WORKING DEADLINE CALENDAR

Recommended Submission Date for Completeness Review	Review for Completeness Deadline*	Application Review Committee Deadline	Planning Commission Hearing Date**	Public Notice Period Time period in which legal notice is advertised***
		1/15/2021	1/7/2021	12/24/2020 & 12/31/20
			2/4/2021	1/21/2021 & 1/28/2021
11/13/2020	12/1/2020	2/8/2020	3/4/2021	2/18/2021 & 2/25/2021
12/15/2020	12/31/2020	3/8/2020	4/1/2021	3/18/2021 & 3/25/2021
			5/6/2021	4/22/2021 & 4/29/2021
			6/3/2021	5/20/2021 & 5/27/2021
			7/1/2021	6/17/2021 & 6/24/2021
			8/5/2021	7/22/2021 & 7/29/2021
			9/2/2021	8/19/2021 & 8/26/2021
			10/7/2021	9/23/2021 & 9/30/2021
			11/4/2021	10/21/2021 & 10/28/2021
			12/2/2021	11/18/2021 & 11/25/2021

All meetings take place on the first Thursday of the month, beginning at 6pm

*The zoning administrator shall determine whether an application is complete within ten (10) business days after the application is received. The applicant will be notified either that the application is complete or if additional information is needed. Applications deemed incomplete shall have the required missing information submitted within ninety (90) calendar days of the zoning administrator's notice.

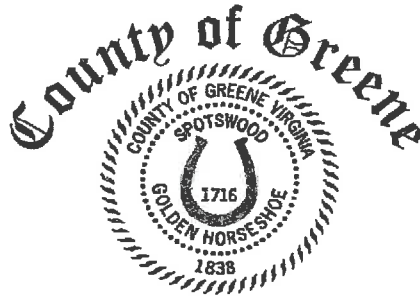
**Matters will be scheduled if Application Review Committee comments have been addressed as may be necessary.

***Legal notices published in accordance with requirements in § 15.2-2204 of the Code of Virginia. Submission deadline is generally at noon the Monday preceding the first publication date.



**Orange County Planning Commission
Regular Meeting
January 7, 2021**

Agenda Item 9b



PLANNING COMMISSION

BOARD OF ZONING APPEALS

GREENE COUNTY PLANNING DEPARTMENT

Post Office Box 358

Stanardsville, Virginia 22973

Tel: 434-985-5282

Fax: 434-985-1459

Website: www.gcva.us

Email: planning@gcva.us

December 28, 2020

Dear Adjoining Property Owner:

Pursuant to the provisions of Article 18 of the Greene County Zoning Ordinance and Section 15.2-2204 of the Code of Virginia of 1950, as amended, the **Greene County Planning Commission will hold a public hearing on Wednesday, January 20, 2021 at 6:30 p.m.** Public participation will be available remotely via telephone and/or electronic means. Detailed instructions for the remote participation will be provided on the Greene County Website (www.greencountyva.gov) prior to the public hearing. **This hearing will be hosted live to consider the following request:**

Greene CD, Inc. request a rezone to amend proffers (RZ#11-002) on TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A, and 66-(13)-C1B on approximately 402.59 acres. The parcels are zoned PUD (Planned Unit Development) and are located south of Freddy Creek Road in Barboursville. The Greene County Future Land Use Map designates these parcels as "Suburban Residential ". (RZ#20-009)

The proposed request is to amend the following:

1. GENERAL/LAND USE AND PHASING/TIMING

Approved Proffers – Of the total 1,180 units, 580 are required to be townhomes and 600 are required to be single family detached homes>>Amended Proffer>> Applicant may opt to substitute other dwelling types in lieu of townhomes IF those substituted homes have a first-floor bedroom.

Approved Proffers – Applicant shall not receive preliminary site plan approval until easement for the Route 670 connector road have been secured>>Amended Proffers>> Deleted. VDOT is building the Route 670 Connector Road.

3. DESIGN STANDARDS

Approved Proffers- Street frontage regulations shall be consistent with current SR zoning (generally, 40 feet at right-of-way line).>>Amended Proffers>>Street frontage regulations shall be consistent with current SR zoning, except that for single family attached dwellings, the minimum lot width shall be 30 feet for end lots. (generally, 40 feet at right-of-way line). Single family dwellings shall not contain more the 8 attached units.

4. ROAD AND PARK IMPROVEMENTS

Approved Proffers – Applicant will design and build the Route 670 Connector Road>>Amended Proffer>>Deleted. VDOT is building the Route 670 Connector Road.

New Proffer – Applicant will donate at least 50 acres of land adjacent to Preddy Creek Park, build a public access trailhead and parking lot, and build trails along Cedar Run and Preddy Creek (approx. 10,000 linear feet) and dedicate it to public use.

6. CAPITAL IMPACTS

New Proffer – Applicant shall proffer \$1,000.00 per townhome unit constructed to Greene County for use toward water system capital improvements. If the applicant constructs improvements in excess of the capacity required for the development then credit will be given toward the cash proffer obligation. (RZ#20-009)

Any photos, displays, exhibits, etc. that are presented will become a part of the case file. Information regarding this project may be reviewed in Room 226 in the Greene County Administration Building, Monday through Friday, from 8:00 a.m. to 4:30 p.m.

Sincerely,


Jim Frydl
Planning Director