

**COUNTY ADMINISTRATOR'S OFFICE
P. O. BOX 111
ORANGE, VIRGINIA 22960**

At a regular meeting of the Orange County Board of Supervisors held on August 11, 2015, the following action was taken:

150811 – PH1

RE: PUBLIC HEARING #1: PROPOSED AMENDMENTS TO CHAPTER 70 OF THE ZONING ORDINANCE CONCERNING PUBLIC UTILITY FACILITIES AND ACCESSORY APARTMENTS

On the motion of Mr. Goodwin, seconded by Mr. Crozier, which carried by a vote of 5-0, the Board adopted the following ordinance as presented:

ORDINANCE APPROVING AMENDMENTS TO ARTICLES I AND IV, SECTION 70, OF THE ORANGE COUNTY ZONING ORDINANCE CONCERNING PUBLIC UTILITIES AND ACCESSORY APARTMENTS

WHEREAS, the Board of Supervisors previously initiated Planning Commission action on amendments to Articles I and IV, Section 70, of the Orange County Zoning Ordinance concerning public utilities and accessory apartments; and

WHEREAS, the Planning and Zoning Director and County Attorney drafted recommended language for the text amendments, which were presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and held a Public Hearing on the proposed text amendments on July 16, 2015; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as amended; and

WHEREAS, the Board of Supervisors conducted a duly advertised Public Hearing on August 11, 2015, to consider the proposed text amendments; and

WHEREAS, following discussion at the August 11, 2015 Public Hearing, the Board of Supervisors hereby supports the proposed text amendments; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice also support approval of the proposed text amendments;

NOW, THEREFORE, BE IT ORDAINED, on this 11th day of August, 2015, that the Orange County Board of Supervisors hereby approves the proposed amendments to Articles I and IV, Section 70, of the Orange County Zoning Ordinance concerning public utilities and accessory apartments, as presented and attached.

Ayes: Johnson, White, Goodwin, Crozier, Frame. Nays: None.

MOTION APPROVED



R. Bryan David
County Administrator

cc: Glenda Bradley, Finance Director
Connie Clark, Accountant
Thomas Lacheney, County Attorney
Josh Frederick, Planning and Zoning Director
File: Board Actions 2015

Attachment: Adopted Amendments to the Orange County Zoning Ordinance

Adopted Amendments to the Orange County Zoning Ordinance

**As adopted in Ord. No. 150811 – PH1
by the Orange County Board of Supervisors
on August 11, 2015**

Article I – In General

Sec. 70-1. – Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. All terms used in this chapter that are defined in § 15.2-2201, VA Code Ann. shall be construed as having the meanings set forth in that section.

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~~ a dwelling unit, which is accessory to a permitted single-family dwelling, containing no more than 600 square feet of interior floor area (excluding unconditioned, outdoor living space), which is served by a water supply and sewage disposal system approved by the Virginia Department of Health. No lot shall contain more than one accessory apartment.

[...]

Public utility means any company which owns or operates facilities within the Commonwealth of Virginia for the generation, transmission or distribution of electric energy for sale, for the production, storage, transmission, or distribution, otherwise than in enclosed portable containers, of natural or manufactured gas or geothermal resources for sale for heat, light or power, or for the furnishing of telephone service.

[...]

Article IV – District Regulations

Sec. 70-303. – Uses permitted by special use permit. (A)

In the agricultural district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

[...]

16) Public use such as school, park, library, ~~or fire/rescue station, public utility, or maintenance facility.~~

[...]

22) Public utility facility.

Sec. 70-332. – Permitted uses. (R-1)

In the limited residential district, land may be used for the following uses, and any customarily incidental accessory use, including home occupations:

[...]

7) Public use such as a school, park, library, ~~or fire/rescue station, public utility, or maintenance facility.~~

[...]

Sec. 70-333. – Uses permitted by special use permit. (R-1)

In the limited residential district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

[...]

8) Public utility facility.

Sec. 70-362. – Permitted uses. (R-2)

In the general residential district, land may be used for the following uses, and any customarily incidental accessory use, including home occupations:

- 1) Single-family dwelling
- 2) Two-family dwelling.
- 3) Short-term lodging facility.
- 4) Place of worship.
- 5) Public use such as a school, park, library, or fire/rescue station, ~~public utility, or maintenance facility.~~
- 6) Signs subject to sections 70-368 and 70-696 et seq.
- 7) Accessory apartment.

Sec. 70-363. – Uses permitted by special use permit. (R-2)

In the general residential district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

- [...]
- 7) Public utility facility.

Sec. 70-392A. – Permitted uses. (R-3)

In the planned residential district, land may be used for the following uses, and any customarily incidental accessory use, including home occupations:

- [...]
- 7) Public use such as a school, park, library, or fire/rescue station, ~~public utility, or maintenance facility.~~
 - 8) Signs subject to sections 70-400 and 70-696 et seq.
 - 9) Accessory apartment.

Sec. 70-392B. – Uses permitted by special use permit. (R-3)

In the planned residential district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

- [...]
- 3) Public utility facility.

Sec. 70-422. – Permitted uses. (R-4)

In the multifamily residential district, land may be used for the following uses, and any customarily incidental accessory use, including home occupations:

- [...]
- 6) Public use such as a school, park, library, or fire/rescue station, ~~public utility, or maintenance facility.~~
 - [...]
 - 9) Accessory apartment.

Sec. 70-423. – Uses permitted by special use permit. (R-4)

In the multifamily residential district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

- [...]
- 6) Public utility facility.

Sec. 70-452. – Permitted uses. (C-1)

In the limited commercial district, land may be used for the following uses, and any customarily incidental accessory use, provided that no merchandise, materials, tractor-trailers, or equipment are stored outdoors:

[...]

3) Public use such as a school, park, library, or fire/rescue station, ~~public utility, or maintenance facility.~~

[...]

Sec. 70-453. – Uses permitted by special use permit. (C-1)

In the limited commercial district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

[...]

4) **Public utility facility**

Sec. 70-482. – Permitted uses. (C-2)

In the general commercial district, land may be used for the following uses, and any accessory use:

[...]

8) Public use such as a school, park, library, or fire/rescue station, ~~public utility, or maintenance facility.~~

[...]

Sec. 70-483. – Uses permitted by special use permit. (C-2)

In the general commercial district, the following uses may be permitted upon issuance of a special use permit by the board of supervisors:

[...]

9) **Public utility facility**

10) Any commercial use which is not expressly permitted in any district.