

**Orange County Planning Commission
Regular Meeting
Thursday, March 3, 2022**

Present: Jason Capelle, George Yancey, Donald Brooks, Julie Zeijlmaker, Bryan Nicol, Mark Johnson, Board of Supervisors Liaison

Absent:

Staff Present: David Smitherman, Interim Planning and Development Services Director, Eric Lansing, Assistant County Attorney; Tracey Newman, Planning Services Associate

1. Call to order and determination of quorum:

Chairman Brooks called the meeting to order at 6:00 pm and a quorum was established

2. Approval of agenda:

Mr. Yancey made a motion to approve the Agenda as presented. The motion received a second from Mr. Capelle and carried on vote 5-0.

3. Approval of minutes:

a. March 3, 2022 regular meeting:

Mr. Capelle noted an article he read at the last meeting was not included in the minutes, and Mr. Nicol noted the date for the next meeting is incorrect.

Mr. Nicol made motion to approve the Agenda with noted changes. Mr. Yancey seconded the motion; and the Commission voted to approve the motion (5 votes in favor, 0 opposed, 0 abstentions). The amended minutes will be included in the Agenda Packet for the April 7, 2022 meeting.

4. Public Comment: none

5. Public Hearings:

a. ZTA 22-01

To adopt new floodplain overlay districts in the Zoning Ordinance (Chapter 70 of the Orange County Code).

Mr. Eric Bittner, Planner, presented the proposed zoning text amendment to Floodplain Management as a result of the Federal Emergency Management Agency's (FEMA) update to the Flood Insurance Rate Map (FIRM) and requirements of the National Flood Insurance Program (NFIP).

The Planning Commission moved to recommend approval of ZTA 22-01 with adoption to Sec.70-574(A)(1) with the addition of the underlined word: "for example, replacing

roofing or siding is not a substantial repair)", with vote of 4-0 (Commissioner Nicol abstained).

b. STA 21-01 Private Road Standards

Mr. Johnson reviewed the Board of Supervisors proposed amendment to private road standards relative to construction standards and previously platted lots.

The Planning Commission voted 5 to 0 to recommend three changes to STA 21-01:

- 1 – Make the two dates in the ordinance the same: "January 1, 2022."
- 2 – Replace "family division" with "family subdivision."
- 3 – Replace the word "street" with "road."

In addition, the Planning Commission voted 5 to 0 to add a definition of proof roll and a definition of third-party inspector (VDOT Manual dated May 2018):third-party inspector must certify items 2(a) through 2(f).

4 - Add a definition of "proof roll" to the proposed amendment, as follows: "*Proof roll* means the use of heavy pneumatic tired equipment (i.e. loaded 10-ton tandem dump truck) for testing the subgrade for stability and uniformity of compaction. A proof roll is considered to have failed if lateral movement, vertical deformation, or pumping of the subgrade occurs." (Source of the definition: VDOT Land Development Inspection & Documentation Manual (May 2018), p. 6.)

5 - Add a definition of "third-party inspector": "*Third Party Inspector*" means a professional engineer or a certified technician/inspector supervised by a professional engineer who has been hired by the developer to provide a level of testing and inspection on the project equivalent to that for a VDOT project and who has no relationship otherwise with the developer or contractor. Firms that designed a project may be used as providers of third party inspection services, except in the case where that firm is also the provider of construction services for the project." (Source of the definition: VDOT Land Development Inspection & Documentation Manual (May 2018), p. 6.)

6 - State that a third-party inspector must certify compliance with items 2(a) through 2(f), under § 54-121(b).

A motion to recommend approval of STA 21-01 with two approved changes passed 5 to 0.

6. Worksession:

- a. Mr. Lansing gave a presentation on Robert's Rules

7. New Business: none

8. Old Business: none

9. Reports:

- a. **Board of Supervisors Report** – Mark Johnson – nothing to report.

b. **Planning Services Report – David Smitherman**

Mr. Smitherman advised staff is catching up on backlog of plats and working on modernization of processes thru automation for efficiency.

10. Commissioner comments:

Mr. Nicol welcomed Mr. Smitherman and praised the planning staff for their handling during recent changes.

Mr. Yancey thanked Mr. Smitherman for joining staff and that it was an honor to attend the memorial service for former Planning Commissioner Jim Hutchison.

Mr. Brooks advised he and Mr. Nicol, County Administrator Vorhees and staff attended a meeting with Wilderness Crossing representatives to determine how to move the project forward as expeditiously as possible. Mr. Vorhees added that proffers have been requested from the applicant. Mr. Brooks expressed appreciation for staff's hard work.

Mr. Capelle stated he does not feel the County should be anxious for Wilderness Crossing to do anything and it is up to the applicants to move forward. He stated all he wants is what is fair to the County and to the tax payers.

11. Next meeting date – April 7, 2022

12. Adjourn

On the motion of Mr. Capelle and seconded by Mr. Nicol, which carried by a vote of 5-0, the meeting adjourned at 7:58 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.