At the Regular Meeting of the Orange County Board of Supervisors held on Tuesday, January 14, 2025, beginning at 5:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; Keith F. Marshall, Vice Chairman; Eduward M. Van Hoven; Crystal D. Hale; and J. Bryan Nicol. Also present: Theodore L. Voorhees, County Administrator; Amy Wilson, County Attorney; and LaToya M. Smith, Chief Deputy Clerk.

RE: INTRODUCTION OF DIRECTOR OF DEVELOPMENT SERVICES

Theodore L. Voorhees, County Administrator, introduced Michelle Mixell, the newly appointed Director of Development Services for Orange County. Ms. Mixell was given an opportunity to comment at this time and stated she is looking forward to working with the Board and staff.

RE: ELECTION OF THE CHAIRMAN

Theodore L. Voorhees, County Administrator, opened the floor for nominations for Chairman. Mr. Van Hoven nominated Mr. Johnson. There being no other nominations for Chairman, the nominations were closed.

On the motion of Mr. Van Hoven, seconded by Mr. Nicol, which carried by a vote of 4-0, with Mr. Johnson abstaining, the Board adopted the following resolution, as presented:

RESOLUTION TO APPOINT THE CHAIRMAN OF THE ORANGE COUNTY
BOARD OF SUPERVISORS FOR 2025

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the first order of business is to nominate and elect a Chairman of the Board; and

WHEREAS, R. Mark Johnson was nominated for a one-year term to begin January 14, 2025, and expire on the date of the Organizational Meeting in January, 2026, pursuant to the Bylaws for the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby appoints R. Mark Johnson as Chairman for a one-year term to begin January 14, 2025, and expire on the date of the Organizational Meeting in January, 2026, pursuant to the Bylaws for the Board of Supervisors.

Ayes: Hale, Nicol, Van Hoven, Marshall. Nays: None. Abstained: Johnson

RE: ELECTION OF THE VICE CHAIRMAN

Chairman Johnson opened the floor for nominations for Vice Chairman. Mr. Marshall nominated Mr. Van Hoven. There being no other nominations for Vice Chairman, the nominations were closed.

On the motion of Mr. Marshall, seconded by Mr. Nicol, which carried by a vote of 4-0, with Mr. Van Hoven abstaining, the Board adopted the following resolution, as presented:

RESOLUTION TO APPOINT THE VICE CHAIRMAN OF THE ORANGE COUNTY
BOARD OF SUPERVISORS FOR 2025

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the second order of business is to nominate and elect a Vice Chairman of the Board; and

WHEREAS, Eduward M. Van Hoven was nominated for a one-year term to begin January 14, 2025, and expire on the date of the Organizational Meeting in January, 2026, pursuant to the Bylaws for the Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby appoints Eduward M. Van Hoven as Vice Chairman for a one-year term to begin January 14, 2025, and expire on the date of the Organizational Meeting in January, 2026, pursuant to the Bylaws for the Board of Supervisors.

Ayes: Johnson, Marshall, Hale, Nicol, Johnson. Nays: None. Abstained: Van Hoven

RE: APPOINTMENT OF CLERK AND CHIEF DEPUTY CLERK

On the motion of Mr. Nicol, seconded by Mr. Marshall which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

RESOLUTION TO APPOINT THE CLERK AND CHIEF DEPUTY CLERK TO THE ORANGE COUNTY BOARD OF SUPERVISORS FOR 2025

WHEREAS, at the annual Organizational Meeting of the Orange County Board of Supervisors, the third order of business is to appoint the Clerk and Chief Deputy Clerk to the Board; and

WHEREAS, the Board desires for the County Administrator and the Chief Deputy Clerk to be appointed through the date of the Organizational Meeting in January, 2026, or until such time a subsequent appointment is made;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby appoints Theodore L. Voorhees, County Administrator, and LaToya M. Smith, Chief Deputy Clerk, as Clerk and Chief Deputy Clerk, respectively, through the date of the Organizational Meeting in January, 2026, or until such time a subsequent appointment is made.

Ayes: Van Hoven, Hale, Nicol, Marshall, Johnson. Nays: None.

RE: RESOLUTION TO ESTABLISH THE REGULAR MEETING SCHEDULE FOR 2025

On the motion of Mr. Nicol, seconded by Mr. Marshall, which carried by a vote of 5-0, the Board adopted the following resolution, as presented:

RESOLUTION TO ESTABLISH THE BOARD OF SUPERVISORS' REGULAR MEETING SCHEDULE FOR 2025

WHEREAS, Section 15.2-1416 of the Code of Virginia, 1950, as amended, requires the Board of Supervisors to adopt a resolution setting forth the date, time, and location of the Regular Meetings of the Board to be held during the ensuing months;

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby establishes that its Regular Meetings will be held at the Orange County Public Safety Building, located at 11282 Government Center Drive, Orange, Virginia, unless otherwise stated, on the following dates and starting at the following times:

January 14 at 5:00 p.m.	Regular Meeting
January 28 at 5:00 p.m.	Regular Meeting
February 11 at 5:00 p.m.	Regular Meeting
February 25 at 5:00 p.m.	Regular Meeting
March 11 at 5:00 p.m.	Regular Meeting
March 25 at 5:00 p.m.	Regular Meeting
April 8 at 5:00 p.m.	Regular Meeting
April 22 at 5:00 p.m.	Regular Meeting
May 13 at 5:00 p.m.	Regular Meeting

May 27 at 5:00 p.m.	Regular Meeting
June 10 at 5:00 p.m.	Regular Meeting
June 24 at 5:00 p.m.	Regular Meeting
July 8 at 5:00 p.m.	Regular Meeting
July 22 at 5:00 p.m.	Regular Meeting
August 12 at 5:00 p.m.	Regular Meeting
August 26 at 5:00 p.m.	Regular Meeting
September 9 at 5:00 p.m.	Regular Meeting
September 23 at 5:00 p.m.	Regular Meeting
October 14 at 5:00 p.m.	Regular Meeting
October 28 at 5:00 p.m.	Regular Meeting
November 19 at 6:00 p.m.	*Regular Meeting*Lake of the Woods Clubhouse, Locust Grove
December 2 at 5:00 p.m.	Regular Meeting
December 16 at 5:00 p.m.	Regular Meeting

BE IT FURTHER RESOLVED, that pursuant to the authority set forth in Section 15.2-1416 of the Code of Virginia, 1950, as amended, if the Chairman, or Vice Chairman if the Chairman is unable to act, finds and declares that the weather or other conditions are such that it is hazardous for the members to attend a regularly-scheduled meeting, such declared meeting shall be continued to the following Tuesday, to begin at 5:00 p.m., and to be held at the Orange County Public Safety Building.

Ayes: Nicol, Johnson, Hale, Marshall, Van Hoven. Nays: None.

RE: ANNUAL REVIEW OF BYLAWS

This item was carried forward to the Board's next meeting on January 28, 2025.

RE: APPOINTMENT OF BOARD MEMBERS TO BOARDS, COMMISSIONS, COMMITTEES, AND ORGANIZATIONS

By consensus, the Board adopted the list of various Board, Commission, Committee, and Organization Assignments for 2025, as presented with the appointment of Mr. Nicol as the Board Representative on the Economic Development Authority, filling the post previously held by Ms. Hale.

RE: ADOPTION OF AGENDA

On the motion of Mr. Van Hoven, which carried by a vote of 5-0, the Board adopted the agenda, as presented. Ayes: Marshall, Van Hoven, Johnson, Nicol, Hale. Nays: None.

RE: SPECIAL PRESENTATIONS AND APPEARANCES

RE: PRESENTATION OF THE ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR FY2023-FY2024

Andrea Nichols, CPA, Director with PBMares, LLP, provided an overview of the County's Independent Auditor's Report for Fiscal Year 2023-2024, as required by Code. Ms. Nichols reviewed highlights from the Audit Report, indicating that an unmodified opinion had been issued.

The Board expressed appreciation to Ms. Nichols and all those who worked so diligently to get this audit completed.

RE: CONSENT AGENDA

On the motion of Ms. Hale, seconded by Mr. Nicol, which carried by a vote of 5-0, the Board adopted the Consent Agenda, as presented.

Ayes: Nicol, Johnson, Hale, Marshall, Van Hoven. Nays: None.

RE: FY25 BUDGET AMENDMENTS (SUPPLEMENTALS AND TRANSFERS)

As part of the Consent Agenda, the Board approved the following budget amendments, as presented:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	PREVIOUS BUDGET	BUDGET CHANGE	AMENDED BUDGET
30045035 36075	ProtectionEMS/E911 Grant	(2,000.00)	(339.00)	(2,339.00)
43560001 45500	Training Expenses	9,550.00	339.00	9,889.00
30052001 39900	Appropriated Fund Balance	(5,548,095.94)	(33,916.00)	(5,582,011.94)
41221501 43150	Prof. Serv.-Legal	134,312.40	33,916.00	168,228.40
30047004 37135	FA-Federal-Sheriff	-	(3,258.00)	(3,258.00)
43120006 46800	SHF Forfeited Asset Expenses	46,314.00	3,258.00	49,572.00
30045004 35975	FA-DCJS For Sheriff	(3,087.00)	(353.00)	(3,440.00)
43120006 46800	SHF Forfeited Asset Expenses	46,314.00	353.00	46,667.00
30045004 35975	FA-DCJS For Sheriff	(3,087.00)	(822.00)	(3,909.00)
43120006 46800	SHF Forfeited Asset Expenses	46,314.00	822.00	47,136.00
30030002 33625	Donations-Triad	(6,190.00)	(525.00)	(6,715.00)
43177003 46800	Project Lifesaver Expenses	7,134.00	525.00	7,659.00
30030002 33625	Donations-Triad	(6,190.00)	(1,500.00)	(7,690.00)
43177002 46800	Guardian Pendant Expenses	10,515.00	1,500.00	12,015.00
30045041 36050	Fire Programs	(126,955.00)	(26,649.00)	(153,604.00)
43220012 45500	Training Expenses-ATL	126,955.00	26,649.00	153,604.00
30030006 33500	Donations-Animal Shelter	(9,779.00)	(2,033.00)	(11,812.00)
43520003 43115	Prof. Serv.-Emergency Vet	15,567.00	2,033.00	17,600.00
30045001 35780	State - Broadband Grants	(1,225,081.00)	(112,777.00)	(1,337,858.00)
48188001 47740	Transfer to BbA Fund	1,225,081.00	112,777.00	1,337,858.00
30045003 35750	FA-DCJS For Comm Attny	(756.00)	(357.00)	(1,113.00)
42210002 46800	CA Forfeited Asset Expenses	23,434.00	357.00	23,791.00
30045030 35850	State Miscellaneous	(2,088.00)	(3,714.00)	(5,802.00)
43120001 46105	Vehicle Supp-Other	218,507.16	36.00	218,543.16
43120001 45530	Meals/Lodging	14,923.00	651.00	15,574.00
43120001 45500	Training Expenses	21,081.00	2,067.00	23,148.00
43120001 43360	Vehicle Repair/Maint	208,641.22	960.00	209,601.22
30033501 33250	(Misc)Miscellaneous	(30,972.00)	(81.00)	(31,053.00)
43120001 46350	Police Supplies	40,868.00	81.00	40,949.00
30030006 33500	Donations-Animal Shelter	(9,779.00)	(200,348.00)	(210,127.00)
43520003 43115	Prof. Serv.-Emergency Vet	15,567.00	200,348.00	215,915.00

RE: RESOLUTION TO RATIFY DECLARATION OF LOCAL STATE OF EMERGENCY FOR WINTER STORM BLAIR

As part of the Consent Agenda, the Board adopted the following resolution, as presented:

WHEREAS, in early January, 2025, Orange County officials anticipated impacts from the impending Winter Storm Blair; and

WHEREAS, the County Administrator and Fire and EMS Chief recommended that a Local State of Emergency be declared; and

WHEREAS, on Sunday, January 5, 2025, pursuant to §44-146.21 of the Code of Virginia, the County Administrator, as the Local Director of Emergency Management, declared a Local State of Emergency in the County because it 1) seemed apparent that the impacts of Winter Storm Blair would result in damages to Orange County, and 2) in order to activate the local Emergency Operations Plan to appropriately address the situation; and

NOW, THEREFORE, BE IT RESOLVED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby ratifies the declaration of the Local State of Emergency beginning at 6:00 p.m. on Sunday, January 5, 2025, pursuant to §44-146.21 of the Code of Virginia; and

BE IT FURTHER RESOLVED, that the Board of Supervisors hereby authorizes application to the State and/or Federal governments for reimbursement of qualifying expenditures made by qualifying entities during the Local State of Emergency.

RE: OLD BUSINESS

RE: PROPOSAL FOR FEDERAL LEGISLATIVE AND LOBBYING CONSULTING SERVICES

No action was taken on this matter, as the consensus of the Board was that it would not be fiscally prudent to enter into a contract for such services at this time.

RE: NEW BUSINESS

There were no matters for new business at this time.

RE: MATTERS FOR DISCUSSION OR CONSIDERATION

There were no matters for discussion or consideration at this time.

RE: DEPARTMENT DIRECTOR / CONSTITUTIONAL OFFICER REPORTS

There were no Department Director or Constitutional Officer Reports at this time.

RE: COUNTY ATTORNEY'S REPORT

The County Attorney had nothing to report on at this time.

RE: COUNTY ADMINISTRATOR'S REPORT

The County Administrator had nothing to report on at this time.

RE: BOARD COMMENT

Chairman Johnson announced that he has decided, after much contemplation, that he will not be running for re-election this year. Chairman Johnson stated that it has been a great honor to represent District 1 and the citizens of Orange County for these past few decades. Chairman Johnson expressed appreciation for all that the Board members and people he has gotten to work with and stated that he looks forward to the next year.

Ms. Hale commented that she is not in favor of Chairman Johnson's decision not to seek re-election, but she wished to thank him for letting the Board know. Ms. Hale then expressed appreciation to all County employees, especially the emergency response personnel, who helped with last week's snow event.

RE: INFORMATIONAL ITEMS

The Board received the Human Resources Quarterly Report for FY25 Quarter Two for its information.

RE: APPOINTMENTS TO BOARDS, COMMISSIONS, AND COMMITTEES

By consensus, the Board appointed William Feldman as an At-Large Member of the Board of Building Code Appeals for a five-year term, with said term commencing immediately, and expiring December 31, 2029.

RE: CALENDAR

The Board received copies of its calendar of meetings for the month of January 2025.

RE: PUBLIC HEARING; RESOLUTION FOR REGIONAL HOUSING AUTHORITY

Theodore L. Voorhees, County Administrator, summarized the purpose of this public hearing to consider the adoption of a resolution, pursuant to Article 6, Chapter 1, of Title 36 of the Code of Virginia, declaring that there is a need for a Regional Housing Authority to be created with Madison County to exercise the powers and functions prescribed for a Regional Housing Authority. This is in response to a request from Encompass Community Supports in furtherance of its efforts to receive certain tax credit financing for the redevelopment of the condemned Sheltering Arms homeless shelter site.

Jim LaGraffe, former Executive Director of Encompass Community Supports, was recognized and noted that he has had conversations with Madison County representatives regarding this matter. Madison County has indicated that they are waiting for Orange County to act on the resolution before they take action through a similar public hearing process.

At approximately 5:35 p.m., Chairman Johnson opened the public hearing to receive comments regarding the following:

RESOLUTION FOR REGIONAL HOUSING AUTHORITY

The Board of Supervisors will consider a Resolution, pursuant to Article 6, Chapter 1, of Title 36 of the Code of Virginia, declaring that there is a need for a Regional Housing Authority to be created with Madison County to exercise the powers and functions prescribed for a Regional Housing Authority. In considering the Resolution, the Board shall take into consideration the safety and sanitation of dwellings, the light and air space available to the inhabitants of such dwellings, the degree of overcrowding, the size and arrangement of the rooms, and the extent to which conditions exist in such dwellings which endanger life or property by fire or other causes.

There being no speakers, Chairman Johnson closed the public hearing at approximately 5:40 p.m.

Ms. Hale stated for the record that, while she is in full support of this proposal and feels it will be a positive thing for Orange County in serving its citizens, she will be abstaining from the vote on this matter because she sits on the Encompass Community Supports board.

On the motion of Mr. Nicol, seconded by Mr. Van Hoven, which carried with a vote of 4-0, with Ms. Hale abstaining, the Board adopted the following resolution:

RESOLUTION OF THE BOARD OF SUPERVISORS OF ORANGE COUNTY, VIRGINIA
REGARDING THE CREATION OF A REGIONAL HOUSING AUTHORITY

WHEREAS, Encompass Community Supports formerly known as Rappahannock-Rapidan Community Services Board ("Encompass") has been providing housing supports for Orange County and other counties within Encompass's service area (the "Service Area");

WHEREAS, as a community services board, Encompass is not able to provide all of the housing supports for Orange County and the Service Area without the powers of a regional housing authority;

WHEREAS, Orange County does not have its own housing authority and it is not part of a regional housing authority;

WHEREAS, the Orange County Board of Supervisors (the "Board") seeks to establish a regional housing authority with Madison County pursuant to Title 36 (Housing), Chapter 1 (Housing Authorities), Article 6 (Regional and Consolidated Housing Authorities) of the Code of Virginia, as amended;

WHEREAS, the Board, pursuant to Virginia Code Section 36-44, had a public hearing on the creation of a regional housing authority and considered the safety and sanitation of dwellings, the light and air space available to the inhabitants of such dwellings, the degree of overcrowding, the size and arrangement of the rooms and the extent to which conditions exist in such dwellings which endanger life or property by fire or other causes;

WHEREAS, the Board has found that there are insanitary or unsafe inhabited dwelling accommodations in Orange County and there is a shortage of safe or sanitary dwelling accommodations in Orange County available to low-income residents as affordable rentals and a regional housing authority would be a more efficient or economical administrative unit than a county-specific authority;

WHEREAS, the Board seeks to create a regional housing authority with Madison County (the "Regional Housing Authority") in order to provide low-income residents affordable rentals;

WHEREAS, the Board seeks for the Regional Housing Authority to enter into a Memorandum of Understanding with Encompass to provide operational support for the Regional Housing Authority.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF ORANGE COUNTY, VIRGINIA, AS FOLLOWS:

1. Orange County declares that there is a need for one housing authority to be created for Orange and Madison Counties to exercise in such counties powers and other functions prescribed for a regional housing authority.

2. Orange County hereby authorizes the creation of a regional housing authority to be effective upon the adoption of a similar resolution by Madison County, Virginia.

3. Orange County will appoint two commissioners to the Regional Housing Authority, whose appointments shall be effective upon the adoption by Madison County of a resolution creating a Regional Housing Authority.

4. Orange County intends for the Regional Housing Authority to enter into a Memorandum of Understanding with Encompass Community Supports to provide operational support to the Regional Housing Authority.

PASSED BY THE BOARD OF SUPERVISORS: January 14, 2025

Ayes: Marshall, Nicol, Johnson, Van Hoven. Nays: None. Abstained: Hale

RE: <u>PUBLIC HEARING; REZ-2024-00311</u>

Joe Ryan, Planner, presented the staff report regarding this rezoning request. Applicant Melanie Phillips was present to represent this request and had no additional comments in follow-up to Mr. Ryan's presentation.

At approximately 5:45 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

REZ 24-00311
The Board of Supervisors will consider an application from Melanie Phillips to rezone 5.99 acres from General Residential (R-2) to Agricultural (A). The property is identified as Tax Map Parcel 28-73 and is addressed as 9292 Little Skyline Drive, Orange. The property is situated in the Agricultural (A1) Recommended Future Land Use category, as described in the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at approximately 5:45 p.m.

On the motion of Mr. Marshall, seconded by Ms. Hale, which carried by a roll call vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING REZ-24-00311 9292 LITTLE SKYLINE DRIVE

WHEREAS, Melanie Phillips, on behalf of Amanda Phillips, applied to rezone approximately six acres of property, designated as tax parcel 28-73 and addressed as 9292 Little Skyline Drive in Orange, from General Residential (R-2) to Agricultural (A), pursuant to Section 70-191 of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on December 5, 2024; and

WHEREAS, the Planning Commission considered whether the proposed rezoning would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would promote compatibility with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on January 14, 2025; and

WHEREAS, following the Public Hearing and discussion, the Board of Supervisors hereby supports the request, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this rezoning request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby **approves** REZ-2024-00311 to rezone 5.99 acres from General Residential (R-2) to Agricultural (A), for property identified as Tax Parcel 28-73 and addressed as 9292 Little Skyline Drive, Orange.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: PUBLIC HEARING; SUP-24-00295

Joe Ryan, Planner, presented the staff report regarding this rezoning request. There then followed an opportunity for Board members to ask questions. Mr. Nicol inquired as to the feasibility of installing additional buffering beyond the powerline easement. Mr. Ryan explained that the County cannot require plantings within the right-of-way and noted that the topography of the area in question is not favorable to planting. When staff looked at it, they did not feel it was practical. Mr. Ryan further explained that the space also has to accommodate the roots that will eventually come out from those trees.

Applicant Gary Deal was present to represent this request and noted there is an existing tree line there as well. The applicant distributed handouts containing images of the Boat & RV structure and Existing Building #1, as well as the proposed location of the Future Phase 2 Building in proximity to the existing Phase 1 Building. Mr. Deal then described the proposed construction and design of the project.

Mr. Marshall asked if the proposed EV charging stations will be open to the public. The applicant indicated those charging stations would only be available to customers.

At approximately 5:50 p.m., Chairman Johnson called the Public Hearing to order to receive comments on the following:

SUP 24-00295

The Board of Supervisors will consider a Special Use Permit application from Gary Deal to amend a Special Use Permit previously approved in 2019 (SUP 18-01) for a self-storage facility in order to permit covered and uncovered RV and boat parking in conjunction with the storage facility. The property is addressed as 3171 Germanna Highway, Locust Grove, is identified as Tax Map Parcel 12-36, and contains 8.23 acres. The property is situated in the Mixed-Use Planned Development & Conservation and Open Space/Recreation Recommended Future Land Use categories, as described in the Germanna-Wilderness Area Plan within the Orange County Comprehensive Plan.

There being no speakers, Chairman Johnson closed the Public Hearing at approximately 5:50 p.m.

On the motion of Mr. Van Hoven, seconded by Mr. Marshall, which carried by a roll call vote of 5-0, the Board adopted the following ordinance, as presented:

ORDINANCE APPROVING SUP-2024-00295 LOCUST GROVE WEST STORAGE

WHEREAS, Gary Deal applied to amend SUP 18-01 in order to construct covered and uncovered recreational vehicle (RV) and boat parking as an accessory use to the previously approved self-storage facility, located on tax parcel 12-36, consisting of 8.23 acres and addressed as 3171 Germanna Highway in Locust Grove, pursuant to Section 70-141:147 and Section 70-483 of the of the Orange County Zoning Ordinance; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the request on December 5, 2024; and

WHEREAS, the Planning Commission considered whether the proposed special use permit would further the purposes of the Comprehensive Plan and the Zoning Ordinance; would not threaten the public health, safety, or welfare; would promote compatibility with its surroundings; would not unduly impact the environment or natural, scenic, or historic assets of the County; and would not result in substantial detriment to the surrounding property; and

WHEREAS, the Planning Commission reviewed the request and determined that the request was consistent with the considerations above and, as such, recommended approval of the request to the Board of Supervisors, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the request on January 14, 2025; and

WHEREAS, following the Public Hearing and discussion, the Board of Supervisors hereby supports the request, as presented during its Public Hearing; and

WHEREAS, the Board of Supervisors has determined that public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of this special use permit request, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 14th day of January, 2025, that the Orange County Board of Supervisors hereby **approves** SUP-2024-00295 with the attached conditions, to amend A Special Use Permit previously approved in 2019 (SUP 18-01) for a self-storage facility in order to permit covered and uncovered RV and boat parking in conjunction with the storage facility, for property identified as tax parcel 12-36, consisting of 8.23 acres and addressed as 3171 Germanna Highway, Locust Grove.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

Conditions for Approval

As adopted in Ord. No. 250114 – PH3
by the Orange County Board of Supervisors
on January 14, 2025

SUP-2024-00295: Locust Grove West Storage

The conditions of this Special Use Permit ("SUP") shall apply to County Tax Parcel 12-36. Compliance is the responsibility of the applicant, owners, and assigns. The following conditions are intended to offset and mitigate impacts of the proposed use, and to render the application consistent with the applicable provisions of the Comprehensive Plan. If the information on the SUP plans and application are in conflict with one another or with the Zoning Ordinance, the more restrictive shall apply, unless specifically modified, waived, or otherwise specified in these conditions. Violation of these conditions, in whole or in part, may be cause for the revocation of the Special Use Permit, pursuant to §15.2-2309 (7) of the Code of Virginia.

1. Controlling documents - Controlling documents shall be the conditions as set forth herein, the final application package submitted and approved with SUP 18-01 (to the extent it still applies and is not otherwise superseded by approval of SUP-2024-00295, as determined by the Zoning Administrator), and the final application package submitted with SUP-2024-00295 Locust Grove West Storage. This SUP and its conditions shall supersede the approval of SUP 18-01 as the controlling approval for use of the property.

2. Compliance – Use and development of the subject property shall be in substantial conformance with these conditions. The Zoning Administrator shall determine "substantial conformance."

3. Uses – This SUP shall permit the construction and operation of a self-storage facility and accessory recreational vehicle and boat parking, as shown on the concept plan.

4. Expiration – This SUP shall be deemed voided if the use is not commenced within two years of approval or is discontinued for a period of two years.

5. Standards and Conditions

    a) The design standards for "future phase 2 building" shall be similar to those utilized for "existing phase 1 building", as labeled on the concept plan, and as is consistent with condition 4 below.

    b) Existing trees and vegetation within 100' of the Route 3 right-of-way shall be preserved.

    c) The rear yard requirement for the parcel shall be 100', meaning no structures may be constructed within 100' of the rear property line. Furthermore, existing trees located within this area are to be preserved.

    d) The allowable exterior materials for the self-storage facility and any structures accessory to this use shall be as follows:

i. Brick;

ii. Stone;

iii. Glass (i.e. windows, not as a predominant material);

iv. Stucco or synthetic stucco, provided that the material shall not be allowed within 24 inches from grade;

v. Color-impregnated decorative block;

vi. Wood or metal as an accent material, provided that no more than 20% of any individual exterior shall consist of that material and that all the materials shall be finished for exterior use;

vii. Architectural precast concrete panels; and

viii. Horizontal siding (not including non-architectural vinyl siding)

e) The exterior color scheme for the self-storage facility and any accessory structures shall not contain a primary use or bright, intense, fluorescent, or otherwise visually-striking colors.

f) Uncoated chain-link fencing visible from any public right-of-way is prohibited.

g) The facility may be permitted one monument-style sign with a maximum height of 12'. The exterior materials for the sign shall consist mainly of those materials set forth in Condition #4 above.

RE: CLOSED MEETING

At approximately 6:15 p.m., Ms. Wilson read the following motion authorizing Closed Meeting:

WHEREAS, the Orange County Board of Supervisors desired to discuss in Closed Meeting the following matters:

- Discussion or consideration of personnel matters, specifically assignment, performance, and salaries, of specific public officers or employees of the public body, concerning the County Administrator and FiberLync, as permitted by *Section 2.2-3711.A.1 of the Code of Virginia.*

WHEREAS, pursuant to §§2.2-3711 (A)(1) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby authorized discussion of the aforestated matters in Closed Meeting.

On the motion of Ms. Hale, seconded by Mr. Nicol, which carried by a vote of 5-0, the Board adopted the resolution authorizing Closed Meeting, as presented. Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: CERTIFICATION OF CLOSED MEETING

At approximately 7:50 p.m., Ms. Smith read the following resolution certifying Closed Meeting:

WHEREAS, the Orange County Board of Supervisors has, this day, adjourned into Closed Meeting in accordance with a formal vote, and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, the Freedom of Information Act requires certification that such Closed Meeting was conducted in conformity with the law;

NOW, THEREFORE, BE IT RESOLVED, that the Orange County Board of Supervisors hereby certified that, to the best of each member's knowledge, i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act were discussed in the Closed Meeting to which this certification applied, and ii) only such public business matters as were identified in the motion by which the said Closed Meeting was convened were heard, discussed or considered by it.

Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

RE: ADJOURN

On the motion of Mr. Nicol, seconded by Ms. Hale, which carried by a vote of 5-0, the Board adjourned the meeting at approximately 7:51 p.m. Ayes: Johnson, Van Hoven, Marshall, Hale, Nicol. Nays: None.

R. Mark Johnson, Chairman	Glenda B. Paul, County Administrator