

BOARD OF SUPERVISORS MINUTES

JUNE 10, 2025

At a Worksession of the Orange County Board of Supervisors held on Tuesday, June 10, 2025, beginning at 4:00 p.m., in the Meeting Room of the Public Safety Building, 11282 Government Center Drive, Orange, Virginia. Present: R. Mark Johnson, Chairman; Eduward M. Van Hoven, Vice Chairman; Crystal D. Hale; Keith F. Marshall, and J. Bryan Nicol. Also present: Theodore L. Voorhees, County Administrator; J. Robinson Hubbard, Senior Assistant County Attorney; and LaToya M. Smith, Chief Deputy Clerk.

RE: DEVELOPMENT FEE SCHEDULE REVIEW & DISCUSSION

Michelle Mixell, Director of Development Services, summarized proposed changes to the Planning & Zoning and Erosion & Sediment Control (ESC) fee schedule, noting that the fee schedule was last updated in 2012. Since then, there have been numerous ordinance and administrative changes that have necessitated a review and update of the fees, including a recent Department of Environmental Quality (DEQ) audit which now involves submission of minor ESC Plans in certain residential situations that do not require the level of plan review that is otherwise needed for larger projects.

Ms. Mixell reviewed the draft updated fee schedule and provided references comparing the proposed fees to neighboring localities. Ms. Mixell noted the following:

- Currently, the fee schedule requires the County to bill the applicant for advertisement and mailing fees after Board decisions have been rendered on applications requiring Public Hearings. This has caused some administrative challenges in securing payment after the Board decisions have been made. A possible change for consideration would be to include advertising/notice costs to be included in the upfront in the overall application fee rather than a separate process after the Board decision.
- Rezoning fees have been adjusted to reflect baseline fees similar to those of our surrounding rural counties. Another aspect for consideration would be to include a as reduction in the fee per acre on the larger rezoning as a means to recognize economies of scale in the review process i.e., Wilderness Crossing Rezoning Application fee exceeded \$100,000.
- A new fee for rezonings within the Germanna-Wilderness Area is proposed. This is lower than the typical rezoning fee to hopefully encourage rezoning applications in alignment with the Germanna-Wilderness Area Plan.
- Plan review fees reflect amendments to the Zoning Ordinance since 2012, notably the differentiation between minor and major site plans.
- ESC review fees reflect changes to plan review respect to DEQ and administration of the ESC program e.g., breaking out the minor ESC residential plan review with a lessor fee associated.
- Fees for copies of publications have been removed as these documents are available on the County website, which is consistent with the Board's Digital Citizen initiative.
- Subdivision/plat review fees reflect amendments to the Subdivision Ordinance since 2012, notably the rewrite of the ordinance in 2018.
- Proposed fees are more in line with neighboring counties though mostly remain lower by comparison.

After discussion, the consensus was to authorize staff to move forward with the advertisement of a public hearing to consider the implementation of the following Erosion & Sediment Control fees:

Minor E&S Plan Review for Single-Family Attached Dwellings	\$400
Minor E&S Plan Review for Single-Family Detached Dwellings, when Agreement in lieu of E&S Plan is not applicable	\$300

All other proposed changes to the Planning & Zoning fee schedule were deferred for discussion and consideration at a later date.

RE: ZONING ORDINANCE

Chairman Johnson asked a series of questions of the Board to gain a consensus among a majority of members on how to proceed with the Zoning Ordinance Update process.

A majority of the Board reaffirmed moving forward with the Zoning Ordinance rewrite, provided that Berkley Group undertake the following steps:

- (1) Incorporate the full text of the existing Zoning Ordinance into the new ordinance format. The reformatting of the existing ordinance text would not involve any content changes at this time; this would be in form only and provide a baseline for moving forward with any updates.
- (2) Establish a color-coding system to clearly track edits or changes and include a "sidebar" column that is located outside of the body of the text to serve as a placeholder for items to be considered for discussion by the Board.
- (3) Use the color-coding system and sidebar column to show any edits made to the new draft Zoning Districts from what was originally shared by the Planning Commission.

A majority of the members agreed that once Berkley Group has provided the existing ordinance in the new format as described above, the Board will continue its review of the suggested changes to the ordinance. Once the review process is completed, Berkley Group will be asked to deliver the final proposed ordinance to the Board of Supervisors. Upon completion of the Board's review, the proposed ordinance will be delivered to the Planning Commission for its final review.

RE: ADJOURN

Chairman Johnson adjourned the worksession at 5:00 p.m.

R. Mark Johnson, Chairman

Glenda B. Paul, County Administrator