

ORANGE COUNTY, VIRGINIA

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ORDINANCE OF APPROVAL

MOTION: JOHNSON

February 27, 2024

SECOND: MARSHALL

**Regular Meeting
Ord. No. 240227 – PH1**

RE: ORDINANCE APPROVING AMENDMENTS TO CHAPTER 70 (ZONING), ARTICLE I (IN GENERAL), ARTICLE IV (DISTRICT REGULATIONS), AND ARTICLE V (SUPPLEMENTARY DISTRICT REGULATIONS), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING RURAL RETREATS

WHEREAS, Planning Commission action was previously initiated on amendments to Chapter 70 (Zoning), Article I (In General), Article IV (District Regulations), and Article V (Supplementary District Regulations), of the Orange County Code of Ordinances concerning Rural Retreats; and

WHEREAS, the recommended language for the text amendments was prepared, which was presented to the Planning Commission for consideration; and

WHEREAS, the Planning Commission advertised and conducted a Public Hearing on the proposed text amendments on January 18, 2024; and

WHEREAS, after discussing the proposed text amendments, the Planning Commission recommended approval of the proposed text amendments to the Board of Supervisors, as modified during its meeting; and

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the proposed text amendments on February 27, 2024; and

WHEREAS, following discussion at the Public Hearing, the Board of Supervisors hereby supports the proposed text amendments, as presented during its Public Hearing; and

WHEREAS, public necessity, convenience, general welfare, and/or good planning and zoning practice also support approval of the proposed text amendments, as presented during the Public Hearing;

NOW, THEREFORE, BE IT ORDAINED, on this 27th day of February, 2024, that the Orange County Board of Supervisors hereby **approves** the proposed amendments to Chapter 70 (Zoning), Article I (In General), Article IV (District Regulations), and Article V


(Supplementary District Regulations), of the Orange County Code of Ordinances concerning Rural Retreats, as presented and attached.

Votes:

Johnson: Aye
Van Hoven: Aye
Marshall: Aye
Hale: Aye
Nicol: Aye

Attachment: Amendments to the Orange County Code of Ordinances

For Information: Josh Frederick, Planning and Zoning Services Manager

CERTIFIED COPY 
Clerk to the Board of Supervisors



Amendments to the Orange County Code of Ordinances

**As adopted in Ord. No. 240227 – PH1
by the Orange County Board of Supervisors
on February 27, 2024**

Chapter 70 – Zoning

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.

[...]

Rural Retreat means any establishment on a minimum of thirty (30) acres within the Agricultural (A) zoning district, having more than fifteen (15) guestrooms, but no more than fifty (50) guestrooms, the total of which is dependent upon property acreage, offering transitory lodging to the public for compensation. A rural retreat shall be considered a principal use.

[...]

Article IV – District Regulations

Division 2 – Agricultural Zoning District

Sec. 70-303 – Uses Permitted by Special Use Permit

In the Agricultural zoning district, the following uses may be permitted upon issuance of a Special Use Permit by the Board of Supervisors:

[...]

(x) Rural retreat.

Sec. 70-310 – Use-Specific Regulations

Uses below shall adhere to the additional regulations set forth herein, in addition to all other regulations set forth in this Chapter. These regulations shall be considered a minimum standard which may be supplemented by special use permit conditions or proffers with a conditional zoning application.

(a) Rural retreat.

- (1) As set forth in the use definition, a rural retreat may be permitted an additional guestroom for every two (2) full acres above thirty (30) acres, not to exceed a total of fifty (50) guestrooms. Guestrooms spread across multiple adjoining parcels under the same ownership are considered a single retreat. However, said guestrooms shall be arranged such that if the use were to discontinue in the future, structures on individual lots could be subdivided in accordance with Zoning Ordinance and Subdivision Ordinance requirements.

- (2) Guestrooms may be provided in multiple structures, each of which is considered a principal structure. Each structure may have up to ten (10) guestrooms. Such structures must have permanent foundations, must be constructed in accordance with the Virginia Uniform Statewide Building Code, and must have means of water and wastewater services approved by the Virginia Department of Health or a public utility provider. Multiple guestroom structures may be provided at a ratio of one (1) per every fifteen (15) full acres, not to exceed the maximum of fifty (50) guestrooms in total as set forth above.
- (3) All structures associated with the use are considered principal structures for determining setback and yard requirements.
- (4) A retreat may serve meals, the specifics of which shall be determined with the Special Use Permit.
- (5) Accessory uses to the retreat may be permitted, the specifics of which shall be determined with the Special Use Permit.
- (6) For any retreat with ten (10) or more total guestrooms, the property must abut and have direct access from a public road, subject to all VDOT requirements.
- (7) Each guestroom structure must be accessible by emergency services vehicles.
- (8) Road standards contained elsewhere in the Zoning Ordinance or Subdivision Ordinance notwithstanding, a rural retreat may be permitted to utilize internal gravel roads provided they do not conflict with the intent and purpose of standard 7 above. Internal road specifications shall be set as part of the SUP application.
- (9) Parking provided in accordance with Sec. 70-671 et seq. shall be provided for each individual building or use associated with the retreat, adjacent to said building or use.
- (10) Any retreat within the Madison Barbour Rural Historic District, as listed in the National Register of Historic Places, shall not be permitted any digital sign(s), as defined.

Article V – Supplementary District Regulations

Division 3 – Building Standards

Sec. 70-621 – Principal Structures Allowed

- (a) Only one principal structure, and those structures customarily accessory to it, may be permitted on any lot, except as provided below.
- (1) Accessory structures associated with a farm or agritourism use, as well as intensive livestock, dairy, and poultry facilities, all as defined, shall be exempt from this provision.
 - (2) This provision may be modified with a conditional zoning application approved pursuant to Sec. 70-193, or with a special use permit application approved pursuant to Sec. 70-141 et seq.
 - (3) This provision may be modified where expressly authorized for specific uses in the zoning district regulations.
- (b) Up to seven (7) farm tenant houses may be considered accessory to a farm, as defined in Sec. 70-1. Any road serving three (3) or more addressed dwelling units on such a farm shall be named.

Note: The black text above is existing text and the green, underlined text is new text intended to be included in the identified section of the Code of Ordinances. The symbols [...] are used to indicate that existing text is already contained above or below this text in the current Code.