

ORANGE COUNTY, VIRGINIA
BOARD OF SUPERVISORS

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THEODORE L. VOORHEES
COUNTY ADMINISTRATOR

PHONE: (540) 672-3313
FAX: (540) 672-1679



MAILING ADDRESS:
P. O. Box 111
ORANGE, VA 22960

PHYSICAL ADDRESS:
R. LINDSAY GORDON III BUILDING
112 WEST MAIN STREET
ORANGE, VIRGINIA 22960

orangecountyva.gov

ORDINANCE OF APPROVAL

MOTION: FRAME

SECOND: WHITE

August 23, 2022
Regular Meeting
Ord. No. 220823 – PH3

RE: ORDINANCE APPROVING AMENDMENTS TO ARTICLE IV (DISTRICT REGULATIONS), SECTION 70 (ZONING), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING THE APPLICATION OF ROAD SETBACKS

WHEREAS, Planning Commission action was previously initiated on amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the application of road setbacks; 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 July 21, 2022; and

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

WHEREAS, the Board of Supervisors advertised and conducted a Public Hearing on the proposed text amendments on August 23, 2022; 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 practice also support approval of the proposed text amendments, as presented;

NOW, THEREFORE, BE IT ORDAINED, on this 23rd day of August, 2022, that the Orange County Board of Supervisors hereby **approves** the proposed amendments to Article IV (District Regulations), Section 70 (Zoning), of the Orange County Code of Ordinances concerning the application of road setbacks, as presented and attached.

Votes:

Johnson: Aye

White: Aye

Marshall: Aye
Crozier: Aye
Frame: Aye

Attachment: Amendments to the Orange County Code of Ordinances

For Information: Thomas E. Lacheney, County Attorney
David Smitherman, Interim Planning and Dev. Services Director

CERTIFIED COPY



Clerk to the Board of Supervisors



Amendments to the Orange County Code of Ordinances

As adopted in Ord. No. 220823 – PH3
by the Orange County Board of Supervisors
on August 23, 2022

Chapter 70 - Zoning

Article IV – District Regulations

Division 2 – Agricultural Zoning District

Sec. 70-306. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street with a right-of-way 50 feet or more in width shall be 35 feet from the right-of-way.
- (d) The setback from any VDOT secondary road, private street, or subdivision street with a right-of-way less than 50 feet in width shall be 85 feet from the centerline of the road.

[...]

Division 3 – Limited Residential Zoning District

Sec. 70-336. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street shall be 35 feet from the right-of-way.

[...]

Division 4 – General Residential Zoning District

Sec. 70-366. – Setbacks and Yards.

[...]

- (b) The setback from any VDOT secondary road, private street, or subdivision street shall be 35 feet from the right-of-way.

[...]

Division 7 – Limited Commercial Zoning District

Sec. 70-454. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street shall be 35 feet from the right-of-way.

[...]

Division 8 – General Commercial Zoning District

Sec. 70-484. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street shall be 35 feet from the right-of-way.

[...]

Division 9 – Limited Industrial Zoning District

Sec. 70-514. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street shall be 50 feet from the right-of-way.

[...]

Division 10 – General Industrial Zoning District

Sec. 70-544. – Setbacks and Yards.

[...]

- (c) The setback from any VDOT secondary road, private street, or subdivision street shall be 35 feet from the right-of-way.

[...]

Note: The green, underlined text above is new text intended to be included in the identified section of the Orange County Zoning Ordinance. The symbols [...] are used to indicate that existing text is already contained above and below this text in the current Code of Ordinances. In the case of definitions, new definitions would be added to the existing definitions in alphabetical order. In the case of numbered items, the new item would be added at the identified number and subsequent items would be renumbered accordingly.