

# ORANGE COUNTY, VIRGINIA

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### ORDINANCE OF APPROVAL

**MOTION: CROZIER**

**SECOND: WHITE**

**April 25, 2023**  
**Regular Meeting**  
**Ord. No. 230425 – PH2**

**RE: ORDINANCE APPROVING AMENDMENTS TO SECTION 70 (ZONING), ARTICLE IV (DISTRICT REGULATIONS), OF THE ORANGE COUNTY CODE OF ORDINANCES CONCERNING BUILDING HEIGHTS IN THE PLANNED DEVELOPMENT - MIXED-USE (PDM) ZONING DISTRICT**

**WHEREAS**, Planning Commission action was previously initiated on amendments to Section 70 (Zoning), Article IV (District Regulations), of the Orange County Code of Ordinances concerning building heights in the Planned Development - Mixed-Use (PDM) zoning district; 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 April 6, 2023; 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 April 25, 2023; 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 25<sup>th</sup> day of April, 2023, that the Orange County Board of Supervisors hereby **approves** the amendments to Section 70 (Zoning), Article IV (District Regulations), of the Orange County Code of Ordinances concerning building heights in the Planned Development - Mixed-Use (PDM) zoning district, 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  
Josh Frederick, Planning and Zoning Services Manager

CERTIFIED COPY

  
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Clerk to the Board of Supervisors



## Amendments to the Orange County Code of Ordinances

As adopted in Ord. No. 230425 – PH2  
by the Orange County Board of Supervisors  
on April 25, 2023

### Chapter 70 – Zoning

#### Article IV – District Regulations

#### Division 13 – Planned Development - Mixed-Use (PDM)

[...]

#### Sec. 70-567C – Development Plans

[...]

- e) Alternative Form. Any overall development plan or master plan for a PDM district may integrate or consolidate, remove, or modify any guidance or requirement as set forth herein provided such alternative form supports and furthers the PDM district as set forth in Section 70-567A (Purpose and Intent) subject to the following:
  - 1. Such integration or consolidation, removal, or modification, along with information supporting the alternative form, shall be included as part of the zoning map amendment submittal requirements specified in Article II of this Ordinance.
  - 2. Sections 70-567D(a), 70-567E(e)(1), and 70-567F(~~a~~)(d)(e) are not eligible for removal or modification.
  - 3. Section 70-567F(a) is eligible for modification, but proposed heights above 45' will only be allowed for specifically identified and proffered uses.

[...]

#### Sec. 70-567F – Building Standards

- a) Maximum height. Forty-five (45) feet, unless otherwise permitted via a Special Exception, ~~a or via~~ Special Use Permit for telecommunications facilities, or as allowed in Sec. 70-567C.

[...]

Note: The red, strikethrough text above is existing text intended to be removed and the green, underlined text above is new text intended to be included in the identified section of the Orange County Code of Ordinances. The symbols [...] are used to indicate that existing text is already contained above or 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.