MEMORANDUM

TO:         Planning Commission Members

FROM:       Gregg Zody, Director of Planning and Zoning

DATE:       September 13, 2012

SUBJECT:    Draft Amendments to the Comprehensive Plan, Zoning and Subdivision Ordinance

Please find attached the draft amendments for the Comprehensive Plan, Zoning and Subdivision Ordinance as presented to the Board of Supervisors at their regularly scheduled meeting on September 11, 2012.

The draft amendments are for presentation purposes at this point, per the timeline adopted by the Board of Supervisors at their July 24, 2012 meeting.

CC:         Julie G. Summs, County Administrator
            Thomas L. Lacheney, County Attorney
            Sharon Pandak, Special Counsel to the Board of Supervisors

Attachments (1)
MEMORANDUM

TO: Board of Supervisors

THROUGH: Julie G. Summs, County Administrator

FROM: Gregg Zody, Director of Planning and Zoning

SUBJECT: Proposed Amendments to the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance

DATE: September 10, 2012

OVERVIEW OF AMENDMENTS
The purpose of the proposed amendments is to accomplish the Board of Supervisors’ direction that it desires to consider amendments to the Agricultural (A) zoning district requirements, which include replacement of the current land use program of a phased subdivision limit of one (1) division every four (4) years in the Agricultural (A) zoning district with a new land use program for Agricultural zoned land.

The new program intends to maintain the character of Orange County’s historic conservation and rural areas while enabling in-fill in other areas consistent with current development patterns. The amendments replace the land use categories with new categories and generally map those categories on an amended Future Land Use Map.¹

The new program also amends the division requirements in the Agricultural (A) zoning district when the property to be divided is over 10 acres and rezones some current Agricultural zoned land to a new district (A1) with a minimum 10 acre lot requirement. The proposed Subdivision Ordinance amendments implement these changes.

In order to accomplish this goal, amendments to the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance are recommended. This action will also result in a textual or mapping downzoning; that is, an increase in lot size of most agriculturally zoned lots.

¹ A more complete revision of the Comprehensive Plan will occur as part of the Plan current update process. These changes, if adopted, will be integrated into the update.
SUMMARY OF COMPREHENSIVE PLAN AMENDMENTS – Two new land use designations, Rural and Neighborhood Residential, replace the Agricultural Conservation and Agricultural Land Use categories in the Comprehensive Plan and the Future Land Use Map is amended to apply these new designations.

SUMMARY OF ZONING ORDINANCE AMENDMENTS – The lot size requirements in the Agricultural (A) district maintain the 2 acre minimum lot size. However, the district requirements are amended so that parent tracts that are 10 acres or less may be divided into any number of lots. Parent tracts greater than 10 acres have one division right for each additional five (5) acres in size. This is a textual downzoning for those parcels over 10 acres.

A new Agricultural-Overlay district (A1) is created in which the minimum lot size is 10 acres.

Land in the Rural land use designation of the Comprehensive Plan is rezoned by the Board into the new A1 district. This is intended to be a parcel by parcel downzoning.

SUMMARY OF SUBDIVISION ORDINANCE AMENDMENTS – Sec. 54-27, which limited divisions in the Agricultural district to one (1) in four (4) years, is repealed and other sections are revised to implement the foregoing changes to the Comprehensive Plan and Zoning Ordinance.

Alternative

Staff has been advised that the Board may desire to discuss not amending the requirements of the Agricultural (A) zoning district. An asterisk (*) shows those draft provisions which do not require initiation/amendment if this alternative is chosen.

PROPOSED PROCESS

To accomplish the foregoing changes to the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance, certain notice and public hearing requirements must be met. The following process is recommended:

1. The Board of Supervisors initiates the amendments and proposed rezonings.

2. The amendments and rezonings would be advertised for public hearing and recommendation by the Planning Commission.

3. Landowners in the Agricultural (A) zoning district would be notified of consideration of the proposed text and zoning changes of their property by the Planning Commission and the Board of Supervisors.

4. The amendments and rezonings would be advertised for public hearing and action by the Board of Supervisors.

   - If the Board adopts all of the amendments and rezonings, they would be effective immediately.
The Board previously approved a tentative schedule for review and action on July 24, 2012.

A draft resolution initiating all of the proposed changes is attached.

Attachments:  Draft Amendments and Map
              Draft Resolution

cc:  Julie G. Summs, County Administrator
     Thomas Lachency, County Attorney
     Sharon E. Pandak, Esq., Outside Legal Counsel
COMPREHENSIVE PLAN AMENDMENTS

SUMMARY – The amendments to the Plan and the Future Land Use Map substitute Rural and Neighborhood Residential land use categories for the Agricultural Conservation and Agricultural land use categories, respectively, and modify the characteristics and map categories of these areas on an amended Future Land Use Map.

DRAFT COMPREHENSIVE PLAN LANGUAGE:

1. Amend - Chapter IV: Land Use

C. Future Land Use Policy...

Agricultural–Conservation-Rural

This land use category is intended to protect the rural, agricultural, historic and conservation areas of the County by preserving open space, limiting population and allowing little or no development, other than agriculture and forestry enterprises, farm markets, homesteads, larger estates. Much of the area so identified will be parcels of specific historic relevance, in conservation or other public or private easements, on steep slopes, in the 100 year floodplain or other areas that are environmentally sensitive or have unique physical characteristics which should be preserved or on soils not appropriate for development. Farm or forest land may qualify for land use taxation. Residences will be highly dispersed, and public services will be very limited.

This land use category covers areas of the county that are best suited to farming, have significant forest cover, are under public or private easement, and encompass historically sensitive areas or areas that are environmentally sensitive due to topography or other unique physical characteristics. Areas of the county included in this category include the Madison-Barbour Rural Historic District, the Clarks Mountain area, areas adjacent to the Rapidan River and Lake Anna, and areas owned or authorized for purchase by the National Park Service.

Policies to Guide Land Use Decisions:

a) Permit and encourage agricultural and forested uses, outdoor recreational uses, uses based on cultural, natural or historic resources or open spaces, and accessory uses in direct support of these uses.

b) Encourage non-residential uses that directly support the uses listed in (a) above, including agri-tourism and eco-tourism efforts.

c) Pursue efforts to retain and conserve agricultural and forested land.

d) Rezonings to allow higher intensity uses will be discouraged.
Guidelines for Development Proposals:

a) Development densities will not exceed 1 unit per five acres and the division rate of property will not exceed one lot every four years (no banking of lots) Minimum lot sizes will be 10 acres with no subsequent division of lots created from the parent tract.

b) Minimize individual driveway access along existing public roads.

c) By policy, the extension of public water and sewer into areas designated as Agricultural Conservation Rural will be discouraged, except when needed to resolve existing public health concerns.

d) Discourage incompatible development that encroaches on Agricultural Conservation Rural areas.

e) Roads will be constructed to State standards when the number of residential lots created exceeds two.

Strategies for Implementation:

a) Preserve and protect agricultural and forestal lands by identifying them and using the varied tools of Agriculture and Forestal District designation, Purchase of Development Rights programs, and Conservation Easements.

b) The rural areas of the County should remain agricultural and forestal in character and density. Development of Rural areas should reserve agricultural areas solely for agricultural use and other accessory residential or other land uses in conjunction with agriculture activities. Non-agricultural uses should be allowed only where land is not suitable for agricultural purposes or where the use can be shown to be a benefit to the community.

c) Restrict the intrusion of inappropriate residential, commercial, and industrial uses into Rural areas, where such development would compete with agricultural and forestal uses.

d) Identify agricultural and forestal land based on recent soil and forestal surveys, and designate significant areas of such land on the General Land Use Plan map for preservation in Rural areas.

e) Evaluate proposed development against the benefits of preserving productive agricultural and forestal land for such use as watershed protection, groundwater recharge areas, recreation, floodplains, scenic natural beauty and protection of historic resources.

f) Maintain land use taxation of agricultural and forested land in all areas designated as Agricultural Conservation Rural.
g) Revise the zoning and subdivision ordinances such that the by-right division of land located within areas designated for Agricultural ConservationRural is reflective of the concepts set forth in this section.

**AgriculturalNeighborhood Residential**

This land use category covers areas of the county that are predominantly have a strong rural character, but have developed featuring scattered agricultural activities as well as widespread residential development resulting from previously approved minor subdivisions and the by-right division of land. **This category preserves the rural residential lifestyle and sense of small neighborhood by limiting future development to residential and commercial uses which are convenience uses at crossroads. Public water and sewer are not available. Public facilities and public services will be consistent with low density residential.**

Specific areas of the county included in this future land use category include most of the land area situated on both sides of Route 20 between Route 612 and Routes 601, an area immediately southwest of the Town of Orange, areas surrounding Lake Orange, Madison Run Road, Mountain Track Road, and Cox Mill Road, as well as the Montford area and the area surrounding Eheart.

**Policies to Guide Land Use Decisions:**

a) Maintain existing agricultural uses as well as the character of existing Agricultural developments.

b) Pursue efforts to retain and conserve agricultural and forested land located in the Neighborhood Residential area.

c) Rezonings to allow higher intensity uses will be discouraged; rezonings to allow cluster developments may be considered if they can be appropriately buffered so as not to impact the rural/agricultural appearance of the area being developed. The open space area is to be under easement with such easement held by the Virginia Outdoors Foundation and/or Orange County.

d) Allow the location of non-agriculturally based economic development in the Agricultural Neighborhood Residential areas only if it is compatible in scale and intensity with the existing agricultural and rural residential uses and poses no threat to public health, safety and welfare.

e) Permit and encourage agricultural and forested uses, outdoor recreational uses, uses based on cultural, natural or historic resources or open spaces, and accessory uses in direct support of these uses.

f) By policy, there will be no extension of public water and sewer into areas designated as Agricultural Neighborhood Residential except to resolve existing public health concerns.
g) Any proposed development must demonstrate the need of current county citizens for the type, size and location of the development proposed.

h) Discourage incompatible development that encroaches or negatively impacts on Agricultural-Neighborhood Residential areas.

Guidelines for Development Proposals:

a) Development densities will not exceed 1 unit per two acres, and minimum lot sizes shall be two (2) acres and the division rate of property will not exceed one lot every four years with no subsequent division of lots created from the parent tract.

b) Cluster new residential development to preserve scenic, open space, historic, cultural, natural or environmental resources located on site.

c) Minimize individual driveway access along existing public roads.

d) Roads will be constructed to State standards when the number of residential lots created exceeds two.

e) Rural outdoor recreational uses will be encouraged and permitted where consistent with protection of health and safety and neighborhood values.

f) By policy, the extension of public water and sewer into areas designated as Agricultural Neighborhood Residential will be discouraged except when needed to resolve existing public health concerns.

g) Discourage incompatible development that encroaches on Agricultural-Neighborhood Residential areas.

Strategies for Implementation:

a) Require that all development proposals accommodate and protect natural site features. Restrict land uses that will have an adverse environmental impact that cannot be eliminated or mitigated.

b) Preserve and protect agricultural and forestal lands by identifying them and using the varied tools of Agriculture and Forestal District designation, Purchase of Development Rights programs, and Conservation Easements.

c) Encourage only rural residential opportunities that are compatible with the character of the existing agricultural and rural activities.

d) The rural areas of the County should remain agricultural and forestal in character and density. Development of rural areas should reserve agricultural areas solely for
agricultural use and other accessory residential or other land uses in conjunction with agriculture activities. Non-agricultural uses should be allowed only where land is not suitable for agricultural purposes or where the use can be shown to be a benefit to the community.

e) New d) Restrict the intrusion of inappropriate dense residential, commercial, and industrial uses into rural Neighborhood Residential areas, where such development would compete with agricultural and forestal uses.

f) New e) Use clustering of residential development in the rural Neighborhood Residential areas to protect the rural character of the County, preserve open space, enhance agricultural/forestal opportunities, and reduce the loss of agricultural soils to development.

g) Evaluate proposed development against the benefits of preserving agricultural and forestal land for such use as watershed protection, recreation, floodplains, scenic, natural beauty and protection of historic resources.

h) New f) Maintain land use taxation of agricultural and forested land in all areas designated as Agricultural-Neighborhood Residential.

i) New g) Revise the zoning and subdivision ordinances such that the by-right division of land located within areas designated for Agricultural-Neighborhood Residential is reflective of the concepts set forth in this section.

2. Replace references to Agricultural Conservation and Agricultural in the Comprehensive Plan with Rural and Neighborhood Residential, respectively.

3. Amend the Future Land Use Map 2025 to show the mapping replacement of Agricultural Conservation and Agricultural with Rural and Neighborhood Residential, respectively, as shown on the attached draft Future Land Use Map, dated August 28, 2012. [No changes to other land use categories are proposed.]
ZONING ORDINANCE AMENDMENTS

SUMMARY - Sec. 70-304 is revised to establish new requirements for the Agriculture (A) District depending upon the land use category of the property:

(i) Land zoned Agriculture (A), within the Neighborhood Residential and all land use categories except Rural, will have a two (2) acre minimum lot size. One division right is permitted for each two acres for the first 10 acres with no further division of the newly created parcel(s). One additional division is permitted for each additional five (5) acres after the first 10 acres.

(ii) A new Agriculture zoning district (A1), which is essentially an overlay, is created to implement the Rural land use category. It has a 10 acre minimum lot size.

Land in the Rural land use category is to be rezoned to Agriculture (A1)

The rest of the proposed changes accommodate the foregoing changes.

DRAFT ZONING ORDINANCE LANGUAGE AND REZONINGS

Article I. In General

Sec. 70-1. Definitions.

[The following definitions are added or amended. Other definitions remain the same.]

Contiguous means abutting, adjoining or touching and having a boundary, or portion thereof, which is coterminous or located immediately across the street.

Parent Parcel means:

a) In the Agricultural zoning districts, a parcel of land of four (4) or more acres that is of record on the effective date of this ordinance;

b) In any Residential zoning district, a parcel of land that is of record on the effective date of this ordinance, or

c) For the purposes of continued division, the residue as defined herein.

Residue means the remainder of a lot after a subdivision has detached one or more lots.

Right-of-way means either a fee simple strip or other parcel of land owned by VDOT or others for the purpose of constructing and maintaining a road.

Street means a thoroughfare for vehicular traffic, including all of the area within an easement or right-of-way, and is interchangeable with the terms alley, avenue, boulevard, court, drive, highway, lane, road, or any similar term.
Subdivision means the division of any lot of record into two or more lots, parcels or building sites, including residue, for the purpose of recordation in the county land records, transfer of ownership, or building development. Where a tract of land is bisected by the dedication of fee simple right-of-way, that lot is effectively subdivided, and not contiguous. As the context requires, the term "subdivision" may mean the land divided, the process of division, or both.

Article IV. District Regulations
Division 2. Agricultural Zoning District (A)

Sec. 70-301. Intent.

The agricultural zoning district (A) comprises most of the land area of the county. It preserves the traditional rural character of the county by protecting agricultural, forestal and horticultural uses, and other lands of significance for protection of the environment from conflicts with incompatible uses and discourages, such as large residential subdivisions not typically found in rural, agricultural areas. The purpose is to discourage the random scattering of large commercial and industrial uses not associated with agricultural, forestal and horticultural land uses, and residential developments. In addition to agriculture, the district permits the traditional rural development pattern of homes in order to protect against the overcrowding of land and undue density of population in relation to the community facilities existing or available and small agricultural-related businesses which maintain and preserve the rural and agricultural character area.

This district is intended to implement both the Rural and Neighborhood Residential land use categories of the Comprehensive Plan. In order to effectively do so, provisions for an Agriculture-Overlay district (A1) are included to set a higher minimum lot size when the land zoned Agricultural is located within the Rural land use category.

*Sec. 70-304. - Area regulations.

1. In the agricultural zoning district the minimum lot area shall be two (2) acres.

2. Lots shall be developed according to the provisions of this section, except as follows:
   a) Parent tracts that are 10 acres or less may be divided into any number of lots. Parent tracts greater than 10 acres have one division right for each additional five (5) acres in size;
   b) Lots in cluster developments subject to article VI shall comply with the requirements of that article, or
   c) Lots within manufactured home parks subject to article VII shall comply with the requirements of that article, or
   d) Lots created pursuant to Section 54-37 of Chapter 54 (Subdivisions) shall have a minimum area of two (2) acres.

(Ord. of 5-2-1996, § 204; and ........................)
Sec. 70-304.1 – Agricultural-Overlay (A1) district area regulations.

1. In the agricultural-overlay (A1) zoning district the minimum lot area shall be 10 acres.

2. Lots shall be developed according to the provisions of this section, except as follows:
   a) lots in cluster developments subject to article VI shall comply with the requirements of that article.
   b) lots within manufactured home parks subject to article VII shall comply with the requirements of that article, or
   c) lots created pursuant to Section 54-37 of Chapter 54 (Subdivisions) shall have a minimum area of 10 acres.

3. All other provisions of this Chapter 70 (Zoning) relating to the agricultural (A) district where not in conflict with the provisions of this section shall apply.

4. The land designated as being in the agricultural-overlay zoning district shall be

[ADD IN SPECIFIC TAX MAP PARCELS TO MATCH WITH RURAL LAND USE DESIGNATION AS SHOWN ON PARCEL SPECIFIC MAP, DATED SEPTEMBER ----, 2012]

(Ord. of _______ ___)
SUBDIVISION ORDINANCE AMENDMENTS

SUMMARY OF SUBDIVISION ORDINANCE AMENDMENTS – Sec. 54-27 is repealed and other sections are revised to implement the foregoing changes to the Comprehensive Plan and Zoning Ordinance.

DRAFT SUBDIVISION ORDINANCE LANGUAGE

Sec. 54-5.

Contiguous means abutting, adjoining or touching and having a boundary, or portion thereof, which is coterminous or located immediately across the street.

Parent Parcel means:

....

a) In the Agricultural zoning district, a parcel of land of ten-four (4) or more acres that is of record upon the effective date of this ordinance;

b) In any Residential zoning district, a parcel of land that is of record upon the effective date of this ordinance, or

c) For the purposes of continued division, the residue as defined herein.

....

Residue means the remainder of a lot after a subdivision has detached one or more lots.

Sec. 54-25. Compliance with other laws, rules, regulations, and conditions.

No plan or plat of subdivision shall be approved unless all lots and other features shown thereon are in conformity with the following laws, rules, and regulations:

1. All applicable provisions of the Code of Virginia.

2. Chapter 70 (zZoning) of the Orange County Code of Ordinances.

3. The special requirements of these regulations and any rules of the health department and appropriate agencies.

4. The rules of VDOT if the subdivision or any lot contained therein abuts a public street.

5. Conditions proffered and accepted as part of the zoning of any land which are included in the proposed subdivision.

(Statutory Reference: § 15.2-2241; 15.2-2254 VA Code Ann.)
Scc. 54-27. Divisions of land in the agricultural zoning district. Repealed.
The division of land in the agricultural zoning district is allowed as follows:

(1) No more than one lot may be subdivided from any parent parcel within any four-year period.

(2) Phased division:

a. Any lot divided from the parent tract pursuant to this section may be further divided one-time every four years as counted from the date of county approval of the initial division. However, the tract divided from the parent tract shall not be further divided into tracts smaller than 50 acres. The following note shall be shown on the plat and in the corresponding deed:

"The division of property as shown hereon is subject to the provisions of section 54-27 of the Orange County Code of Ordinances. The parent tract, tax map #__________ consisting of (A)__________ acres is being subdivided to create a new tract of (B)__________ acres as shown hereon. A subsequent division of this newly created tract shall not be smaller than 50 acres and shall not occur until four years have elapsed from the date of the county's approval of this plat as signed hereon." ((A) is the total acreage of the parent parcel prior to subdivision and (B) is the acreage of the parcel being subdivided off.)

b. The residue may continue to be subdivided at a rate of one lot every four years. The following note shall be shown on the plat and in the corresponding deed:

"Further division of the ________ acre residue as shown hereon shall not occur until four years have elapsed from the date of approval by the county."

c. Where a tract of land was simultaneously divided into four lots during the four years prior to the effective date of this chapter, further division of those four lots shall not occur until four years from the date of approval on the plat, or until one year has elapsed from the effective date of this chapter, whichever is later.

(3) Simultaneous division. Parcels of land in the Agricultural zoning district may be simultaneously divided into an unlimited number of tracts 50 acres or larger in size. Divisions of land in accordance with this provision are not subject to the limit on divisions as stated in subsection (1) above. However, further division of tracts created under this provision is prohibited. For such divisions, the following note shall be shown on the plat and in the corresponding deed:

"The simultaneous division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section 54-27(1) of the Orange County Code of Ordinances. However, further division of these newly created tracts as shown hereon is prohibited pursuant to section 54-27(2) of the Orange County Code of Ordinances."
(4) The following divisions of land are exempt from this section: family subdivisions, court-ordered subdivisions, part-and-parcel subdivisions, and the division of property for the purposes of boundary line adjustment.

(Statutory References: §§ 15.2-2241; 15.2-2242 VA Code Ann.)

Sec. 54-28. Family Subdivision.

17. Family subdivisions are exempt from the provisions of section 54-27.

Sec. 54-30. Boundary Line Adjustment Survey.

....
Divisions of property for the purposes of a boundary line adjustment are exempt from the provisions of section 54-270-304 of Chapter 70 (Zoning), except that the minimum lot size shall be met.

Sec. 54-36. Court-ordered subdivisions.

....
Court-ordered subdivisions are exempt from the provisions of section 54-270-304 of Chapter 70 (Zoning).

Sec. 54-37. Family Subdivisions.

....
Family subdivisions are exempt from the provisions of section 54-27 shall otherwise comply with section 70-304 of Chapter 70 (Zoning).

Sec. 54-42. Part-and-Parcel Subdivisions.

Part-and-Parcel subdivisions require the submission of a final plat pursuant to the requirements of Division 5, Final Plats, of this ordinance. Land divided pursuant to this section and made a bona fide portion of an adjoining tract through the vacation of a common boundary line shall not count as a division of property in the Agricultural or Agricultural-Overlay zoning district pursuant to section 54-27. Staff approval of part-and-parcel subdivisions shall be given within 30 working days of submission by the owner or designated agent unless the plat is: (a) incomplete; (b) review by other agencies, e.g. VDOT and VDH, is not completed; or (c) the subdivision does not meet the requirements of this ordinance or Chapter 70 (Zoning).

Sec. 54-94. Certificates.
The following certificates shall appear on the final plat, and shall be executed as appropriate: ....
*(6) For divisions of land in the Agricultural (A) zoning district, the plat shall clearly state the following:

"The division of property as shown hereon is subject to the provisions of section 54-27 70-304 of Chapter 70 (Zoning) of the Orange County Code of Ordinances. The parent tract/residue, tax map #__________ consisting of (A)__________ acres is being subdivided to create a new tract of (B)__________ acres as shown hereon. A subsequent division of this newly created tract shall not be smaller than 50 acres and shall not occur until four years have elapsed from the date of the county's approval of this plat as signed hereon. Further division of The acre parent parcel/residue may be subject to more divisions depending upon the remaining acreage, and the division(s) is in accordance with the permitted division(s) as shown hereon shall not occur until one year has elapsed from the date of approval by the county. ((A) is the total acreage of the parent parcel/residue prior to subdivision and (B) is the acreage of the parcel being subdivided off.)"

(7) For divisions of land in the Agricultural - Overlay (A1) zoning district, the plat shall clearly state the following:

"The division of property as shown hereon is subject to the provisions of section 70-304.1 of Chapter 70 (Zoning) of the Orange County Code of Ordinances. The parent tract/residue, tax map #__________ consisting of (A)__________ acres is being subdivided to create a new tract of (B)__________ acres as shown hereon. The acre parent parcel/residue may be subject to more divisions of 10 acre or greater lots depending upon the remaining acreage, and the division(s) is in accordance with the permitted division(s). ((A) is the total acreage of the parent parcel/residue prior to subdivision and (B) is the acreage of the parcel being subdivided off.)" simultaneous division of land into tracts 50 acres or larger in size as shown hereon is not subject to the limit on divisions as stated in section 54-27(1) of the Orange County Code of Ordinances. However, further division of these newly created tracts as shown hereon is prohibited pursuant to section 54-27(3) of the Orange County Code of Ordinances."

(12) For family subdivisions, the plat shall clearly state the following:

"This is a family subdivision as defined in Section 54-5 of Chapter 54 (Subdivision) of the Orange County Code of Ordinances and pursuant to all requirements of Section 54-28. Each lot created on this plat as a family subdivision shall be titled in the name of the immediate family member for whom the subdivision is made for a period of no less than five (5) years from the date of final plat approval. This subdivision is exempt from the provisions of Section 54-27 shall otherwise comply with section 70-304 of Chapter 70 (Zoning) of the Orange County Code of Ordinances."

(13) For part-and-parcel subdivisions, the plat shall clearly state the following:
“This is a part-and-parcel subdivision pursuant to Sections 54-5 and 54-42 of Chapter 54 (Subdivision) of the Orange County Code of Ordinances. This subdivision is exempt from the provisions of Section 54-27.”