



FLUVANNA COUNTY BOARD OF SUPERVISORS

REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building

August 19, 2026 at 6:00 pm

TAB AGENDA ITEMS

1 - CALL TO ORDER

2 - PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

3 – ADOPTION OF AGENDA

4 – COUNTY ADMINISTRATOR’S REPORT

5 – PUBLIC COMMENTS #1 (5 minutes each)

6 – APPOINTMENTS

7 – PRESENTATIONS (normally not to exceed 10 minutes each)

- A Regional Solid Waste Management Plan Update – Isabella O’Brien, TJPDC Planner II

8 – ACTION MATTERS

- B Resolution Recognizing Emma Monfalcone - Eagle Scout – Eric Dahl, County Administrator
- C Waiver of Road Naming Policy to Approve a Road Name – Dan Whitten, County Attorney
- D Department of Social Services Office Renovation – Eric Dahl, County Administrator, Dale Critzer, Director of Public Works, and Kim Mabe, Director of Social Services
- E FY26 Incentive Program for Fluvanna County Fire, EMS, & Water Rescue Supplemental Appropriation – Eric Dahl, County Administrator
- F Speed Limit Study on Route 612 (Winnsville Drive) – Eric Dahl, County Administrator
- G Resolution to Remove Data Centers as an Allowed Use – Dan Whitten, County Attorney

9 – PUBLIC HEARING

- H SUP 26:09 Lenherr – Jason Overstreet, Senior Planner
- I SUP 26:10 Teen Center – Jason Overstreet, Senior Planner
- J Addendum to Fluvanna County Comprehensive Plan – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
- K Public Hearing to Amend the Fluvanna County Code Regarding the Noise Control Ordinance – Dan Whitten, County Attorney
- L Public Hearing to Amend the Fluvanna County Code Regarding Erosion and Sedimentation Control – Dan Whitten, County Attorney
- M Zoning Text Amendment (ZTA) 26:15 - Powers and Proceedings of the Board of Zoning Appeals – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
- N Zoning Text Amendment (ZTA) 26:16 - Regarding Required Off-Street Parking – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
- O Zoning Text Amendment (ZTA) 26:17 - Regarding Manufactured Homes – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.

- P Zoning Text Amendment (ZTA) 26:18 - Regarding Solar Regulations and Battery Storage – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
- Q Zoning Text Amendment (ZTA) 26:21 – Teen Center – Dan Whitten, County Attorney; Todd Fortune, Director of Planning
- R Zoning Text Amendment (ZTA) 26:22 – Residential Planned Community District Requirements – Dan Whitten, County Attorney; Todd Fortune, Director of Planning

10 – CONSENT AGENDA

- S Minutes of August 5, 2026 – Caitlin Solis, Clerk to the Board
- T Deputy Treasurer II to Deputy Treasurer III Effective Date Ratification – Ryan Lipscomb, Director of Human Resources
- U Temporary Staff Stipend for Additional Duties – White – Dan Whitten, County Attorney
- V Social Services Term End Date Correction - Sandra Patterson – Eric Dahl, County Administrator
- W Virginia Starts with VA Cooperative Marketing Program Grant Reimbursement – Jennifer Schmack, Director of Economic Development and Tori Melton, Director of Finance
- XYZ CRMF - Replace One Hanwha 4 MP Bullet IP Camera – Debbie Rittenhouse, Treasurer and Lauren R. Sheridan, Commissioner of the Revenue
- A CRMF - FCHS Seat Covers – Don Stribling, FCPS Executive Director
- B Accept Deed of Sight Distance Easement from Zion South LLC – Dan Whitten, County Attorney
- C Accept Dedication of Utility Easement from Amazon.com Services LLC – Dan Whitten, County Attorney
- D Ambulance Purchase Agreement with FESCO Emergency Sales – Dan Whitten, County Attorney

11 – UNFINISHED BUSINESS

TBD

12 – NEW BUSINESS

TBD

13 – PUBLIC COMMENTS #2 (5 minutes each)

14 – CLOSED MEETING AND DINNER RECESS

TBD

15 – ADJOURN



County Administrator Review

PLEDGE OF ALLEGIANCE

I pledge allegiance, to the flag,
of the United States of America,
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

GENERAL RULES OF ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use defamatory or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches, however, the Board may by majority vote of the Board members present and voting to overrule the judgment of the Chair.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

RULES OF PROCEDURE FOR PUBLIC HEARINGS

1. PURPOSE
 - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
 - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
 - Speakers should approach the lectern so they may be visible and audible to the Board.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Board.
 - All questions should be directed to the Chairman. Members of the Board are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
 - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
 - Speakers with questions are encouraged to call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
 - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
 - The Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB A

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Regional Solid Waste Management Plan				
MOTION(s):	N/A				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Isabella O'Brien, TJPDC Planner II				
RECOMMENDATION:	Information only.				
TIMING:	Routine				
DISCUSSION:	Presentation of the draft Regional Solid Waste Management plan, opportunity for feedback from the board and to hear comments from the public.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Memo				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other

Summary

Regarding: Thomas Jefferson Planning District Commission (TJPDC) Solid Waste Management Plan Update

Staff Contacts: Todd Fortune and Dale Critzer

Presenter: Isabella O'Brien, Planner II, TJPDC

Date: August 19, 2026

ISSUE

County staff and staff from the Thomas Jefferson Planning District Commission (TJPDC) are presenting the Board of Supervisors with the updated TJPDC Regional Solid Waste Management Plan. The presentation will cover the legal requirements, the process (including community engagement), and will focus on the implementation plan for Fluvanna County. At the September 16, 2026, Board of Supervisors meeting, approval will be requested to adopt the updated TJPDC Solid Waste Management Plan.

BACKGROUND

The Thomas Jefferson Solid Waste Planning Unit Regional Solid Waste Management Plan establishes the region's principal framework for managing solid waste, recycling, reuse, and related materials management activities through 2046. The Thomas Jefferson Solid Waste Planning Unit (TJSWPU) includes Albemarle County, Fluvanna County, Greene County, the City of Charlottesville, and the incorporated Towns of Scottsville and Stanardsville. The Thomas Jefferson Planning District Commission coordinates the plan on behalf of the member localities. The TJPDC also conducts the annual Recycling Rate Reporting assessment. This annual report to the State is used to ensure that the TJ-SWPU meets the state mandated minimum recycling rate of 25% on an annual basis.

Per State Code, the Solid Waste Management Plan must be updated every 5 years and has a 20-year planning horizon. The current Plan was sent to DEQ for review in October of 2021. The Plan documents existing facilities and programs, summarizes reported recycling and disposal data, identifies known data limitations, evaluates future needs, and establishes a structure for coordinated regional action.

The TJPDC convened a Technical Advisory Committee (TAC) to develop implementation plans for each locality. The Plan development process began in 2024 and included a project kickoff, 5 TAC meetings, a public survey and workshop, and draft plan development with TAC review. A summary of community input results is provided as an appendix to the plan.

The final steps include a 30-day public comment period (August 1-30), the opportunity for public comment through each locality's process, adoption of the Plan by each locality and the TJPDC, and submission of the Plan to the Virginia Department of Environmental Quality (DEQ). The relevant schedule includes:

- August 19: Fluvanna Presentation
- September 3: TJPDC Public Hearing & Presentation
- September 16: Fluvanna Adoption (Consent Agenda)

- October 1: TJPDC Adoption
- Before October 24: Final Submission to DEQ

ANALYSIS

Per State Code 9VAC-130-120 & 9VAC-130-125, each SWMP must include objectives for the 20-year planning horizon, discuss plan implementation and tracking, provide facility names, capacity, and lifespan, provide a strategy for funding and resources with descriptions of each, include a public education and information strategy, consider public-private partnerships and private sector participation, and maintain at least a 25% recycling rate.

The main changes between the current (2022) and updated SWMP are: updated existing conditions data and future projections, updated and expanded recycling analysis, discussion of recycling rate reporting limitations, new implementation framework and objectives, addition of plan maintenance and amendment procedures, and updated and expanded documentation of public engagement.

The updated implementation framework for Fluvanna continues many strategies from the current SWMP and incorporates community feedback.

FINANCIAL IMPACT

There is no budget impact associated with this report. The TJPDC fulfills recycling rate reporting and solid waste management planning requirements in coordination with, and on behalf of, the member jurisdictions of the Thomas Jefferson Solid Waste Planning Unit (TJSWPU), including Charlottesville and the counties of Albemarle, Fluvanna, and Greene. These planning, management, and coordination activities are funded by direct local contributions from the member jurisdictions. There are no direct budget impacts associated with this action at this time; however, the implementation plan identifies actions for which Fluvanna County will dedicate additional resources to support implementation efforts.

RECOMMENDATION

Staff recommends the Board of Supervisors review the updated TJPDC Solid Waste Management Plan in advance of the request for adoption scheduled for September 16, 2026.

ATTACHMENTS

- [Draft 2026 – 2031 Solid Waste Management Plan](#)
- [Appendix B – Public Engagement Materials and Results](#)
- [Appendix C – Applied Policy Project](#)
- [Appendix D – Regional Implementation Plan](#)

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB B

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Resolution Recognizing Emma Monfalcone – Eagle Scout				
MOTION(s):	I move the Fluvanna County Board of Supervisors adopt the resolution entitled “Recognizing Emma Monfalcone for Award of Eagle Scout Status.”				
BOS 2 YEAR GOAL?	Yes	No	If yes, list goal(s):		
		XX			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board of Supervisors				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	Emma has completed all requirements and has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout Award.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Resolution				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia
RESOLUTION No. 23-2026

**A RESOLUTION RECOGNIZING
EMMA MONFALCONE
AWARD OF EAGLE SCOUT STATUS**

The Fluvanna County Board of Supervisors adopted the following resolution on Wednesday, August 19, 2026:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910 to promote citizenship, training, personal development and fitness of individuals; and

WHEREAS, Boy Scouts of America announced programs to allow females into single-gender Cub Scout dens and Boy Scout troops in October 2017; and

WHEREAS, in February 2025, the Boy Scouts of America announced it would officially rebrand as Scouting America; and

WHEREAS, Emma Monfalcone has completed all the requirements for becoming an Eagle Scout; and

WHEREAS, Emma has been examined by an Eagle Scout Board of Review and deemed worthy of the Eagle Scout award; and

WHEREAS, Scout Troop 1154 convened an Eagle Scout Court of Honor on August 9, 2026 at 2:00p.m. at Lake Christian Church, Palmyra, Virginia; and

WHEREAS, the Fluvanna County Board of Supervisors fully supports the programs of Scouting America and recognizes the important services they provide to the youth of our Country.

NOW, THEREFORE BE IT RESOLVED that the Fluvanna County Board of Supervisors joins Emma's family and friends in congratulating her on her achievements, the award of Eagle Scout status and acknowledges the good fortune of the County to have such an outstanding young woman as one of its citizens.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at a regular meeting of the Board held on the 19th of August, 2026, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Anthony P. O'Brien, Rivanna District						
Timothy Hodge, Palmyra District						
Chris Fairchild, Cunningham District						
Mike Goad, Fork Union District						
John M. Sheridan, Columbia District						

Attest:

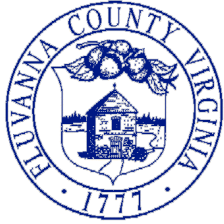
Anthony P. O'Brien, Chair
Fluvanna County Board of Supervisors

FLUVANNA COUNTY BOARD OF SUPERVISORS

AGENDA ITEM STAFF REPORT

TAB C

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Waiver of Road Naming Policy to Approve a Road Name				
MOTION(s):	I move that the Board of Supervisors approve a waiver to section 3-6.4.1. of the road naming policy and approve the name of an access road as McGhee Lane.				
BOS WORKPLAN?	Yes	No	If yes, list initiative(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Dan Whitten, County Attorney and Jason Overstreet, Senior Planner				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Approve				
TIMING:	The road name would be effective upon adoption				
DISCUSSION:	- The Road Naming Policy was adopted by the Board of Supervisors in 2006. - Section 3-6.4.1. states that a road will receive a name once the road provides access to 3 or more residences. - Mark and Joi McGhee own two lots off an unnamed access road. - They plan to build houses on both lots and do a family subdivision for one of the lots. - They have requested a waiver of policy to allow the road name before the 3 residences are constructed. - They have pointed out safety concerns for emergencies and have noted there are other named roads that only serve two houses. - The access road has already been constructed and will be maintained by the McGhee's - The McGhee's own 2 of the 3 lots that have access to the easement and have suggested the name McGhee Lane. - The owners of the 3rd lot have not agreed to the name of McGhee Lane and have suggested that the Board approve a random name for the access road.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	- Road name request - APO letter to affected resident - Road naming policy				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

July 27, 2026

Tracey Bradshaw
1753 Celt Road
Stanardsville, VA 22973

RE: Private Road Naming Policy Waiver Request

Dear Ms. Bradshaw,

This letter is to notify you that the Fluvanna County Board of Supervisors, BOS, will hear a request to waive existing road naming policy 3-6.4.1. at its August 5th, 2026 meeting in order to permit the private thirty-foot (30 ft) access easement traversing your property to be named. According to this policy, when a third residence is constructed on an access road that road is required to be named for E-911 purposes. The owners of the adjacent property to the east, Tax Map 14-9-2, have requested a waiver of this policy in order to permit the private easement be named McGhee Lane.

According to policy, the County requests that all affected parcels containing an address provide input into the proposed road name. As the property owner providing the easement, we are giving you the opportunity to provide input into the proposed name.

Should you have any questions regarding the road naming process, then please contact me at joverstreet@fluvannacounty.org or call at 434.591.1910.

Sincerely,

Jason Overstreet, CZA
Senior Planner



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

G. Cabell Lawton, IV
County Administrator
clawton@co.fluvanna.va.us

P.O. Box 540 Palmyra, VA 22963 • (434) 591-1910 • FAX (434) 591-1911 • www.co.fluvanna.va.us

TO: Shelly H. Wright, Assistant County Administrator
COPY: Ryant L. Washington, Sheriff
DATE: June 22nd 2006

*****E X T R A C T*****

(from the Draft Minutes)

At a regular meeting of the Fluvanna County Board of Supervisors held June 21st 2006 in the Circuit Courtroom of the Fluvanna Courts Building, Palmyra, Virginia.

Present: Cecil L. Cobb, Chairman; Thomas E. Payne, Vice Chairman; Charles W. Allbaugh; Marvin F. Moss and Donald W. Weaver.

Absent: Gene F. Ott

* * * * *

Road Naming Policy

This policy formalizes the road naming process that has been in place for the last six years and assigns the responsibility for administering the policy to the County Administrator or his designee.

Shelly H. Wright, Assistant County Administrator, addressed this issue.

MOTION:

Mr. Moss moved to adopt the Road Naming Policy and to incorporate it as Section 3-6 of the Fluvanna County Policy Manual. Mr. Weaver seconded. The motion carried by a vote of 5-0-1. AYES: Allbaugh, Moss, Ott, Payne, Weaver and Cobb. NAYS: None. ABSENT: Ott.

* * * * *

A COPY, teste

Shelly H. Wright
Assistant County Administrator

MOTION: I move to adopt the following Road Naming Policy and to incorporate it as Section 3-6 of the Fluvanna County Policy Manual.

AGENDA

BOARD OF SUPERVISORS

June 21, 2006

SUBJECT: Road Naming Policy Adoption

RECOMMENDATION: Approval

TIMING: Routine

POLICY IMPLICATIONS: This policy formalizes the road naming process that has been in place for the last six years and assigns the responsibility for administering the policy to the County Administrator or his designee. Currently, the responsibility for this process is under the Director of Communications in the 9-1-1 center.

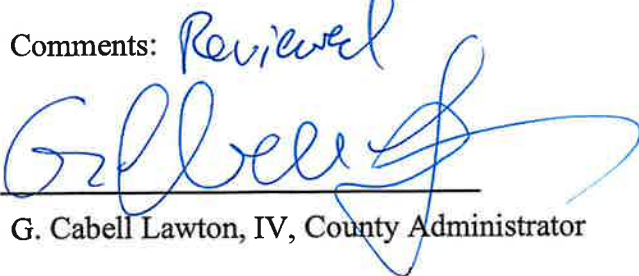
DISCUSSION: Chairman Cobb has requested that the Board be presented with a policy that lays out what the road naming practice has been for the last six years (since the beginning of road naming in Fluvanna County) to insure that the process remains fair and consistent for all residents. The only change that this policy would make is to appoint the County Administrator or his designee the person responsible for administering the policy. Currently, the Director of Communications oversees this process.

Staff: Shelly Wright, Assistant County Administrator

Attachments: Proposed Policy 3-6: Road Naming Policy
County Code Section 18-2: Naming of Streets, Roads, and Alleys
Sample Notification Letter
Sample Acceptance Letter

For County Administrator's Use Only:

Comments:

Reviewed


G. Cabell Lawton, IV, County Administrator

3. GENERAL POLICIES

3-6. Road Naming Policy

(Adopted by the Board of Supervisors on 6/21/06, 2006, unless otherwise noted.)

3-6.1. Purpose

- 3-6.1.1. This policy shall determine the process for assigning names to roads that are not part of a subdivision.
- 3-6.1.2. Naming of subdivision roads shall be handled in the Planning Department.

3-6.2. Definitions

- 3-6.2.1. County – For purposes of this policy, County shall mean the County Administrator or his designee.
- 3-6.2.2. Residence – For purposes of this policy, residence shall mean an occupied home or business.
- 3-6.2.3. Affected resident – For purposes of this policy, affected resident shall mean a person owning property that will use the road in question to access said property.

3-6.3. Authority

- 3-6.3.1. Nothing in this policy shall be construed to supersede the County ordinance with respect to the naming of roads. County Code section 18-2: Naming of streets, roads, and alleys.

3-6.4. Qualifications for a Road Name

- 3-6.4.1. In order to be named, a road must provide access to three or more residences. One or two residences accessed by a shared driveway shall be addressed off of the road that abuts the driveway.

3-6.5. Street Naming Guidelines

- 3-6.5.1. A road name will generally be accepted if it meets the following criteria:
 - 3-6.5.1.a. is agreed upon by the majority of the households responding to the County notification letter; and,
 - 3-6.5.1.b. is no more than 15 spaces excluding the suffix, i.e. Lane, Court, Drive, etc. (“M” and “W” = 1½ spaces, “T” and a space = ½ space); and,

- 3-6.5.1.c. is not duplicated or dangerously similar to any other road name in the County; suffix does not count when determining duplication, for example: Apple Lane and Apple Drive are considered duplicates; and,
- 3-6.5.1.d. the suffix is recognized by the U.S. Postal Service except for “Road” and “Street” – which are reserved for state-maintained roads – and those indicating a particular type of road, i.e. Circle, Expressway; and,
- 3-6.5.1.e. the road shall not be a proper name identifiable with a single individual unless the individual has historical significance; for instance, while John Campbell Drive would not be acceptable, John Drive, or Campbell Drive may be considered as the latter two are not identifiable with John Campbell solely; and,
- 3-6.5.1.f. shall not have an unusual spelling, unless it has historic relevance.

3-6.6. Road Naming Process

- 3-6.6.1. Involvement of Residents – upon notification by the Building Inspections Department that a third residence is being built on an access road, the County will send notification letters to all residents informing them that (1) their road will need to be named and their addresses changed, and (2) they are invited to participate in the process of suggesting names for consideration by the County.
- 3-6.6.2. Assignment of Road Name – upon receipt of responses from affected residents, or the passing of the date set out in the notification letter as the deadline for receipt of responses, the County shall:
 - 3-6.6.2.a. Determine if the road name requests on the responses meet the minimum criteria outlined in section 3-6.5 of this policy;
 - 3-6.6.2.b. Consider the road names listed on the responses and determine if there is consensus among the affected residents;
 - 3-6.6.2.c. Choose a recommended road name either from the responses or at random;
 - 3-6.6.2.d. Send a letter to the affected residents notifying them of the recommendation and the pending Board of Supervisors action;
 - 3-6.6.2.e. Prepare a staff report to be placed on the next available Board of Supervisors meeting agenda for formal road name adoption.

FLUVANNA COUNTY CODE

Sec. 18-2. Naming of streets, roads and alleys.

(a) The board of supervisors may, from time to time, by resolution, name streets, roads and alleys within the County. Such names shall take precedence over any other designation except those primary highways conforming to Virginia Code § 33.1-12, and shall be employed in references to property abutting thereon.

(b) The name of each street shown on a subdivision plat approved pursuant to Chapter 19 of this Code and subsequently recorded in the office of the clerk of the circuit court shall be deemed to have been approved pursuant to this section.

(c) The board of supervisors may, in its discretion, rename any street previously known by another name. Renaming streets, roads and alleys on site plans or subdivision plats previously recorded and filed in office of the clerk of the circuit court shall not cause vacation of such site plans or subdivision plats. The board of supervisors shall forward a certified copy of the action effecting such name change to the clerk of the circuit court in which the site plan or subdivision plat is recorded or filed. Upon receipt, the clerk shall (i) file the certified copy and note the name change on the site plan or subdivision plat affected or (ii) record the certified copy.

(d) A complete and up-to-date list of the streets, roads and alleys shall be maintained in the office of the commissioner of revenue. It shall be the duty of the county administrator to ensure that an accurate list of streets, roads and alleys named by the board of supervisors pursuant to this section, whether by resolution or by approval of a subdivision plat, be provided to the commissioner of revenue promptly upon the action of the board. (Ord. 3-15-00)

SAMPLE NOTIFICATION LETTER REQUESTING ROAD NAME SUGGESTIONS

Date

Dear resident:

Because your property is accessed by a shared drive that serves 3 or more homes it requires a street name.

The County is calling upon you and your neighbors to propose a road name. A submitted road name will generally be accepted if it:

- 1) is agreed upon by the majority of the households responding to this notice; and,
- 2) is no more than 15 spaces excluding the suffix, i.e. Lane, Court, Drive, etc. ("M" and "W" = 1½ spaces, "I" and a space = ½ space); and,
- 3) is not duplicated or dangerously similar to any other road name in the County (determination to be made by the County project manager); suffix does not count when determining duplication, for example: *Apple Lane* and *Apple Drive* are considered duplicates; and,
- 4) the suffix can be any one recognized by the U.S. Postal Service except for "Road" and "Street" – which are reserved for state-maintained roads – and those indicating a particular type of road, i.e. Circle, Expressway; and,
- 5) shall not be a proper name; and,
- 6) shall not have an unusual spelling, unless it has historic relevance.

Please meet with your neighbors if possible to agree to road name choices before sending in the enclosed form. A signed form is requested from each household to verify participation and road name preference(s). On the form, please fill in your personal information and then list your road name choices in order of preference. Please return your response to the address shown above by **January 12, 2004**.

Should you and your neighbors be unable to reach an agreement the County will choose and assign a name to your road.

Please feel free to call if you have any questions concerning this process.

Sincerely,

Shelly Wright
swright@co.fluvanna.va.us

PRIVATE ROAD NAME REQUEST

NAME: _____

ADDRESS: _____

PHONE #: _____

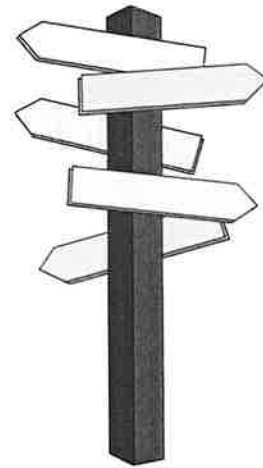
DATE: _____

ROAD NAME CHOICES:

1. _____

2. _____

3. _____



SAMPLE ROAD NAME ACCEPTANCE LETTER

Date

Dear resident:

Based on the responses submitted to the County for a name for your road, "Mocking Bird Lane" has been added to the list of proposed road names to be sent to the Board of Supervisors. The road name list will go before the Board August 1, for formal adoption. If you have any questions, please feel free to call.

Sincerely,

Shelly Wright

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB D

MEETING DATE:	August 19, 2026												
AGENDA TITLE:	Department of Social Services Office Renovation												
MOTION(s):	I move the Board of Supervisors approve a supplemental appropriation in the amount of \$35,304 for the FY27 Social Services budget, with a supplemental appropriation from County Unassigned Fund Balance in the amount of \$23,654 and \$11,650 for federal funds.												
BOS WORKPLAN?	Yes	No	If yes, which item(s):										
		X											
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other								
		X											
STAFF CONTACT(S):	Eric Dahl, County Administrator, Dale Critzer, Director of Public Works, and Kim Mabe, Director of Social Services												
PRESENTER(S):	Eric Dahl, County Administrator, Dale Critzer, Director of Public Works, and Kim Mabe, Director of Social Services												
RECOMMENDATION:	Approve												
TIMING:	Immediate												
DISCUSSION:	In the FY27 budget, Social Services was approved for a new Asst. Director of Social Services position and will need office space to accommodate that position. The scope of work is to take the Directors current office and build a wall in the center to have two separate offices spaces and upgrade the HVAC, and lighting to provide conditioning for the space equally. The scope of work includes: - Replace inoperable above ceiling Water Sourced Heat Pump HVAC unit - Add new wall, move existing door, drywall /caulk and paint room - Add lights, receptacles and relocate switches - Contingency for unforeseen issues A breakdown of costs is reflected below: <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td>Replace inoperable above ceiling Water Sourced Heat Pump HVAC unit</td> <td style="text-align: right;">\$19,424</td> </tr> <tr> <td>Add new wall, move existing door, drywall /caulk and paint room</td> <td style="text-align: right;">\$9,888</td> </tr> <tr> <td>Add lights, receptacles and relocate switches</td> <td style="text-align: right;">\$2,800</td> </tr> <tr> <td>Contingency for unforeseen issues</td> <td style="text-align: right;">\$3,200</td> </tr> </table> This request was going to originally be proposed as a Capital Reserve Maintenance Fund request. After inquiring with the Director of Social Services, there is an opportunity to use federal pass thru funds at a 33% match, therefore only needing the County to cover 67% of the total actual costs, as long as the project is completed by 9/30/26. After 10/1/26, the federal match rate is reducing to 25% federal and 75% local.					Replace inoperable above ceiling Water Sourced Heat Pump HVAC unit	\$19,424	Add new wall, move existing door, drywall /caulk and paint room	\$9,888	Add lights, receptacles and relocate switches	\$2,800	Contingency for unforeseen issues	\$3,200
Replace inoperable above ceiling Water Sourced Heat Pump HVAC unit	\$19,424												
Add new wall, move existing door, drywall /caulk and paint room	\$9,888												
Add lights, receptacles and relocate switches	\$2,800												
Contingency for unforeseen issues	\$3,200												

FISCAL IMPACT:	If approved, unassigned fund balance would decrease by \$23,654.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			X

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB E

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	FY26 Incentive Program for Fluvanna County Fire, EMS, & Water Rescue Supplemental Appropriation				
MOTION(s):	I move the Board of Supervisors to approve a supplemental appropriation of \$9,056.00 to the FY26 Fire & Rescue Association Operational Budget with funding to come from FY26 BOS Contingency.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
		X			
STAFF CONTACT(S):	Eric Dahl, County Administrator & Tori Melton, Director of Finance				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	I recommend approval of the motion as stated above				
TIMING:	Effective June 30, 2026				
DISCUSSION:	On May 7, 2025 the Board of Supervisors adopted the Incentive Program for Fluvanna County Fire, EMS, and Water Rescue Volunteers. The goal is to drive recruitment, retention and increased participation of Fluvanna County Volunteers by providing an incentive program for volunteers. More specific guidelines and criteria can be found in the amended Incentive Program for Fluvanna County Fire, EMS and Water Rescue Volunteers enclosed. \$37,500 has been budgeted for FY26 and also for previous years. The actual amount needed for the Incentive Program for FY26 is \$65,535.00. The breakdown of the incentives is as follows: • Lake Monticello Vol. Rescue Squad - \$39,035 • Lake Monticello Vol. Fire Department - \$11,320 • Lake Monticello Vol. Water Rescue - \$4,465 • Fluvanna County Vol. Fire – Fork Union - \$4,645 • Fluvanna County Vol. Fire – Kents Store - \$3,800 • Fluvanna County Vol. Fire – Fork Union - \$2,270				
FISCAL IMPACT:	Approval will allow finance to increase the FY26 Fire & Rescue Association Operational Budget by \$9,056.00				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				

ENCLOSURES:	Incentive Program for Fluvanna County Fire, EMS and Water Rescue Volunteers				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
		X			



INCENTIVE PROGRAM FOR FLUVANNA COUNTY FIRE, EMS AND WATER RESCUE VOLUNTEERS

AGENCIES INCLUDED:

Palmyra Volunteer Fire Company

Fork Union Volunteer Fire Company

Kents Store Volunteer Fire Company

Lake Monticello Volunteer Fire Department

Lake Monticello Volunteer Rescue Squad

Lake Monticello Volunteer Water Rescue Team



Effective Date: 01/01/2025

- A. The purpose is to provide a recruitment and retention program and serve as a guideline and procedure for the monetary compensation to Fluvanna Fire Department, Lake Monticello Fire Department, Lake Monticello Rescue Squad and Water Rescue Team personnel of Fluvanna County, Virginia.
- B. The Fluvanna County Board of Supervisors will determine the monetary compensation and the County Administrator and/or designee will oversee the hybrid Incentive Program.
- C. It will be the responsibility of each fire, rescue and water rescue Chief, or his/her designee, to maintain true and accurate statistics/records which will be submitted to the Fluvanna County Director of Finance on or before July -- of the coverage year.
- D. The hybrid incentive program is voluntary and nominal in nature.
- E. The disbursements will be distributed on an annual basis.
- F. Any entries into the reporting database for incentives must be completed within five (5) days ending the given month.
- G. Any person (s) found falsifying documents and/or statistics to obtain incentive will be subject to punishment according to Local, Commonwealth, State, and/or Federal law.
- H. Fluvanna County or each fire, rescue and water rescue Chief reserves the right to remove any volunteer from the incentive program for any length of time and for any reason.
- I. All incentive payments shall be subject to all Local, Commonwealth and/or Federal reporting laws.
- J. A Member Agency may opt-out of the incentive program at any time with a general membership majority vote. Documentation of the vote must be submitted to the County Administrator and/or designee.
- K. Annually, each Chief will provide the County Administrator and/or designee with a list of current Officers and Administrative staff for the coming year.
- L. Chiefs and/or their designee will post quarterly a spread sheet or similar document summarizing individual members' activity and participation in the program.
- M. Standby and Collateral duties must be approved by the Company Chief.
- N. To determine the "primary agency" for a member(s) who volunteers with multiple operational units, consider the agency where they dedicate the most time, have the highest level of responsibility, or play the most critical role. If time

commitment and responsibilities are evenly distributed, the volunteer can choose their primary agency based on personal preference or which organization they identify with most. BOS2026-08-19 p.31/278

- O. Member(s) who are affiliated with multiple operational units within Fluvanna County and/or Lake Monticello may combine points and/or hours (see conversion formula) to obtain their final activity figure. It will be the responsibility of each unit Chief to maintain such statistics and confer to determine the member(s) final eligibility. The Chief of that member's primary agency affiliation shall be responsible for compiling such points and submitting them to County staff. See the conversion table below:

<u>Conversion</u>
One hour of duty time is equal to .48 points

- P. Member(s) who question their annual statistics reported by their Chief may appeal said findings to their respective Board of Directors for resolution.

II. Proposal

Original Proposal

Tier	Incentive Amount	Hour Requirement
1	\$595	288 Duty Crew Hours/year (minus number of call hours while on Duty Crew)
2	\$300	144 Duty Crew Hours/year (minus number of call hours while on Duty Crew)
3	\$175	Leadership/ Administration (limit to 3 per station)

Alternative Hybrid Proposal

Tier	Incentive Amount	Hour Requirement
1	\$595	See Below Eligibility Requirements
2	\$300	See Below Eligibility Requirements
3	\$175	Leadership/ Administration (limit to 3 per station)

III. Eligibility

A. Fire Personnel:

- Firefighters who respond to ten percent (10%) or more of FIRE and EMS incidents annually, to which his/her company is dispatched, will receive **ten (10) points**.
- Firefighters who respond to between five and nine percent (5 to 9 %) of FIRE and EMS incidents annually, to which his/her company is dispatched, will receive **five (5) points**.
- Each training session a firefighter attends will receive one (1) point per session, with a maximum of **ten (10) points**. The training session will be a minimum of four (4) hours.
 - ✓ *Personnel will receive training credit for an external (outside Fluvanna County) training session, with prior approval from their Chief or designee.*
- Each Company business meeting a firefighter attends, will receive one (1) point per session, with a maximum of **ten (10) points**
- A firefighter who attends twenty-four (24) hours or more of duty crew hours will receive a maximum of **fifteen (15) points**. The duty crew will be a minimum of four (4) hours per shift.
- A firefighter who attends between twelve and twenty-three (12-23) hours of duty crew hours will receive a maximum of **ten (10) points**. The duty crew will be a minimum of four (4) hours per shift.
- A firefighter who dedicates twelve (12) hours or more hours of public education, and public appearances annually will receive **five (5) points**.
- A firefighter who dedicates more than one, but less than twelve (12) hours of public education, and public appearances annually will receive **three (3) points**.
- Each duly elected line officer from each company will receive **five (5) points**, annually, if he/she meets or exceeds his/her ten percent (10%) incident response requirement.

Members must obtain a minimum of 50 points to qualify for Tier 1 incentive benefits, annually.

Members must obtain between 38 and 49 points to qualify for Tier 2 incentive benefits, annually.

- Each Fire Chief can appoint a maximum of three (3) members to act as administrative assistants to conduct administrative duties for his/her company. The members must remain the same within the calendar year. These persons will receive **one hundred and seventy-five dollars (\$175.00)**, annually. These persons(s) also cannot collect funds from the above incentive program unless prior approval is obtained from the Director of Emergency Services and/or Fluvanna County staff.

Tier	Incentive Amount	Points Earned
1	\$595.00	50
2	\$300.00	38-49
3	\$175.00	Predetermined Administrative Staff

B. EMS Personnel:

- Emergency medical personnel who devote a minimum of **two hundred and eighty-eight (288) hours** for:
 - ✓ Duty crew/Response assignments
 - ✓ Training
 - ✓ Continuing education sessions
 - ✓ Rescue squad meetings
 - ✓ Public education
 - ✓ Public appearances
 - ✓ Credit for serving as an Officer (**maximum number of hours awarded must be determined**)

Members must obtain a minimum of 288 hours to qualify for Tier 1 incentive benefits, annually.

Members must obtain a minimum of 144 hours to qualify for Tier 2 incentive benefits, annually.

- The Rescue Chief can appoint a maximum of three (3) members to act as administrative assistants to conduct administrative duties for his/her company. The members must remain the same within the calendar year. These persons will receive **one hundred and seventy-five dollars (\$175.00)**, annually. These persons(s) also cannot collect funds from the above incentive program unless prior approval is obtained from Fluvanna County staff.

Tier	Incentive Amount	Hours Served
1	\$595.00	288
2	\$300.00	144
3	\$175.00	Predetermined Administrative Staff

C. Water Rescue Team:

- Water Rescue Team members who respond to ten percent (10%) or more of the calls annually, to which the Water Rescue Team is dispatched, will receive **ten (10) points**.
- Water Rescue Team members who respond to between five and nine percent (5 to 9 %) of the calls annually, to which the Water Rescue Team is dispatched, will receive **five (5) points**.
- Each training session that a Water Rescue Team members attends will receive one (1) point per session, with a maximum of **ten (10) points**. The training session will be a minimum of four (4) hours.
 - ✓ *Personnel will receive training credit for an external (outside Fluvanna County) training session, with prior approval from their Chief or designee.*
- Each Company business meeting a Water Rescue Team member attends, will receive one (1) point per session, with a maximum of **ten (10) points**

- A Water Rescue Team member who dedicates twelve (12) hours or more hours of public education, and public appearances annually will receive **five (5) points**.
- A Water Rescue Team member who dedicates more than one, but less than twelve (12) hours of public education, and public appearances annually will receive **three (3) points**.
- Each duly elected or appointed officer from of the Water Rescue Team will receive **five (5) points**, annually, if he/she meets or exceeds his/her ten percent (10%) incident response requirement.

Members must obtain a minimum of 35 points to qualify for Tier 1 incentive benefits, annually.

Members must obtain between 23 and 34 points to qualify for Tier 2 incentive benefits, annually.

- The Water Rescue Chief can appoint a maximum of three (3) members to act as administrative assistants to conduct administrative duties for his/her company. The members must remain the same within the calendar year. These persons will receive **one hundred and seventy-five dollars (\$175.00)**, annually. These persons(s) also cannot collect funds from the above incentive program unless prior approval is obtained from Fluvanna County staff.

Tier	Incentive Amount	Water Rescue Points
1	\$595.00	35
2	\$300.00	23-34
3	\$175.00	Predetermined Administrative Staff

IV. Payout:

- A. Tracking of time will be July 1 to June 30 of each fiscal year.
- B. Payout is once per year, typically 3-4 weeks after the Finance Department receives all verified data from all volunteer companies and stations.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB F

MEETING DATE:	August 21, 2024				
AGENDA TITLE:	Speed Limit Study on Route 612 (Winnsville Drive)				
MOTION(s):	I move the Board of Supervisors approve a resolution entitled, “A RESOLUTION REQUESTING A SPEED LIMIT STUDY ON ROUTE 612 (WINNSVILLE DRIVE) FROM ROUTE 6 (WEST RIVER ROAD) TO ROUTE 15 (JAMES MADISON HIGHWAY) IN THE FORK UNION DISTRICT.”				
BOS 2 YEAR GOAL?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
		XX			
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approval				
TIMING:	Normal				
DISCUSSION:	Due to residents’ concerns, the Board of Supervisors is requesting VDOT perform a speed limit study of Route 612 (Winnsville Drive) from the intersection of Route 6 (West River Road) traveling south to the intersection of Route 15 (James Madison Highway) in the Fork Union District.				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Resolution				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 24-2026

A RESOLUTION REQUESTING A SPEED LIMIT STUDY ON ROUTE 612 (WINNSVILLE DRIVE) FROM ROUTE 6 (WEST RIVER ROAD) TO ROUTE 15 (JAMES MADISON HIGHWAY) IN THE FORK UNION DISTRICT.”

At a Regular Meeting of the Fluvanna County Board of Supervisors held in the Fluvanna County Circuit Court Building at 6:00 PM on Wednesday, August 19, 2026, the following resolution was adopted by the Board of Supervisors, the vote being as shown below and recorded in the minutes of the meeting.

WHEREAS, it is the intention of the Fluvanna County Board of Supervisors to protect the health, safety, and welfare of all its citizens; and

WHEREAS, the Board of Supervisors feels there is a need for a Speed Limit Study on Route 612 (Winnsville Drive) from the intersection of Route 6 (West River Road) traveling south to the intersection of Route 15 (James Madison Highway); and

WHEREAS, the Board of Supervisors feels that the safety on this roadway can be significantly improved at a lower speed limit.

NOW, THEREFORE BE IT RESOLVED, on this 19th day of August 2026, that the Fluvanna County Board of Supervisors hereby requests that the Virginia Department of Transportation conduct a Speed Limit Study on Route 612 (Winnsville Drive) from the intersection of Route 6 (West River Road) traveling south to the intersection of Route 15 (James Madison Highway).

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors at the Regular Meeting of the Board held on the 19th day of August 2026;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Anthony P. O'Brien, Rivanna District						
Timothy Hodge, Palmyra District						
Chris Fairchild, Cunningham District						
Mike Goad, Fork Union District						
John M. Sheridan, Columbia District						

Attest:

Anthony P. O'Brien, Chair
Fluvanna County Board of Supervisors

FLUVANNA COUNTY BOARD OF SUPERVISORS

AGENDA ITEM STAFF REPORT

TAB G

MEETING DATE:	August 19, 2026					
AGENDA TITLE:	Resolution to Remove Data Centers as an Allowed Use					
MOTION(s):	I move that the Board of Supervisors approve a resolution to propose amendments to the Zoning Code by amending §§ 22-11-2.2, 22-12-2.2, 22-17-5, and 22-22-1, and I move that the Board of Supervisors not consider any new applications for a special use permit for a data center until November 30, 2026, or at such earlier time as the Board of Supervisors may determine.					
BOS WORKPLAN?	Yes	No	If yes, list initiative(s):			
		X				
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other	
		X				
STAFF CONTACT(S):	Dan Whitten, County Attorney					
PRESENTER(S):	Dan Whitten, County Attorney					
RECOMMENDATION:	N/A					
TIMING:	If the resolution is approved, the Planning Commission would hold a public hearing on September 8, 2026					
DISCUSSION:	- The Zoning Code may be amended by the adoption of a resolution by the Board of Supervisors, and the resolution shall be referred to the Planning Commission. - The resolution states the intention to amend §§ 22-11-2.2, 22-12-2.2, 22-17-5, and 22-22-1 of the County Code to remove the definition of a data center and to remove data centers as a use allowed by special use permit in the I-1 and I-2 zoning districts. - After the Planning Commission holds a public hearing, a recommendation will be forwarded to the Board of Supervisors. - The resolution also states that any new applications for data centers will not be considered by the Board of Supervisors until November 30, 2026.					
FISCAL IMPACT:	N/A					
POLICY IMPACT:	N/A					
LEGISLATIVE HISTORY:	N/A					
ENCLOSURES:	Resolution					
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other	
	X					

ZTA 26:??

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-11-2.2, 22-12-2.2, 22-17-5, AND 22-22-1 TO REMOVE THE DEFINITION OF DATA CENTERS, TO REMOVE DATA CENTERS AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, I-1 AND INDUSTRIAL, I-2 ZONING DISTRICTS, AND TO CLARIFY THAT USES WHICH ARE NOT DEFINED WITHIN THE ZONING CODE ARE NOT PERMITTED

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-11-2.2, 22-12-2.2, 22-17-5, and 22-22-1:*

CHAPTER 22 – ZONING

ARTICLE 11. - INDUSTRIAL, LIMITED, DISTRICT I-1

Sec. 22-11-2.2. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Industrial Uses

~~Data centers~~

Manufacturing, medium

Sanitary landfills

Sawmills, permanent

Solid waste material recovery facilities

Truck terminals

ARTICLE 12. - INDUSTRIAL, GENERAL, DISTRICT I-2

Sec. 22-12-2.2. Uses permitted by special use permit.

The following uses shall be permitted by special use permit only:

Industrial Uses

~~Data centers~~

Manufacturing, heavy

Petroleum distribution facilities

Resource extraction

Salvage and scrap yards

Sanitary landfills

Slaughterhouses

Solid waste material recovery facilities

ARTICLE 17. - GENERAL PROVISIONS

Sec. 22-17-5. Uses not provided for.

Any use which is not defined within this chapter or enumerated as a use within a specific zoned district shall not be permitted within Fluvanna County. If in any district established under this chapter, a use is not specifically permitted and an application is made by a property owner to the Administrator for such use, the Administrator shall refer the application to the Planning Commission. Thereafter, the said application shall be treated as a resolution of the Planning Commission in accordance with Section 22-20-1(C) of this chapter.

ARTICLE 22. DEFINITIONS

Sec. 22-22-1. Rules of construction; definitions.

~~*Data center:* A facility used primarily for the management, processing, storage and transmission of digital data, which houses computer and/or network equipment, servers, systems and other associated components related to digital data operations. The facility may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated infrastructure to support its operations.~~

(2) *That the Ordinance shall be effective upon adoption.*



BOARD OF SUPERVISORS

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. __-2026

A RESOLUTION OF THE FLUVANNA COUNTY BOARD OF SUPERVISORS TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-11-2.2, 22-12-2.2, 22-17-5, AND 22-22-1 TO REMOVE THE DEFINITION OF DATA CENTERS, TO REMOVE DATA CENTERS AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, I-1 AND INDUSTRIAL, I-2 ZONING DISTRICTS, TO CLARIFY THAT USES WHICH ARE NOT DEFINED WITHIN THE ZONING CODE ARE NOT PERMITTED, AND TO DELAY CONSIDERATION OF NEW APPLICATIONS FOR DATA CENTERS

WHEREAS, the Fluvanna County Code (“County Code”) may from time to time be amended, supplemented, changed, modified, or repealed by the Fluvanna County Board of Supervisors (“Board of Supervisors”) pursuant to § 15.2-2285 of the Code of Virginia; and

WHEREAS, in accordance with § 22-20-1 of the Zoning Code, the Board of Supervisors can adopt a resolution of intention to amend the Zoning Code, which resolution, upon adoption, shall be referred to the Planning Commission; and

WHEREAS, the Board of Supervisors desires to propose an amendment to the Zoning Code by amending §§ 22-11-2.2, 22-12-2.2, 22-17-5, and 22-22-1 to remove the definition of data centers, to remove data centers as a use allowed by special use permit in the Industrial, I-1 and Industrial, I-2 Zoning Districts, and to clarify that uses which are not defined within the Zoning Code are not permitted within Fluvanna County; and

WHEREAS, the Planning Commission shall hold a public hearing on such proposed amendments after notice as required by §15.2-2204 of the Code of Virginia, and may make appropriate changes to the proposed amendment as a result of such hearing; and

WHEREAS, § 15.2-2286 of the Code of Virginia allows the Board of Supervisors up to twelve (12) months to act upon any application for a special use permit; and

WHEREAS, the Board of Supervisors desires to delay its consideration of any new special use permit application for a data center until November 30, 2026, to allow time for such proposed amendment of the Zoning Code to be considered.

NOW, THEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors as follows:

1. That the Board of Supervisors proposes an amendment to the Zoning Code by amending §§ 22-11-2.2, 22-12-2.2, 22-17-5, and 22-22-1 to remove the definition of data centers, to remove data centers as a use allowed by special use permit in the Industrial, I-1 and Industrial, I-2 Zoning Districts, and to clarify that uses which are not defined within the Zoning Code are not allowed within Fluvanna County.
2. That the Board of Supervisors does hereby state its intention to not consider any new applications for a special use permit for a data center until November 30, 2026, or at such earlier time as the Board of Supervisors may determine.

Adopted this 19th day of August 2026 by the following recorded vote:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Christopher Fairchild, Cunningham District						
D. Mike Goad, Fork Union District						
Timothy M. Hodge, Palmyra District						
Anthony P. O'Brien, Rivanna District						
John M. Sheridan, Columbia District						

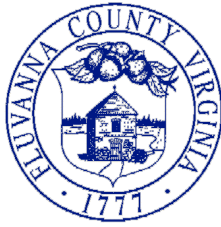
Attest:

Anthony P. O'Brien, Chair
Fluvanna County Board of Supervisors

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB H

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	SUP 26:09 Lenherr				
MOTION(s):	I move that the Board of Supervisors (approve / deny) SUP 26:09, a request in the A-1, Agricultural, General district for a small home industry on a 4.5-acre parcel located at 1266 Gold Mine Road Palmyra, Virginia and identified as Tax Map 40-4-8.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jason Overstreet, Senior Planner				
PRESENTER(S):	Jason Overstreet, Senior Planner				
RECOMMENDATION:	Planning Commission Recommends approval				
TIMING:	Routine				
DISCUSSION:	The applicant is requesting this Special Use Permit (SUP) to allow a small home industry for the fabrication of precision metal parts. An existing metal fabrication business will be relocated from Charlottesville to this location if approved.				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	This request was presented to the Planning Commission for review and action on August 11, 2026. The Commission voted 5-0 to recommend approval.				
ENCLOSURES:	- Staff Report - Application - APO Letter				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

BOS2026-08-19 p.47/278
132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Planning Commission
Case: SUP 26:09 Lenherr
Tax Map 40-4-8

From: Jason Overstreet
District: Fork Union

General Information: This Special Use Permit (SUP) request is to be heard by the Board of Supervisors on Wednesday, August 19, 2026 at 7:00 pm in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Applicant: Richard D. Lenherr

Requested Action: **SUP 26:09 Lenherr** – A Special Use Permit request in the A-1, Agricultural, General District to allow a small home industry on approximately 4.5 acres of Tax Map 40-4-8. The parcel is located in the Rural Preservation Planning Area and is in the Fork Union Election District.

Existing Zoning: A-1, Agricultural, General

Existing Land Use: Residential

Planning Area: Rural Preservation

Adjacent Land Use: The surrounding parcels are zoned A-1, Agricultural, General.

Zoning History: SUP 05:02 permitted a temporary mobile home on the parcel.

Applicant Summary:

The applicant is requesting this Special Use Permit (SUP) in order to allow a small home industry for the fabrication of precision metal parts. An existing metal fabrication business will be relocated to this location if approved.

Small home industry: Small commercial, professional, or light industrial uses which do not in any way detract from adjacent agricultural or residential uses and while clearly excluding large scale industrial and commercial uses and that are located within the same parcel as the residence of the owner and within 500 feet of said residence.

Comprehensive Plan:

The Comprehensive Plan designates this property as within the Rural Preservation Planning Area. According to this chapter, “The rural preservation areas are intended to be the least developed areas of the county” along with rural land uses that support the rural quality of life.

The Comprehensive Plan recommends that development within Rural Preservation areas preserve the character of the area and promote economic development. Accordingly, “Landholders in these planning areas should be given the opportunity to pursue options that will supplement their income. This is particularly the case for landowners who may need to supplement their income in order to maintain rural land uses. Although these areas do not have the population base or location attributes to attract much commercial development, other types of development may be appropriate and should be reviewed on an individual basis.” Additionally, landowners in and around these planning areas should be given the opportunity to pursue options that will supplement or provide income and may provide additional employment opportunities to the surrounding community.

Technical Review Committee:

The Technical Review Committee has reviewed the proposed SUP and offered the following comments:

1. Planning staff noted that a Site Development Plan may be required before developing the site.
2. Planning staff advised applicant to consider community engagement.
3. Sheriff’s Office had no public safety concerns.
4. E&SC inquired about the new access easement as it relates to the proposed use.
5. VDH discussed potential septic system requirements if bathrooms are added in the future and confirmed that permits will be required. Inquired about wastewater handling.
6. Fire Department officials stated that standard fire suppression systems and extinguishers would be required.
7. VDOT inquired about the volume and type of traffic that would be generated.

Planning Analysis:

The property is located on the west side of Goldmine Road approximately 1.2 miles from its intersection with West River Road and is zoned A-1, Agricultural, General. The parcel is located within Fluvanna County’s Rural Preservation Planning Area. Under Fluvanna County’s A-1 zoning, per Section 22-4-2.2 of the Fluvanna County Code, small home industries are allowed in A-1 by Special Use Permit only.

The operation will use an existing building with no planned alterations, and it will not require any additional storage. All operations will be within the shop building. The intended use is not expected to generate much additional traffic as there will be no retail commerce on the site. Package vans will be used to ship products from the business and small flatbed trucks will

deliver materials. Larger commercial flatbed trucks (48' to 53') will be very limited if required at all.

Distilled water will be used as a coolant for equipment and wastewater management will be handled through an onsite biosystem and a secondary disposal company.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

1) The proposed use should not tend to change the character and established pattern of the area or community.

Due to the specific and limited nature of the goods and services to be provided, the proposed use should have a minimal impact on the existing character of the area if any impact at all. Any potential impact will likely be related to an increased number of vehicles entering and exiting the property.

2) The proposed use should be compatible with the uses permitted in that zoning district and shall not adversely affect the use/or value of neighboring property.

The small home industry is an allowed use with a SUP. The surrounding land use is low density residential and vacant agricultural.

Recommendation:

The Board of Supervisors should consider any potential adverse impacts to the surrounding community, such as traffic entering and exiting the property, noise, or potential visual impacts to adjacent properties. The slight increase in traffic generated by this use will have minimal effect on local infrastructure and on the rural character of the surrounding residential areas.

If this request is approved, staff recommend the following conditions:

1. The SUP shall be deemed abandoned and revoked if the authorized use has been discontinued for a consecutive period of two years.
2. No other type of use will be allowed.
3. No outside storage containers will be allowed.
4. An approved site development plan, *if needed*, shall be required before any additional permits are approved.
5. The hours of operation shall be limited to Monday through Friday, 9:00 a.m. to 6:00 p.m.
6. The site shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
7. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
8. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

9. All business-related activities will only be conducted within the existing 4,000 sq. ft. metal fabrication shop building.

Planning Commission Action:

The Planning Commission heard this request at its August 11, 2026 meeting and voted 5-0 to recommend approval to the Board of Supervisors. An additional condition was added to require all business activities to be conducted within the existing metal building to be used as the metal fabrication shop.

Suggested Motion:

I move that the Board of Supervisors (approve / deny) SUP 26:09, a request in the A-1, Agricultural, General district for a small home industry on a 4.5-acre parcel located at 1266 Gold Mine Road Palmyra, Virginia and identified as Tax Map 40-4-8.

Attachments:

- A – Application
- B – APO Memo
- C – Application



COUNTY OF FLUVANNA

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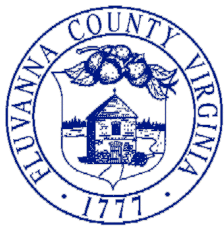
MEMORANDUM

Date: July 29, 2026
From: Jenny C. Faulknier
To: Todd Fortune
Subject: APO Notification / RE: SUP26:09 Lenherr Small Home Industry

Please be advised that the attached letter was mailed to the following list of Adjacent Property Owners for the August 19, 2026 Board of Supervisors meeting.

ADJACENT PROPERTY OWNERS SUP26:0009

[illegible]



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planning@fluvannacounty.org
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Palmyra, VA 22963
(434) 591-1910

PUBLIC HEARING NOTICE

July 29, 2026

ATTN: Adjoining Property Owner

RE: SUP 26:09 Lenherr

This is to notify you that the Fluvanna County Board of Supervisors will hold a public hearing on:

Meeting: Board of Supervisors Regular Meeting
Date: **Wednesday, August 19, 2026 at 7:00 pm**
Location: The Fluvanna County Circuit Court
72 Main Street, Palmyra, VA 22963

SUP 26:09 Lenherr – A Special Use Permit request in the A-1, Agricultural, General District to allow a small home industry on approximately 4.5 acres of Tax Map 40-4-8. The parcel is located in the Rural Preservation Planning Area and is in the Fork Union Election District.

The regular meeting of the Fluvanna County Board of Supervisors will be held in person. Instructions for public participation during the meeting will be made available on the Fluvanna County website. Interested persons may submit written comments prior to the scheduled meeting to planning@fluvannacounty.org and questions may be directed to Todd Fortune, Director of Planning and Zoning at 434-591-1910, between 8:00 am and 5:00 pm, Monday – Friday in the County Administration Building at 132 Main Street Palmyra, VA 22963.

Details of this request are available under *Upcoming Public Hearings* on the County website at <http://www.fluvannacounty.org/> and in the Planning and Zoning Department during regular office hours.

Sincerely,

Todd Fortune
Director of Planning & Zoning

COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Richard D. Lenherr Applicant of Record: Richard D. LenherrAddress: 1266 Gold Mine Rd, Palmyra, VA 22963 Address: 1266 Gold Mine Rd, Palmyra, VA 22963

Phone: [REDACTED] Fax: [REDACTED] Phone: [REDACTED] Fax: [REDACTED]

Email: [REDACTED] Email: [REDACTED]

Representative: Dale WadumAddress: 1139 Locust Ave, Charlottesville, VA 22901

Phone: [REDACTED] Fax: [REDACTED]

Email: [REDACTED]

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Tax Map and Parcel(s) 40-4-8Acreage 4.546 Zoning A-1Location of Parcel: PalmyraDeed Book and Page: 618

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: Machine Shop

*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 5/14/26 Signature of Owner/Applicant: Rickal Dale RD

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public: _____ Register # _____

My commission expires: _____

Certification: Date: _____

Office Use Only

Date Received: _____ Pre-Application Meeting: _____ PH Sign Deposit Received: _____ Application #: SUP 26-0009

\$800.00 fee paid: _____

Amendment of Condition: \$400.00 fee paid: _____

Telecommunications Tower fee plus mailing costs paid: _____

Telecom Consultant Review fee paid: _____

Election District: Fork UnionPlanning Area: Rural Preservation

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates: _____

Advertisement Dates: _____

APO Notification: _____

APO Notification: _____

Date of Hearing: _____

Date of Hearing: _____

Decision: _____

Decision: _____



Commonwealth of Virginia

County of Fluvanna

Public Hearing Sign Deposit

Name: Richard D. Lenherr

Address: 1266 Gold Mine Rd

City: Palmyra

State: VA Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

Richard D. Lenherr 5/14/26
Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: BZA : CPA : SUP : ZMP : ZTA :	
\$50 deposit paid per sign*:	Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Existing building will be used

NECESSITY OF USE: Describe the reason for the requested change.

New home industrial business

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

Building - Rd = 350 ft of trees
Building - rear line = 264 ft of trees
Building - Left line = 306 ft of trees
Building - Right = 300 ft of trees

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

A new business that will bring tax revenue to Fluvanna county

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.
Remarks:



Search by address



BOS2026-08-19 p.57/278

Base
Maps

Listings

Sold
Land

Mortgage

Insights

Layers

Portfolio

3D



+

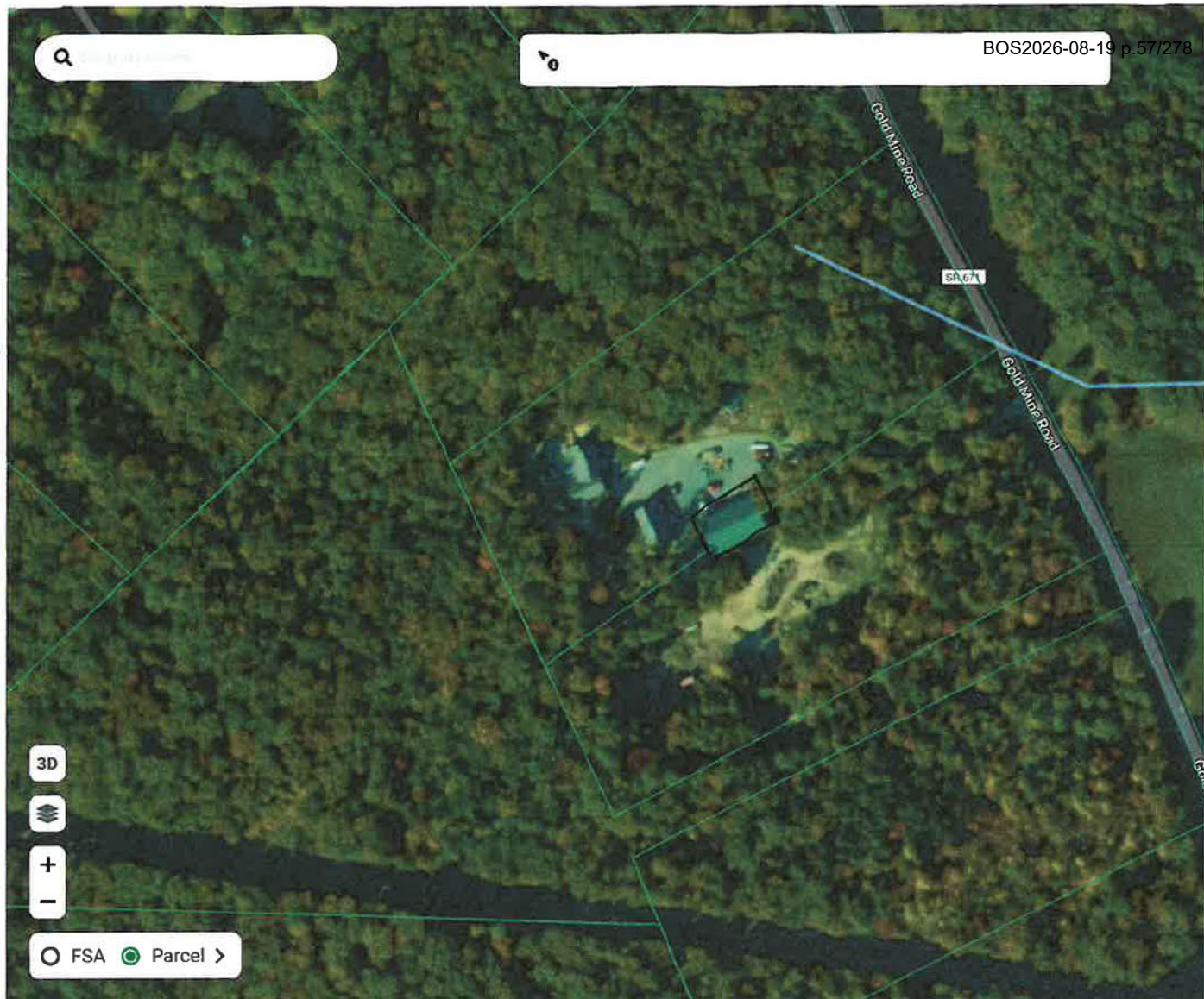
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FSA



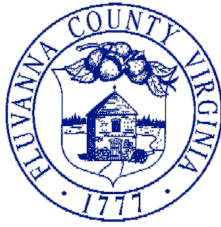
Parcel >



FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB I

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	SUP 26:10 Teen Center				
MOTION(s):	I move that the Board of Supervisors (approve / deny) SUP 26:10, a request in the B-C, Business, Convenience District to operate a teen center on a 1.6-acre parcel identified as Tax Map 18B-5-4.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Jason Overstreet, Senior Planner				
PRESENTER(S):	Jason Overstreet, Senior Planner				
RECOMMENDATION:	Planning Commission Recommends approval				
TIMING:	Routine				
DISCUSSION:	The applicant is requesting a Special Use Permit (SUP) to allow the operation of a teen center in the existing two-story building located on the property.				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	This request was presented to the Planning Commission for review and action on July 7, 2026. The Commission voted 5-0 to recommend approval.				
ENCLOSURES:	- Staff Report - Application - APO Letter				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X



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Fax (434) 591-1911

BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors
Case: SUP 26:10 Flucos Den Center
Tax Map 18B-5-4

From: Jason Overstreet
Election District: Rivanna

General Information: This Special Use Permit (SUP) request is to be heard by the Board of Supervisors on Wednesday, August 19, 2026, at 7:00 pm in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Applicant: Tiffany Smith

Requested Action: **SUP 26:10** – A special use permit request in the B-C, Business, Convenience District to operate a teen center on a parcel totaling approximately 1.6 acres, Tax Map 18B-5-4. The parcel is located in the Rivanna Community Planning Area and Palmyra Election District.

Existing Zoning: B-C, Business, Convenience

Existing Land Use: Commercial

Planning Area: Rivanna Community Planning Area

Adjacent Land Use: The neighboring parcels are zoned B-1, Business General, B-C, Business Convenience, and R-4, Residential Limited

Zoning History: ZMP 03:05 rezoned the parcel from R-1, Residential Limited to B-C, Business Convenience, and BZA 03:12 permitted a variance to the front setback. VDOT required the direct entrance onto RT618 to be closed and a shared service road across the adjacent parcel on the west to be used.

Applicant Summary:

The applicant is requesting a Special Use Permit (SUP) to allow the operation of a teen center in the existing two-story building located on the property. An accompanying Zoning Text

Amendment, ZTA 26:21, to add Teen Center as a use allowed by SUP within the B-C zoning district and to add a definition for Teen Center is also on the agenda for this meeting. Teen center is defined in ZTA 26:21 as:

Teen center: A privately-operated facility that provides a dedicated supervised space for recreational, educational, and/or social activities to two (2) or more teenagers aged 17 and under outside of school hours.

Comprehensive Plan:

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area, which makes up approximately 40 percent of the county's population and consists mainly of the Lake Monticello community. This planning area contains a mixture of residential and commercial uses. Based on the community planning area's neighborhood residential design elements, the subject site is located within a neighborhood mixed-use development area. The requested use aligns with the designated neighborhood residential classification. According to the development standards, "In some cases, small commercial and institutional uses may be incorporated into the neighborhood residential community element."

Technical Review Committee:

The Technical Review Committee has reviewed the proposed SUP and offered the following comments:

1. Planning staff noted that a Site Development Plan may be required if any exterior improvements are made.
2. The Sheriff's Office had no public safety concerns.
3. The Building Department determined that this building is already set up as a Group E occupancy for daycare, less than 50 occupancy and that this older age group falls in the same category. Also, with the limited occupancy, the Building Code does not require a fire alarm system or sprinkler protection. The Building Department noted that it is not a bad idea to make sure there are working smoke detectors and, also, that all fire extinguishers and emergency egress plans are up to date.
4. Fire Department officials inquired about the building and whether it is protected with a fire alarm system (smoke detectors and/or heat detectors) that is monitored 24 hours a day by a "central station" or tied directly to 911 dispatch center. They asked whether the building has sprinkler protection.
5. VDOT advised that a VDOT Land Use Permit will be required for any work being proposed within VDOT right-of-way. They also advised that they reserve the right to comment if impacts to VDOT right-of-way, drainage structures or other resources are shown on subsequent plans.

Planning Analysis:

The property is located on the north side of Lake Monticello Road approximately one tenth of a mile from its intersection with South Boston Road and has a site address of 3739 Lake Monticello Road. This 1.6-acre parcel is zoned B-C, Business, Convenience and is located within the Rivanna

Community Planning Area. There is an existing two-story commercial structure located on the property that will be used for the proposed teen center. The applicant has previously operated a child day center at this location.

The parcel is accessed through a 50 ft easement on the adjacent western parcel that appears to have a low-volume commercial entrance onto Lake Monticello Road. Direct access to the parcel was revoked by VDOT when it was rezoned to B-C. VDOT has not yet commented on access for this proposed use, however, the entrance has been used since direct access was removed from the subject property.

Water and sewer utilities will be provided by the private utility Aqua Virginia, which also maintains an easement across the southeastern part of the lot.

This proposed use should not affect the current character of the area and appears to be in accord with the Comprehensive Plan. This type of resource for teens does not currently exist in Fluvanna and, if approved, it may provide a valuable service to the community.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

1) The proposed use should not tend to change the character and established pattern of the area or community.

There should be no change to the character or established pattern of the area, as this proposed use will not increase traffic beyond existing levels associated with other by-right uses.

2) The proposed use should be compatible with the uses permitted in that zoning district and shall not adversely affect the use/or value of neighboring property.

The proposed use is compatible with several by-right uses permitted in the B-C zoning district, such as child day centers, childcare centers, medical clinics, and offices.

Recommendation:

The Board of Supervisors should consider any potential adverse impacts to the surrounding community, such as traffic entering and exiting the property, noise, or potential visual impacts to adjacent properties.

If this request is approved, staff recommend the following conditions:

1. The center will serve no more than 35 teens at one time.
2. An approved site development plan shall be required prior to the issuance of any zoning or construction permits for any exterior improvements that trigger the need for such a plan.
3. The center's hours of operation shall be limited to Monday through Saturday, 8:00 a.m. to 8:00 p.m.

4. The facility will have working smoke detectors, a fire extinguisher, and an up-to-date emergency response plan.
5. The use of cargo containers, shipping containers, or similar prefabricated items is not permitted for any use, including but not limited to, human habitation, storage, or accessory buildings.
6. The site shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
7. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
8. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
9. This SUP shall be deemed abandoned and revoked if the authorized use has been discontinued for a consecutive period of two years.

Planning Commission Action:

The Planning Commission heard this request at its July 7, 2026 meeting and voted 5-0 to recommend approval to the Board of Supervisors. Commissioners suggested amending the conditions to increase the permitted number of teens from 25 to 35 and to add Saturday to the hours of operation

Suggested Motion:

I move that the Board of Supervisors (approve / deny) SUP 26:10, a request in the B-C, Business, Convenience District to operate a teen center on a 1.6-acre parcel identified as Tax Map 18B-5-4.

Attachments:

- A – Application
- B – APO Memo
- C – Application



COUNTY OF FLUVANNA

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132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: July 29, 2026
From: Jenny C. Faulknier
To: Todd Fortune
Subject: APO Notification / RE: SUP26:10 Flucos Den Center

Please be advised that the attached letter was mailed to the following list of Adjacent Property Owners for the August 19, 2026 Fluvanna County Board of Supervisors meeting.

[illegible]



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planning@fluvannacounty.org
www.fluvannacounty.org

PUBLIC HEARING NOTICE

July 29, 2026

ATTN: Adjoining Property Owner

RE: SUP 26:10 Flucos Den Center

This is to notify you that the Fluvanna County Board of Supervisors will hold a public hearing on:

Meeting: Board of Supervisors Regular Meeting
Date: Wednesday, August 19, 2026 at 7:00 pm
Location: The Fluvanna County Circuit Court
72 Main Street, Palmyra, VA 22963

SUP 26:10 – A special use permit request in the B-C, Business, Convenience District to operate a teen center on a parcel totaling approximately 1.163 acres, Tax Map 18B-5-4. The parcel is located in the Rivanna Community Planning Area and Palmyra Election District.

The regular meeting of the Fluvanna County Board of Supervisors will be held in person. Instructions for public participation during the meeting will be made available on the Fluvanna County website. Interested persons may submit written comments prior to the scheduled meeting to planning@fluvannacounty.org and questions may be directed to Todd Fortune, Director of Planning and Zoning at 434-591-1910, between 8:00 am and 5:00 pm, Monday – Friday in the County Administration Building at 132 Main Street Palmyra, VA 22963.

Details of this request are available under *Upcoming Public Hearings* on the County website at <http://www.fluvannacounty.org/> and in the Planning and Zoning Department during regular office hours.

Sincerely,

Todd Fortune
Director of Planning & Zoning

COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Montague MillerApplicant of Record: Tiffany SmithAddress: 500 Westfield Rd Charlottesville vaAddress: 3739 Lake Monticello RdPhone: [REDACTED] Fax: W/KPhone: [REDACTED] Fax: W/K

Email: [REDACTED]

Email: [REDACTED]

Representative: Darcy MontagueAddress: samePhone: same Fax: sameEmail: sameTax Map and Parcel(s) 18B-5-4 (4)Acreage 1.61 Zoning B-CLocation of Parcel: Lake Monticello Rd

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Deed Book and Page: _____

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: Attached paper work

*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: 5/22/26 Signature of Owner/Applicant: [Signature]Subscribed and sworn to before me this 22nd day of May, 2026Notary Public: [Signature] Register # 366712My commission expires: 1/31/2028

Certification: Date: _____



Office Use Only

Date Received: 5/22/26 Pre-Application Meeting: _____ PH Sign Deposit Received: _____ Application #: SUP 26-0010\$800.00 fee paid: 5/22/26

Amendment of Condition: \$400.00 fee paid: _____

Telecommunications Tower fee plus mailing costs paid: _____

Telecom Consultant Review fee paid: _____

Election District: PalmyraPlanning Area: Rivanna Community

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates: _____

Advertisement Dates: _____

APO Notification: _____

APO Notification: _____

Date of Hearing: _____

Date of Hearing: _____

Decision: _____

Decision: _____



Commonwealth of Virginia

County of Fluvanna

Public Hearing Sign Deposit

Name: Tiffany Smith

Address: 3739 Lake Monticello Rd.

City: Palmyra

State: VA Zip Code: 22963

I hereby certify that the sign issued to me is my responsibility while in my possession. Incidents which cause damage, theft, or destruction of these signs will cause a partial or full forfeiture of this deposit.

Tiffany Smith 5/17/26
Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: BZA _____ : CPA _____ : SUP <u>26</u> : <u>10</u> ZMP _____ : ZTA <u>26</u> : <u>21</u>	
\$50 deposit paid per sign*:	Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

NECESSITY OF USE: Describe the reason for the requested change.

PROTECTION OF ADJOINING PROPERTY: Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

ENHANCEMENT OF COUNTY: Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

PLAN: Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.

Remarks:

Commonwealth of Virginia
County of Fluvanna
Special Use Permit Checklist

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

Applicant must supply	Staff Checklist
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction Include: • Plot plan or survey plat at an appropriate scale • Location and dimension of existing conditions and proposed development • <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening • Copy of the Tax Map showing the site (preferred) • General Location Map (preferred)	
Supporting graphics are not required, but suggested for site illustration & visualization	

All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content: • Technical Review Committee review and comment • Determine all adjacent property owners • Placed as a Public Hearing on the next available agenda of the Planning Commission.	
Notification of the scheduled Public Hearing to the following: • Applicant • All adjacent property owners • Local Newspaper advertisement	
Staff Report to include, but not be limited to: • General information regarding the application • Any information concerning utilities or transportation • Consistency with good planning practices • Consistency with the comprehensive plan • Consistency with adjacent land use • Any detriments to the health, safety and welfare of the community.	

Page 5 of 5
For Applicant

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

Process:

1. Placed on next available Technical Review Committee (TRC) agenda.
2. Placed as a Public Hearing on agenda of the Planning Commission (PC) the month following TRC meeting. Staff Report and Planning Commission recommendation forwarded to the Board of Supervisors.
3. Placed as a Public Hearing on agenda of the Board of Supervisors the month following PC meeting.

Applicant or a representative must appear at the scheduled hearings.

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

Board Actions

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.

****SPECIAL USE PERMIT NARRATIVE**

1. Reason for the Request

Flucos Den Center is requesting approval to operate a supervised youth center for teens ages **13–17** at 3739 Lake Monticello Road. The building has previously operated as a licensed childcare center, and this proposed use is a natural extension of the services already provided to families in the community. As many of the children who once attended the daycare have grown older, there is a clear need for a safe, structured environment specifically designed for teens.

This program is also deeply meaningful to me on a personal level. In 2025, my stepson died by suicide after experiencing overwhelming challenges and feeling like he had no safe place to turn. That loss made it clear how important it is for young people to have supportive adults, a safe environment, and a space where they can talk, decompress, and feel seen. Flucos Den Teen Center is designed to provide support for teens in our community, so they never feel alone or without resources.

2. Description of the Proposed Use

Flucos Den Teen Center will serve as a **supervised after-school and summer program** for teens ages 13–17. The center will provide:

- Academic support and homework help
- Recreational and enrichment activities
- Life-skills and leadership programs
- Social-emotional support and mentorship
- Community service opportunities
- A safe alternative to unsupervised time

The center will serve **no more than 25 teens at one time**, supported by **five regular staff members** to maintain a safe and appropriate supervision ratio. *Daily but would like to take 40. due to parents.*

Parents will use an **online attendance system** to sign their teens up for specific days. This ensures proper staffing, prevents overcrowding, and maintains a safe, predictable environment.

3. Transportation & Daily Flow

During the school year, most teens ages **13–15** will arrive directly from the school bus, which drops off along Lake Monticello Road. This reduces parent traffic during peak hours and ensures safe, supervised arrival.

Parents will pick up their teens at the end of the program day using a designated pick-up area to maintain safety and prevent congestion.

Teens are **not permitted to come and go freely**. Once a teen signs out and leaves the center for the day, they may not re-enter. This policy ensures consistent supervision and prevents unsupervised movement in and out of the facility.

Parents will receive **automatic notifications** through the center's app when their teen signs in and signs out.

4. Safety & Security Measures

To ensure the highest level of safety, the center will be equipped with:

- A full **security system**
- **Interior and exterior cameras**
- Controlled entry and monitored access points.
- Staff trained in CPR, First Aid, emergency procedures, and mandatory reporting.
- Strict sign-in/sign-out procedures
- No reentry once a teen leaves for the day

These measures ensure a secure environment that supports teen well-being and community safety.

5. Hours of Operation

School Year (September–June): Monday–Friday: 3:00 PM – 8:00 PM

Summer & School Breaks: Monday–Friday: 12:00 PM – 8:00 PM

Sometimes we have event earlier.
Special events may occur occasionally with advance notice.

Kids will Be here

6. Community Benefit

Flucos Den Teen Center will provide a safe, positive, and developmentally appropriate environment for teens during critical after-school hours. The center will:

- Reduce unsupervised youth activity.
- Support working families.
- Provide mentorship and emotional support.
- Offer structured programs that build confidence and leadership.
- Strengthening community safety and well-being
- Continue the long-standing mission of the property to serve children and families.

This program fills a gap in services for older youth in Fluvanna County and provides a safe, supportive space where teens can grow, learn, and connect.

7. Compliance Statement

Flucos Den Teen Center will comply with:

- Fluvanna County Zoning Ordinance
- Building and fire codes
- Health and safety regulations
- ADA accessibility requirements
- All conditions imposed by the Board of Supervisors

1. Property Overview

The subject property, located at **3739 Lake Monticello Road (Route 618)**, consists of **1.61 acres** within the **B-C (Business Commercial)** zoning district. The parcel includes an existing **1,824 sq ft commercial building** previously used as a licensed childcare center. The proposed teen center will operate within the existing structure with no exterior building modifications.

2. Building Location

The building is positioned **near the front of the parcel**, facing Lake Monticello Road. Key placement details:

- The structure sits close to the road frontage.
- The building has **two levels**: an **upper level** with the main entrance and playground, and a **lower level** with additional parking.
- The building orientation and footprint remain unchanged from prior licensed childcare operations.

3. Fenced Playground Area

A **fenced playground** is located **directly in front of the building** on the upper level. Features include:

- Fencing across the front and partially along both sides of the building
- Secure, supervised outdoor activity space
- Previously approved and used for childcare operations

This area will continue to be used for structured, supervised outdoor activities for teens.

4. Parking Areas

Upper-Level Parking

- Located beside and slightly behind the fenced playground
- Accessible from the main driveway
- Used for staff parking and parent pick-up

Lower-Level Parking

- Located on **both sides** of the building
- Provides additional parking capacity
- Accessible via the sloped driveway that wraps around the building

Parking is adequate for:

- **5 staff members**
- Parent pick-up and drop-off
- Occasional visitors

5. Driveway & Traffic Circulation

- A single driveway entrance connects directly to Lake Monticello Road.
- Vehicles may proceed to the **upper parking area** or continue down to the **lower parking areas**.
- Traffic flow is one-way around the building for safety and visibility.
- During the school year, teens ages 13–15 may arrive via **school bus drop-off** along Lake Monticello Road and walk directly to the supervised entrance.

6. Access & Pedestrian Safety

- Staff will supervise arrival and dismissal times.
- Walkways provide safe access from parking areas to the building.
- Controlled entry ensures only authorized individuals enter the facility.
- Teens are **not permitted to leave and re-enter** the center once signed out.

7. Shed Location

A **storage shed** is located on the **side of the building**, adjacent to the upper parking area. It is used for storing outdoor equipment and supplies.

8. Lighting & Security

The site includes:

- Exterior lighting at all entry points
- Motion-activated lighting covering parking areas and walkways
- A monitored **security system**
- **Interior and exterior cameras** covering all common areas, entrances, and outdoor spaces

These measures ensure a safe, controlled environment for teens and staff.

9. Outdoor Activity Areas

- The fenced playground serves as the primary outdoor activity space.
- Additional open space behind the building may be used for supervised activities.
- Outdoor areas are used only during daylight hours or when adequate lighting is available.

10. Accessibility

- ADA-compliant parking is available on the upper level.
- Accessible walkways connect parking areas to the main entrance.
- The building remains compliant with accessibility requirements.

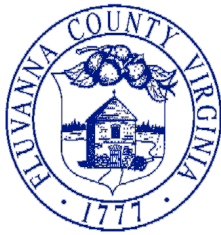
11. Summary

This site plan demonstrates that the property is fully suitable for the proposed teen center use. The existing building, parking layout, fenced playground, shed, and circulation patterns remain unchanged from the previous licensed childcare operation. The site provides safe access, adequate parking, secure outdoor space, and appropriate supervision areas to support the operation of **Flucos Den Teen Center**.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB J

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Addendum to Fluvanna County Comprehensive Plan				
MOTION(s):	I move that the board of supervisors (approve/ deny / defer) the addendum to the 2015 Fluvanna County comprehensive plan-2024 update.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	The Planning Commission has recommended approval of this addendum to the 2015 Fluvanna County Comprehensive Plan-2024 Update.				
TIMING:	Routine				
DISCUSSION:	At its meeting on April 1, 2026, the Board of Supervisors passed a resolution opposing the proposed Valley Link transmission line. Subsequently, staff drafted an addendum to the current Comprehensive Plan to address transmission infrastructure. Staff worked with the Planning Commission to finalize this addendum and advertise it for public hearings.				
FISCAL IMPACT:	None				
POLICY IMPACT:	Among other things, the addendum seeks to: - Establish guidance for the siting of electric transmission infrastructure; - Minimize impacts to residential areas, agricultural operations, natural resources, and historic and cultural resources; - Provide a consistent framework for evaluating proposed transmission projects; - Ensure alignment with the County's broader growth management and land preservation strategies; - Protect entrance corridors such as Routes 6, 15, 53, and 250; and - Protect presumed vulnerable populations.				
LEGISLATIVE HISTORY:	The Planning Commission considered this addendum at its regular meeting on July 7, 2026 and recommended approval by a vote of 5-0.				
ENCLOSURES:	Comprehensive Plan Addendum				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case: Addendum to Fluvanna County Comp Plan

General Information: This public hearing is to be held on Wednesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Approval of an addendum to the 2015 Fluvanna County Comprehensive Plan-2024 Update. This addendum addresses electric transmission infrastructure.

Background Information:

At its meeting on April 1, 2026, the Board of Supervisors passed a resolution opposing the proposed Valley Link transmission line. Subsequently, staff drafted an addendum to the current Comprehensive Plan to address transmission infrastructure. Among other things, the addendum seeks to:

- Establish guidance for the siting of electric transmission infrastructure;
- Minimize impacts to residential areas, agricultural operations, natural resources, and historic and cultural resources;
- Provide a consistent framework for evaluating proposed transmission projects;
- Ensure alignment with the County's broader growth management and land preservation strategies;
- Protect entrance corridors such as Routes 6, 15, 53, and 250; and
- Protect presumed vulnerable populations.

The addendum was presented to the Planning Commission during the Work Session at its April 7, 2026, meeting. Revisions were made based on feedback from the Commission. The revised addendum was presented to Commission at its May 12, 2026, meeting. The Commission held a public hearing on this addendum at its meeting on July 7, 2026 and voted 5-0 to recommend approval.

As the Comprehensive Plan is currently undergoing an update, which is not expected to be finished until sometime in 2027, this addendum would allow the County to have some protections in the current plan against potential effects from electric transmission lines while the update is being completed.

Recommended Motion:

I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE/ DENY / DEFER) THE ADDENDUM TO THE 2015 FLUVANNA COUNTY COMPREHENSIVE PLAN-2024 UPDATE.

FLUVANNA COUNTY COMPREHENSIVE PLAN ADDENDUM

Electric Transmission Infrastructure and Corridor Policy

I. PURPOSE AND INTENT

Fluvanna County recognizes the growing regional demand for electric transmission infrastructure to support economic development, energy reliability, and emerging high-demand uses. At the same time, the County places a high priority on preserving its rural character, protecting agricultural and forestal lands, and minimizing impacts to existing communities, especially vulnerable communities.

The purpose of this policy is to:

- Establish clear guidance for the siting of electric transmission infrastructure;
- Prioritize the use of existing corridors and previously disturbed areas;
- Minimize impacts to residential areas, agricultural operations, and natural resources;
- Minimize impacts to historic, archeological, cultural, and scenic resources;
- Minimize impacts to vulnerable communities;
- Provide a consistent framework for evaluating proposed transmission projects; and
- Ensure alignment with the County's broader growth management and land preservation strategies.

II. POLICY FRAMEWORK

A. Recognition of Regulatory Authority

The County acknowledges that the approval and siting of electric transmission facilities is subject to review and approval by the Virginia State Corporation Commission (SCC), and may also involve oversight by the Federal Energy Regulatory Commission (FERC).

This policy is intended to guide local land use decisions, provide input during state and federal review processes, and ensure that local impacts are fully considered.

III. PRIMARY SITING PRINCIPLE: USE OF EXISTING CORRIDORS

A. Corridor-First Policy

Electric transmission infrastructure shall prioritize the use of existing transmission corridors, utility easements, and public rights-of-way to the maximum extent practicable.

B. Definition of Preferred Corridors

Preferred corridors may include, but are not limited to:

- Existing electric transmission line corridors;
- Utility easements for electric, gas, water, or telecommunications infrastructure;
- Public rights-of-way, including those owned or maintained by:
 - The Virginia Department of Transportation (VDOT);
 - Other state agencies; and

- Public utility providers;
- But excluding entrance corridors, scenic byways and scenic corridors.
- Previously disturbed or developed linear infrastructure corridors.

C. Co-Location and Consolidation

The County strongly supports:

- Co-location of new transmission infrastructure within or adjacent to existing corridors;
- Consolidation of infrastructure to reduce the proliferation of new corridors; and
- Expansion or upgrade of existing corridors where feasible, rather than creation of new alignments.

IV. AVOIDANCE AND MINIMIZATION OF IMPACTS

A. Residential Areas

Transmission projects should:

- Avoid routing through established residential areas where practicable;
- Avoid routing through vulnerable communities where practicable;
- Maximize distance from homes and community facilities; and
- Minimize visual and noise impacts.

B. Agricultural and Forestal Lands

Transmission projects should:

- Avoid bisecting large agricultural parcels;
- Minimize fragmentation of working farms;
- Maintain access for agricultural operations;
- Be aligned along parcel boundaries or existing infrastructure where possible; and
- Avoid properties that are in a conservation easement.

C. Rural Character and Scenic Resources

Transmission projects should:

- Minimize visibility from scenic rural roadways;
- Avoid ridgelines and prominent visual features where practicable; and
- Maintain the visual integrity of rural landscapes.

D. Environmental Resources

Transmission projects should:

- Avoid sensitive environmental areas where practicable;
- Minimize tree clearing and land disturbance;
- Minimize groundwater and surface water contamination from any herbicides used; and
- Restore disturbed areas to pre-construction or improved conditions.

E. Historic and Cultural Resources

Transmission projects should:

- Avoid historic and cultural resources;
- Minimize visibility of the project from historic and cultural resources;
- Avoid preservation easements for properties containing historic and cultural resources; and
- Avoid cemeteries.

V. EVALUATION OF ALTERNATIVES

Applicants proposing transmission infrastructure are encouraged to:

- Evaluate multiple routing alternatives;
- Demonstrate how the selected route minimizes impacts consistent with this policy; and
- Provide clear justification when new corridors are proposed instead of using existing corridors.

VI. INFRASTRUCTURE AND COMMUNITY IMPACTS

A. Transportation and Public Infrastructure

Transmission projects should:

- Minimize impacts to public roads and infrastructure;
- Coordinate with VDOT and the County on access, construction, and restoration;
- Utilize existing transportation corridors (other than scenic byways and entrance corridors) where feasible.
- Transmission lines 150kv or more in size shall only be located within existing transmission corridors in accordance with Code of Virginia § 15.2-2223(C)(8).

B. Community Engagement

The County supports:

- Early and ongoing engagement with affected property owners;
- Transparent communication regarding project scope, timing, and impacts; and
- Coordination with local officials and staff throughout project development.

VII. UNDERGROUNDING POLICY

Fluvanna County prioritizes the underground placement of transmission infrastructure rather than overhead lines where it is technically feasible and results in a reduction of impacts to the community and environment.

This policy is intended as guidance and shall not be interpreted as a requirement where such placement is not practicable.

VIII. CONSISTENCY WITH COUNTY GROWTH MANAGEMENT STRATEGY

This policy reinforces the County's broader goals to:

- Direct growth into designated growth areas;
- Preserve rural character outside growth areas;
- Protect agricultural and forestal lands from fragmentation; and
- Ensure infrastructure investments align with long-term land use planning.

Transmission infrastructure should be planned and sited in a manner that supports, and does not undermine, these objectives.

IX. IMPLEMENTATION

The policies contained herein shall be implemented through:

- Zoning ordinance provisions, including Special Use Permit requirements;
- Review of development applications;
- Participation in state and federal regulatory proceedings; and
- Coordination with utility providers and state agencies.

X. POLICY INTERPRETATION

This policy is intended to guide land use decisions and provide a framework for evaluating transmission infrastructure proposals. The Virginia State Corporation Commission (SCC) has the final authority in such matters in accordance with state law.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB K

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Public Hearing to Amend the Fluvanna County Code Regarding the Noise Control Ordinance				
MOTION(s):	I move the Board of Supervisors amend and reordain “the Code of the County of Fluvanna, Virginia” by amending §§ 15.2-1 through 15.2-10.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Approve Amendments				
TIMING:	Ordinance is effective after approval				
DISCUSSION:	• The ordinance amendments do the following: - Clarifies the regulations that can be enforced by the Sheriff’s Office, Planning and Zoning Department, Public Works Department or citizens. - Adds new definitions related to noise enforcement. - Adds maximum permissible sound levels in the Business and Industrial zones. For businesses and industrial uses located in other zoning districts, special use permit conditions will apply. - Amends the time limits for construction noise. - Clarifies official events of the Lake Monticello Owner’s Association are exempt. - Adds regulations for measuring noise on property zoned business or industrial. - Includes civil or criminal penalties. - Removes regulations regarding animal noise. - Changes the regulation regarding collection of refuse to 6:00 am. - Adding the available option of an injunction for enforcement.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	Amendment to the County Code				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	• Proposed ordinance amendments to County Code §§15.2-1 through 15.2-10				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF
FLUVANNA, VIRGINIA”, BY AMENDING §§ 15.2-1 THROUGH 15.2-10 TO ADD NEW
DEFINITIONS, REGULATIONS, AND PENALTIES IN THE NOISE CONTROL
ORDINANCE

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

(1) That The Code of the County of Fluvanna, Virginia is amended by amending §§ 15.2-1 through 15.2-10, as follows:

CHAPTER 15.2 NOISE CONTROL

Sec. 15.2-1. Purpose and intent.

The Board of Supervisors hereby finds and declares that excessive, ~~or unwanted,~~ **and inadequately controlled** sound is a serious hazard to the public health, safety, welfare, and quality of life, and that the inhabitants of the County have a right to and should be free from ~~an environment of excessive or unwanted~~ **such** sound. **Some dangers of inadequate sound control include hearing impairment, sleep disturbances, cardiovascular distress, and negative mental health impacts. These effects can lead to a physical and mental problems, including hearing disabilities, increased blood pressure, fatigue, depression, anxiety, and emotional instability.** Therefore, it is the policy of the County and the purpose and intent of this chapter to prohibit such excessive, ~~or unwanted,~~ **and inadequately controlled** sound as provided herein.

Sec. 15.2-2. Administration and enforcement.

~~The Sheriff is hereby designated the agent of the Board of Supervisors in the administration and enforcement of this chapter. The Sheriff may be assisted in the enforcement of this chapter by employees of the Department of Zoning, the Department of Engineering and Public Works, and other officers and employees of the County.~~ **This chapter is enforceable by any law enforcement officer or other agent of the Board of Supervisors, including employees of the Department of Planning and Zoning, employees of the Department of Public works, and other officers and employees of the County. Additionally, any citizen may appear as complainant before a magistrate and request a summons to be issued for a violation of this chapter.**

Sec. 15.2-3. Applicability.

This chapter shall apply to sound generated within the County, regardless of whether the complainant or the receiving property is within or without the County. This chapter shall be in addition to any sound or noise regulations set forth in the zoning ordinance.

Sec. 15.2-4. Definitions.

The following definitions shall apply to this chapter.

A-weighted decibel. The term A-weighted decibel means the sound level, in decibels, **measured with a sound level meter using the A-weighting network or scale as defined by**

the American National Standards Institute Inc. The level shall be indicated as an amount of dBA.

Daytime. The term daytime means between the hours of 7:00 a.m. and 9:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays, Sundays, and legal holidays observed by the County.

dBA. The term dBA means the sound level as measured using the "A" weighting network with a sound level meter. The unit of reporting is dB(A). This measurement approximates the auditory sensitivity of the human ear.

Decibel. The term decibel means a unit that describes the sound pressure level or intensity of sound. The sound pressure level in decibels is 20 times the logarithm to the base ten of the ratio of the pressure of the sound in microbars to a reference pressure of 0.0002 microbar; which is abbreviated dB.

Emergency operation. The term emergency operation means any emergency service provided by any police, sheriff, fire or fire and rescue department, any ambulance service or any other emergency service requiring a prompt response, and any emergency repair of public facilities or public utilities.

Impulse sound. The term impulse sound means a single or multiple sound event that is characterized by a rapid rise to a maximum sound pressure of high intensity, followed by a decrease in sound pressure. The duration of an impulse sound event is no more than one second.

Lmax. The term Lmax means the maximum sound level reported by a sound level meter and either observed and recorded manually or electronically logged with the fast time constant.

Motorcycle. The term motorcycle means any motorized vehicle, whether registered as a motor vehicle or not, designed to travel on not more than three wheels in contact with the ground and any four-wheeled vehicle weighing less than 500 pounds, excepting riding mowers, farm and lawn tractors.

Motor vehicle. The term motor vehicle means any self-propelled device or device designed for self-propulsion, upon or by which any person or property is or may be drawn or transported upon a road, except devices moved by human power or used exclusively upon stationary wheels or tracks.

Nighttime. The term nighttime means between the hours of 9:00 p.m. and 7:00 a.m. on weekdays and between the hours of 6:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and legal holidays observed by the County.

Noise. The term noise means any sound which is excessive, but does not include any sound which is exempt pursuant to Section 15.2-7 of this chapter.

Person. The term person means any natural person, association, partnership, corporation or other legal entity.

Road. The term road means a public or private thoroughfare which affords access to abutting property.

Sound. The term sound means a series of vibrations that may be perceived by the human sense of hearing.

Sec. 15.2-5. ~~Prohibited noise generally~~ Maximum permissible sound levels in Business and Industrial zones.

~~No person shall permit, operate or cause any source of sound or sound generation that is audible in any other person's residence with the doors and windows to such other person's residence closed.~~

Except as otherwise provided, any sound which emanates from any source and exceeds the maximum permissible sound levels established in this section is hereby prohibited on any property zoned Business or Industrial. Sound levels shall be measured at the property boundary of the sound source or at any point within any other property affected by the sound. When the sound from a source can be identified and its noise measured in more than one zoning district classification, the limits of the most restrictive classification shall apply.

<u>Zoning District Classification</u>	<u>Maximum dBA Daytime</u>	<u>Maximum dBA Nighttime</u>
<u>Business (B-1, B-C)</u>	<u>70 dBA</u>	<u>60 dBA</u>
<u>Industrial (I-1, I-2)</u>	<u>75 dBA</u>	<u>65 dBA</u>

For any impulse sound, the maximum dBA standards set forth in the above table shall be reduced by five (5) dBA.

The above-listed limits may not be exceeded during any three (3) or more sampling intervals, the duration of which shall be no less than thirty (30) seconds, within any one-hour period.

Sec. 15.2-6. Specifically prohibited acts ~~enumerated~~ in Agricultural and Residential zones.

Except as otherwise provided in this section, the sounds generated by the following, among others, are declared to be plainly audible noise in violation of this chapter, and are specifically prohibited **on properties zoned Agricultural or Residential**:

- (1) The collection of refuse, waste or recycling within 100 yards of a residence between the hours between the hours of 9:00 p.m. and 6:00 a.m.
- (2) The operation of power lawn or landscaping equipment between the hours of 9:00 p.m. and 7:00 a.m.
- (3) The operation of powered model vehicles outdoors between the hours of 9:00 p.m. and 7:00 a.m.
- (4) The spinning of tires, racing of engines or other noise, or other similar acts, in a motor vehicle or motorcycle, as well as the emission of noise created by the absence of a muffler and/or exhaust system conforming to the provisions of Code of Va., §§ 46.2-1047 and 46.2-1049 on a motor vehicle or motorcycle.

- (5) The use or permitting the use of any instrument, machine or device for the producing or reproducing of sound in such a manner where the sound is plainly audible ~~to~~ within the dwelling of another person when the door is closed ~~any person other than the players or operators of the instrument, machine or device and those who are voluntarily listening to the sound~~; provided, however, that the provisions of this subsection shall not apply to any event sponsored by the County, Commonwealth or federal government.
- (6) The use of any horn or other signaling device/alarm on any motor vehicle, motorcycle, bicycle or other vehicle on any street or public place of the County continuously or intermittently for more than 20 consecutive seconds, except as a danger warning or as otherwise permitted by state law. If such signaling device/alarm continuously for 15 minutes after the arrival of a law enforcement officer, and the owner cannot be located, such officer may arrange for the vehicle to be towed.
- (7) Construction, demolition and/or maintenance activities which produce sound between the hours of 9:00 ~~11:00~~ p.m. and 7:00 ~~6:00~~ a.m. or between 6:00 p.m. and 9:00 a.m. on Saturdays, Sundays and legal holidays.
- (8) The discharge of firearms ~~for target practice, function testing or recreation~~ between the hours of 9:00 p.m. and 7:00 a.m. for any purpose that does not include lawful hunting, self-defense, or the dispatch of nuisance animals, ~~except as exempted by the provisions of Section 15.2-7.~~

Sec. 15.2-7. Exempt sounds.

The sounds generated by the following shall not be prohibited by this chapter:

- (1) *Emergency operations.* The performance of emergency operations including, but not limited to, audible signal devices which are employed as warning or alarm signals in case of fire, collision or imminent danger.
- (2) *Silvicultural or agricultural activities.* Lawful bona fide silvicultural or agricultural activities including, but not limited to, logging activities and sounds caused by livestock.
- (3) *Construction, demolition and/or maintenance activities.* Construction, demolition and/or maintenance activities between 67:00 ~~11:00~~ a.m. and 19:00 ~~11:00~~ p.m. or between 9:00 a.m. and 6 p.m. on Saturdays, Sundays and legal holidays.
- (4) *Transient sounds from transportation.* Transient sounds generated by transportation including, but not limited to, public and private airports (except as otherwise regulated), aircraft, railroads and other means of public transit.
- (5) *School and other athletic contests or practices, and other school activities.* School and other athletic contests or practices, and other school activities, but only if conditions are imposed which regulate the generation of sound including, but not limited to, conditions regulating the hours of the activity and the amplification of sound.
- (6) *Parades, fireworks and similar officially sanctioned events.* Sounds generated from parades, fireworks or other similar events which are officially sanctioned, if required,

including official events of the Lake Monticello Owners' Association. This exemption shall not apply to private fireworks displays.

- (7) *Yard maintenance activities.* Routine yard maintenance activities including, but not limited to, mowing, trimming, clipping, leaf blowing and snow blowing, except as prohibited by the provisions of Sec. 15.2-6(2).
- (8) *Public facilities.* The operation of a public facility or public use.
- (9) *Warning devices.* A horn or warning device of a vehicle when used as a warning device, including back-up alarms for trucks and other equipment, except as prohibited by Sec. 15.2-6(6).
- (10) *Church bells or chimes.* Bells, chimes or other similar instrument or devices, which are not electronically amplified, from a church or other place of worship.
- (11) *Firearms.* The lawful discharge of a firearm, except as prohibited by the provisions of Sec. 15.2-6(8).
- (12) *Animals.* Sounds generated from animals including, but not limited to, barking dogs.
- (13) *Protected expression.* Any other lawful activity which constitutes protected expression pursuant to the First Amendment of the United States Constitution, but not amplified expression.

Sec. 15.2-8. Complaints of noise.

No person shall be charged with a violation of this chapter unless the complainant appears before a magistrate and requests a summons to be issued. However, when a violation is committed in the presence of the Sheriff, any of his deputies, or any other police officer, ~~he~~ **such law enforcement officer** shall have the authority to initiate all necessary proceedings.

Sec. 15.2-9. ~~Reserved~~ Measurement procedures.

The measurement of the dBA level of sound or noise on property zoned Business or Industrial pursuant to section 15.2-5 shall be as follows:

- (A) The measurement of sound or noise shall be made with a type 1 or type 2 sound level meter capable of A-weighted measurements which meet American National Standards Institute Inc. standards. Measurement instruments shall be maintained in calibration and good working order.**
- (B) Measurements shall be taken at the property boundary of the source of the sound or at any point within any other property affected by the sound.**
- (C) Impulse sound shall be measured using peak dBA levels and the fast setting of a sound level meter. Measurements of any impulse sound may be instantaneous readings that are observed and manually recorded with logged Lmax.**

Sec. 15.2-10. Violation and penalty.

~~Any person who violates any provision of this chapter may be assessed a civil penalty in accordance with Code of Va., § 15.2-980. The amount of such penalty shall be \$25.00 for the first hour (or part thereof) of continuous violation, plus an additional \$25.00 for each additional hour of continuous violation for the first offense, up to a total of \$250.00; and shall be \$50.00 for the first hour (or part thereof) of continuous violation, plus an additional \$50.00 for each additional hour of continuous violation for each subsequent offense, up to a total of \$500.00.~~

- (A) Any person who violates any provision of this chapter shall be guilty of a Class 4 misdemeanor for the first offense and a Class 3 misdemeanor for any subsequent offense(s).**
- (B) In lieu of the criminal penalties set out in Sec. 15.2-10(A) above, any person who violates any provision of this chapter may instead be punished by a civil penalty of up to \$250 for the first offense and up to \$500 for any subsequent offense(s). Pursuant to section 15.2-980 of the Code of Virginia, this civil penalty shall not apply to noise generated in connection with the business being performed on industrial property or railroads.**
- (C) The County may enjoin the continuing violation of any provision of this chapter by proceedings for an injunction brought in Circuit Court in accordance with Virginia Code Sec. 15.2-1432.**

(2) That the Ordinance shall be effective after adoption.

(Seal)
PUBLIC HEARING
Fluvanna County Board of Supervisors
Wednesday, August 19, 2026, at 7:00 p.m.

Pursuant to VA Code Section 15.2-1427, a public hearing will be held in the held **Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963** for citizens of the County to have the opportunity to be heard by the Board of Supervisors on the following item:

Amend and reordain “the Code of the County of Fluvanna, Virginia” by amending §§ 15.2-1 through 15.2-10 to add new definitions, regulations and penalties in the noise control ordinance.

A copy of the complete text of the above ordinance is available for public review at the Office of the Fluvanna County Administrator during normal business hours. Questions may be directed to the County Attorney’s Office, at (434) 591-1910. All interested persons wishing to be heard are invited to attend the public hearing.

TO: Fluvanna Review

Advertise on the following dates: July 30, 2026 and August 6, 2026

Authorized by: Fluvanna County BOS

Bill to: Board of Supervisors

CONTACT INFORMATION:

Caitlin Solis
Clerk, Board of Supervisors
Fluvanna County
P. O. Box 540
Palmyra, VA 22963
csolis@fluvannacounty.org
434-591-1910
434-591-1913

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB L

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Public Hearing to Amend the Fluvanna County Code Regarding Erosion and Sedimentation Control				
MOTION(s):	I move the Board of Supervisors amend and reordain “the Code of the County of Fluvanna, Virginia” by amending §§ 6-1-2 and 6-1-8.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Approve Amendments				
TIMING:	Ordinance is effective after approval				
DISCUSSION:	- County Code Chapter 6 - Erosion and Sedimentation Control was repealed and reenacted on November 20, 2024. - This amendment is intended to align County Code stabilization requirements with the Virginia Code. - The amendment will replace the term “permanent stabilization” with the term “adequate stabilization.”				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	Amendment to the County Code				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Proposed ordinance amendments to County Code §§ 6-1-2 and 6-1-8				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF
FLUVANNA, VIRGINIA” BY AMENDING §§ 6-1-2 AND 6-1-8 TO REFLECT VIRGINIA
CODE TERMINOLOGY REGARDING ADEQUATE STABILIZATION

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 6-1-2 and 6-1-8 as follows:*

CHAPTER 6 – EROSION AND SEDIMENTATION CONTROL

Sec. 6-1-2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

Agreement in lieu of a plan means a contract between the County of Fluvanna and the owner that specifies conservation measures that must be implemented to comply with the requirements of this chapter for the construction of a (i) single-family detached residential structure or (ii) farm building or structure on a parcel of land with a total impervious cover percentage, including the impervious cover from the farm building or structure to be constructed, of less than five percent; this contract may be executed by the County of Fluvanna in lieu of formal site plan.

Applicant means any person submitting an erosion and sediment control plan for approval in order to obtain authorization for land-disturbing activities to commence.

Board means the State Water Control Board.

Building Official means both the person holding that position in Fluvanna County and his or her designees.

Certified inspector for ESC means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of project inspection or (ii) is enrolled in the Department's training program for project inspection and successfully completes such program within one year after enrollment.

Certified plan reviewer for ESC means an employee or agent of the VESCP authority who (i) holds a certificate of competence from the department in the area of plan review, (ii) is enrolled in the Department's training program for plan review and successfully completes such program within one year after enrollment, or (iii) is licensed as a professional engineer, architect, landscape architect, land surveyor pursuant to Article 1 (§ 54.1-400 et seq.) of Chapter 4 of Title 54.1 of the Code of Virginia, as amended, or professional soil scientist as defined in § 54.1-2200.

Certified program administrator for ESC means an employee or agent of the VESCP authority who holds a certification from the Department in the classification of program administrator or (ii) is enrolled in the Department's training program for program administration and successfully completes such program within one year after enrollment.

Clearing means any activity which removes the vegetative ground cover including root mat removal or topsoil removal.

County means the County of Fluvanna.

Department means the Virginia Department of Environmental Quality.

District or Soil and Water Conservation District refers to the Thomas Jefferson Soil and Water Conservation District.

Erosion and sediment control plan or plan mean a document containing material for the conservation of soil and water resources of a unit or group of units of land. It may include appropriate maps, an appropriate soil and water plan inventory and management information with needed interpretations, and a record of decisions contributing to conservation treatment. The plan shall contain all major conservation decisions to ensure that the entire unit or units of land will be so treated to achieve the conservation objectives.

Erosion impact area means an area of land that is not associated with a current land-disturbing activity but is subject to persistent soil erosion resulting in the delivery of sediment onto neighboring properties or into state waters. This definition shall not apply to any lot or parcel of land of 10,000 square feet or less used for residential purposes.

Farm building or structure means the same as that term is defined in § 36-97 of the Code of Virginia, as amended, and also includes any building or structure used for agritourism activity, as defined in § 3.2-6400, and any related impervious surfaces including roads, driveways, and parking areas.

Excavating means any digging, scooping or other methods of removing earth materials.

Filling means any depositing or stockpiling of earth materials.

Grading means any excavating or filling of earth materials or any combination thereof, including the land in its excavated or filled conditions.

Land disturbance or land-disturbing activity means a man-made change to the land surface that may result in soil erosion or has the potential to change its runoff characteristics, including the clearing, grading, excavating, transporting, and filling of land.

Land-disturbing permit or approval means a permit or an approval allowing a land-disturbing activity to commence issued by Fluvanna County after the requirements of § 62.1-44.15:55 of the Code of Virginia, as amended, have been met.

Natural channel design concepts means the utilization of engineering analysis and fluvial geomorphic processes to create, rehabilitate, restore, or stabilize an open conveyance system for the purpose of creating or recreating a stream that conveys its bankfull storm event within its banks and allows larger flows to access its bankfull bench and its floodplain.

Owner means the same as provided in § 62.1-44.3 of the Code of Virginia, as amended. For a land-disturbing activity that is regulated under Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia as amended and this chapter, "owner" also includes the owner or owners of the freehold of the premises or lesser estate therein, mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee, or other person, firm, or corporation in control of a property.

Peak flow rate means the maximum instantaneous flow from a prescribed design storm at a particular location.

Percent impervious means the impervious area within the site divided by the area of the site multiplied by 100.

~~*Permanent stabilization* means the establishment of a perennial vegetative ground cover consisting of a mixture of plant materials prescribed by the approved plan. Permanent stabilization shall not be considered established until a ground cover is achieved that is uniform, mature enough to survive, and will inhibit erosion.~~

Permittee means the person to whom the permit is issued.

Person means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, county, city, town, or other political subdivision of the Commonwealth, governmental body, including a federal or state entity as applicable, any interstate body, or any other legal entity.

Responsible Land Disturber or *RLD* means an individual holding a certificate issued by the Department who is responsible for carrying out the land-disturbing activity in accordance with the approved erosion and sediment control plan. The RLD may be the owner, applicant, permittee, designer, superintendent, project manager, contractor, or any other project or development team member. The RLD must be designated on the erosion and sediment control plan or permit as defined in the Virginia Erosion and Stormwater Management Regulation (9VAC25-875) as a prerequisite for engaging in land disturbance. The RLD must be designated on the erosion and sediment control plan or permit as defined in this chapter as a prerequisite for engaging in land disturbance.

Runoff volume means the volume of water that runs off the land development project from a prescribed storm event.

Single-family detached residential structure means a noncommercial dwelling that is occupied exclusively by one family.

State waters means all water, on the surface and under the ground, wholly or partially within or bordering the Commonwealth or within its jurisdiction, including wetlands.

Transporting means any moving of earth materials from one place to another place other than such movement incidental to grading, when such movement results in destroying the vegetative ground cover either by tracking or the buildup of earth materials to the extent that erosion and sedimentation will result from the soil or earth materials over which such transporting occurs.

Virginia Erosion and Sediment Control Program or *VESCP* means a program approved by the Department that is established by a VESCP authority for the effective control of soil erosion, sediment deposition, and nonagricultural runoff associated with a land-disturbing activity to prevent the unreasonable degradation of properties, stream channels, waters, and other natural resources and shall include such items where applicable as local ordinances, rules, policies and guidelines, technical materials, and requirements for plan review, inspection, and evaluation consistent with the requirements of the Erosion and Sediment Control Law (ESCL).

Virginia Erosion and Sediment Control Program authority or *VESCP authority*, for purposes of this chapter means the County of Fluvanna, which has been approved by the Department to operate a Virginia Erosion and Sediment Control Program in accordance with Article 2.4 (§ 62.1-44.15:51 et seq.) of Chapter 3.1, the State Water Control Law, of Title 62.1 of the Code of Virginia, as amended.

VESCP plan-approving authority means the Fluvanna County Building Official or his or her designee, who is responsible for determining the adequacy of a plan submitted for land-disturbing activities on a unit or units of lands and for approving plans.

VPDES Permit means a General VPDES (Virginia Pollutant Discharge Elimination System) Permit for Discharges of Stormwater from Construction Activities, 9VAC25-880, issued by the Department pursuant to § 62.1-44.15 of the Code of Virginia, as amended, for stormwater discharges from a land-disturbing activity.

Sec. 6-1-8. Permits; fees; security for performance.

- (A) Agencies authorized under any other law to issue grading, building, or other permits for activities involving land-disturbing activities shall not issue any such permit unless the applicant submits with his or her application an approved erosion and sediment control plan, certification that the plan will be followed, and evidence of VPDES permit coverage where it is required.
- (B) No person may engage in any land-disturbing activity until he or she has acquired a land-disturbing permit (unless the proposed land-disturbing activity is specifically exempt from the provisions of this chapter), has paid the fees and has posted the required bond.
- (C) The following fees for the land-disturbing permits and related reviews pursuant to this chapter shall be paid. The purpose of these fees is to defray the cost of program administration, including costs associated with the issuance of grading or land disturbing permits, plan review, and periodic inspections for compliance with erosion and sediment control plans. The fee schedule set forth in this section shall supersede any fee schedule previously adopted with respect to such permits and related reviews.

Single Family	\$125.00 per lot
All other	\$750.00 plus \$125.00/acre \$1,000.00 plan review fee

The foregoing notwithstanding, except as otherwise expressly provided by law, none of the fees listed herein shall apply to any property owned by the County and used for County purposes.

- (D) No land-disturbing permit shall be issued until the applicant submits with his or her application an approved erosion and sediment control plan or agreement in lieu of an approved erosion and sediment control plan and certification that the plan will be followed.
- (E) All applicants for permits shall provide to the County a performance bond with surety, cash escrow, or an irrevocable letter of credit acceptable to the Building Official, to ensure that measures could be taken by the County at the applicant's expense should the applicant fail, after proper notice, within the time specified to initiate or maintain appropriate conservation measures required of him or her by the approved plan as a result of his or her land-disturbing activity. The amount of the bond or other security for performance shall not exceed the total of the estimated cost to initiate and maintain appropriate conservation action based on unit price for new public or private sector construction in the locality and a

reasonable allowance for estimated administrative costs and inflation which shall not exceed 25 percent of the cost of the conservation action. Should it be necessary for the County to take such conservation action, the County may collect from the applicant any costs in excess of the amount of the surety held. Within 60 days of ~~permanent~~ adequate stabilization, as determined by the Building Official in any project or section of a project, such bond, cash escrow or letter of credit, or the unexpended or unobligated portion thereof, shall be either refunded to the applicant or terminated, based upon the percentage of stabilization accomplished in the project or project section. These requirements are in addition to all other provisions relating to the issuance of permits and are not intended to otherwise affect the requirements for such permits.

(2) That the Ordinance shall be effective upon adoption.

(Seal)
PUBLIC HEARING
Fluvanna County Board of Supervisors
Wednesday, August 19, 2026, at 7:00 p.m.

Pursuant to VA Code Section 15.2-1427, a public hearing will be held in the held **Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963** for citizens of the County to have the opportunity to be heard by the Board of Supervisors on the following item:

Amend and reordain “the Code of the County of Fluvanna, Virginia” by amending §§ 6-1-2 and 6-1-8 to align erosion and sediment control stabilization requirements in the County Code with the requirements in the Virginia Code.

A copy of the complete text of the above item is available for public review at the Office of the Fluvanna County Administrator during normal business hours. Questions may be directed to the County Attorney’s Office, at (434) 591-1910. All interested persons wishing to be heard are invited to attend the public hearing.

TO: Fluvanna Review

Advertise on the following dates: July 30, 2026 and August 6, 2026

Authorized by: Fluvanna County BOS

Bill to: Board of Supervisors

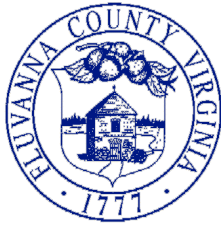
CONTACT INFORMATION:

Caitlin Solis
Clerk, Board of Supervisors
Fluvanna County
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Palmyra, VA 22963
csolis@fluvannacounty.org
434-591-1910
434-591-1913

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB M

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Amendments to the Fluvanna County Code, amending § 22-18-1 through § 22-18-7 and repealing § 22-18-7.1 to reflect changes in the Virginia Code regarding the powers and proceedings of the Board of Zoning Appeals.				
MOTION(s):	Finding that the proposed zoning ordinance amendment (is / is not) appropriate for the public necessity, convenience, and general welfare and (is / is not) good zoning practice, I move that the board of supervisors (approve / deny / defer) ZTA 26:15 – an ordinance to amend and reordain “the code of the county of Fluvanna, Virginia” by amending § 22-18-1 through § 22-18-7 and repealing § 22-18-7.1 to reflect changes in the Virginia code regarding the powers and proceedings of the board of zoning appeals.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	The Planning Commission has recommended approval of changes to § 22-18-1 through § 22-18-7 and repeal of § 22-18-7.1 of the Fluvanna County Code.				
TIMING:	Routine				
DISCUSSION:	This recommended change is being presented pursuant to House Bill 198 , which was passed by the Virginia General Assembly, approved on April 22, 2026 and became effective on July 1, 2026.				
FISCAL IMPACT:	None				
POLICY IMPACT:	The proposed amendment makes various changes and clarifications to the procedures following the filing of a petition in a circuit court by a party aggrieved by a decision of the Board of Zoning Appeals. The bill clarifies that the petition shall be served upon the secretary or chair of the Board of Zoning Appeals within 30 days after the petition is filed with the Clerk of the Circuit Court and that, within 21 days of being served with the petition, the secretary of the Board of Zoning Appeals shall file the record of the proceedings at issue in the petition. The bill also updates other procedures, such as the time requirements for the filing of responsive pleadings, to be consistent with the various changes and clarifications throughout the bill.				
LEGISLATIVE HISTORY:	The Planning Commission considered this proposed ZTA at its regular meeting on July 7, 2026 and recommended approval by a vote of 5-0.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

BO2026-98-19p.107/278
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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:15

District: Countywide Amendment

General Information:

This public hearing is to be held on Wednesday, August 19, 2026 at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action:

Approval of an amendment to the Fluvanna County Zoning Ordinance by amending § 22-18-1 through § 22-18-7 and repealing § 22-18-7.1 to reflect changes in the Virginia Code regarding the powers and proceedings of the Board of Zoning Appeals.

Background Information: This recommended change is being presented pursuant to **House Bill 198**, which was passed by the Virginia general Assembly, approved on April 22, 2026, and became effective on July 1, 2026.

The proposed amendment makes various changes and clarifications to the procedures following the filing of a petition in a circuit court by a party aggrieved by a decision of the Board of Zoning Appeals. The bill clarifies that the petition shall be served upon the secretary or chair of the Board of Zoning Appeals within 30 days after the petition is filed with the Clerk of the Circuit Court and that, within 21 days of being served with the petition, the secretary of the Board of Zoning Appeals shall file the record of the proceedings at issue in the petition. The bill also updates other procedures, such as the time requirements for the filing of responsive pleadings, to be consistent with the various changes and clarifications throughout the bill.

The Commission held a public hearing on this ZTA at its meeting on July 7, 2026 and voted 5-0 to recommend approval.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE/ DENY / DEFER) ZTA 26:15 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-18-1 THROUGH § 22-18-7 AND REPEALING § 22-18-7.1 TO REFLECT CHANGES IN THE VIRGINIA CODE REGARDING THE POWERS AND PROCEEDINGS OF THE BOARD OF ZONING APPEALS.

ZTA 26:15

ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF
FLUVANNA, VIRGINIA" BY AMENDING §§ 22-18-1 THROUGH 22-18-7 AND
REPEALING § 22-18-7.1 TO REFLECT CHANGES IN THE VIRGINIA CODE
REGARDING THE POWERS AND PROCEEDINGS OF THE BOARD OF ZONING
APPEALS

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-18-1 through 22-18-7 and repealing § 22-18-7.1 as follows:*

CHAPTER 22- ZONING

ARTICLE 18. ~~PROVISIONS FOR APPEAL AND VARIANCE~~ BOARD OF ZONING APPEALS

Sec. 22-18-1. Board of Zoning Appeals.

- (A) A ~~the~~ **Board of Zoning Appeals** consisting of five members shall be appointed by the Circuit Court of Fluvanna County. Members of the ~~the~~ **Board of Zoning Appeals** shall be residents of Fluvanna County. Members of the ~~the~~ **Board of Zoning Appeals** may receive such compensation as may be authorized by the ~~governing body~~ **Board of Supervisors**. Members shall be removable for cause by the appointing court after ~~a~~ **hearing is** held after at least 15 days' notice. Appointments for vacancies occurring otherwise than by expiration of term shall in all cases be for the unexpired term.
- (B) The term of office shall be for five years, except that of the first five members appointed, one shall serve for five years, one for four years, one for three years, one for two years and one for one year. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until his successor is appointed and qualifies. Members of the ~~the~~ **Board of Zoning Appeals** shall hold no other public office in the County, except that one of the five appointed members may be an active member of the Planning Commission, any member may be appointed to serve as an officer of election as defined in Code of Va., § 24.2-101, and any member may serve as an elected official of the Town of Scottsville.
- (C) Any member of the ~~the~~ **Board of Zoning Appeals** shall be disqualified to act upon a matter before the ~~the~~ **Board of Zoning Appeals** with respect to property in which the member has a legal interest.
- (D) The ~~the~~ **Board of Zoning Appeals** shall choose annually its own chairman and vice chairman who shall act in the absence of the chairman. The ~~the~~ **Board of Zoning Appeals** may elect as its secretary either one of its members or a qualified individual who is not a member of the ~~the~~ **Board of Zoning Appeals**. A secretary who is not a member of the ~~the~~ **Board of Zoning Appeals** shall not be entitled to vote on matters before the ~~the~~ **Board of Zoning Appeals**.

Sec. 22-18-1.1. Ex parte communications and proceedings.

- (A) The non-legal staff of the ~~governing body~~ **Board of Supervisors** may have ex parte communications with a member of the ~~the~~ **Board of Zoning Appeals** prior to the hearing but may not discuss the facts or law relative to a particular case. The applicant, landowner or his agent or attorney may have ex parte communications with a member of the ~~the~~ **Board of Zoning Appeals** prior to the hearing but may not discuss the facts or law relative to a particular case. If any ex parte discussion of facts or law does occur, the party engaging in such communication shall inform the other party as soon as practicable and advise the other party of the substance of such communication and the identity of the individuals involved in the communication. For the purposes of this section, regardless of whether all parties participate, ex parte communication shall not include (i) discussions as part of a public meeting or (ii) discussions prior to a public meeting to which staff of the ~~governing body~~ **Board of Supervisors**, the applicant, landowner or his agent or attorney are all invited.
- (B) Any materials relating to a particular case, including a staff recommendation or report furnished to a member of the ~~the~~ **Board of Zoning Appeals**, shall be made available without cost to such applicant, appellant or other person aggrieved under section 15.2-2314 of the Code of Virginia, as soon as practicable thereafter, but no more than three (3) business days after providing such materials to a member of the ~~the~~ **Board of Zoning Appeals**. If the applicant, appellant or other person aggrieved under section 15.2-2314 of the Code of Virginia requests additional documents or materials be provided by the ~~locality~~ **County** other than those materials provided to the ~~the~~ **Board of Zoning Appeals**, such request shall be made in accordance with the FOIA requirements in section 2.2-3704 of the Code of Virginia. Any such materials furnished to a member of the ~~the~~ **Board of Zoning Appeals** shall also be made available for public inspection as required by section 2.2-3707(~~FG~~) of the Code of Virginia.
- (C) For the purposes of this section, "non-legal staff of the ~~governing body~~ **Board of Supervisors**" means any staff who is not in the office of the County Attorney, or for the ~~the~~ **Board of Zoning Appeals**, or who is appointed by special law. Nothing in this section shall preclude the ~~the~~ **Board of Zoning Appeals** from having ex parte communications with any attorney or staff or any attorney where such communication is protected by attorney-client privilege or other similar privilege or the protection of confidentiality.
- (D) This section shall not apply to cases where an application for a special exception has been filed pursuant to this chapter.

Sec. 22-18-2. Powers of the Board of Zoning Appeals.

The Board of Zoning Appeals shall have the following powers and duties:

- (A) To hear and decide appeals from any order, requirement, decision or determination made by an administrative officer in the administration or enforcement of this ordinance or of any ordinance adopted pursuant thereto.
 - (1) The decision on such appeal shall be based on the ~~the~~ **Board of Zoning Appeals'** judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct.

- (2) At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden to rebut such presumption of correctness by a preponderance of the evidence.
 - (3) Altering the order of evidence is a reversible error only if the appellant lodges an objection citing this section and the Board of Zoning Appeals subsequently refuses to reorder the hearing.**
 - (34)** The **Board of Zoning Appeals** shall consider any applicable ordinances, laws, and regulations in making its decision. For the purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer.
 - (45)** Any appeal of a determination to the **Board of Zoning Appeals** shall be in compliance with this section, notwithstanding any other provision of law, general or special.
- (B) Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined by Code of Va., § 15.2-2201. The burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in the Code of Va., § 15.2-2201 and the criteria set out in this section, as follows:
- (1) Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, or alleviate a hardship by granting a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability; and
 - (a) The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
 - (b) The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
 - (c) The condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
 - (d) The granting of such variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
 - (e) The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.
 - (2) Any variance granted to provide a reasonable modification to a property or improvements thereon requested by, or on behalf of, a person with a disability may expire when the person benefited by it is no longer in need of the modification to such property or improvements provided by the variance, subject to the provisions of state

- and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable. If a request for a reasonable modification is made to ~~a locality~~ the County and is appropriate under the provisions of state and federal fair housing laws, or the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131 et seq.), as applicable, such request shall be granted by the ~~locality~~ County unless a variance from the Board of Zoning Appeals under this section is required in order for such request to be granted.
- (3) No such variance shall be considered except after notice and hearing as required by Code of Va., § 15.2-2204, as amended; however, notice of such hearing may be given via first-class mail rather than registered or certified mail pursuant to Code of Va., § 1.2-2309.
 - (4) In granting a variance the ~~the~~ Board of Zoning Appeals may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.
 - (C) To hear and decide appeals from the decision of the Zoning Administrator. No such appeal shall be heard except after notice and hearing as provided by Code of Va., § 15.2-2204; however, notice of such hearing may be given via first-class mail rather than registered or certified mail pursuant to Code of Va., § 15.2-2309.
 - (D) To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by any such question, and after public hearing with notice as required by Code of Va., § 15.2-2204, the ~~the~~ Board of Zoning Appeals may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. However, notice of such hearing may be given via first-class mail rather than registered or certified mail pursuant to Code of Va., § 15.2-2309. The ~~the~~ Board of Zoning Appeals shall not have the power to change substantially the locations of district boundaries as established by ordinance.
 - (E) No provision of this section shall be construed as granting any board the power to rezone property or to base board decisions on the merits of the purpose and intent of local ordinances duly adopted by the ~~governing body~~ Board of Supervisors.

Sec. 22-18-3. Rules and regulations.

- (A) The Board of Zoning Appeals may adopt, alter and rescind such rules and regulations for its procedures, consistent with the ordinances of the County and the general laws of the Commonwealth, as it may consider necessary.
- (B) Meetings of the ~~the~~ Board of Zoning Appeals shall be held at the call of its chairman or at such times a quorum of the ~~the~~ Board of Zoning Appeals may determine.
- (C) The chairman, or, in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses.
- (D) The ~~the~~ Board of Zoning Appeals shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact. It shall

keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the **Board of Zoning Appeals** and shall be a public record.

- (E) All meetings of the **Board of Zoning Appeals** shall be open to the public.
- (F) A quorum shall be at least three members.
- (G) The concurring vote of a majority of the membership of the **Board of Zoning Appeals** shall be necessary to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant on any matter upon which the **Board of Zoning Appeals** is required to pass or to effect any variance from the ordinance.

Sec. 22-18-4. Applications for variances, appeals to the Board of Zoning Appeals.

- (A) Applications for variances may be made by any property owner, tenant, government official, department, board or bureau. Such application shall be made to the Zoning Administrator in accordance with rules adopted by the **Board of Zoning Appeals**. The application and accompanying maps, plans or other information shall be transmitted promptly to the secretary of the **Board of Zoning Appeals**, who shall place the matter on the docket to be acted upon by the **Board of Zoning Appeals**. The Zoning Administrator shall also transmit a copy of the application to the ~~local~~ **Planning Commission**, which may send a recommendation to the **Board of Zoning Appeals** or appear as a party at the hearing. Substantially the same application will not be considered by the **Board of Zoning Appeals** within one year after the decision of the **Board of Zoning Appeals**.
- (B) An appeal to the **Board of Zoning Appeals** may be taken by any person aggrieved or by any officer, department, board or bureau of the County affected by any decision of the Zoning Administrator or from any order, requirement, decisions or determination made by any other administrative officer in the administration and enforcement of this article, any ordinance adopted pursuant to this article, or any modification of zoning requirements pursuant to this chapter.
 - (1) Any written notice of a zoning violation or a written order of the Zoning Administrator dated on or after July 1, 1993, shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within **thirty (30)** days in accordance with this section, and that the decision shall be final and unappealable if not appealed within **thirty (30)** days. The zoning violation or written order shall include the applicable appeal fee and a reference to where additional information may be obtained regarding the filing of an appeal. The appeal period shall not commence until the statement is given and the Zoning Administrator's written order is sent by registered or certified mail **with proof of delivery** to, or posted at, the last known address or usual place of abode of the property owner or its registered agent, if any. There shall be a rebuttable presumption that the property owner's last known address is that shown on the current real estate tax assessment records, or the address of a registered agent that is shown in the records of the Clerk of the State Corporation Commission.
 - (2) Such appeal shall be taken within **thirty (30)** days after the decision appealed ~~from~~ by filing with the Zoning Administrator, and with the **Board of Zoning Appeals**, a notice of appeal specifying the grounds thereof.

- (3) Upon the filing of the appeal, the Zoning Administrator shall forthwith transmit to the ~~the~~**Board of Zoning Appeals** all the papers constituting the record upon which the action appealed was taken.
- (4) A decision by the ~~the~~**Board of Zoning Appeals** on appeal shall be binding upon the owner of the property ~~which~~ **that** is the subject of such appeal only if the owner of such property has been provided notice of the zoning violation or written order of the Zoning Administrator. The owner's actual notice of such notice of zoning violation or written order or active participation in the appeal hearing shall waive the owner's right to challenge the validity of the ~~the~~**Board of Zoning Appeals'** decision due to failure of the owner to receive the notice of zoning violation or written order.
- (5) An appeal shall stay all proceedings in furtherance of the action appealed ~~from~~ unless the Zoning Administrator certifies to the ~~the~~**Board of Zoning Appeals** that by reason of facts stated in the certificate a stay would in his opinion cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order granted by the ~~the~~**Board of Zoning Appeals** or by a court of record, on application and on notice to the Zoning Administrator and for good cause shown.
- (6) In no event shall a written order, requirement, decision or determination made by the Zoning Administrator or other administrative officer be subject to change, modification or reversal by any Zoning Administrator or other administrative officer after ~~sixty~~ **(60)** days have elapsed from the date of the written order, requirement, decision or determination, where the person aggrieved has materially changed his position in good faith reliance on the action of the Zoning Administrator or other administrative officer, unless it is proven that such written order, requirement, decision or determination was obtained through malfeasance of the Zoning Administrator or other administrative officer or through fraud. The 60-day limitation period shall not apply in any case where, with the concurrence of the attorney for the ~~governing body~~ **Board of Supervisors**, modification is required to correct clerical errors.
- (C) In any appeal taken pursuant to this section, if the ~~the~~**Board of Zoning Appeals'** attempt to reach a decision results in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.

Sec. 22-18-5. Appeal procedure.

- (A) Applications for variance and appeals shall be filed with the Board of Zoning Appeals in care of the Zoning Administrator.
- (B) Appeals and applications for variance requiring an advertised public hearing shall be accompanied by a filing fee as determined by a fee schedule adopted by resolution of the ~~governing body~~ **Board of Supervisors**. The fee for filing an appeal shall not exceed the costs of advertising the appeal for public hearing and reasonable costs, as provided in section 15.2-2311(A) of the Code of Virginia.
- (C) All other procedural requirements of section 15.2-2312 of the Code of Virginia shall be observed by the Board of Zoning Appeals.
- (D) For the conduct of any hearing, a quorum shall not be less than three members of the ~~the~~**Board of Zoning Appeals** and the ~~the~~**Board of Zoning Appeals** shall offer an equal amount

of time in a hearing on the case to the applicant, appellant or other person aggrieved, and the staff of the ~~local governing body~~ **Board of Supervisors**, pursuant to section 15.2-2308 of the Code of Virginia.

Sec. 22-18-6. Public hearing.

The ~~b~~**Board of Zoning Appeals** shall fix a reasonable time for the hearing of an application or appeal, give public notice thereof as well as due notice to the parties in interest, and decide the same within ninety **(90)** days. In exercising its powers, the ~~b~~**Board of Zoning Appeals** may reverse or affirm wholly or partly, or may modify, the order, requirement, decision or determination of an administrative officer or decide in favor of the applicant on any matter upon which it is required to pass under the ordinance or to effect any variance from the ordinance.

Sec. 22-18-7. Certiorari to review decisions of Board of Zoning Appeals.

- (A) Any person or persons jointly or severally aggrieved by any decision of the Board of Zoning Appeals, or any **aggrieved** taxpayer or ~~any~~ officer, department, board or bureau of the County, may, **within thirty (30) days after the final decision of the Board of Zoning Appeals**, file with the Clerk of the Circuit Court for the County a petition that shall be styled "**[Petitioner v. Respondent]** In Re: date Decision of the Board of Zoning Appeals of Fluvanna County" specifying the grounds on which aggrieved ~~within 30 days after the filing of the decision in the office of the board.~~ **Such 30-day filing requirement shall be mandatory and jurisdictional.**
- (B) The Board of Supervisors, the applicant before the Board of Zoning Appeals, and the landowner of record, if such landowner of record is a different party from the applicant, shall be the necessary parties to the proceedings in the circuit court. All necessary parties shall be listed as either petitioner or respondent as appropriate. The circuit court may permit intervention by any other person or persons jointly or severally aggrieved by any decision of the Board of Zoning Appeals. The petition shall be served upon all necessary parties and the secretary of the Board of Zoning Appeals or, if no secretary exists, the chair of the Board of Zoning Appeals, within thirty (30) days after the petition is filed with the Clerk of the Circuit Court. Service of process upon a respondent more than thirty (30) days after the petition is filed shall be timely upon a finding by the court that the petitioner exercised due diligence to have timely service made upon the respondent. Failure to timely file and serve the petition shall result in a dismissal of the matter.**
- ~~(B) Upon the presentation of such petition, the court shall allow a writ of certiorari to review the decision of the Board of Zoning Appeals and shall prescribe therein the time within which a return thereto must be made and served upon the secretary of the Board of Zoning Appeals or, if no secretary exists, the chair of the Board of Zoning Appeals, which shall not be less than ten days and may be extended by the court. Once the writ of certiorari is served, the Board of Zoning Appeals shall have 21 days or as ordered by the court to respond. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the~~

court may, on application, on notice to the board and on due cause shown, grant a restraining order.

- (C) Any review of a decision of the ~~b~~**Board of Zoning Appeals** shall not be considered an action against the ~~b~~**Board of Zoning Appeals** and the ~~b~~**Board of Zoning Appeals** shall not be a necessary party to the proceedings; however, the ~~b~~**Board of Zoning Appeals** shall participate in the proceedings to the extent required by this section or to the extent required by the circuit court. The governing body, the landowner, and the applicant before the Board of Zoning Appeals shall be necessary parties to the proceedings in the circuit court. The court may permit intervention by any other person or persons jointly or severally aggrieved by any decision of the Board of Zoning Appeals.
- (D) The timely filing and service of a petition shall not stay the proceedings of an appeal of a decision by the Board of Zoning appeals but the circuit court may, upon motion by a petitioner with notice to the Board of Zoning Appeals and all necessary parties, grant a temporary restraining order or preliminary injunction pursuant to Rule 3:26 of the Rules of the Supreme Court of Virginia.**
- (E) The filing of the record of the proceedings by the secretary of the Board of Zoning Appeals and the filing of a response by any respondent shall be in accordance with the provisions of this subsection. The secretary of the Board of Zoning Appeals shall, within twenty-one (21) days of being served with the petition, file the record of the proceedings at issue in the petition, unless such time to file is extended by the circuit court for good cause shown. The filing of the record of the proceedings shall not require the** Board of Zoning Appeals ~~shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof~~ **or of the portions thereof** ~~as may be called for by such writ. The return shall concisely set forth such facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.~~
- (F) Any respondent may file a response to the petition within twenty-one (21) days of (i) the filing of the record of the proceedings or (ii) service of the petition upon such respondent, whichever is later, unless such time to file a response is extended by the circuit court for good cause shown. No petitioner shall file a reply unless granted leave by the circuit court to do so for good cause shown.**
- (G) The circuit court shall conduct a hearing as promptly as possible to make a ruling on the petition and any response made to the petition. Any party may introduce evidence in the proceedings in the court in accordance with the Rules of Evidence of the Supreme Court of Virginia; however, the methods and procedures of discovery pursuant to Part 4 of the Rules of the Supreme Court of Virginia shall not apply to the proceedings described in this section. The circuit court** ~~Court~~ may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
- (H) The following cases brought before the circuit court shall be conducted as follows:**
- (1) In the case of an appeal from the Board of Zoning Appeals to the circuit court of an order, requirement, decision or determination of a Zoning Administrator or other administrative officer in the administration or enforcement of any ordinance or provision of state law, or any modification of zoning requirements, the findings**

and conclusions of the Board of Zoning Appeals on questions of fact shall be presumed to be correct. The appealing party may rebut that presumption by proving by a preponderance of the evidence, including the record before the Board of Zoning Appeals, that the Board of Zoning Appeals erred in its decision. The circuit court shall hear any arguments on questions of law de novo.

(2) In the case of an appeal by a person of any decision of the Board of Zoning Appeals that denied or granted an application for a variance, the decision of the Board of Zoning Appeals shall be presumed to be correct. The petitioner may rebut the presumption by proving by a preponderance of the evidence, including the record before the Board of Zoning Appeals, that the Board of Zoning Appeals erred in its decision.

(3) In the case of an appeal by a person of any decision of the Board of Zoning Appeals that denied or granted application for a special exception, the decision of the Board of Zoning Appeals shall be presumed to be correct. The petitioner may rebut that presumption by showing to the satisfaction of the circuit court that Board of Zoning Appeals applied erroneous principles of law, or where the discretion of the Board of Zoning Appeals is involved, the decision of the Board of Zoning Appeals (i) was plainly wrong, (ii) was in violation of the purpose and intent of the zoning ordinance, and (iii) is not fairly debatable.

(I) Costs shall not be allowed against the locality ~~County~~ or the governing body ~~Board of Supervisors~~, unless it shall appear to the circuit court that it acted in bad faith or with malice. In the event the decision of the ~~Board of Zoning Appeals~~ is affirmed and the court finds that the appeal was frivolous, the circuit court may order the person or persons who requested the issuance of the writ of certiorari filed the petition to pay the costs incurred in making a return of the record pursuant to the writ of certiorari filing the record of the proceedings before the Board of Zoning Appeals. If the petition is withdrawn subsequent to the filing of the ~~return~~ record of the proceedings, the locality ~~County~~ or the governing body ~~Board of Supervisors~~ may request that the circuit court hear the matter on the question of whether the appeal was frivolous.

Sec. 22-18-7.1. Presumptions and burdens of proof.

- ~~(A) In the case of an appeal from the Board of Zoning Appeals to the circuit court of an order, requirement, decision or determination of a Zoning Administrator or other administrative officer in the administration or enforcement of any ordinance or provision, or any modification of zoning requirements, the findings and conclusions of the Board of Zoning Appeals on questions of fact shall be presumed to be correct. The appealing party may rebut that presumption by proving by a preponderance of the evidence, including the record before the Board of Zoning Appeals, that the Board of Zoning Appeals erred in its decision. The court shall hear any arguments on questions of law de novo.~~
- ~~(B) In the case of an appeal by a person of any decision of the Board of Zoning Appeals that denied or granted an application for a variance, the decision of the Board of Zoning Appeals shall be presumed to be correct. The petitioner may rebut the presumption by proving by a preponderance of the evidence, including the record before the Board of Zoning Appeals, that the Board of Zoning Appeals erred in its decision.~~

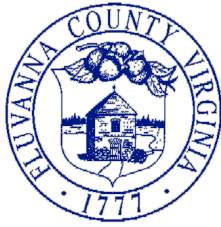
- ~~(C) In the case of an appeal by a person of any decision of the Board of Zoning Appeals that denied or granted application for a special exception, the decision of the Board of Zoning Appeals shall be presumed to be correct. The petitioner may rebut that presumption by showing to the satisfaction of the court that Board of Zoning Appeals applied erroneous principles of law, or where the discretion of the Board of Zoning Appeals is involved, the decision of the board (i) was plainly wrong, (ii) was in violation of the purpose and intent of the zoning ordinance, and (iii) is not fairly debatable.~~
- ~~(D) In the case of an appeal from the Board of Zoning Appeals to the circuit court of a decision of the board, any party may introduce evidence in the proceedings in the court in accordance with the Rules of Evidence of the Supreme Court of Virginia.~~

(2) That the Ordinance shall be effective upon adoption.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB N

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Amendments to the Fluvanna County Code, amending § 22-26-8 to authorize the Zoning Administrator to reduce the number of required off-street parking spaces by 20% for residential, multifamily and mixed-use development in accordance with assigned criteria.				
MOTION(s):	Finding that the proposed zoning ordinance amendment (is / is not) appropriate for the public necessity, convenience, and general welfare and (is / is not) good zoning practice, I move that the board of supervisors (approve / deny / defer) ZTA 26:16 – an ordinance to amend and reordain “the code of the county of Fluvanna, Virginia” by amending § 22-26-8 to authorize the zoning administrator to reduce the number of required off-street parking spaces by 20% for residential, multifamily and mixed-use development in accordance with assigned criteria.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	The Planning Commission has recommended approval of changes to § 22-26-8 of the Fluvanna County Code.				
TIMING:	Routine				
DISCUSSION:	This recommended change is being presented pursuant to House Bill 888 , which was passed by the Virginia General Assembly, approved on April 22, 2026, and became effective on July 1, 2026.				
FISCAL IMPACT:	None				
POLICY IMPACT:	The proposed amendments provide for an administrative reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily, or mixed-use development proposed on parcels not located within a designated area. A “Designated area” means any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility. For purposes of this definition, “mass transit or public transportation station or facility” means a building or enhanced structure where members of the general public board or disembark mass transit or public transportation.				
LEGISLATIVE HISTORY:	The Planning Commission considered this proposed ZTA at its regular meeting July 7, 2026 and recommended approval by a vote of 5-0.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

13032026-08-19p.121/278
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:16

District: Countywide Amendment

General Information:

This public hearing is to be held on Tuesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action:

Approval of an amendment to the Fluvanna County Code by amending § 22-26-8 to authorize the Zoning Administrator to reduce the number of required off-street parking spaces by 20% for residential, multifamily and mixed-use development in accordance with assigned criteria.

Background Information: This recommended change is being presented pursuant to **House Bill 888**, which was passed by the Virginia General Assembly, approved on April 22, 2026, and became effective on July 1, 2026.

The proposed amendments provide for an administrative reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily, or mixed-use development proposed on parcels not located within a designated area. A "Designated area" means any parcel located within one-half mile of the entrance to a mass transit or public transportation station or facility. For purposes of this definition, "mass transit or public transportation station or facility" means a building or enhanced structure where members of the general public board or disembark mass transit or public transportation.

The Commission held a public hearing on this ZTA at its meeting on July 7, 2026 and voted 5-0 to recommend approval.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY / DEFER) ZTA 26:16 – AN ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING § 22-26-8 TO AUTHORIZE THE ZONING ADMINISTRATOR TO REDUCE THE NUMBER OF REQUIRED OFF-STREET PARKING SPACES BY 20% FOR RESIDENTIAL, MULTIFAMILY AND MIXED-USE DEVELOPMENT IN ACCORDANCE WITH ASSIGNED CRITERIA.

ZTA 26:16

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF
FLUVANNA, VIRGINIA” BY AMENDING § 22-26-8 TO AUTHORIZE THE ZONING
ADMINISTRATOR TO REDUCE THE NUMBER OF REQUIRED OFF-STREET PARKING
SPACES BY 20% FOR RESIDENTIAL, MULTIFAMILY AND MIXED-USE
DEVELOPMENT IN ACCORDANCE WITH ASSIGNED CRITERIA

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending § 22-26-8 as follows:*

CHAPTER 22- ZONING

ARTICLE 26. - OFF-STREET PARKING AND LOADING SPACES

Sec. 22-26-8. Off-street parking requirements.

- (A) The off-street parking requirements for various uses are stated on Table 2.
- (B) The off-street parking requirements for a use not specifically listed in Table 2 shall be determined by the Zoning Administrator based on the characteristics of the proposed uses, the number of residents or visitors, the minimum requirements for similar uses, and any other relevant characteristics. In making the determination, the Zoning Administrator may consider the recommendations of relevant parking studies as well as traffic generation figures, including information provided by the Institute of Traffic Engineers, peak parking demands, and other information.
- (C) The number of parking spaces in a parking area may not exceed the number of spaces required by this section by more than forty percent (40%) unless approved by the **Zoning Administrator Planning Commission**. To mitigate the environmental and visual impacts of additional impervious cover on the surrounding community, at least one (1) of the following features shall be incorporated into the design upon approval of the excess parking:
 - (1) Additional spaces approved by the **Zoning Administrator Planning Commission** will be surfaced using pervious paving material, including, but not limited to, porous asphalt, porous concrete, or block pavers; or
 - (2) For every two (2) additional spaces approved by the **Zoning Administrator Planning Commission**, one (1) tree and three (3) shrubs will be planted on-site, in addition to the requirements specified in Article 24, Landscaping and Tree Protection of this ordinance.
- (D) A reduction in the number of required parking spaces may, at the written request of the applicant, be granted with the approval of the Zoning Administrator as follows:
 - (1) A reduction in the number of required parking spaces may be granted in any one (1) of the following instances:

- (a) For projects that include fifty (50) or more parking spaces on-site and are located within a designated growth area, the minimum number of parking spaces may be reduced by up to five percent (5%) if the project is located within three-hundred feet (300') of a transit stop and is connected to the transit stop by a sidewalk.
 - (b) For projects that include fifty (50) or more parking spaces on-site and are located within a designated growth area, the minimum number of required parking spaces may be reduced by one parking space for every one (1) bicycle space provided on a permanently-constructed bicycle rack, provided that the minimum parking required is not reduced by more than five percent (5%).
 - (c) The minimum number of required parking spaces may be reduced by up to ten percent (10%), provided that one (1) tree and three (3) shrubs are planted for every two (2) spaces reduced, in addition to the requirements set forth in Article 24, Landscaping and Tree Protection, of this ordinance.
 - (d) The Zoning Administrator may allow the number of required spaces to be reduced up to ten percent (10%) for projects within a designated growth area that meet new urban/neo-traditional planning principles and further the goals set forth in the Comprehensive Plan. Factors that may be considered when allowing a reduction include the density of the surrounding community; the range of land uses located within convenient walking distance; accessibility to mass transit; and the provision of facilities for bicyclists.
 - (e) The Zoning Administrator may allow the number of required spaces to be reduced up to twenty-five percent (25%), provided that a professionally-prepared parking study or similar documentation indicates that a reduction in the minimum parking requirements for a specific building or use would provide adequate parking facilities on-site.
 - (f) The Zoning Administrator may allow the number of required off-street spaces to be reduced by twenty percent (20%) for residential, multifamily, or mixed-use development proposed on parcels not located within a “designated area” as defined by Code of Va., § 15.2-2209.4. Criteria to determine eligibility include: the density of the surrounding community; the range of land uses located within convenient walking distance; accessibility to mass transit; and the provision of facilities for bicyclists.**
- (2) A site may not receive credit for more than one (1) strategy listed above. The possible reductions in the number of required parking spaces are not cumulative.
 - (3) When a reduction in the number of required parking spaces is permitted, the Zoning Administrator may, at his discretion, require the applicant to reserve space on-site that would accommodate the construction of additional parking in the future. The parking reserve area shall be designated on the site plan, and may not be converted to any other use without amendment of the site plan and the approval of the Zoning Administrator. The parking reserve area shall be sited to allow adequate pedestrian, bicycle, and automobile access, and shall be sized to accommodate a number of parking spaces equal to the amount of the parking reduction awarded. The intent of the parking reserve is to allow expansion of the parking area should the use or parking needs change.

- (E) The provisions of this article for the application of individual parking standards for Planned Unit Developments located within the Zion Crossroads Urban Development Area may be modified at the discretion of the **Zoning Administrator** ~~Planning Commission~~, provided that the Applicant submits a parking impact study that fully justifies the modification of the standards based on the mix of uses, the phasing of development, and other factors, including relationship of parking location to individual land uses within the project.

Table 2. Off Street Parking Requirements	
Use	Parking Requirements
COMMERCIAL	
Animal Hospital, Veterinary Clinic, Animal Shelter	1 per 300 square feet
Automobile Repair Service Establishments	3 spaces plus 2 spaces for each service bay
Beauty and Barber Shops	2 spaces plus 2 spaces for every barber or beautician chair
Financial Institutions	1 per 250 square feet
Funeral Homes, Churches, other public assembly areas	1 per 4 fixed seats or 75 square feet of assembly area, whichever is greater
Furniture, Carpet, or Appliance Store	1 space per 500 square feet of retail sales area
Gas Stations	1.5 spaces per pump plus 2 spaces for each service bay
Greenhouse; nursery	1 per 250 square feet within retail sales area up to 15,000 gross square feet; 1 per 400 square feet thereafter Plus one per 1,000 gross square feet located in open storage/growing areas
Laundry	1 per 2 washing machines
Restaurant	1 per 100 gross square feet, minimum of 10
Retail Stores	1 per 250 square feet of up to 15,000 gross square feet; 1 per 400 square feet thereafter plus any required stacking lanes
Sale of Motor Vehicles, Mobile Homes, Travel Trailers	1 per 2,000 square feet of display area
Shopping Center Gross Leasable Square Feet	

1 to 15,000	4 spaces per 1,000 feet
15,000 to 50,000	3.5 spaces per 1,000 feet
Greater than 50,000	3 spaces per 1,000 feet
LODGING	
Country Inns, Boarding & Touring House, Bed & Breakfast	1 per unit
Hotels, Motels	1 per unit plus compliance with the requirements for each particular additional use located on premise.
RECREATION	
Assembly Hall, Dance Hall, Skating Rink	1 per 100 square feet
Indoor Recreation Facilities, Arcades	1 per 200 square feet
Campground	1 per campsite
Golf Course, Driving Range, Miniature Golf	2 per hole
Unspecified Recreational Use	1 per 125 square feet of usable recreation area
Stadiums, Arenas, Theaters	1 per 4 seats
RESIDENTIAL	
Dwellings, single family, two family, mobile homes	2 per unit
Dwellings, multi-family, efficiency/studio	1 per unit
Dwellings, multi-family, one bedroom	1.25 per unit
Dwellings, multi-family, two bedroom	1.5 per unit
Dwellings, multi-family, three or more bedrooms	2 per unit

Assisted Living Facility, Nursing Home	1 space per 3 residents plus 1 space per employee on largest shift
Group Home	0.5 spaces per bed at licensed capacity
OFFICE	
Office	1 space per 300 square feet of up to 15,000 square feet, 5 minimum; 1 space per 350 sq. ft. thereafter
INDUSTRIAL	
Manufacturing	1 per 2 employees on largest shift plus 1 space per company vehicle
Unspecified Industrial Uses	1 per 2 employees on largest shift plus 1 per 250 square feet open to the public
INSTITUTIONAL	
Day Care, Nursery School, Elementary School	1 per 9 pupils
Middle School	1 per 8 pupils
High School	1 per 3 pupils
Library, Museum, Art Gallery, Community Center	1 per 300 square feet
Professional School	1 space per 2 students at maximum capacity plus 1 space per classroom
Post Office	1 per 250 square feet, minimum of 5
UNSPECIFIED	Sufficient parking for average number of employees and visitors

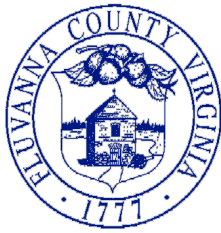
(2) That the Ordinance shall be effective upon adoption.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB O

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Amendments to the Fluvanna County Code, enacting §§ 22-13-8 and 22-16-9, amending §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 and 22-17-15 to allow a manufactured home to be placed upon any open lot in a nonconforming manufactured home park, to allow a nonconforming manufactured home not located in a manufactured home park to be replaced with a newer manufactured home, and to allow a manufactured home on an individual lot in any zoning district where site-built housing is allowed.				
MOTION(s):	Finding that the proposed zoning ordinance amendment (is / is not) appropriate for the public necessity, convenience, and general welfare and (is / is not) good zoning practice, I move that the board of supervisors (approve / deny / defer) ZTA 26:17 – an ordinance to amend and reordain “the code of the county of Fluvanna, Virginia” by amending §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 and 22-17-15 to allow a manufactured home to be placed upon any open lot in a nonconforming manufactured home park, to allow a nonconforming manufactured home not located in a manufactured home park to be replaced with a newer manufactured home, and to allow a manufactured home on an individual lot in any zoning district where site-built housing is allowed.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	The Planning Commission has recommended approval of changes to §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 and 22-17-15 of the Fluvanna County Code.				
TIMING:	Routine				
DISCUSSION:	This recommended change is being presented pursuant to House Bill 655 , approved on March 31, 2026, and House Bill 1463 , approved on April 8, 2026, which were passed by the Virginia General Assembly and became effective on July 1, 2026.				
FISCAL IMPACT:	None				
POLICY IMPACT:	The proposed amendments expand existing provisions that permit manufactured homes in areas zoned for agriculture by expanding such requirement to all zoning districts where site-built housing is allowed, with certain conditions. The amendments provide that the County shall not treat manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district. The amendments also remove the authority of the County to designate the areas within the locality in which manufactured homes may be located.				
LEGISLATIVE HISTORY:	The Planning Commission considered this proposed ZTA at its regular meeting July 7, 2026 and recommended approval by a vote of 5-0.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
	Legal	Finance	Purchasing	HR	Other

REVIEWS COMPLETED:	X				X
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COUNTY OF FLUVANNA

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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:17

District: Countywide Amendment

General Information: This public hearing is to be held on Tuesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Approval of an amendment to the Fluvanna County Code by enacting §§ 22-13-8 and 22-16-9, amending §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 and 22-17-15 to allow a manufactured home to be placed upon any open lot in a nonconforming manufactured home park, to allow a nonconforming manufactured home not located in a manufactured home park to be replaced with a newer manufactured home, and to allow a manufactured home on an individual lot in any zoning district where site-built housing is allowed.

Background Information: This recommended change is being presented pursuant to **House Bill 655**, approved on March 31, 2026, and **House Bill 1463**, approved on April 8, 2026, which were passed by the Virginia General Assembly and became effective on July 1, 2026.

The proposed amendments expand existing provisions that permit manufactured homes in areas zoned for agriculture by expanding such requirement to all zoning districts where site-built housing is allowed, with certain conditions. The amendments provide that the County shall not treat manufactured homes differently or more restrictively than a single-family site-built dwelling allowed in the same zoning district. The amendments also remove the authority of the County to designate the areas within the locality in which manufactured homes may be located.

The Planning Commission held a public hearing on this ZTA at its meeting on July 7, 2026 and voted 5-0 to recommend approval.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY / DEFER) ZTA 26:17 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY ENACTING §§ 22-13-8 AND 22-16-9, AMENDING §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 AND 22-17-15 TO ALLOW A MANUFACTURED HOME TO BE PLACED UPON ANY OPEN LOT IN A NONCONFORMING MANUFACTURED HOME PARK, TO ALLOW A NONCONFORMING MANUFACTURED HOME NOT LOCATED IN A MANUFACTURED HOME PARK TO BE REPLACED WITH A NEWER MANUFACTURED HOME, AND TO ALLOW A MANUFACTURED HOME ON AN INDIVIDUAL LOT IN ANY ZONING DISTRICT WHERE SITE-BUILT HOUSING IS ALLOWED.

ZTA 26:17

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY ENACTING §§ 22-13-8 AND 22-16-9, AMENDING §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 AND 22-17-15 TO ALLOW A MANUFACTURED HOME TO BE PLACED UPON ANY OPEN LOT IN A NONCONFORMING MANUFACTURED HOME PARK, TO ALLOW A NONCONFORMING MANUFACTURED HOME NOT LOCATED IN A MANUFACTURED HOME PARK TO BE REPLACED WITH A NEWER MANUFACTURED HOME, AND TO ALLOW A MANUFACTURED HOME ON AN INDIVIDUAL LOT IN ANY ZONING DISTRICT WHERE SITE-BUILT HOUSING IS ALLOWED

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by enacting §§ 22-13-8 and 22-16-9, amending §§ 22-4-2.1, 22-4-2.3, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-16-8 and 22-17-15 as follows:*

CHAPTER 22- ZONING

ARTICLE 4. - AGRICULTURAL, GENERAL, DISTRICT A-1

Sec. 22-4-2.1. Uses permitted by right.

The following uses shall be permitted by right:

Agricultural Uses

- Agriculture
- Agritourism activity
- Conservation areas
- Equestrian facilities
- Farm sales
- Hunt clubs
- Hunting preserves

Civic Uses

- Public parks and recreational areas
- Public uses

Commercial Uses

- Family daycare homes/Family day homes
- Home occupations
- Studios, fine arts

Industrial Uses

Sawmills, temporary

Miscellaneous Uses

Accessory uses

Cemeteries, non-commercial

Greenhouses, non-commercial

Kennels, private

Marinas, private non-commercial

Mobile food unit

Shooting, private recreational

Small scale solar generation facility

Utilities, minor

Wood storage, temporary

Residential Uses

Dwellings, accessory

Dwellings, two-family

Farm tenant housing

Group homes

Manufactured homes

Mobile homes, as defined in Section 22-4-2.3

Single-family detached dwellings, including family subdivisions and conventional minor subdivisions, but excluding conventional major subdivisions recorded after April 5, 2004

Short-term rental of a residential dwelling

Sec. 22-4-2.3. Temporary Use of Mobile homes or Manufactured Homes.

One (1) mobile home **or manufactured home** per parcel shall be permitted, with issuance, by the Planning Director, of a zoning permit, in the following instances:

- (A) Mobile home **or manufactured home** to be occupied by a bona fide farm tenant with the permit to be revalidated by the governing body every two (2) years so long as the conditions are met;
- (B) Mobile home **or manufactured home** to be occupied because of an emergency medical or moral obligation with the permit to be revalidated by the governing body every two (2) years so long as the conditions exist. For purposes of this section, the term "an emergency medical or moral obligation" shall be deemed to mean a set of circumstances in which a landowner must provide shelter and/or care to one or more

persons through the occupancy of the mobile home in order to alleviate a clearly demonstrable danger of serious impairment to the health and/or welfare of any person or persons which is occasioned by a medical disorder or condition or other compelling cause beyond the control of such person or persons and which cannot be remedied in any other reasonable manner;

- (C) Mobile home or manufactured home to be occupied by the owner of the property while constructing a permanent single-family dwelling on the same property or reconstructing a single-family dwelling destroyed by natural disaster. This permit shall be for a period of one (1) year only but may be renewed each year by the governing body for a period of not more than five (5) continuous years. In addition, the governing body may grant an additional extension of time for the occupancy of any such mobile home or manufactured home, not to exceed twenty-four (24) months from the expiration of the last renewal period of the original permit, upon a finding that the owner of the property has attempted in good faith to complete such single-family dwelling within the time permitted by law, but has been unable to do so as a result of adverse weather conditions, act of God, bona fide inability to timely obtain satisfactory building materials, or other circumstances or condition beyond the control of such owner.

Sec. 22-5-2.1. Uses permitted by right.

The following uses shall be permitted by right:

Agricultural Uses

Agriculture*

Civic Uses

Public parks and recreational areas

Public uses

Commercial Uses

Home occupations

Miscellaneous Uses

Accessory uses

Cluster developments

Greenhouses, non-commercial

Kennels, private

Mobile food unit

Small scale solar generation facility

Utilities, minor

Residential Uses

Dwellings, accessory

Dwellings, single-family detached

Dwellings, two-family

Group homes

Manufactured homes

Short-term rental of a residential dwelling

* Only permitted in open space of cluster developments.

Sec. 22-6-2.1. Uses permitted by right.

The following uses shall be permitted by right:

Agricultural Uses

Agriculture*

Civic Uses

Public parks and recreational areas

Public uses

Commercial Uses

Home occupations

Miscellaneous Uses

Accessory uses

Cluster developments

Greenhouses, non-commercial

Kennels, private

Mobile food unit

Small scale solar generation facility

Utilities, minor

Residential Uses

Dwellings, accessory

Dwellings, multi-family

Dwellings, single-family attached

Dwellings, single-family detached

Dwellings, townhouse

Dwellings, two-family

Group homes

Manufactured homes

Short-term rental of a residential dwelling

* Only permitted in open space of cluster developments.

Sec. 22-7-9.1. Uses permitted by right.

The following uses shall be permitted by right:

Agricultural Uses

Conservation areas

Civic Uses

Public parks and recreational areas

Public uses

Commercial Uses

Bakeries

Brewpub

Butcher shops

Financial institutions

Home occupations

Medical clinics

Offices

Personal improvement services

Personal service establishments

Pharmacies

Restaurants, general

Restaurants, small

Retail stores, general

Retail stores, neighborhood convenience

Retail stores, specialty

Studios, fine arts

Miscellaneous Uses

Accessory uses

Greenhouses, non-commercial

Kennels, private

Marinas, private non-commercial

- Mobile food unit
- Small scale solar generation facility
- Utilities, minor

Residential Uses

- Dwellings, accessory
- Dwellings, multi-family
- Dwellings, single-family attached
- Dwellings, single-family detached
- Dwellings, townhouse
- Dwellings, two-family
- Group homes

Manufactured homes

- Short-term rental of a residential dwelling
- Small scale solar generation facility

Sec. 22-8-2.1. Uses permitted by right.

The following uses shall be permitted by right:

Agricultural Uses

- Conservation areas

Civic Uses

- Public parks and recreational areas
- Public uses

Commercial Uses

- Home occupations

Miscellaneous Uses

- Accessory uses
- Cluster developments
- Greenhouses, non-commercial
- Kennels, private
- Marinas, private non-commercial
- Mobile food unit
- Small scale solar generation facility

Utilities, minor

Residential Uses

Dwellings, accessory

Dwellings, multi-family

Dwellings, single-family attached

Dwellings, single-family detached

Dwellings, townhouse

Dwellings, two-family

Group homes

Manufactured homes

Short-term rental of a residential dwelling

ARTICLE 13. MANUFACTURED HOME PARK, DISTRICT MHP

Sec. 22-13-8. Placement of manufactured homes.

A land owner or home owner may place a manufactured home that meets the current U.S. Department of Housing and Urban Development manufactured housing code upon any open lot in a valid nonconforming manufactured home park regardless of whether a valid nonconforming manufactured home is currently located on such lot. A single-section home may replace a single-section home and a multi-section home may replace a multi-section home.

ARTICLE 16. NONCONFORMING USES

Sec. 22-16-8. Repair and restoration after damage.

- (A) Where in any zone, a conforming structure devoted to a non-conforming activity or a nonconforming structure is destroyed or damaged in any manner, whether wholly or partially, either may be repaired or restored provided such repair or restoration is started within twelve (12) months from the date of damage or partial destruction. Such restoration shall not exceed two hundred percent (200%) of its size in square footage when destroyed. Any such expansion exceeding one hundred percent (100%) of the original structure shall conform with the yard requirements of this ordinance. Any such repair or restoration must be carried out in compliance with the Uniform Statewide Building Code and Fluvanna County flood regulations, as required by section 15.2-2307 of the Code of Virginia.
- (B) If a nonconforming structure is in an area under a federal disaster declaration and the structure has been damaged or destroyed as a direct result of the conditions that gave rise to the federal disaster declaration, then it may be repaired or restored for an additional two (2) years after the time permitted in subsection (A) above.

- (C) ~~Any manufactured home which was lawfully in existence in the County on the effective date of this ordinance may be replaced by another manufactured home, subject to the following:~~
- ~~(1) The replacement manufactured home shall contain the same or greater floor area as the manufactured home being replaced;~~
 - ~~(2) The replacement manufactured home shall comply with all building and construction codes in the Commonwealth of Virginia applicable to manufactured homes;~~
 - ~~(3) The replacement manufactured home shall be located on the same parcel so as to comply with all yard and setback requirements of the ordinance unless the dimensions of the parcel are such that such compliance is infeasible, in which case the replacement manufactured home shall be located substantially in the same location as the manufactured home being replaced;~~
 - ~~(4) The manufactured home being replaced shall be removed from the parcel no later than ninety (90) days after the replacement manufactured home is placed on the parcel;~~
 - ~~(5) There shall be no dual occupancy when such manufactured homes are being replaced;~~
 - ~~(6) The replacement manufactured home shall be located on the parcel not more than ninety (90) days after removal of the manufactured home to be replaced.~~

Sec. 22-16-9. Replacement of manufactured homes.

- (A) The owner of a valid nonconforming manufactured home not located in a manufactured home park may replace that home with a newer manufactured home, either single- or multi-section, that meets the current U.S. Department of Housing and Urban Development manufactured housing code.**
- (B) For the purposes of determining whether a use has been continuous, an existing manufactured home shall be considered a valid nonconforming manufactured home regardless of whether it has been occupied during the preceding two-year period. Any such replacement home shall retain the valid nonconforming status of the prior home.**

ARTICLE 17. GENERAL PROVISIONS

Sec. 22-17-15. ~~Special exception for placement of manufactured home~~ Manufactured home requirements.

~~The Zoning Administrator may approve placement of a manufactured home in the event that a residence is destroyed or made unlivable by fire, flood, wind, or other natural causes, provided that placement shall be for a period not longer than twelve (12) months from the date of occurrence of the event, and also provided that written approval is obtained from the respective property owners association, if any.~~

- (A) All manufactured homes shall be (i) converted to real property in accordance with Virginia Code § 46.2-653.1, (ii) constructed so that the certificate of occupancy is**

issued within five (5) years following the date of manufacture listed on the home's data plate, and (iii) placed on individual lots.

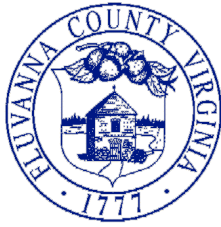
(B) All manufactured homes shall be built in compliance with the Virginia Manufactured Housing Construction and Safety Standards Law (Virginia Code § 36-85.2 et seq.).

(2) That the Ordinance shall be effective upon adoption.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB P

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Amendments to the Fluvanna County Code, repealing §§ 22-3-1 through 22-3-5.4 and 22-28-1 through 22-28-25, amending §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, and 22-22-1, and enacting §§ 22-28-1 through 22-28-23 to conform to the Code of Virginia updates regarding solar regulations and battery storage as required by HB891/SB443 and HB711/SB347.				
MOTION(s):	Finding that the proposed zoning ordinance amendment (is / is not) appropriate for the public necessity, convenience, and general welfare and (is / is not) good zoning practice, I move that the board of supervisors (approve / deny / defer) ZTA 26:18 – an ordinance to amend and reordain “the code of the county of Fluvanna, Virginia” by repealing §§ 22-3-1 through 22-3-5.4 and 22-28-1 through 22-28-25, amending §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, and 22-22-1, and enacting §§ 22-28-1 through 22-28-23 to conform to the code of Virginia updates regarding solar regulations and battery storage.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	The Planning Commission has recommended repeal of §§ 22-3-1 through 22-3-5.4 and 22-28-1 through 22-28-25, amendments to §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, and 22-22-1, and enactment of §§ 22-28-1 of the Fluvanna County Code.				
TIMING:	Routine				
DISCUSSION:	This recommended change is being presented pursuant to House Bill 891/Senate Bill 443 and HB 711/SB347 , which were passed by the Virginia General Assembly, approved on April 22, 2026 and became effective on July 1, 2026.				
FISCAL IMPACT:	None				
POLICY IMPACT:	The proposed amendments affect how battery energy storage can be regulated, and how ground-mounted solar energy generation facilities can be regulated. These changes are a result of changes to the Code of Virginia which took effect on July 1, 2026.				
LEGISLATIVE HISTORY:	The Planning Commission considered this proposed ZTA at its regular meeting July 7, 2026 and recommended approval by a vote of 5-0.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:18

District: Countywide Amendment

General Information: This public hearing is to be held on Tuesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Approval of an amendment to the Fluvanna County Code by repealing §§ 22-3-1 through 22-3-5.4 and 22-28-1 through 22-28-25, amending §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, and 22-22-1, and enacting §§ 22-28-1 through 22-28-23 to conform to the Code of Virginia updates regarding solar regulations and battery storage as required by HB891/SB443 and HB711/SB347.

Background Information: This recommended change is being presented pursuant to **House Bill 891/Senate Bill 443** and **HB 711/SB347**, which were passed by the Virginia General Assembly, approved on April 22, 2026 and became effective on July 1, 2026.

The proposed amendments deem battery energy storage projects as a permitted accessory use in all zoning districts on any parcel of land that is subject to an approved special use permit, for a commercial solar photovoltaic generation facility, if such battery energy storage project is located within the boundaries of the parcel covered by the existing special exception and complies with any applicable federal, state, and local safety or fire codes and environmental regulations. The proposed amendment does not preclude the developer of a battery energy storage project from negotiating a siting agreement with the host locality.

The proposed amendments also provide that a ground-mounted solar energy generation facility to be located on property zoned agricultural, commercial, industrial, or institutional shall be considered pursuant to various criteria to be included in a local ordinance, such as specifications for setbacks, fencing, solar panel height, visual impacts, grading, and a decommissioning plan for solar energy equipment and facilities. The County must furnish the State Corporation Commission with a record of special use permit decisions reached pursuant to these provisions that includes (i) the reason for any adverse decision, (ii) any finding of nonconformity with the local comprehensive plan, and (iii) the date of the last revision to the comprehensive plan. The amended provisions shall apply to any ground-mounted solar facility with a generating capacity of one megawatt or more for which an application for local approval is filed on or after July 1, 2026.

The Planning Commission held a public hearing on this ZTA at its meeting on July 7, 2026 and voted 5-0 to recommend approval.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY / DEFER) ZTA 26:18 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY REPEALING §§ 22-3-1 THROUGH 22-3-5.4 AND 22-28-1 THROUGH 22-28-25, AMENDING §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, AND 22-22-1, AND ENACTING §§ 22-28-1 THROUGH 22-28-23 TO CONFORM TO THE CODE OF VIRGINIA UPDATES REGARDING SOLAR REGULATIONS AND BATTERY STORAGE.

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY REPEALING §§ 22-3-1 THROUGH 22-3-5.4 AND 22-28-1 THROUGH 22-28-25 AND AMENDING §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, 22-22-1, AND ENACTING §§ 22-28-1 THROUGH 22-28-23 TO CONFORM TO THE CODE OF VIRGINIA UPDATES REGARDING SOLAR REGULATIONS AND BATTERY STORAGE AS REQUIRED BY HB891/SB443 AND HB711/SB347

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) *That the Code of the County of Fluvanna, Virginia is amended by repealing §§ 22-3-1 through 22-3-5.4 and 22-28-1 through 22-28-25 and amending §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, 22-22-1, and enacting §§ 22-28-1 through 22-28-23 as follows:*

CHAPTER 22 – ZONING

ARTICLE 3 – ~~SOLAR, GENERAL, DISTRICT S-1~~

~~Sec. 22-3-1. Statement of intent.~~

~~The purpose of this article is to outline the process and requirements for the construction, installation, operation and decommissioning of utility scale solar generation facilities and other uses in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding and minimizing adverse impacts to agricultural lands, endangered species habitats, conservation lands to include rivers and streams, lakes, ponds and other sensitive lands. This division is not intended to replace safety, health or environmental requirements contained in other applicable codes, standards, or ordinances. The provisions of this division shall not be deemed to nullify any provisions of local, state or federal law.~~

~~Sec. 22-3-2. Use regulations.~~

~~In Solar, General District S-1, the following uses, together with ordinary and necessary accessory uses, shall be permitted, and no others.~~

~~Sec. 22-3-2.1. Uses permitted by right.~~

~~The following uses shall be permitted by right:~~

~~Agricultural Uses~~

~~Agriculture~~

~~Conservation areas~~

~~Farm sales~~

~~Miscellaneous Uses~~

~~Accessory uses~~

~~Cemeteries, non-commercial~~

~~Greenhouses, non-commercial~~

Mobile food unit

Small scale solar generation facility

Utilities, minor

~~Sec. 22-3-2.2. Uses permitted by special use permit only.~~

The following uses shall be permitted by special use permit only:

Agricultural Uses

~~Agricultural enterprise~~

~~Agricultural sales, wholesale~~

~~Livestock feed lots, commercial~~

~~Livestock sales yards, commercial~~

Commercial Uses

~~Communications service~~

Industrial Uses

~~Minor scale solar generation facility~~

~~Telecommunication facilities~~

~~Utilities, major~~

~~Utility scale solar generation facility~~

~~Sec. 22-3-3. Sign regulations.~~

~~Sign regulations shall conform to Article 15 of this chapter.~~

~~Sec. 22-3-4. Height regulations.~~

~~Buildings and structures may be erected up to 35 feet in height, except that:~~

~~(A) Spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials may be erected to a height of 60 feet from grade. Parapet walls may be up to four feet above the height of the building on which the walls rest. Buildings and structures used for agricultural purposes, including barns, silos, windmills and the like, may be erected to a height of 90 feet from grade.~~

~~(B) No accessory building which is within 15 feet of any property lot line shall be more than one story high. All accessory buildings and structures, other than those permitted under subsection (A) above, shall be less than the main building or structure in height.~~

~~Sec. 22-3-5. Intensive livestock, dairy and poultry facilities; statement of intent.~~

~~This section (sections 22-3-5 through 22-3-5.4) encourages economic development, preserves farm land, and promotes the orderly and responsible growth of the livestock, dairy and~~

poultry industries. In the Solar (S-1) district, all agricultural production uses, including the uses defined herein as intensive livestock, dairy and poultry facilities, shall be permitted by right.

~~Sec. 22-3-5.1. Definitions.~~

For the purpose of sections 22-3-5 through 22-3-5.4, the following terms shall have the meaning indicated:

- ~~(1) Livestock includes all domestic or domesticated animals, including, but not limited to: cattle, sheep, lambs, hogs, goats, horses, poultry and furbearing animals.~~
- ~~(2) Intensive livestock, dairy or poultry facility means a livestock, dairy or poultry operation where, for a period of 45 consecutive days or more, 300 animal units are closely confined and not free-ranging, and are fed in the area of confinement. For the purpose of this article, 300 animal units shall be equivalent to any of the following, or any combination thereof where the animals are confined in one location:~~

~~Livestock: 300 slaughter or feeder cattle~~

~~Livestock: 750 swine each weighing over 55 pounds~~

~~Livestock: 150 horses~~

~~Livestock: 3,000 sheep, lambs, or goats~~

~~Livestock: 16,500 furbearing animals such as rabbits or chinchilla~~

~~Dairy: 200 mature dairy cows (whether milked or dry cows)~~

~~Poultry: 16,500 turkeys~~

~~Poultry: 30,000 laying hens or broilers~~

- ~~(3) Intensive livestock, dairy or poultry structure means a building, structure or other improved area used in the operation of an intensive livestock, dairy or poultry facility; including, but not limited to, litter storage sites, incinerators, manure storage sites, poultry houses, poultry disposal pits, or dead poultry cold storage chests. The term shall not include structures that are used only indirectly in the operation of the facility.~~
- ~~(4) Operator means any person who operates an intensive livestock, dairy or poultry facility, or the land on which it is located.~~
- ~~(5) Poultry means any domestic or domesticated fowl raised for meat or eggs; including, but not limited to, chickens and turkeys.~~
- ~~(6) Existing intensive livestock, dairy or poultry structure means an intensive livestock, dairy or poultry structure that has been in operation for one year within the five years immediately preceding the date on which a building or zoning permit is sought for a dwelling.~~

~~Sec. 22-3-5.2. Setbacks.~~

- ~~(1) Except as otherwise expressly provided in this section, each intensive livestock, dairy or poultry structure shall be set back 300 feet from any property line.~~

- ~~(2) Any dwelling not owned by the operator shall be set back 300 feet from any existing intensive livestock, dairy or poultry structure.~~
- ~~(3) Each intensive livestock, dairy or poultry structure shall be setback at least 200 feet from the right of way of any secondary road, and at least 300 feet from the right of way of any primary highway.~~
- ~~(4) Each intensive livestock, dairy or poultry structure shall be setback at least 1,000 feet from any incorporated town, public school, place of worship, public water intake from a stream or river and from the boundary of any adjacent residential district.~~

~~Sec. 22-3-5.3. Development plans to include plat or similar document.~~

- ~~(1) Any person who intends to establish or expand an intensive livestock, dairy or poultry facility shall file with the Zoning Administrator a development plan, including a plat, or similar document, that indicates the number, size and location of all intensive livestock, dairy or poultry structures planned for the subject parcel; and a written statement, sworn to and subscribed before a notary public, by which the owner certifies to the Zoning Administrator that the facility meets all applicable requirements. Where a proposed expansion would not substantially change the character of the facility or the intensity of the use, the Zoning Administrator may approve the expansion without requiring a development plan.~~
- ~~(2) If the plan meets the requirements of sections 22-3-5 through 22-3-5.4, the Zoning Administrator shall approve it within 30 days of receipt. If the plan does not meet the requirements of sections 22-3-5 through 22-3-5.4 of this chapter, the Zoning Administrator shall return it to the applicant within 30 days of receipt, together with a written description of the portion or portions of the plan that do not meet such requirements. Any plan not returned to the applicant within 30 days of receipt shall be deemed approved. As long as an approved plan is in effect, the applicant shall have the right to build structures and operate the facilities shown thereon, notwithstanding any dwelling or other feature located after the time of approval.~~
- ~~(3) The development plan shall remain in force only so long as the proposed structures are constructed in accordance with the development plan. At least one-third of the number of livestock or dairy animals indicated in the development plan, or one poultry structure, shall be placed in service within five years of the date on which the development plan is approved by the Zoning Administrator, unless at least one-third the livestock, or one poultry structure, was already in service at the time the plan was filed. In the event the operator fails to obtain building and zoning permits for any of the proposed structures, or fails to have in place the minimum number of livestock required above, within five years of the date on which the development plan is approved by the Zoning Administrator, the development plan shall expire.~~
- ~~(4) The operator shall notify the Zoning Administrator in writing within 30 days of placement into service of any structure indicated on his plan.~~
- ~~(5) Each parcel for which a development plan has been approved shall display at its entrance a sign no smaller than two square feet, and no larger than four square feet, clearly visible~~

from the nearest public road, indicating that a development plan is in effect for the parcel and containing the word "Certified Agricultural Development Site."

- (6) ~~Nothing herein shall be construed to prohibit an operator or a potential operator from submitting amendments to his or her original development plan, or from submitting revised plans. The Zoning Administrator shall review such amendments or revised plans as required in subsection (1) above according to the zoning ordinance in effect at the time the amendments or revised plans are received.~~

~~Sec. 22-3 5.4. Nutrient management plan.~~

~~After the effective date of this section, no intensive livestock, dairy or poultry facility for which the Commonwealth of Virginia requires a nutrient management plan shall commence operation until such plan has been approved by the Virginia Department of Conservation and Recreation, or by a person certified or employed by the Virginia Soil and Water Conservation Board or the Commonwealth as a nutrient management planner, in accordance with 4VAC50-85-10 et seq., "Nutrient Management Training and Certification Regulations."~~

~~If the nutrient management plan provides for off-site disposal of waste, the operator shall provide, as a part of the plan, written documentation of an agreement with the receiver of the waste produced at his facility, or affidavit, sworn and subscribed before a notary public, that states his intention to dispose of waste through sale in a retail establishment or otherwise marketing to consumers. Documentation shall specify the duration of the agreement and the nature of the application or use of the waste. A nutrient management plan containing such an agreement shall be valid only as long as the agreement remains in force and shall be reviewed whenever such agreement expires or is terminated. If such an agreement is terminated before its expiration date, the operator shall notify the Zoning Administrator within 15 days of termination.~~

ARTICLE 4 - AGRICULTURAL, GENERAL, DISTRICT A-1

Sec. 22-4-2.2. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Agricultural Uses

- Agricultural enterprise
- Agricultural sales, wholesale
- Livestock feed lots, commercial
- Livestock sales yards, commercial

Civic Uses

- Amusements, public
- Correctional facilities
- Cultural services
- Educational facilities

Public assembly
Public recreation assembly
Religious assembly
Sheltered care facilities

Commercial Uses

Adult retirement communities
Amusements, commercial
Assisted living facilities
Automobile repair service establishments
Bed and breakfasts
Boarding houses
Butcher shops
Campgrounds
Camps
Car washes
Cemeteries, commercial
Child day centers
Communications service
Dance halls
Daycare centers
Event facilities
Flea markets
Funeral homes
Garden center
Gas stations
Greenhouses, commercial
Hotels
Kennels, commercial
Landscaping materials supply
Lodges
Machinery sales and service
Medical clinics
Microbreweries

- Outdoor entertainment
- Outdoor recreation facilities
- Restaurants, small
- Retail stores, neighborhood convenience
- Retail stores, specialty
- Shooting ranges, indoor
- Shooting ranges, outdoor
- Small home industries
- Studios, fine arts
- Taxidermists
- Veterinary offices

Industrial Uses

- Railroad facilities
- Resource extraction
- Solid waste collection facilities

Miscellaneous Uses

- Aviation facilities
- ~~Minor scale solar generation facility~~
- Outdoor gatherings
- Solar photovoltaic projects**
- Telecommunication facilities
- Utilities, major

Residential Uses

- Dormitories

ARTICLE 9 - BUSINESS, GENERAL, DISTRICT B-1

Sec. 22-9-2.2. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Civic Uses

- Educational facilities
- Public assembly

Commercial Uses

Amusements, commercial
Dance halls
Entertainment establishments, adult
Halfway houses
Kennels, commercial
Landscaping materials supply
Laundromats
Lodges
Manufactured home sales
Outdoor entertainment
Outdoor recreation facilities
Retail stores, adult
Transportation terminals
Vehicle impound facilities

Industrial Uses

Contractor's storage yards
Lumberyards
Machine shops
Railroad facilities
Research laboratories

Miscellaneous Uses

Outdoor gatherings
~~Minor scale solar generation facility~~
Solar photovoltaic projects
Telecommunication facilities
Utilities, major
~~Utility scale solar generation facility~~

Residential Uses

Dormitories

ARTICLE 10 - BUSINESS, CONVENIENCE, DISTRICT B-C

Sec. 22-10-4. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Civic Uses

Educational facilities
 Religious assembly
 Sheltered care facilities

Commercial Uses

Amusements, commercial
 Auction houses
 Automobile repair service establishments
 Car washes
 Communications service
 Dance halls
 Guidance services
 Hotels
 Kennels, commercial
 Landscaping materials supply
 Laundromats
 Laundries
 Lodges
 Microbreweries
 Personal improvement services
 Professional schools
 Self-storage facilities
 Veterinary offices

Miscellaneous Uses

Outdoor gatherings
~~Minor scale solar generation facility~~
Solar photovoltaic projects
 Telecommunication facilities
 Utilities, major
~~Utility scale solar generation facility~~

Residential Uses

Dormitories

ARTICLE 11 - INDUSTRIAL, LIMITED, DISTRICT I-1

Sec. 22-11-2.2. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Commercial Uses

Amusements, commercial
Auction houses
Manufactured home sales
Outdoor entertainment
Outdoor recreation facilities
Restaurants, fast food
Shooting ranges, outdoor

Industrial Uses

Data centers
Manufacturing, medium
Sanitary landfills
Sawmills, permanent
Solid waste material recovery facilities
Truck terminals

Miscellaneous Uses

Aviation facilities
Outdoor gatherings
~~Minor scale solar generation facility~~
Solar photovoltaic projects
Telecommunication facilities
Utilities, major
~~Utility scale solar generation facility~~

INDUSTRIAL, LIMITED, DISTRICT I-2

Sec. 22-12-2.2. Uses permitted by special use permit.

The following uses shall be permitted by special use permit only:

Commercial Uses

Manufactured home sales
 Medical clinics
 Offices
 Shooting ranges, indoor
 Shooting ranges, outdoor

Industrial Uses

Data centers
 Manufacturing, heavy
 Petroleum distribution facilities
 Resource extraction
 Salvage and scrap yards
 Sanitary landfills
 Slaughterhouses
 Solid waste material recovery facilities

Miscellaneous Uses

Aviation facilities
~~Minor scale solar generation facility~~
Solar photovoltaic projects
 Telecommunication facilities
~~Utility scale solar generation facility~~

ARTICLE 22 - DEFINITIONS

Sec. 22-22-1. Rules of construction; definitions.

Agrivoltaics: The intentional co-location of agricultural production and solar energy generation on the same land that (i) is designed to prioritize and sustain agricultural productivity while simultaneously integrating renewable energy generation, (ii) allows the ongoing production and sale of marketable agricultural products throughout the solar array's life, (iii) is a part of a farm business that is consistent with commercial agricultural production, (iv) has provisions for decommissioning to protect the land's agricultural resources and productivity, (v) does not significantly displace farming activity, and (vi) ensures flexibility for farmers to adapt to market conditions and support operational needs.

Battery Energy Storage Project includes energy storage equipment and technology within an energy storage project that is capable of absorbing energy, storing such energy for a period of time, and redelivering such energy after it has been stored.

Solar generation facility, minor scale: An on-site solar energy conversion system producing less than two MW of electricity. Minor scale solar energy conversion systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may also include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.

Solar generation facility, small scale: An on-site solar energy conversion system producing **less than one (1) MW** not more than 15 kW of electricity. Small scale solar energy systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures. **Small scale solar generation facilities include rooftop solar facilities that supply electricity to the property upon which such facilities are located and ground-mounted solar facilities that (i) serve only the electricity needs on the property on which they are located or (ii) have a generating capacity of less than (1) MW and serve the electricity or thermal needs of any other property other than the property where such facility is located.**

Solar generation facility, utility scale: A solar energy conversion system producing two or more of electricity to a utility provider. Such facilities interconnect with an existing electrical grid serving other off-site facilities which are not adjacent or under common use, ownership or control.

Solar photovoltaic project: A ground-mounted solar facility with a generating capacity of one (1) MW or more that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facility is located.

ARTICLE 28. REGULATION OF UTILITY SCALE SOLAR GENERATION FACILITIES

Sec. 22-28-1. Statement of intent.

- (A) The purpose of this article is to establish general guidelines for the siting of utility scale solar generation facilities (USSGF).
- (B) The purpose and intent of this article is to promote the health, safety, and general welfare of the public, including, but not limited to, such instances as:
 - (1) Potential injury to people around USSGFs;
 - (2) Potential damage to property;
 - (3) Potential negative economic impacts on the heritage and scenic tourist industry.
- (C) The goals of this article are to:
 - (1) Minimize the impacts of USSGFs on surrounding land uses by establishing standards for location, structural integrity, and compatibility;

- ~~(2) Avoid potential injury to persons and properties from USSGF failure through structural standards and setback requirements;~~
- ~~(3) Preserve the scenic and visual character of the geographic area by encouraging the location, design and architectural treatment of USSGFs to avoid the disruption of the natural and built environment, and to ensure harmony and compatibility with surrounding land use patterns;~~
- ~~(4) Provide a uniform and comprehensive framework for evaluating proposals for USSGFs;~~
- ~~(5) Encourage developers of USSGFs to locate USSGFs, to the extent possible, in areas where the visual impact on the community is minimal;~~
- ~~(6) Encourage the location of new USSGFs near existing USSGFs thereby minimizing new visual, aesthetic, public safety impacts, and effects upon the natural environment and wildlife;~~
- ~~(7) Avoid the location of battery energy storage systems in the County;~~
- ~~(8) Establish predictable and balanced codes governing the construction and location of USSGFs, within the confines of permissible local regulations;~~
- ~~(9) Establish review procedures to ensure that applications for USSGFs are reviewed and acted upon within a reasonable period of time;~~
- ~~(10) Consideration of and compatibility with the goals and objectives of the County's Comprehensive Plan.~~

~~Sec. 22-28-2. Existing utility scale solar generation facilities~~

~~Utility scale solar generation facilities existing or permitted prior to the adoption of this article shall be subject to the provisions of Article 16, Nonconforming Uses of this chapter.~~

~~Sec. 22-28-3. Size of utility scale solar generation facilities~~

~~The maximum project area for any utility scale solar generation facility shall be no more than 500 acres.~~

~~Sec. 22-28-4. Reserved.~~

~~Sec. 22-28-5. Minimum setbacks for utility scale solar generation facilities.~~

~~The utility scale solar generation facility operational area which includes any buildings, structures, equipment, parking, and disturbed areas shall have the following minimum setbacks:~~

- ~~(A) 500 feet from dwellings on adjacent parcels;~~
- ~~(B) 375 feet from the adjacent property lines;~~
- ~~(C) 300 feet from all public rights of way;~~
- ~~(D) 500 feet from all entrance corridors which include Route 6, US 15, Route 53, and US 250.~~

- ~~(E) 1000-foot setback from the James River, Rivanna River, Hardware River and all lakes.~~
- ~~(F) 500-foot setback from ponds and perennial streams.~~

~~Sec. 22-28-6. Minimum buffers for utility scale solar generation facilities.~~

- ~~(A) Utility scale solar generation facilities (USSGF) must be screened from the ground-level view from adjacent properties and public roads by a vegetative buffer of at least 175 feet. The vegetative buffer must be located within the setbacks required under Section 22-28-5 and must be located around the entire perimeter of the property. Screening methods can include:

 - ~~(1) Existing screening: The USSGF may use existing forested buffer to satisfy the screening requirement. The existing forested buffer must be undisturbed and permanently protected as the designated buffer. If existing trees and vegetation are removed when dead or diseased, the vegetative buffer must be replaced in accordance with Section 22-28-6.~~
 - ~~(2) Vegetative screening: In the event existing screening is inadequate, screening must be provided which consists of a combination of evergreen and deciduous trees that are eight feet in height at time of planting. A triple staggered row of trees must be placed ten feet apart and on average at 15 feet on center. For the remainder of the vegetative screening, a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs and wildflowers shall be utilized.~~
 - ~~(3) Berms: Berms must be constructed with a 3:1 side slope to rise ratio, four to six feet above the adjacent grade, with a three-foot wide top with pollinator friendly native shrubs, trees, forbs and wildflowers. The outside edges of the berm should be sculpted with vertical and horizontal variations so there is not a uniform appearance.~~~~
- ~~(B) A performance bond reflecting the estimated costs of anticipated landscaping maintenance shall be posted prior to construction to ensure the vegetative buffer is adequately maintained for the life of the project. Once the landscaping has been successfully established, the surety amount may be reduced to the amount needed for maintenance. The surety will be fully released only after decommissioning is complete.~~

~~Sec. 22-28-7. Height regulation for utility scale solar generation facilities.~~

~~The maximum height for structures associated with the utility scale solar generation facility (USSGF) is 20 feet above the finished ground elevation. Ground-mounted systems shall not exceed 20 feet in height when oriented at maximum vertical tilt. The height limit does not apply to associated aerial electric lines, utility poles and/or substation equipment that may be constructed in association with the USSGF.~~

~~Sec. 22-28-8. Security fencing.~~

~~The utility scale solar generation facility project area must be enclosed by security fencing on the interior of the buffer area at a height of at least six feet. Fencing must be placed around sections of the project area to provide access corridors for wildlife. All fencing must be~~

constructed to allow for the movement of small wildlife species. All fencing shall include opaque screening.

~~Sec. 22-28-9. Lighting.~~

Outdoor lighting for the facility shall only be permitted for security and on-site maintenance. All outdoor lighting shall be fully shielded provided that these restrictions shall not apply to any outdoor lightning required by federal law. Lighting shall be dark sky compliant. The full site plan shall include a photometric plan that depicts the location, type, power and lightning levels of each permanent and semi-permanent fixture.

~~Sec. 22-28-10. Signage.~~

No signage shall be allowed on the fencing, structures or buildings in the project area for the utility scale solar generation facility (USSGF). One sign shall be allowed at each of the emergency access points which shall list the required warnings, the name of the USSGF, address, and relevant emergency contact information. Any signage required by state or federal law or regulation shall be exempt from this section.

~~Sec. 22-28-11. Emergency access.~~

The applicant shall provide emergency access in at least two separate access points. Such access points shall include unobstructed access utilizing fire lane signage. The access points shall also be designed with a 20 foot wide looping system inside of the security fence but outside of the panel area in order for emergency apparatus to proceed without the need to back up the emergency apparatus.

~~Sec. 22-28-12. Construction noise associated with utility scale solar generation facilities.~~

All construction activities may only occur between the hours of 7:00 a.m. and 6:00 p.m., Monday-Saturday and will be prohibited on Sundays. This restriction shall apply during construction of the facility, ongoing maintenance, replacement of equipment and decommissioning. This restriction shall not apply to emergency repairs.

~~Sec. 22-28-13. Wiring and transmission lines.~~

- ~~(A) Wiring shall be located underground except for wiring on a solar array or where necessary to directly connect to the public service corporation.~~
- ~~(B) All new distribution and transmission lines shall be located below ground except for lines solely subject to the State Corporation Commission jurisdiction or where necessary to connect to existing utility lines. New transmission lines are subject to plan of development review.~~
- ~~(C) Wires located on the poles of solar panels shall be placed in conduit.~~

~~Sec. 22-28-14. Wildlife corridors.~~

An application for a utility scale solar generation facility (USSGF) with a project area of greater than 50 acres must identify access corridors for wildlife to navigate through and across

~~the USSGF. The wildlife corridor must be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for movement of migratory animals and other wildlife.~~

~~Sec. 22-28-15. Glare from solar panels.~~

~~Solar panels shall be placed so as to prevent concentrated solar radiation, heat or glare being directed onto other properties or roads.~~

~~Sec. 22-28-16. Landscaping plan for utility scale solar generation facilities.~~

~~A preliminary landscaping plan shall be developed by a certified arborist or landscape architect, submitted with the application for the special use permit, and shall meet the following requirements:~~

~~(A) Utilizing existing forested buffer.~~

- ~~(1) Preservation of existing trees and shrubs within require buffers shall be maximized.~~
- ~~(2) The plan shall include a tree inventory indicating all trees that will be saved and that will be used for buffering.~~
- ~~(3) The existing forested buffer may be used if it is covered with at least 75 percent of naturally established vegetation.~~
- ~~(4) The existing plant material must be mature and in healthy condition.~~
- ~~(5) The existing plant material must consist of a mix of evergreen and deciduous trees which meet the following criteria:~~
 - ~~(a) Existing deciduous trees have a minimum four-inch caliper measured two feet above the ground.~~
 - ~~(b) Evergreen trees must be a minimum of ten feet in height.~~
 - ~~(c) Hardy shrubs must be a minimum of two feet in height.~~
 - ~~(d) There is an established understory of small trees and shrubs to provide significant buffering at the lower forested area.~~

~~(B) Improvements within buffer.~~

- ~~(1) Improvements within the vegetative buffer shall be limited to those required to provide access, utilities and drainage and shall be installed perpendicular to the buffer to reduce impacts to the buffer.~~

~~(C) Proposed vegetative buffer.~~

- ~~(1) The preliminary landscaping plan shall show all proposed plant species to be used for ground cover, screening and buffering.~~
- ~~(2) There is a preference for native and pollinator friendly plant species.~~
- ~~(3) The evergreens shown on the plan must have a mature height of at least 30 feet.~~
- ~~(4) The evergreens must have a minimum planting height of eight feet.~~

- (5) ~~Deciduous trees must have a minimum caliper of two inches measured six inches above final grade.~~

~~(D) Installation of landscaping.~~

- ~~(1) All landscaping shown on the approved plan shall be installed and in good condition prior to beginning production of power.~~
- ~~(2) All landscaping shall be planted between September 15 and June 30.~~

~~Sec. 22-28-17. Vegetation management plan for utility scale solar generation facilities.~~

- ~~(A) The applicant for a utility scale solar generation facility (USSGF) shall submit a preliminary proposed vegetation management plan at time of submittal of the application. The applicant for a USSGF shall submit a final proposed plan for ground cover within the fence lines of the project area for review and approval as part of the full site plan. The site plan shall include the following information:~~

- ~~(1) Describe the design and type of ground cover which will consist of native grasses and low growing species.~~
- ~~(2) The plan should include a description of how existing tree and vegetation cover will be removed or reused.~~
- ~~(3) Include a plan and schedule for managing the growth of the vegetation cover over the life of the facility.~~
- ~~(4) Provide a plan to prevent and control noxious weeds and invasive species.~~
- ~~(5) Identify the type and quantity of herbicides that will be used.~~
- ~~(6) Provide that only biodegradable soap and water can be used to clean the surface of the solar panels.~~

~~Sec. 22-28-18. Erosion and sediment control plan.~~

- ~~(A) An erosion and sediment control plan must be submitted to the County and approved by the Soil and Water Conservation District and the Virginia Department of Environmental Quality prior to any land disturbance.~~
- ~~(B) The erosion and sediment control plan shall be prepared in accordance with Chapter 6 of the County Code and the Virginia Erosion and Sediment Control Handbook.~~
- ~~(C) Permit holders shall provide evidence of any and all required state and/or federal permits prior to the issuance of a land disturbance permit.~~
- ~~(D) Prior to applicant's submission of the Erosion and Sediment Control Plan, the applicant will contact the County's erosion and sediment control reviewer to arrange a meeting on the Property with the applicant's engineer.~~
- ~~(E) The County may obtain an independent third party review of the Erosion and Sediment Control Plan at the expense of the applicant.~~
- ~~(F) The erosion and sediment control plan shall provide that no topsoil will be removed from the facility/site but instead will be used onsite to establish ground cover.~~

- ~~(G) The applicant shall include sufficient surety to guarantee that funding is available to implement and maintain all required erosion and sediment control measures.~~
- ~~(H) The County may require the applicant to provide for the funding of a third-party erosion and sediment control inspector during the period of construction. Any as needed third-party erosion and sediment control inspector, while paid for by the applicant, permit holders and/or any successor in interest, shall be selected and managed by the Planning Director, or his designee.~~
- ~~(I) In projects involving more than 100 acres of land disturbance, the following requirements will apply:

 - ~~(1) Incorporate a protocol developed in coordination with the Planning Director, or his designee, the Soil and Water Conservation District, and the Virginia Department of Environmental Quality that specifies the phased construction of designated units of land so that the total area of disturbed land at any one time is appropriately limited given the nature of the construction activities, the size of the Project, the topography and water resources of and in the project area, and the erosion and sediment controls to be employed.~~
 - ~~(2) The protocol will be designed to ensure that ground cover is expeditiously established, and appropriate site stabilization is achieved throughout construction.~~~~

~~Sec. 22-28-19. Construction on steep slopes.~~

- ~~(A) Solar panels shall not be installed on steep slopes of 20 percent or greater.~~
- ~~(B) Steep slopes of 20 percent or greater shall remain in their natural, undisturbed state to the maximum extent practicable, unless otherwise approved by the Planning Director.~~

~~Sec. 22-28-20. Historic resources, cultural and grave site impact analysis.~~

~~In accordance with the County's goals, an impact analysis for historic and cultural resources, including grave sites, shall be conducted and provided by the applicant to identify, preserve, and protect significant historic resources and to ensure respectful treatment of graves in accordance with applicable laws of the Commonwealth. The impact analysis shall identify graves and significant historic or cultural resources to be impacted, including, but not limited to, areas, districts, sites, structures and objects, locally designated as historic or culturally significant, or listed or determined eligible by the Department of Historic Resources' evaluation team for listing on the state and federal historic registers. If such resources are identified, the analysis shall include a proposed treatment plan to preserve, protect, and/or enhance these resources through avoidance, minimization or mitigation.~~

~~Sec. 22-28-21. Groundwater monitoring.~~

~~Groundwater monitoring must take place prior to the start of construction and upon completion of construction throughout the project area. After the utility scale solar generation facility begins operations, groundwater monitoring shall take place every five years and upon completion of decommissioning. Results from all groundwater monitoring shall be provided to the Planning Director.~~

~~Sec. 22-28-22. Emergency response plan.~~

- ~~(A) Prior to completion of construction, the owner or operator of the facility shall provide the Planning Director with an emergency management plan for the facility.~~
- ~~(B) The goal of this emergency response plan is to provide safety guidelines and procedures for potential emergency related incidents during all phases of the life of the facility (construction, operation, and decommissioning).~~
- ~~(C) The owner or operator of a facility must coordinate with the Fluvanna County Coordinated Fire and Rescue System to provide materials, education, and/or training on how to safely respond to on-site emergencies, and to develop, implement, periodically update, and perform exercises on an emergency response plan.~~
- ~~(D) Emergency personnel must be provided a knock box or code to access the property in case of an on-site emergency.~~
- ~~(E) Training shall be provided and updated (i) whenever significant modifications and/or repairs are made to the facility and (ii) at the request of the County Fire Chief.~~

~~Sec. 22-28-23. Special use permit application requirements.~~

- ~~(A) All special use permit applications for utility scale solar generation facilities must contain the following information:~~
 - ~~(1) *Project narrative.* A detailed narrative shall identify the following:~~
 - ~~a. The applicant, facility owner, site owner and operator;~~
 - ~~b. The description of the facility;~~
 - ~~c. Overview of the project and its location;~~
 - ~~d. Size of the site and project area;~~
 - ~~e. Current use and previous uses (ten years preceding application) of the site;~~
 - ~~f. Estimated time for construction, any phasing schedule, and proposed date for commencement of operations;~~
 - ~~g. Location of staging area;~~
 - ~~h. Planned maximum rated capacity of the facility;~~
 - ~~i. The approximate number, type, and footprint of solar equipment;~~
 - ~~j. Specifications for proposed equipment including materials, color, finish, country of origin and racking type;~~
 - ~~k. Information on ancillary facilities;~~
 - ~~l. How and where the electricity at the facility will be transmitted;~~
 - ~~m. General location of the proposed electrical grid interconnection; and~~
 - ~~n. All adverse partition sales shall be disclosed.~~

- 2) ~~Concept plan.~~ The concept plan must be prepared by a professional Virginia licensed engineer and shall identify the following:
- a. ~~Identification of subject parcels and property lines;~~
 - b. ~~Identification of required setbacks;~~
 - c. ~~Existing and proposed buildings and structures;~~
 - d. ~~Preliminary locations and heights of solar panels, ground equipment, ancillary equipment and other proposed structures;~~
 - e. ~~Location of proposed fencing, driveways, internal roads, parking and locations of points of ingress/egress;~~
 - f. ~~Location of proposed buffers and screening elements;~~
 - g. ~~Location of substations and electrical cabling from facility to substation;~~
 - h. ~~Location of fencing or other methods of ensuring public safety;~~
 - i. ~~Proposed lighting for the facility;~~
 - j. ~~Aerial imagery showing the proposed location and boundaries of the facility, fenced areas, ingress/egress and the closest distance to all adjacent property lines and buildings; and~~
 - k. ~~Additional information required by the Planning Director such as a scaled elevation view, photographs of the site, modeling of the project from sensitive locations, and additional information for a technical review of the facility.~~

~~Sec. 22-28-24. Review of utility scale solar generation facility.~~

- (A) ~~The County may engage independent third party consultants to review special use permit applications and associated documents for completeness and compliance with applicable County, state and federal laws. Any costs associated with the review shall be paid by the applicant.~~
- (B) ~~Applications for special use permits for utility scale solar generation facilities (USSGFs) are subject to comprehensive plan review under Virginia Code Section 15.2-2232.~~
- (C) ~~For all USSGFs, the applicant must enter into a siting agreement with the County pursuant to Virginia Code Title 15.2, Article 7.3.~~
- (D) ~~In issuing any special use permit for a USSGF, the Board of Supervisors may waive or modify any of the requirements of this article.~~
- (E) ~~The property will be subject to inspection by County officers and employees upon reasonable notice to the owner/operator of the USSGF.~~

~~Sec. 22-28-25. Decommissioning.~~

- (A) ~~Decommissioning plan.~~ A draft decommissioning and reclamation plan shall be submitted and approved before issuance of the zoning permit, and the plan must be certified by an independent engineer with a Virginia professional engineering license selected by the County but paid for by the applicant, and such plan shall contain the following information:

- (1) ~~Contact information for the party identified as primarily responsible for decommissioning;~~
 - a. ~~Anticipated life of project;~~
 - b. ~~Estimated decommissioning cost in current dollars;~~
 - c. ~~How the cost is determined;~~
 - d. ~~Method of ensuring funds will be available for decommissioning and restoration;~~
 - e. ~~Estimation method to keep decommissioning cost current;~~
 - f. ~~Manner in which facility will be decommissioned and the site restored; and~~
 - g. ~~Plan should include statement of disposal or recycling destination for solar panels.~~
- (2) ~~Decommissioning plans shall be updated every five years.~~

~~(B) Decommissioning and reclamation.~~

- (1) ~~Solar facilities that have reached the end of their useful life or have not been in active and continuous service for a period of six months must be removed at the owner's or operator's expense in accordance with this section and all other applicable local, state and federal laws and regulations. However, the County may extend this period upon a showing that a longer repair period is needed or where evidence is provided that the failure to utilize the facility is beyond the reasonable control of the owner or operator.~~
- (2) ~~The owner or operator must notify the Planning Director by certified mail of the proposed date of discontinued operations and plans for removal.~~
- (3) ~~The decommissioning must be performed in compliance with the approved decommissioning plan. The Planning Director must approve any amendments to the decommissioning plan.~~
- (4) ~~The decommissioning shall be completed within 12 months of the date the owner or operator sends notice to the Planning Director.~~
- (5) ~~Decommissioning must include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any associated facilities.~~
- (6) ~~Components of the facility removed from the site shall be handled and disposed of in compliance with applicable local, state, and federal law and regulations.~~
- (7) ~~In no event shall any hardware, parts, structures, components or other portions of the facility be disposed of in a convenience center or transfer station in the County.~~
- (8) ~~All solar panels shall be disposed of in a certified recycling center for solar panels.~~
- (9) ~~After removal of all facilities, the ground upon which the facilities were located must be tillable and suitable for agricultural uses. Trenches, boring and excavations shall be filled and compacted. The soil shall be stabilized to a depth of three feet, and the site must be graded and reseeded.~~
- (10) ~~Any exception to site restoration must be approved by the Planning Director.~~
- (11) ~~Hazardous material must be disposed of in accordance with federal and state law.~~

~~(C) Decommissioning surety.~~

- ~~(1) A surety agreement and attendant financial or bond instrument and guarantee for decommissioning, in a form acceptable to the County Attorney, and in amount as determined sufficient by the Board of Supervisors shall be submitted before a building permit or land-disturbing permit is issued for the utility-scale solar generation facility. Any such surety shall include an automatic adjustment for inflation or as necessary based upon a decommissioning plan update.~~
- ~~(2) Options for surety include cash-escrow, performance surety bond, certified check, irrevocable letter of credit or other security acceptable to the County.~~
- ~~(3) The surety agreement must prohibit the release of the surety without the written consent of the County. The County will consent to the release of the surety upon the owner's or operator's compliance with the approved decommission plan.~~
- ~~(4) The amount of funds required to be guaranteed by the surety must be the full amount of the estimated decommissioning costs without regard to possible salvage value.~~
- ~~(5) An independent professional engineer, selected by the County and paid for by the permit holder, must recalculate the estimated cost of decommissioning every three years, and the amount of the surety shall be updated accordingly.~~
- ~~(6) If the owner or operator fails to remove the installation in accordance with the requirements or within the permitted time, the County may collect the surety and the County or its agent may enter the property to perform any work necessary to complete the decommissioning.~~
- ~~(7) If the decommissioning surety and salvage recompense is insufficient, the County shall have the right to recover such costs from the owner or operator to include legal fees and expenses.~~

~~(D) Damaged or unusable panels.~~

- ~~(1) Damaged or unusable panels or arrays shall be removed from the site within 60 days of removal from service.~~
- ~~(2) In no event shall any damaged or unusable panels or arrays be disposed of in a convenience center or transfer station in the County.~~
- ~~(3) All damaged or unusable solar panels shall be disposed of in a certified recycling center for solar panels.~~

ARTICLE 28. REGULATION OF SOLAR FACILITIES AND BATTERY STORAGE FACILITIES

Sec. 22-28-1. Statement of intent.

- (A) The purpose of this article is to establish general guidelines for the regulation of solar facilities within the County.**
- (B) The purpose and intent of this article is to promote the health, safety, and general welfare of the public, including, but not limited to, such instances as:**
 - (1) Potential injury to people around solar facilities;**

(2) Potential damage to property;

(3) Potential negative economic impacts on the heritage and scenic tourist industry.

(C) The goals of this article are to:

(1) Minimize the impacts of solar facilities on surrounding land uses by establishing standards for location, structural integrity, and compatibility;

(2) Avoid potential injury to persons and properties from solar facility failure through structural standards and setback requirements;

(3) Preserve the scenic and visual character of the geographic area by encouraging the location, design and architectural treatment of solar facilities to avoid the disruption of the natural and built environment, and to ensure harmony and compatibility with surrounding land use patterns;

(4) Provide a uniform and comprehensive framework for evaluating proposals for solar facilities;

(5) Encourage developers of solar facilities to locate solar facilities, to the extent possible, in areas where the visual impact on the community is minimal;

(6) Encourage the location of new solar facilities near existing solar facilities thereby minimizing new visual, aesthetic, public safety impacts, and effects upon the natural environment and wildlife;

(7) Establish predictable and balanced codes governing the construction and location of solar facilities, within the confines of permissible local regulations;

(9) Establish review procedures to ensure that applications for solar facilities are reviewed and acted upon within a reasonable period of time;

(10) Consideration of and compatibility with the goals and objectives of the County's Comprehensive Plan.

Sec. 22-28-2. Existing solar facilities.

Solar facilities existing or permitted prior to the adoption of this article shall be subject to the provisions of Article 16, Nonconforming Uses of this chapter.

Sec. 22-28-3. Rooftop solar facilities.

(A) An owner of a residential dwelling unit may install a solar facility on the roof of such dwelling to serve the electricity or thermal needs of that dwelling, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any County historic, architectural preservation, or corridor protection district adopted pursuant to Virginia Code § 15.2-2306 where such property is located.

(B) An owner of real property zoned agricultural may install a solar facility on the roof of a residential dwelling on such property, or on the roof of another building or structure on such property, to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any

height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any County historic, architectural preservation, or corridor protection district adopted pursuant to Virginia Code § 15.2-2306 where such property is located.

- (C) An owner of real property zoned commercial, industrial, or institutional may install a solar facility on the roof of one or more buildings located on such property to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any County historic, architectural preservation, or corridor protection district adopted pursuant to Virginia Code § 15.2-2306 where such property is located.

Sec. 22-28-4. Ground-mounted solar facilities.

- (A) A ground-mounted solar energy generation facility to be located on property zoned agricultural and to be operated under Virginia Code §§ 56-594 or 56-594.2 shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to Virginia Code § 15.2-2306 where such property is located.
- (B) A ground-mounted solar energy generation facility to be located on property zoned commercial or industrial shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to Virginia Code § 15.2-2306 where such property is located.
- (C) Any ground-mounted solar energy generation facility that is a Solar Photovoltaic Project that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located shall be subject to the special use permit requirements contained in this article.

Sec. 22-28-5. Minimum Setbacks for Solar Photovoltaic Projects

- (A) Setback distances shall be measured from the nearest edge of the equipment as follows:
- (1) 200 feet from the nearest point on the outer wall of existing occupied community buildings and dwellings on nonparticipating properties;
 - (2) 100 feet from the outside edge of the roadbed of any road abutting the property;
 - (3) For projects not greater than twenty-five (25) megawatts, fifty (50) feet from the edge, and for projects greater than twenty-five (25) megawatts, 100 feet from the edge, of tidal wetlands or nontidal wetlands, as defined in 9VAC25-830, or from the top of bank of perennial streams, as defined in Virginia Code § 62.1-44.122; and

- (4) Seventy-five (75) feet measured from the nearest shared property line for nonparticipating properties.
- (B) Nothing in this section shall preclude the owner of a nonparticipating property from waiving the foregoing setback requirements by written agreement.
- (C) Setbacks shall not be required for internal boundaries between adjacent participating parcels.
- (D) For purposes of clause (A)(iii), “equipment” is limited to solar panels, racking equipment, and inverters.

Sec. 22-28-6. Minimum Vegetative Screening for Solar Photovoltaic Projects

- (A) Vegetative screening from adjacent properties and public roads shall be fifty (50) feet wide and shall be located around the entire perimeter of the property.
- (B) Existing screening: The Solar Photovoltaic Project may use existing forested buffer to satisfy the screening requirement. The existing forested buffer must be undisturbed and permanently protected as the designated buffer. If existing trees and vegetation are removed when dead or diseased, the vegetative buffer must be replaced in accordance with this section.
- (C) Vegetative screening: In the event existing screening is inadequate, screening must be provided which consists of a combination of evergreen and deciduous trees that are three feet in height at time of planting. A triple staggered row of trees must be placed ten (10) feet apart and on average at fifteen (15) feet on center. For the remainder of the vegetative screening, a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs and wildflowers shall be utilized.
- (D) A performance bond reflecting the estimated costs of anticipated landscaping maintenance shall be posted prior to construction to ensure the vegetative screening is adequately maintained for the life of the project. Once the landscaping has been successfully established, the surety amount may be reduced to the amount needed for maintenance. The surety will be fully released only after decommissioning is complete.

Sec. 22-28-7. Height for Solar Photovoltaic Projects.

The height of solar panels shall not exceed twenty-five (25) feet above ground when the arrays are at full tilt, except in cases where a height variance is obtained to allow for Agrivoltaics activity below or in proximity to the panels.

Sec. 22-28-8. Fencing for Solar Photovoltaic Projects.

Fencing for the facility shall comply with Virginia Code § 55.1-2804, the latest version of the National Electrical Safety Code or any applicable successor standard regarding requirements for limiting access to facilities, and the Uniform Statewide Building Code (Virginia Code § 36-97 *et seq.*). Vegetative visual screening requirements shall not be required to exceed three (3) feet at planting, shall be between twenty-five (25) and fifty (50) feet wide, and shall allow for consideration of preexisting natural or manmade visual barriers.

Sec. 22-28-9. Lighting for Solar Photovoltaic Projects.

Solar Photovoltaic Projects shall implement light intensity dimming solution technology that provides a means of tailoring the intensity level of lights according to surrounding visibility.

Sec. 22-28-10. Wildlife Access for Solar Photovoltaic Projects

Solar Photovoltaic Projects shall provide for wildlife passage where needed by limiting fencing to the areas in reasonable proximity to arrays and interconnection equipment to the extent practicable and consistent with safety and security requirements. Solar Photovoltaic Projects shall prioritize open wildlife access to riparian areas, wetlands, streams, and other areas not in proximity to panels.

Sec. 22-28-11. Land disturbance.

- (A) **Land disturbance, including site grading, construction, and landscaping, shall be conducted in compliance with a stormwater pollution prevention plan.**
- (B) **Topsoil shall not be removed from the project site. Topsoil shall be returned to disturbed areas from stockpiles as quickly as site conditions allow, unless returning soil would cause adverse impacts to topsoil integrity or is otherwise not practicable for construction activities.**
- (C) **Site stabilization shall occur as the site is developed, following appropriate stabilization timelines as identified in the General VPDES Permit for Discharges of Stormwater from Construction Activities, and shall not be delayed until site construction is completed. The facility shall decompact soil as necessary and feasible for re-vegetation after construction has concluded.**

Sec. 22-28-12. Post-land disturbance vegetation.

- (A) **When all land-disturbing activities at the construction site have been completed, the facility shall initiate permanent stabilization to provide vegetative ground cover that provides a minimum level of coverage over the project site of seventy-five (75) percent vegetative cover with no significant bare areas that is mature enough to survive and will inhibit erosion.**
- (B) **The use of native and naturalized plants shall be encouraged and invasive plants as established pursuant to Virginia Code § 10.1-104.6:2 shall be prohibited.**
- (C) **For projects or portions of projects not used for animal grazing, co-located crop production, native and naturalized pollinator plant species, or native and naturalized meadow species shall be planted, except for in the area directly beneath panels, and maintained throughout the solar project's life. The seed mix shall include a diversity of species with varied bloom times.**
- (D) **Mowing shall be limited and performed on a schedule that promotes the establishment of the native plantings, controls invasive species, and minimizes impacts to wildlife.**

- (E) All trees and shrubs at the time of planting shall accommodate adequate screening or buffering at the end of five years of planting. Vegetation used to establish a visual screen shall not be trimmed to stunt upward and outward growth or to otherwise limit the effectiveness of the visual screen.

Sec. 22-28-13. Stormwater regulations for Solar Photovoltaic Projects.

Solar Photovoltaic Projects shall comply with all Virginia Department of Environmental Quality stormwater regulations as established in 9VAC25-880.

Sec. 22-28-14. Impervious surface regulation.

Solar Photovoltaic Projects shall minimize new impervious surface on the site and under its solar panels.

Sec. 22-28-15. Visual impacts of Solar Photovoltaic Projects.

- (A) Visual impacts of Solar Photovoltaic Projects on public parks, scenic rivers and byways, and historic structures or sites listed on or eligible for the National Register of Historic Places shall be minimized.
- (B) A viewshed analysis is required as part of the special use permit application to assure that visual impacts are minimized through solar panel placement, height, landscaping, and screening. Such analysis shall account for existing vegetation and planned visual buffers. Such screening may be accomplished on any property with the consent of the property owner.

Sec. 22-28-16. Labor and employment.

The facility shall comply with all applicable state and federal labor and employment laws, including apprenticeships and labor standards necessary to achieve any available tax credit bonuses found in 26 U.S.C. §§ 45Y and 48E.

Sec. 22-28-17. Dedication of Real property and cash payments for Solar Photovoltaic Projects.

- (A) For Solar Photovoltaic Projects, the County may grant a condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a special use permit, so long as such conditions are reasonably related to the project.
- (B) Once a condition is granted pursuant to subsection (A), such condition shall continue in effect until a subsequent amendment changes the zoning on the property for which the conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Sec. 22-28-18. Solar panel disposal.

- (A) **Any property owner or an applicant for a permit pursuant to the Uniform Statewide Building Code (Virginia Code § 36-97 *et seq.*) who removes solar panels shall dispose of such panels in a certified recycling center for solar panels.**
- (B) **Damaged or unusable panels or arrays shall be removed from the site within sixty (60) days of removal from service.**
- (C) **In no event shall any damaged or unusable panels or arrays be disposed of in a certified recycling center in the County.**

Sec. 22-28-19. Decommissioning of Solar Photovoltaic Projects.

- (A) **An owner, lessee, or developer of real property subject to this section shall enter into a written agreement to decommission solar energy equipment, facilities, or devices upon the following terms and conditions:**
 - (1) **If the party that enters into such written agreement with the County defaults in the obligation to decommission such equipment, facilities, or devices in the timeframe set out in such agreement, the County has the right to enter the real property of the record title owner of such property without further consent of such owner and to engage in decommissioning.**
- (B) **Decommissioning plan. A draft decommissioning and reclamation plan shall be submitted and approved before issuance of the zoning permit, and the plan must be certified by an independent engineer with a Virginia professional engineering license selected by the County but paid for by the applicant, and such plan shall contain the following information:**
 - (1) **Contact information for the party identified as primarily responsible for decommissioning;**
 - (2) **Anticipated life of project;**
 - (3) **Estimated decommissioning cost in current dollars;**
 - (4) **How the cost is determined;**
 - (5) **Method of ensuring funds will be available for decommissioning and restoration;**
 - (6) **Estimation method to keep decommissioning cost current;**
 - (7) **Manner in which facility will be decommissioned and the site restored; and**
 - (8) **Plan should include statement of disposal or recycling destination for solar panels.**
- (C) **Decommissioning and reclamation.**
 - (1) **Solar facilities that have reached the end of their useful life or have not been in active and continuous service for a period of six months must be removed at the owner's or operator's expense in accordance with this section and all other applicable local, state and federal laws and regulations. However, the County may**

extend this period upon a showing that a longer repair period is needed or where evidence is provided that the failure to utilize the facility is beyond the reasonable control of the owner or operator.

- (2) The owner or operator must notify the Planning Director by certified mail of the proposed date of discontinued operations and plans for removal.
 - (3) The decommissioning must be performed in compliance with the approved decommissioning plan. The Planning Director must approve any amendments to the decommissioning plan.
 - (4) The decommissioning shall be completed within twelve (12) months of the date the owner or operator sends notice to the Planning Director.
 - (5) Decommissioning must include removal of all electric systems, buildings, cabling, electrical components, security barriers, roads, foundations, pilings, and any associated facilities.
 - (6) Components of the facility removed from the site shall be handled and disposed of in compliance with applicable local, state, and federal law and regulations.
 - (7) In no event shall any hardware, parts, structures, components or other portions of the facility be disposed of in a convenience center or transfer station in the County.
 - (8) All solar panels shall be disposed of in a certified recycling center for solar panels.
 - (9) After removal of all facilities, the ground upon which the facilities were located must be tillable and suitable for agricultural uses. Trenches, boring and excavations shall be filled and compacted. The soil shall be stabilized to a depth of three feet, and the site must be graded and reseeded.
 - (10) Any exception to site restoration must be approved by the Planning Director.
 - (11) Hazardous material must be disposed of in accordance with federal and state law.
- (D) Decommissioning surety.

- (1) Such owner, lessee, or developer shall provide financial assurance of such performance to the County in the form of certified funds, cash escrow, bond, letter of credit, or parent guarantee, based upon an estimate of a professional engineer licensed in the Commonwealth, who is engaged by the applicant, with experience in preparing decommissioning estimates and approved by the County; such estimate shall not exceed the total of the projected cost of decommissioning, which may include the net salvage value of such equipment, facilities, or devices, plus a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor.
- (2) A surety agreement and attendant financial or bond instrument and guarantee for decommissioning, in a form acceptable to the County Attorney, shall be submitted before a building permit or land disturbing permit is issued for the Solar Photovoltaic Project. Any such surety shall include an automatic

- adjustment for inflation or as necessary based upon a decommissioning plan update.
- (3) The surety agreement must prohibit the release of the surety without the written consent of the County. The County will consent to the release of the surety upon the owner's or operator's compliance with the approved decommission plan.
 - (4) If the owner or operator fails to remove the installation in accordance with the requirements or within the permitted time, the County may collect the surety and the County or its agent may enter the property to perform any work necessary to complete the decommissioning.
 - (5) If the decommissioning surety and salvage recompense is insufficient, the County shall have the right to recover such costs from the owner or operator to include legal fees and expenses.
 - (E) The owner, lessee, or operator shall hire a professional engineer licensed in the Commonwealth to update the decommissioning plan cost estimate and corresponding approved financial instrument every five (5) years after the approval of the first decommissioning plan to adjust for inflation, account for advancements in technologies and processes for decommissioning, salvaging, or re-powering of renewable energy facilities, and make any other necessary changes. The decommissioning plan shall provide for the removal of the facility's equipment from the landowner's property and return of the property to a useful condition similar to the preconstruction condition unless otherwise agreed to by the landowner. After the decommissioning process is complete, the facility shall comply with all stormwater provisions in state law. The project shall provide an up-to-date decommissioning plan to the County any time there is project ownership outside of the current developer. Notice shall be provided to the County within thirty (30) days of the sale or transfer of the lease or property, and a new financial guarantee shall be provided by the new leaseholder or property owner.

Sec. 22-28-20. Review of Solar Photovoltaic Projects.

- (A) The County may engage independent third-party consultants and experts to review special use permit applications and associated documents for completeness and compliance with applicable County, state and federal laws.
- (B) In the issuance of a special use permit, a variance from these ordinance criteria may be implemented only with a written agreement of the County, the property owner or their agent, and the applicant.
- (C) Solar Photovoltaic Projects are subject to comprehensive plan review under Virginia Code Section 15.2-2232.

Sec. 22-28-21. Reporting to State Corporation Commission.

The County shall furnish the State Corporation Commission a record of Solar Photovoltaic Project special use permit decisions reached pursuant to this section not more than sixty (60) days after such decision is made. The record shall include (i) the reason for any

adverse decision, (ii) any finding of nonconformity with the local comprehensive plan, and (iii) the date of the last revision to the comprehensive plan.

Sec. 22-28-22. Private agreements.

Nothing in this section shall be construed to supersede or limit contracts or agreements between or among individuals or private entities related to the use of real property, including recorded declarations and covenants, the provisions of condominium instruments of a condominium created pursuant to the Virginia Condominium Act (Virginia Code § 55.1-1900 et seq.), the declaration of a common interest community as defined in Virginia Code § 54.1-2345, the cooperative instruments of a cooperative created pursuant to the Virginia Real Estate Cooperative Act (Virginia Code § 55.1-2100 et seq.), or any declaration of a property owners' association created pursuant to the Property Owners' Association Act (Virginia Code § 55.1-1800 et seq.).

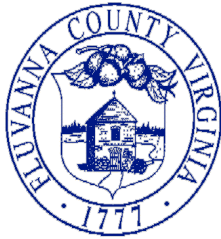
Sec. 22-28-23. Battery energy storage projects.

- (A) A battery energy storage project shall be deemed as a permitted accessory use in all zoning districts on any parcel of land that is subject to an approved special use permit for a solar facility if the battery energy storage project is located within the boundaries of the parcel covered by the existing special use permit and has a rated storage capacity that does not exceed 100 percent of the nameplate generating capacity of the associated solar facility.
- (B) Such battery energy storage project shall not require a special use permit or any other County land use approval. The addition of the battery energy storage project pursuant to this section shall not alter, reduce, or otherwise affect any (i) payment obligations, financial commitments, or other terms contained in the existing special use permit associated with the siting agreement for the approved solar facility or (ii) state and local tax exemption from which the approved solar facility benefits. Nothing in this subdivision shall be construed to affect or alter the state and local tax provisions under Virginia Code § 58.1-3660.
- (C) A battery energy storage project shall comply with all applicable federal, state, and County safety or fire codes and environmental regulations.
- (D) Any payment obligations, financial commitments, or other terms contained in the special use permit or any associated siting agreement for the approved solar facility shall relate and apply only to the approved solar facility and shall not affect any battery energy storage project added pursuant to this section.
- (E) Nothing in this section shall be construed to (i) limit the authority of the County to enforce compliance with applicable codes or to ensure the safe operation of the battery energy storage project or (ii) preclude a developer or the County from negotiating a siting agreement for a battery energy storage project.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB Q

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	ZTA 26:21 – Amendments to the Fluvanna County Zoning Ordinance, amending §§ 22-10-4 and 22-22-1 to add teen center as a use allowed by SUP only in the B-C, Business, Convenience district, and to add a definition for “Teen Center”				
MOTION(s):	Finding that the proposed zoning ordinance amendments (are/ are not) appropriate for the public necessity, convenience and general welfare and (are/ are not) good zoning practice, I move that the board of supervisors (approve / deny) ZTA 26:21 – an ordinance to amend and reordain “the code of the county of Fluvanna, Virginia” by amending §§ 22-10-4 and 22-22-1 to add teen centers as a use allowed by sup only in properties zoned b-c, business, convenience and to add a definition for teen centers.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	Planning Commission recommended approval 5-0.				
TIMING:	Routine				
DISCUSSION:	This ZTA was requested by the applicant to allow for the operation of a teen center on the parcel identified as Tax Map 18B-5-4.				
FISCAL IMPACT:	None				
POLICY IMPACT:	This change, if approved, would allow teen centers as a use in the B-C, Business, Convenience district with a Special Use Permit.				
LEGISLATIVE HISTORY:	This proposed Zoning Text Amendment was presented to the Planning Commission for review on July 7, 2026. The Commission, by a vote of 5-0, recommended approval of the proposed amendment.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Jason Overstreet, Senior Planner

Case Number: ZTA 26:21

District: Countywide Amendment

General Information: This public hearing is to be held on Wednesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Approval of an amendment to the Fluvanna County Code by amending §§ 22-10-4 and 22-22-1 to add Teen Centers as a use allowed by SUP only in properties zoned B-C, Business, Convenience, and to add a definition for "Teen Center."

Applicant: Tiffany Smith

Background Information:

This change has been requested by the applicant to allow for the placement of a teen center on the parcel identified as Tax Map 18B-5-4. The parcel is zoned B-C, Business, Convenience. The County Code currently does not define the proposed use or allow it in any of the County's zoning districts. This proposed change would define the use and allow for the applicant to open a teen center on the subject parcel with an approved SUP.

At its regular meeting on July 7, 2026, the Planning Commission considered this proposed ZTA and recommended approval by a vote of 5-0.

Proposed Definition:

Sec. 22-22-1. Rules of construction; definitions.

Teen Center: A privately-operated facility that provides a dedicated supervised space for recreational, educational, and/or social activities to two (2) or more teenagers aged 17 and under outside of school hours.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY) ZTA 26:21 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-10-4 AND 22-22-1 TO ADD TEEN CENTERS AS A USE ALLOWED BY SUP ONLY IN PROPERTIES ZONED B-C, BUSINESS, CONVENIENCE AND TO ADD A DEFINITION FOR TEEN CENTERS.

Sec. 22-10-4. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Civic Uses

- Educational facilities
- Religious assembly
- Sheltered care facilities

Commercial Uses

- Amusements, commercial
- Auction houses
- Automobile repair service establishments
- Car washes
- Communications service
- Dance halls
- Guidance services
- Hotels
- Kennels, commercial
- Landscaping materials supply
- Laundromats
- Laundries
- Lodges
- Microbreweries
- Personal improvement services
- Professional schools
- Teen centers**
- Self-storage facilities
- Veterinary offices

Miscellaneous Uses

- Outdoor gatherings
- Minor scale solar generation facility
- Telecommunication facilities
- Utilities, major

Utility scale solar generation facility

Residential Uses

Dormitories

Sec. 22-22-1. Rules of construction; definitions.

Teen Center: A privately-operated facility that provides a dedicated supervised space for recreational, educational, and/or social activities to two (2) or more teenagers aged 17 and under outside of school hours.



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
**Application for
Zoning Text Amendment**

Owner of Record: Montague Miller Applicant of Record: Tiffany Smith

E911 Address: 500 Westfield Rd Charlottesville E911 Address: 3739 Lake Monticello Rd

Phone: [REDACTED] x: [REDACTED] Phone: [REDACTED] Fax: [REDACTED]

Email: [REDACTED] Email: [REDACTED]

Representative: Percy Montague

E911 Address: Same

Phone: Same Fax: Same

Email: Same

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

Proposed amendment to the Zoning Ordinance: (attach additional sheets as necessary)

If the amendment proposes to replace existing text, please provide a full copy of the existing text for the affected section.

Location of Parcel: Lake Monticello Rd Section: 18B-5-4
Section 5

Proposed Text:

Attached documents

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, the Board of Supervisors, and the Board of Zoning Appeals during the normal discharge of their duties in regard to this request.

Date: 5/22/26 Signature of Owner/Applicant: Tiffany Smith

Subscribed and sworn to before me this 20th day of May, 2026 Register # 366712

My commission expires: 1/31/2028 Notary Public: [Signature]



OFFICE USE ONLY		
Date Received: <u>5/22/26</u>	Pre-Application Meeting:	Application #: <u>ZTA 26 :0021</u>
\$550 fee paid: <u>5/22/26</u>		
Public Hearings		
Planning Commission	Board of Supervisors	
Advertisement Dates:	Advertisement Dates:	
APO Notification:	APO Notification:	
Date of Hearing:	Date of Hearing:	
Decision:	Decision:	

Fluvanna County Department of Planning & Community Development * Box 540 * Palmyra, VA 22963 * (434)591-1910 * Fax (434)591-1911

This form is available on the Fluvanna County website: www.fluvannacounty.org

Form Updated June 21, 2017

Sec. 22-10-4. Uses permitted by special use permit only.

The following uses shall be permitted by special use permit only:

Civic Uses

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 Religious assembly
 Sheltered care facilities

Commercial Uses

Amusements, commercial
 Auction houses
 Automobile repair service establishments
 Car washes
 Communications service
 Dance halls
 Guidance services
 Hotels
 Kennels, commercial
 Landscaping materials supply
 Laundromats
 Laundries
 Lodges
 Microbreweries
 Personal improvement services
 Professional schools
Teen centers
 Self-storage facilities
 Veterinary offices

Miscellaneous Uses

Outdoor gatherings
 Minor scale solar generation facility
 Telecommunication facilities
 Utilities, major

Utility scale solar generation facility

Residential Uses

Dormitories

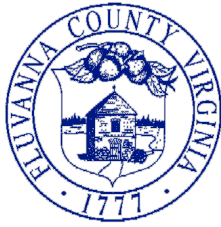
Sec. 22-22-1. Rules of construction; definitions.

Teen Center: A privately-operated facility that provides a dedicated supervised space for recreational, educational, and/or social activities to two (2) or more teenagers aged 17 and under outside of school hours.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB R

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	ZTA 26:22 – Amendments to the Fluvanna County Zoning Ordinance, by amending §§ 22-7-8 and 22-7-11 and by enacting §§ 22-7-13 through 22-7-19 to define and regulate Residential Planned Community district requirements.				
MOTION(s):	Finding that the proposed zoning ordinance amendments (are/ are not) appropriate for the public necessity, convenience and general welfare and (are/ are not) good zoning practice, I move that the board of supervisors (approve / deny) ZTA 26:22 – an ordinance to amend the code of the county of Fluvanna, Virginia by amending §§ 22-7-8, 22-7-11 and enacting §§ 22-7-13 through 22-7-19 to define and regulate residential planned community requirements.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
			X		
STAFF CONTACT(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
PRESENTER(S):	Dan Whitten, County Attorney; Todd Fortune, Director of Planning				
RECOMMENDATION:	Planning Commission recommended approval 5-0.				
TIMING:	Routine				
DISCUSSION:	This recommended change is being presented pursuant to recent discussions regarding the need to define additional regulations for the R-3 zoning district. These additional regulations will allow provisions for considering variance requests. Currently, lot dimensional and setbacks requirements are not enumerated in the zoning ordinance and are determined through the master plan.				
FISCAL IMPACT:	None				
POLICY IMPACT:	This change, if approved, would allow provisions for considering variance requests in the R-3 zoning district.				
LEGISLATIVE HISTORY:	This proposed Zoning Text Amendment was presented to the Planning Commission for review on August 11, 2026. The Commission, by a vote of 5-0, recommended approval of the proposed amendment.				
ENCLOSURES:	- Staff Report - Proposed Ordinance Amendment				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				X



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

BO 2026-08-19p.187/278
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.vannacounty.org

BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board of Supervisors

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:22

District: Countywide Amendment

General Information: This public hearing is to be held on Wednesday, August 19, 2026, at 7:00 pm by the Fluvanna County Board of Supervisors in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Recommend approval of an amendment to the Fluvanna County Code by amending §§ 22-7-8 and 22-7-11 and by enacting §§ 22-7-13 through 22-7-19 to define and regulate Residential Planned Community district requirements.

Background Information: This recommended change is being presented pursuant to recent discussions regarding the need to define additional regulations for the R-3 zoning district. These additional regulations will allow provisions for considering variance requests.

The Planning Commission heard this request at its August 11, 2026 meeting and approved it by a 5-0 vote.

Recommended Motion:

FINDING THAT THE PROPOSED ZONING ORDINANCE AMENDMENTS (ARE/ ARE NOT) APPROPRIATE FOR THE PUBLIC NECESSITY, CONVENIENCE AND GENERAL WELFARE AND (ARE/ ARE NOT) GOOD ZONING PRACTICE, I MOVE THAT THE BOARD OF SUPERVISORS (APPROVE / DENY) ZTA 26:22 – AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA BY AMENDING §§ 22-7-8, 22-7-11 AND ENACTING §§ 22-7-13 THROUGH 22-7-19 TO DEFINE AND REGULATE RESIDENTIAL PLANNED COMMUNITY REQUIREMENTS.

ZTA 26:22

AN ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING § 22-7-8, § 22-7-11 AND §§ 22-7-13 THROUGH 22-7-19 TO AMEND THE REGULATIONS IN THE R-3 ZONING DISTRICT TO ESTABLISH SETBACK, FRONTAGE, AND HEIGHT REGULATIONS AND TO REQUIRE PUBLIC OR CENTRAL WATER AND SEWER SERVICE

BE IT ORDAINED by the Board of Supervisors of Fluvanna County:

- (1) That the Code of the County of Fluvanna, Virginia is amended by repealing §§ 22-3-1 through 22-28-9 and §§ 22-28-1 through 22-28-25, amending §§ 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2, and 22-22-1, and enacting §§ 22-28-1 through 22-28-9 as follows:

Chapter 22 - ZONING

ARTICLE 7. - RESIDENTIAL, PLANNED COMMUNITY, DISTRICT R-3

Sec. 22-7-8. ~~Permitted residential density~~ Area and residential density regulations.

~~Maximum gross residential density: 2.9 residential units per acre.~~

~~Maximum gross residential density between 3 and 10 residential units per acre may be permitted by special use permit only.~~

(A) The minimum lot area for permitted uses shall be 15,000 square feet.

(B) The maximum permitted gross residential density without a special use permit shall be two and nine-tenths (2.9) dwelling units per acre. A maximum gross residential density between 3 and 10 residential units per acre may be permitted by special use permit only.

Sec. 22-7-11. Building location and design requirements.

- (A) The proposed location, arrangement, and design of nonresidential structures shall not be a detriment to the existing adjacent areas, and the prospective development of the Residential Planned Community. Therefore, structures shall be designed in a manner to facilitate the creation of a convenient, attractive and harmonious community.
- (B) Open spaces between structures shall be protected where necessary by adequate covenants, conveyances, or dedications running with the land. ~~The lot size, setback lines, lot coverage, width and frontage on the public street will be determined by the approved Master Plan.~~

Sec. 22-7-13. Setback regulations.

Structures shall be located twenty-five feet (25') or more from any street right-of-way. This shall be known as the "setback line."

Sec. 22-7-14. Frontage regulations.

The minimum frontage for permitted uses shall be:

- (A) Existing roads: One hundred feet (100')**

(B) New, internal public roads: Fifty feet (50')

Sec. 22-7-15. Yard regulations.

(A) Side. The minimum side yard for each accessory building and main structure, including a group of attached dwelling units, shall be ten feet (10') on each side.

(B) Rear. Each main structure shall have a rear yard of twenty-five feet (25') or more.

Sec. 22-7-16. Special provisions for corner lots.

Any lot or parcel fronting on two (2) or more roads shall conform to the frontage, minimum lot width and setback requirements for all such roads.

Sec. 22-7-17. Height regulations.

Buildings and structures may be erected up to thirty-five feet (35') in height, except that:

(A) The height limit for dwellings may be increased up to forty-five feet (45') provided one foot (1') or more per side yard is added for each additional foot of building height over thirty-five feet (35').

(B) A public or semi-public building such as a school, place of worship, or library may be erected to a height of sixty feet (60') from grade provided that required front, side, and rear yards shall each be increased one foot (1') for every foot in height over thirty-five feet (35').

(C) Spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials may be erected to a height of sixty feet (60') from grade. Parapet walls may be up to four feet (4') above the height of the building on which the walls rest.

(D) No accessory building which is within fifteen feet (15') of any property lot line shall be more than one (1) story high. All accessory buildings and structures, other than those permitted under subsection (C) above, shall be less than the main building or structure in height.

Sec. 22-7-18. Master plan regulations.

In the event that the regulations contained within a development's Master Plan are less restrictive than the regulations of this Article, the regulations contained within this Article shall supersede those in the Master Plan.

Sec. 22-7-19. Water and sewer regulations.

All uses shall be served by both central or public water and central or public sewerage systems.

(2) *That the Ordinance shall be effective upon adoption.*

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB S

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Adoption of the Fluvanna County Board of Supervisors August 5, 2026 Meeting Minutes.				
MOTION(s):	I move the meeting minutes of the Fluvanna County Board of Supervisors Regular Meeting on Wednesday August 5, 2026, be adopted.				
BOS WORKPLAN?	Yes	No	If yes, list item(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				XX	
STAFF CONTACT(S):	Caitlin Solis, Clerk to the Board				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	None.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Draft Minutes August 5, 2026.				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
					X

FLUVANNA COUNTY BOARD OF SUPERVISORS
REGULAR MEETING MINUTES
Circuit Courtroom, Fluvanna Courts Building
72 Main Street, Palmyra, VA 22963
August 5, 2026
Special Meeting 4:00pm
Regular Meeting 5:00pm

MEMBERS PRESENT: Tony O’Brien, Rivanna District, Chair
Timothy M. Hodge, Palmyra District, Vice Chair *(left the meeting at 4:14pm)*
Chris Fairchild, Cunningham District *(entered the meeting at 4:14pm)*
Mike Goad, Fork Union District *(entered the meeting at 4:20pm)*
John M. (Mike) Sheridan, Columbia District

ABSENT: None.

ALSO PRESENT: Eric M. Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Dan Whitten, County Attorney
Caitlin Solis, Clerk for the Board of Supervisors

SPECIAL CLOSED MEETING

MOTION:	At 4:05pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – Organizational Efficiency Study.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:			Motion		Second
VOTE:	Absent	Absent	Yes	Yes	Yes
RESULT:	3-0				

- Mr. Fairchild entered the meeting at 4:14pm, Mr. Hodge left the meeting at 4:14pm.
- Mr. Goad entered the meeting at 4:20pm.

MOTION:	At 5:06 pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.”				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:					
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE, & MOMENT OF SILENCE

At 5:06pm, Chair O’Brien called to order the Regular Meeting of August 5, 2026. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

3 - ADOPTION OF AGENDA

MOTION:	Accept the Agenda, for the August 5, 2026 Regular Meeting of the Board of Supervisors, as presented.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second				Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

4 - COUNTY ADMINISTRATOR’S REPORT

Mr. Dahl reported on the following topics:
Announcements and Updates

- Congratulations to Michael Grandstaff, Director of Communications, on being named Region 3 Member-at-Large for the Emergency Communications Leadership Alliance of Virginia (ECLAV).

- ECLAV is a non-profit that supports the leadership of 9-1-1 emergency communications across Virginia through advocacy and legislative effort.

2026 Fluvanna County Fair

- Join us at the 2026 Fluvanna County Fair! August 12-16, 2026

NEXT BOS MEETINGS

Day	Date	Time	Purpose	Location
Wed	Aug 19	6:00 PM	Regular Meeting	Circuit Court
Wed	Sep 2	5:00 PM	Regular Meeting	Circuit Court
Wed	Sep 16	6:00 PM	Regular Meeting	Circuit Court
Wed	Oct 7	5:00 PM	Regular Meeting	Circuit Court

5 - PUBLIC COMMENTS #1

At 5:12pm, Chair O’Brien opened the first round of Public Comments.

- Michelle Dubert-Bellrichard, Troy, commented on data centers.
- Jennifer Kingrea Ruffner, Rivanna, gave the Board a handout and commented on Tenaska.
- Ray Bassi, Lake Monticello, gave the Board a handout and commented on Tenaska.

With no one else wishing to speak, Chair O’Brien closed the first round of Public Comments at 5:22pm.

6 – BOARDS AND COMMISSIONS

MOTION:	Move the Board of Supervisors approve the following Board, Commission, or Committee appointment(s)/reappointments(s):				
BOARD/COMMISSION/COMMITTEE	APPOINTEES		APPT/ REAPPT	BEGINS TERM	ENDS TERM
Community Policy and Management Team (CPMT) Vendor Representative	Curtis V. Mills		Appt	8/5/2026	6/30/2028
James River Water Authority (JRWA) – Fluvanna Citizen Representative	John M. Sheridan (I)		Reappt	1/1/2026	12/31/2029
Monticello Area Community Action Agency (MACAA) – Fluvanna County Representative	Chris Baca		Appt	8/5/2026	06/30/2029
Social Services Board – Columbia Representative	Sandra Patterson (I)		Reappt	7/1/2026	6/30/2026
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

7 – PRESENTATIONS

Conservation Easements – Dan Whitten, County Attorney

Mr. Whitten gave the Board of Supervisors a review of Conservation Easement practices, requirements, benefits, application and evaluation procedures; in response to the first Conservation Easement the County has received in many years.

8 - ACTION MATTERS

Recommendation for Appointment to the Board of Zoning Appeals – Eric Dahl, County Administrator

- The Fluvanna County Board of Supervisors recommends Board of Zoning Appeals (BZA) members, who are then appointed by the Fluvanna County Circuit Court to serve. There are two (2) positions available. One with a term to begin August 5, 2026 and end December 31, 2029; and one with a term to begin August 5, 2026 and end December 31, 2028.
- Ron Barche and Page Stribling are seeking appointment to the Board of Zoning Appeals.

MOTION:	Recommend to the Circuit Court Ron Barche, for appointment to The Board of Zoning Appeals, At-large position, with a term to begin August 5, 2026 and ending December 31, 2028.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	Recommend to the Circuit Court Page Stribling, for appointment to The Board of Zoning Appeals, At-large position, with a term to begin August 5, 2026 and ending December 31, 2029.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:	Motion				Second
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Waiver of Road Naming Policy to Approve a Road Name – Dan Whitten, County Attorney

- The Road Naming Policy was adopted by the Board of Supervisors in 2006. Section 3-6.4.1. states that a road will receive a name once the road provides access to 3 or more residences.
- Mark and Joi McGhee own two lots off an unnamed access road. They plan to build houses on both lots and do a family subdivision for one of the lots which would create a total of 3 residences with houses at some point in the future. They have requested a waiver of policy to allow the road name before the 3 residences are constructed. They have pointed out safety concerns for emergencies and have noted there are other named roads that only serve two houses. The access road has already been constructed and will be maintained by the McGhee’s

MOTION:	Deferred a waiver to section 3-6.4.1. of the road naming policy and approve the name of an access road as McGhee Lane, until August 19, 2026.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Authorization to Advertise for a public hearing to amend County Code § 21-2-13 and the water and sewer fee schedule – Dan Whitten, County Attorney

- The County currently has an ordinance regarding the sale of water through hydrant meters in § 21-2-13.
- This amendment includes the establishment of a permitting process and clarified payment structure involving rates, deposits, and rental fees.
- This amendment creates and clarifies processes involved with the lease of County hydrant meters concerning reporting, equipment returns, lost or damaged equipment, water withdraw access, and charges and fees.
- New highlighted language has been added to address comments made at the July 1, 2026 meeting to include the following:
 - (i) Each truck must have a separate meter;
 - (ii) Each company shall be allowed 3 meters;
 - (iii) A maximum of 5 meters shall be issued for tankers with a capacity of at least 2,000 gallons;
 - (iv) A maximum of 5 meters shall be issued for tankers with a capacity of less than 2,000 gallons;
 - (v) Companies with 2,000 gallon tanker shall have a combined limit of 50,000 gallons per week;
 - (vi) Companies that only have tankers that hold less than 2,000 gallons shall have no limit on the total gallons per week; andCompanies will be required to provide a daily estimate of usage.

MOTION:	Advertise a public hearing on September 16, 2026, to amend County Code § 21-2-13 and the Water and Sewer Fee Schedule in the County Code to clarify the process for the sale of bulk water.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O'Brien	Mr. Sheridan
ACTION:	Motion				Second
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Pleasant Grove Park Well Testing – Dan Whitten, County Attorney

- The County signed a General Professional Engineering & Architectural Services Term Contract with Dewberry Engineers, Inc. on January 19, 2024.
- Under this Project Agreement #11, Dewberry will:
 - o Perform preliminary environmental assessment of treatment facility locations, well site locations, and waterline alignments.
 - o Coordinate and supervise the drilling of up to six test wells.
 - o Well Yield and Water Quality Testing.
 - o Prepare a Hydrogeologic Report summarizing the well drilling and testing.
 - o Prepare a technical memorandum.

MOTION:	approve Project Agreement #11 between Fluvanna County and Dewberry Engineers, Inc. for well testing at Pleasant Grove, and further authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Reclassification of Deputy Treasurer II to Deputy Treasurer III – Ryan Lipscomb, Director of Human Resources

- The Treasurer’s Office has requested the reclassification of an existing Deputy Treasurer II position to Deputy Treasurer III.
- The requested reclassification reflects the employee’s assigned duties, level of responsibility, experience, and operational needs of the Treasurer’s Office.
- Human Resources has reviewed the request and determined that the reclassification is appropriate for Board consideration before processing the related pay action.
- The reclassification would not create an additional full-time equivalent position; it would reclassify an existing position within the Treasurer’s Office.
- If approved, Human Resources will process the reclassification and corresponding salary adjustment in accordance with the County’s approved pay plan and applicable personnel policies.

MOTION:	Approve the reclassification of one Deputy Treasurer II position in the Treasurer’s Office to Deputy Treasurer III, and authorize the associated salary adjustment in accordance with the County’s approved pay plan and personnel policies, effective August 9, 2026, as presented.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Emergency Communications Position Reclassification: Operations Coordinator to Communications Supervisor – Ryan Lipscomb, Director of Human Resources

- Emergency Communications is currently authorized one Operations Coordinator position (Job Class 6281, Pay Band 19) and one Communications Supervisor position (Job Class 6251, Pay Band 18).
- Following implementation of the Deputy Director position, the Department requests replacing the Operations Coordinator with a second Communications Supervisor to realign mid-level management. Both supervisors will use the same job description, with responsibilities divided between operations and administration.
- The change maintains the authorized position count and will allow recruitment for both Communications Supervisor roles following Board approval.

MOTION:	Approve eliminating the authorized Operations Coordinator position (Job Class 6281, Pay Band 19) and adding a second Communications Supervisor position (Job Class 6251, Pay Band 18) in Emergency Communications, with no increase in authorized positions or County funding.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion				Second
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

2% Bonus for Social Services Employees – Kim Mabe, Social Services Director

A two percent salary bonus for full-time employees of local departments of social services, employed as of June 1, 2026, was included in the FY26 Governor’s Budget and approved by the 2026 General Assembly. The Fluvanna County Board of Social Services recommends providing this bonus to Social Services employees. Because state participation in the bonus requires authorization by the Board of Supervisors, formal action is needed in order to proceed.

Additionally, Social Services must certify to the Virginia Department of Social Services (VDSS) by September 30, 2026, indicating whether the bonus will be issued. If the bonus is not provided, the corresponding state match will be removed from the agency’s budget.

The total amount required to provide the two percent bonus to all full-time Social Services employees, employed as of June 1, 2026, is \$39,118. The state/federal match is \$22,942 and the local match required is \$16,176.

MOTION:	Approved the provision of a two percent bonus for Social Services employees, employed as of June 1, 2026, as authorized by the Commonwealth, and further authorize a supplemental appropriation of \$16,176 to come from BOS contingency to contribute the required local match				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

FY28 Budget Calendar – Theresa McAllister, Management Analyst II
Ms. McAllister gave the Board an overview of the FY28 Budget Calendar.

MOTION:	Approve the FY28 Budget Calendar, as presented.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

Adoption of Emergency Operations Plan – Eric Dahl, County Administrator
Previously, Virginia Code required counties to review the Emergency Operations Plan every four years. That timing has now changed to five years and the County is due to submit a revised plan to the Virginia Department of Emergency Management with any needed updates and revisions, and adopted via resolution. Most of the changes were administrative in nature, to comply with changes due to state code.

MOTION:	Adopt the Resolution to Adopt the Fluvanna County Emergency Operations Plan.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Motion	Second			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

9 - PUBLIC HEARING
None.

10 - CONSENT AGENDA
The following items were discussed before approval:

- The following items were approved under the Consent Agenda for August 5, 2026:
- *Minutes of July 1, 2026* – Caitlin Solis, Clerk to the Board
 - *Accounts Payable for June FY26* – Theresa McAllister, Management Analyst II
 - *Appointment of Zoning Administrator* – Eric Dahl, County Administrator
 - *Contract for UPS Refresh with Magna5 MS LLC* – Dan Whitten, County Attorney
 - *Authorized Salaries of General Registrar and Local Electoral Board Members 2026 – 2027* – Tori Melton, Director of Finance & Eric Dahl, County Administrator
 - *FY26 Voluntary Contributions* – Theresa McAllister, Management Analyst II
 - *FY27 Fluvanna County Public Schools Insurance Claim – Tree Damage* – Tori Melton, Finance Director
 - *CRMF - FCHS Sewer Station Grinder Pumps* – Don Stribling, Executive Director
 - *CRMF - FCHS Tennis Courts* – Don Stribling, Executive Director
 - *CRMF - SBO Tree Damage* – Don Stribling, Executive Director

MOTION:	Approve the consent agenda, for the August 5, 2026 Board of Supervisors meeting, and to ratify Accounts Payable and Payroll for June 2026, in the amount of \$4,024,831.42.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second	Motion			
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

11 - UNFINISHED BUSINESS
Tenaska – The Board discussed transmission lines, and substations in relation to the new power plant. In response to Tenaska changing from water cooled to air cooled technology, the Board suggested having Tenaska coming to the Board to present any changes they are making to the original design.

- Mr. Fairchild requested a list of changes that have been made since Tenaska was approved.

Winnsville Road Speed Study – Mr. Dahl gave the Board a brief overview of the speed incidents on Winnsville Road and confirmed they would like staff to add a resolution for a VDOT speed study on the upcoming agenda.

Virginia Economic Development Partnership Energy Site – Mr. O’Brien asked for confirmation that the County Website had been updated regarding the statement about the data center advertisement on the VDEP Website. Mr. Dahl and Jennifer Schmack, Director of Economic Development, clarified that Fluvanna County cannot dictate what is posted to the VEDP Website, and she is listed as the point of contact on all the Fluvanna Parcels listed for sale on the VEDP site, including the one listed as an energy site.

- Mr. Fairchild asked staff to find out what the qualifiers are for listing a piece of property on the VEDP website

12 - NEW BUSINESS

Data Centers – Mr. Goad asked about restrictions that can be put in place against data centers. After some discussion, the Board directed staff to add a resolution to amend the county code to restrict data centers.

13 - PUBLIC COMMENTS #2

At 7:43pm, Chair O’Brien opened the second round of Public Comments.

- Sharon Harris, lake Monticello, commented on the Tenaska handout from the first public comments.
- Ray Bassi, Lake Monticello, commented on Tenaska.
- Tracey Smith, Palmyra, commented on Tenaska and Valley Link.

With no one else wishing to speak, Chair O’Brien closed the second round of Public Comments at 7:52pm.

RECESS FOR DINNER AND CLOSED SESSION

14 - CLOSED MEETING

MOTION:	At 7:52pm, move the Fluvanna County Board of Supervisors enter into a closed meeting, pursuant to the provisions of Section 2.2-3711 A.1 & A.8 of the Code of Virginia, 1950, as amended, for the purpose of discussing Personnel – County Attorney Performance Evaluation, County Administrator Performance Evaluation, Prospective Employee of the Sheriff’s Office; and Legal Matters – Legal advice involving Expedition Generating Station, discussion of Amazon utility easements, and discussion Zion 3 Notch utility easements.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:	Second				Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	At 9:38 pm, move Closed Meeting be adjourned and the Fluvanna County Board of Supervisors convene again in open session and “BE IT RESOLVED, the Board of Supervisors does hereby certify to the best of each member’s knowledge (i) only public business matters lawfully exempted from open meeting requirements under Section 2.2-3711-A of the Code of Virginia, 1950, as amended, and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting.”				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION TO EXTEND

- *At 9:39pm, a motion was made to extend the Board of Supervisors meeting.*

MOTION:	Approve a motion to extend the August 5, 2026 Regular Board of Supervisors meeting to 10:00pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	Approve a Deputy Sheriff Certified position in the Sheriff’s Office with a pay allocation of \$35.25 an hour be approved by the County Administrator.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Motion			Second
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

MOTION:	Adjourn the regular meeting of Wednesday, August 5, 2026 at 9:40pm.				
MEMBER:	Mr. Fairchild	Mr. Goad	Mr. Hodge	Mr. O’Brien	Mr. Sheridan
ACTION:		Second			Motion
VOTE:	Yes	Yes	Absent	Yes	Yes
RESULT:	4-0				

ATTEST: FLUVANNA COUNTY BOARD OF SUPERVISORS

Caitlin Solis
Clerk to the Board

Anthony O’Brien
Chair

DRAFT



BOARD OF SUPERVISORS
County of Fluvanna
Palmyra, Virginia
RESOLUTION No. 22-2026

**A RESOLUTION TO ADOPT THE
FLUVANNA COUNTY EMERGENCY OPERATIONS PLAN**

WHEREAS, the Fluvanna County Board of Supervisors recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, Fluvanna County has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, Fluvanna County has established and appointed a Director of Emergency Management (DEM); and

WHEREAS, the DEM is the County Administrator, Eric Dahl; and

WHEREAS, the Fluvanna County Board of Supervisors adopted an Emergency Operations Plan (EOP) on February 3, 2021;

WHEREAS, the DEM has prepared revisions to the EOP as required under the Commonwealth of Virginia Emergency Services and Disaster Law of 2000; and

NOW, INTHEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors, this Emergency Operations Plan, as revised, is officially adopted, and

NOW, INTHEREFORE, BE IT RESOLVED by the Fluvanna County Board of Supervisors, this Emergency Operations Plan, as revised, is officially adopted, and

IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise as necessary this document during the next five (5) year period or until such time it be ordered to come before this board.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Board of Supervisors of Fluvanna County on this 5th day of August 2026.

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Anthony P. O'Brien, Rivanna District	X					
Timothy Hodge, Palmyra District				X		
Chris Fairchild, Cunningham District	X				X	
Mike Goad, Fork Union District	X					X
John M. Sheridan, Columbia District	X					

A Copy, teste:

Anthony O'Brien
Chair, Board of Supervisors
Fluvanna County, Virginia

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB T

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Deputy Treasurer II to Deputy Treasurer III Effective Date Ratification				
MOTION(s):	I move the Board of Supervisors approve the ratification of the effective date of one Deputy Treasurer II position in the Treasurer's Office to Deputy Treasurer III, and authorize the associated salary adjustment in accordance with the County's approved pay plan and personnel policies, effective July 1, 2026, as presented.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Ryan Lipscomb, Director of Human Resources & Debbie Rittenhouse, Treasurer				
PRESENTER(S):	Ryan Lipscomb, Director of Human Resources				
RECOMMENDATION:	Approve				
TIMING:	Retroactive to July 1, 2026				
DISCUSSION:	- The Treasurer's Office has requested the reclassification of an existing Deputy Treasurer II position to Deputy Treasurer III. - The requested reclassification reflects the employee's assigned duties, level of responsibility, experience, and operational needs of the Treasurer's Office. - Human Resources has reviewed the request and determined that the reclassification is appropriate for Board consideration before processing the related pay action. - The reclassification would not create an additional full-time equivalent position; it would reclassify an existing position within the Treasurer's Office. - If approved, Human Resources will process the reclassification and corresponding salary adjustment in accordance with the County's approved pay plan and applicable personnel policies. - UPDATE: This item returning to the Board of Supervisors corrects the effective date back to the beginning of FY27.				
FISCAL IMPACT:	The fiscal impact of the reclassification is \$2,438.80, representing the difference between the employee's current salary as Deputy Treasurer II and the proposed salary				

	as Deputy Treasurer III. Funding is available within the Treasurer’s Office FY27 personnel budget.				
POLICY IMPACT:	None, provided the reclassification and salary adjustment are processed in accordance with the County’s approved pay plan and personnel policies.				
LEGISLATIVE HISTORY:	None				
ENCLOSURES:	Deputy Treasurer III Position Description				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
				X	

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB U

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Temporary Staff Stipend for Additional Duties – White				
MOTION(s):	I move the Board of Supervisors approve a temporary stipend for Karis White, Paralegal, at the rate of \$100 per week, retroactive to August 17, 2026, until the Purchasing position is filled, with such funds to come from the FY27 Finance Department personnel budget vacancy savings.				
BOS 2 YEAR GOALS?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Tori Melton, Director of Finance and Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	I recommend approval of the motion as stated above.				
TIMING:	Effective August 17, 2026				
DISCUSSION:	Ms. White is assisting the Finance Department with procurement duties until the position is filled. Filling this role carries additional administrative responsibility. Ms. White has searched for cooperative contracts to meet the requirements of the County's procurement policy. Ms. White has also assisted with the drafting of contracts subject to approval as to form by the County Attorney. In addition, she has gathered the necessary exhibits for the contracts and responded to vendor questions regarding the details of the contract. This is above and beyond the requirements of the Paralegal with addition of the Purchasing officer role and continuing with regular job tasks. I am recommending approval of a \$100 stipend per week to compensate for the extra responsibilities.				
FISCAL IMPACT:	\$100 stipend per week will come from FY27 Finance Department personnel budget vacancy savings.				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X	X			COAD

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB V

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Social Services Term End Date Correction - Sandra Patterson				
MOTION(s):	I move the Board of Supervisors ratify the following Social Services Board reappointment term for Sandra Patterson to begin July 1, 2026 and end June 30, 2030.				
BOS WORKPLAN?	Yes	No	If yes, list goal(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Eric Dahl, County Administrator				
PRESENTER(S):	Eric Dahl, County Administrator				
RECOMMENDATION:	Approve				
TIMING:	Immediate				
DISCUSSION:	Due to a clerical error the original motion made on August 5, 2026 was incorrect: "I move the Board of Supervisors approve the following Board, Commission, or Committee Appointment: Social Services Board, Sandra Patterson, July 1, 2026 to June 30, 2026" Sandra Patterson's reappointment date should have been from July 1, 2026 to June 30, 2030.				
FISCAL IMPACT:	None				
POLICY IMPACT:	None				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	N/A				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

FLUVANNA COUNTY BOARD OF SUPERVISORS

AGENDA ITEM STAFF REPORT

TAB W

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Virginia Starts with VA Cooperative Marketing Program Grant Reimbursement				
MOTION(s):	I move the Board of Supervisors authorize a supplemental appropriation in the amount of \$1,250 to the Economic Development Budget in FY26 for the Virginia Starts with VA Cooperative Marketing Program, with funding coming from this state grant award.				
BOS WORKPLAN?	Yes X	No	If yes, which item(s):	D2	
AGENDA CATEGORY:	Presentation	Action Matter	Public Hearing	Consent Agenda X	Other
STAFF CONTACT(S):	Jennifer Schmack, Director of Economic Development Tori Melton, Director of Finance				
PRESENTER(S):	Jennifer Schmack, Director of Economic Development Tori Melton, Director of Finance				
RECOMMENDATION:	N/A				
TIMING:	Routine				
DISCUSSION:	The Office of Economic Development received a \$1,250 reimbursement through the Virginia Tourism Corporation's Vacation Starts with VA Cooperative Marketing Program. The funding supported tourism marketing efforts that increased awareness of Fluvanna County as a destination and encouraged visitation. This reimbursement helped offset eligible promotional expenses and supported the County's ongoing efforts to promote Fluvanna as a tourism destination.				
FISCAL IMPACT:	None				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	None				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other



Capital Reserve Maintenance Fund Request

TAB XYZ

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request in the amount of \$1,295.00 for the purpose(s) of:

Section 1 - REQUEST

Requesting Department/Agency Treasurer Commissioner of the Revenue	Dept/Agency Contact Debbie Rittenhouse Lauren Sheridan	Date of Request 8/3/2026
Phone 434-591-1945 434-591-1940	Fax 434-591-1946 434-591-1941	Fiscal Year FY 2026
Reserve Fund Purpose Category:		
Description of Project/Repair	Qty	Unit Price
		Total Price

Replace one Hanwha 4 MP Bullet IP camera

\$1,295⁰⁰

\$0.00

\$0.00

\$0.00

Total Request: \$1,295⁰⁰

Description and justification for proposed use.

Damaged due to a storm

Department/Agency Head Name Debbie Rittenhouse / Lauren Sheridan	Signature Debbie Rittenhouse Lauren Sheridan	Date 8/5/2026 8/5/26
---	--	----------------------------

Section 2 - REVIEW

Recommended? ☒ Yes ☐ No	County Finance Director J. Smelten	Date 8.11.2026
Recommended? ☒ Yes ☐ No	County Administrator E. Dall	Date 8/11/26

Section 3 - BOARD OF SUPERVISORS

Approved? ☐ Yes ☐ No	Decision Date	Comments
---	---------------	----------



MECHUMS RIVER
SECURITY SOLUTIONS

P.O. BOX 5121
CHARLOTTESVILLE, VIRGINIA 22905
PHONE: (434) 975 - 0316
VIRGINIA DCJS LICENSE: # 11-1787

July 27, 2026

Attn: Debbie Rittenhouse
Re: Fluvanna County Treasurers' Office
Palmyra, VA
drittenhouse@fluvannacounty.org

Mechums River Security Solutions submits the following Camera System Addition for your consideration:

- Utilize the existing Network Video Recorder

Replace the following:

- One Hanwha 4 MP Bullet IP camera with a 2-10 mm varifocal lens and built in IR
(Location: existing)

Complete installation and one year warranty on parts and labor.

Cost: \$ 1,295.00

The pricing is valid for 60 days.

Mechums River Security has operated in Central Virginia since 1989. We appreciate this opportunity to be of service and feel confident you will find satisfaction in the MRSC Solution for your security concerns. Should you have any questions or wish to proceed please let me know.

Travis Toms
Mechums River Security
travis@mechumsriversecurity.com

Client Approval



Capital Reserve Maintenance Fund Request

TAB A

MOTION: I move that the Board of Supervisors approve a Capital Reserve Maintenance Fund Request in the amount of **\$8,249.64** for the purpose(s) of:
replacing the seat covers in both of our auditorium classrooms.

Section 1 - REQUEST

Requesting Department/Agency FCPS	Dept/Agency Contact Don Stribling	Date of Request 08/04/2026	
Phone (434) 589-5948	Fax (434) 589-5393	Fiscal Year FY27	
Reserve Fund Purpose Category: Non-recurring project			
Description of Project/Repair	Qty	Unit Price	Total Price
KI Pallas Textiles	1	\$8,249.64	\$8,249.64
			\$0.00
			\$0.00
			\$0.00
Total Request:			\$8,249.64

Description and justification for proposed use.

Instead of replacing the entire metal seat in our auditorium classrooms, we are replacing the actual seat covers.

Department/Agency Head Name Don Stribling	Signature Don Stribling Digitally signed by Don Stribling DN: cn=Don Stribling, o=FCPS, ou=FCPS, email=dsstribling@apps.fluco.org, c=US Date: 2018.08.21 13:12:45 -0400	Date 08/04/2026
---	---	---------------------------

Section 2 - REVIEW

Recommended? ☒ Yes ☐ No	County Finance Director <i>[Signature]</i>	Date 8.11.2026
Recommended? ☒ Yes ☐ No	County Administrator <i>[Signature]</i>	Date 8/11/26

Section 3 - BOARD OF SUPERVISORS

Approved? ☐ Yes ☐ No	Decision Date	Comments
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FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB B

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Accept Deed of Sight Distance Easement from Zion South LLC.				
MOTION(s):	I move that the Board of Supervisors accept the deed of sight distance easement from Zion South LLC and authorize the County Administrator to sign the deed subject to approval as to form by the County Attorney.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Motion to approve the deed of sight distance easement				
TIMING:	Record deed of sight distance easement after approval by the Board				
DISCUSSION:	Zion South LLC is the owner of property located on U.S. 15 and identified as Tax Map # 11-A-93. Zion South desires to dedicate a sight distance easement to the County along US 15 as shown on the attached exhibit. The County Attorney has drafted the attached deed of dedication.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Deed of dedication of sight distance easement with an attached exhibit				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

Prepared by
and Return to: Dan Whitten, Esquire (VSB #79205)
P.O. Box 540
Palmyra, Virginia 22963

Tax Map and Parcel Number: 11-A-93

This deed is exempt from recordation tax and Clerk's fee pursuant to Virginia Code §§ 58.1-811(A)(3), 58.1-811(C)(5) and 17.1-266.

DEED OF SIGHT DISTANCE EASEMENT

THIS DEED OF SIGHT DISTANCE EASEMENT, dated this ____ day of _____, 2026, is by and between **ZION SOUTH LLC**, Grantor, and the **COUNTY OF FLUVANNA, VIRGINIA**, a political subdivision of the Commonwealth of Virginia ("County"), Grantee.

WITNESSES:

WHEREAS, the Grantor is the owner of a parcel of real estate, as shown and designated as Tax Map 11-A-93 on an exhibit titled "EASEMENT EXHIBIT" (the "Exhibit") dated _____ and prepared by William J. Huffman, a copy of which is attached hereto and to which reference is made for a more particular description.

WHEREAS, the Virginia Department of Transportation ("VDOT") is requiring the establishment of a sight distance easement along James Madison Highway (US Route 15) as it fronts the Property, whose location is depicted on the Exhibit as the "SIGHT DISTANCE EASEMENT 440 SF 0.010 ACRES" (the "Easement"). Reference is hereby made to Schedule A for a more particular description of the easement and the location thereof.

NOW, THEREFORE, in consideration of the premises and the sum of One Dollar (\$1.00), cash in hand paid, receipt of which is hereby acknowledged, Grantor does hereby GRANT and CONVEY unto the County the Easement depicted on the Exhibit, to be located as shown on the Exhibit for the purpose of establishing and maintaining an unobstructed line of sight along James Madison Highway (US Route 15) at an elevation of no less than thirty inches above ground level in conformance with the applicable VDOT standards.

The Easement shall be subject to the following:

1. Structures or plantings more than 30 inches above ground level prohibited. Within the Easement, neither the Grantor nor any successor or assign shall establish structures, facilities or plantings that obstruct the line of sight at an elevation of thirty (30) inches above ground level.

Any plantings within the easement area shall only be low growing ground cover or dwarf varieties of plants and shall not exceed twenty-four (24) inches in height.

2. Right of the County and VDOT to maintain. The County and VDOT, and their respective employees, agents, independent contractors, volunteers, successors and assignees, shall have the right to trim, cut and remove trees, shrubbery, fences, structures and other obstructions within the Easement, including any such obstructions existing within the Easement on the date of the grant and conveyance of this Easement, that exceed the height of thirty (30) inches above ground level.

This conveyance is made subject to applicable easements, restrictions, covenants and conditions contained in duly recorded deeds, plats and other instruments constructive notice in the chain of title which have not expired by time limitation contained therein or otherwise have become ineffective.

The Grantee, acting by and through its County Administrator, duly authorized by motion adopted by the Board of Supervisors of the County of Fluvanna, Virginia on August 19, 2026, accepts this conveyance pursuant to *Virginia Code* § 15.2-1803, as evidenced by the County Administrator's signature hereto and the recordation of this Deed.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

WITNESS the following duly authorized signatures.

GRANTOR:

ZION SOUTH LLC

By: _____

Name: _____

Title: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____:

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by _____, as _____, on behalf of _____, Grantor.

Notary Public

My Commission Expires: _____
Registration number: _____

SIGNATURES CONTINUE ON THE FOLLOWING PAGE

GRANTEE:

COUNTY OF FLUVANNA, VIRGINIA

Signature

Title

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____:

The foregoing instrument was acknowledged before me this ____ day of _____, 2026, by _____, as _____, on behalf of the County of Fluvanna, Virginia, Grantee.

Notary Public

My Commission Expires: _____

Registration number: _____

Approved as to form:

County Attorney

Schedule A

Legal Description

0.010 acres

Situated in the State of Virginia, County of Fluvanna, being a part of a tract of land as conveyed to Zion South LLC by deed recorded in Book 2482, Page 00, and being more particularly described as follows:

BEGINNING FOR REFERENCE at a #5 rebar found along the northerly line of a property conveyed to Amazon.com Services LLC recorded in Book 2268, Page 00;

Thence **North 34°52'44" East**, with the northerly line of said property and northerly line of said original tract, a distance of **210.22 feet** to a point being the **POINT OF BEGINNING**;

Thence **North 34°52'41" East**, with the northerly line of said original tract, a distance of **138.19 feet** to a point;

Thence through said original tract **South 32°22'27" West** a distance of **145.24 feet** to a point of curvature;

Thence with a curve turning to the right, having a central angle of **13°38'45"**, a radius of **39.50 feet**, an arc length of **9.41 feet**, and a chord bearing **North 07°39'36" West** a distance of **9.38 feet** to a point of tangency on the northerly line of said original tract of land, also being the **POINT OF BEGINNING** and containing **0.010 acres**, more or less, as surveyed by William J. Huffman for and on behalf of CESO, INC. in June of 2026.

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above-described tract of land.

The bearings herein are based on the Virginia State Plane Coordinate System, South Zone, NAD83 (2011).



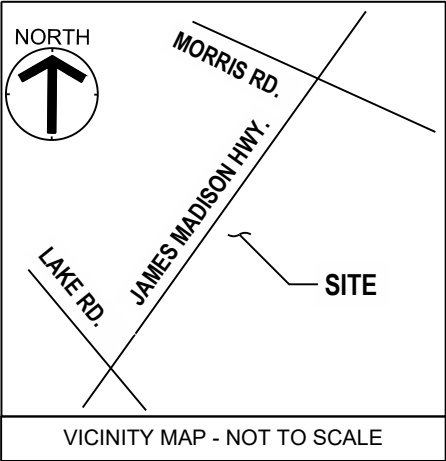
EASEMENT EXHIBIT

TAX ID# 11 A 93
FLUVANNA COUNTY, VIRGINIA
© 2024 CESO, INC.

SAMET

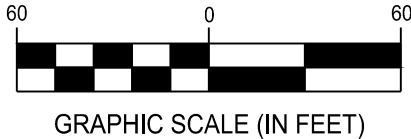
Project Number:	765748
Scale:	1"=100'
Drawn By:	MAJ
Checked By:	WJH/RR
Date:	06-29-26
Issue:	N/A

Drawing Title:
SHEET



BASIS OF BEARINGS
NAD 83 (2011), VIRGINIA (SOUTH)
Derived from GPS Observations

By information provided by FEMA Flood Map Service Center, this property was found to be located within Flood Zone "X", an area of minimal flood hazard, by the Flood Insurance Rate Map, Community Panel No. 51065C0100C, which bears an effective date of May 16, 2008.



THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATION

I, WILLIAM J. HUFFMAN, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF ACQUISITION AND EASEMENTS ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN.

PRELIMINARY

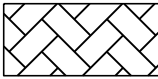
WILLIAM J. HUFFMAN, PLS VA-2510
CESO, INC.
216 CENTERVIEW DR., STE. 150
BRENTWOOD, TN 37027

DATE

LEGEND

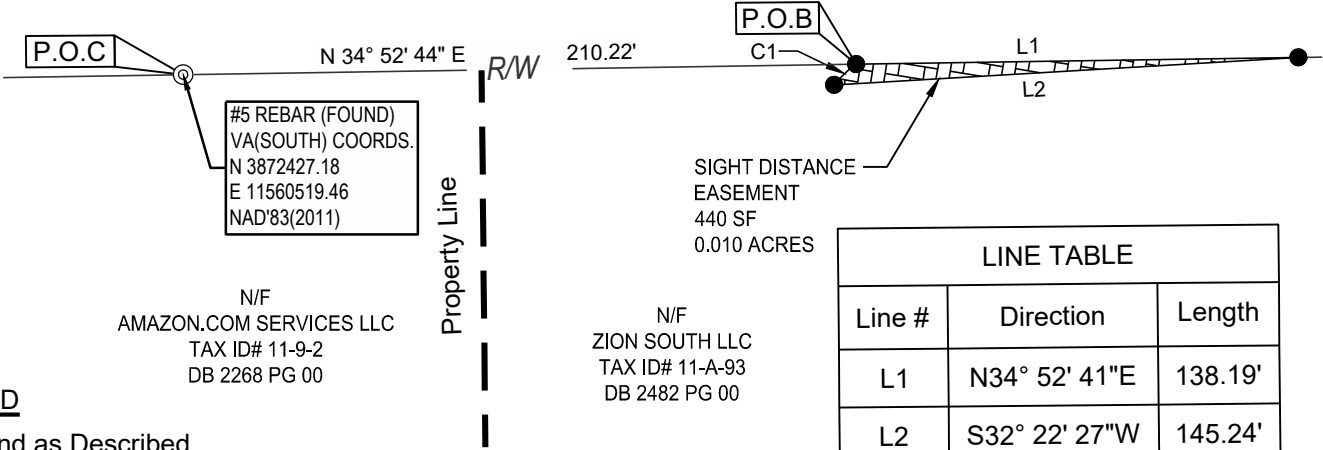
⊙ - Iron Pin Found as Described

● - Calculated Point



EASEMENT EXTENSION

— R/W — RIGHT OF WAY
- - - EASEMENT



LINE TABLE		
Line #	Direction	Length
L1	N34° 52' 41"E	138.19'
L2	S32° 22' 27"W	145.24'

CURVE TABLE					
Curve	Delta	Radius	Arc Length	Chord	Chrod Length
C1	13° 38' 45"	39.50'	9.41'	N7° 39' 36"W	9.38'

SURVEYOR NOTES

- North and bearing system based upon NAD 83, Virginia (South) State Plane - U.S. Survey Feet.
- Survey not final without Seal and Signature of Surveyor.
- This survey may not be reproduced, altered, or copied without written permission of CESO, Inc.
- All distances are horizontal grid distances, measured with electronic measuring devices.

FLUVANNA COUNTY BOARD OF SUPERVISORS AGENDA ITEM STAFF REPORT

TAB C

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Accept Dedication of Utility Easement from Amazon.com Services LLC				
MOTION(s):	I move that the Board of Supervisors accept the dedication of utility easement from Amazon.com Services LLC and authorize the County Administrator to sign the deed subject to approval as to form by the County Attorney.				
BOS WORKPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Motion to approve the dedication of utility easement				
TIMING:	Record dedication of utility easement after approval by the Board				
DISCUSSION:	Amazon.com Services LLC is the owner of property located on U.S. 15 and identified as Tax Map # 11-9-2. Amazon.com Services desires to dedicate a utility easement to the County for the water and/or sewer system as shown on the attached exhibit. The County Attorney has drafted the attached deed of dedication.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	Deed of dedication of utility easement with an attached exhibit				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

Prepared by and return to:
Dan N. Whitten, Esquire (VSB #79205)
Fluvanna County Attorney
132 Main Street
Palmyra, Virginia 22963

This deed is exempt from recordation tax and Clerk's fee pursuant to Virginia Code §§ 58.1-811(A)(3), 58.1-811(C)(5) and 17.1-266.

DEED OF EASEMENT

THIS DEED OF EASEMENT, made this _____ day of _____, 20__ by and between **AMAZON.COM SERVICES LLC**, of the first part (hereinafter, whether one or more, "Grantor"), and the **COUNTY OF FLUVANNA**, a political subdivision of the Commonwealth of Virginia, of the second part (hereinafter "Grantee"), whose address is: P. O. Box 540, Palmyra, Virginia 22963.

WITNESSETH:

WHEREAS the Grantor is the owner of a parcel of real estate, as shown and designated as Tax Map 11-9-2 (the "Property") on an exhibit titled "EASEMENT EXHIBIT" (the "Exhibit"), dated _____ and prepared by William J. Huffman, a copy of which is attached hereto and to which reference is made for a more particular description.

WHEREAS Grantor is willing to convey to Grantee a certain permanent easement in the location shown on the Exhibit, as more particularly set forth hereinafter.

NOW THEREFORE, for and in consideration of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby GRANT and CONVEY unto Grantee, its successors and assigns, (i) perpetual, non-exclusive easement over, under, through, upon, and across the Property, to construct, install, maintain, operate, inspect, alter, add to, repair, replace, survey, and extend one or more present and/or future sanitary water and/or sewer lines, together with pipes, pumps, valves, connections, inlet structures,

manholes, equipment, facilities, and other appurtenances to a water and/or sewer system, (all of the foregoing, collectively the "Facilities"). The easement granted hereby is shown, respectively, as "SANITARY EASEMENT 5,757 SF 0.132 ACRES" on the Exhibit. Reference is hereby made to Schedule A for a more particular description of the easement and the location thereof.

Grantor and Grantee agree that:

1. The Facilities shall be and remain the property of Grantee, its successors and assigns.
2. Grantee, its employees, agents, contractors, successors, and/or assigns shall have full and free use of the easement for the purposes stated herein and related activities, and shall have all rights and privileges reasonably necessary to the exercise of the easement, including but not limited to the right of reasonable access to and from the easement over the Property.
3. Grantee shall have the right to use land of the Grantor adjoining the easement to the extent necessary to facilitate the uses named; provided, however, that this right to use adjoining land shall be exercised only during periods of actual surveying, installation, construction, reconstruction, replacement, alteration, maintenance, inspection, operation, and/or repair of the Facilities, and then only to the minimum extent necessary for such work; and further, this right to use adjoining land shall not be construed to allow the Grantee to erect any building or structure of a permanent nature on such adjoining land.
4. Grantee shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or installations in or reasonably near the Easement hereby conveyed, deemed by it to interfere with the proper and efficient exercise of the Easement; provided however that, except as otherwise provided hereinafter in this deed, Grantee at its own expense shall restore, as nearly as practicable, the surface conditions of the Property to its original

condition, such restoration to include the backfilling of trenches and the reseeding of lawns or pasture areas and the replacement of asphalt and/or concrete. Such restoration by Grantee shall not include the ongoing maintenance of any restoration work, the replacement of trees, or the replacement or restoration of structures or other installations deemed by Grantee to interfere with the proper, economical, and efficient exercise of the Easement.

5. Grantor reserves the right to construct, maintain, and use roadways, trails, parking lots and driveways over the Easement (collectively, "Driveways"), and to make other use of the Easement; provided that (i) Grantee's standards for the Facilities under or adjacent to any such Driveways, or otherwise applicable to Grantor's intended use, are met; (ii) Grantor's use of the Easement may not be inconsistent with the rights herein conveyed; (iii) Grantor's use of the Easement may not unreasonably interfere with the use of the Easement by Grantee for the purposes stated herein; (iv) Grantor shall not erect any building or structure, including fences (except fences perpendicular to the Easement with gates installed over the Facilities), or change the existing ground elevation, or impound any water on the Easement, without the prior written approval of Grantee; and (v) Grantor shall not locate new trees within the Easement. Any plantings or installations made by Grantor within the Easement shall be and remain the property of Grantor. Grantor shall at its sole cost and expense maintain the Property and such plantings or installations made by Grantor. Grantee shall have no responsibility to Grantor to replace or reimburse the cost of any such plantings or installations hereafter made by Grantor, if cut, removed, or otherwise damaged in the exercise of the Easement.

6. If the Grantee needs to work within the Easement, and any asphalt is impacted by such work, the Grantee will be responsible for repairing and/or replacing the asphalt.

7. In the event that hereafter any portion of the land within the Easement is accepted by the Commonwealth of Virginia or any appropriate agency thereof for maintenance into the state highway system, all easement rights acquired by Grantee by this instrument in such portion of land shall cease and terminate, provided that the Commonwealth of Virginia or any appropriate agency thereof concurrently grants to Grantee all necessary permits for the continued operation, maintenance, inspection, alteration, addition to, repair, replacement, and extension of the Facilities in said locations.

8. Grantor, by the execution of this instrument, acknowledges that it has reviewed the Exhibit, and that the plans for the water and/or sewer systems as they affect the Property have been fully explained to the Grantor or its authorized representative.

The signature of Eric M. Dahl, County Administrator, is affixed hereto on behalf of Grantee pursuant to a motion duly adopted by the Board of Supervisors of the County of Fluvanna on August 19, 2026, to evidence the acceptance of this deed in accordance with Virginia Code § 15.2-1803, as amended.

[Signature pages follow.]

Witness the following duly authorized signatures and seals made after proper approval by
the company.

AMAZON.COM SERVICES LLC

By: _____ (SEAL)

STATE OF _____
CITY/COUNTY OF _____, to-wit:

The foregoing instrument was acknowledged before me this _____ day of
_____, 2025, by _____ on behalf of _____.

Notary Public [SEAL]

My commission expires:
Notary registration number:

COUNTY OF FLUVANNA, a political
subdivision of the Commonwealth of Virginia

BY: _____ (SEAL)
Eric M. Dahl, County Administrator

COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA, to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____,
20__, by Eric M. Dahl, County Administrator, on behalf of the County of Fluvanna, a political
subdivision of the Commonwealth of Virginia.

Notary Public [SEAL]

My commission expires:
Notary registration number:

APPROVED AS TO FORM:

FLUVANNA COUNTY ATTORNEY

Schedule A

Legal Description

0.132 acres

Situated in the State of Virginia, County of Fluvanna, being a part of a tract of land as conveyed to Amazon.com Services LLC by deed recorded in Instrument Number 250002268, and being more particularly described as follows:

POINT OF BEGINNING at a #5 rebar found along the northerly line of said original tract and the southerly margin of James Madison Hwy (66' Right of Way);

Thence **North 34°52'41" East**, with the northerly line of said original tract, a distance of **93.21 feet** to a point;

Thence along shared line with said original tract and Zion South LLC by deed recorded in Instrument Number 250002482 **South 54°47'06" East** a distance of **30.00 feet** to a point;

Thence through said original tract the following calls;

South 34°52'41" West a distance of **191.90 feet** to a point;

North 54°47'06" West a distance of **30.00 feet** to a point in said northerly line of said original tract and southerly margin of James Madison Hwy (66' right of Way);

Thence **North 34°52'41" West**, with said northerly line of said original tract and southerly margin of James Madison Hwy (66' Right of Way), a distance of **98.68 feet** to a point being the **POINT OF BEGINNING** and containing **0.132 acres**, more or less, as surveyed by William J. Huffman for and on behalf of CESO, INC. in June of 2026.

Subject to all covenants, restrictions, reservations and easements contained in any instrument of record pertaining to the above-described tract of land.

The bearings herein are based on the Virginia State Plane Coordinate System, South Zone, NAD83 (2011).



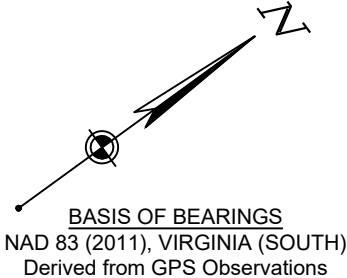
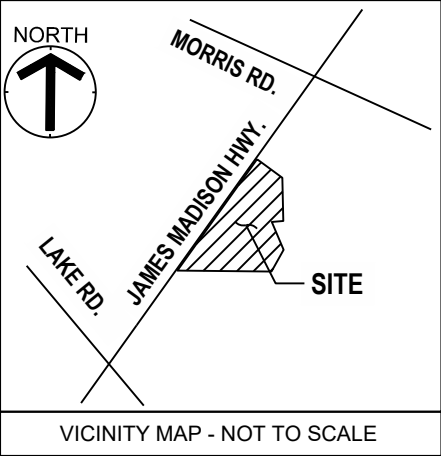
EASEMENT EXHIBIT

TAX ID# 11 A 93
FLUVANNA COUNTY , VIRGINIA
© 2026 CESO, INC.

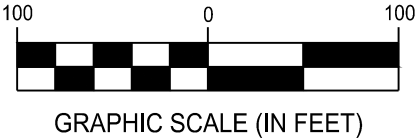
SAMET

Project Number:	765748
Scale:	1"=100'
Drawn By:	MAJ
Checked By:	WJH/RR
Date:	8-11-2026
Issue:	N/A

Drawing Title:
SHEET



BY INFORMATION PROVIDED BY FEMA FLOOD MAP SERVICE CENTER, THIS PROPERTY WAS FOUND TO BE LOCATED WITHIN FLOOD ZONE "X", AN AREA OF MINIMAL FLOOD HAZARD, BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 51065C0100C, WHICH BEARS AN EFFECTIVE DATE OF MAY 16, 2008.



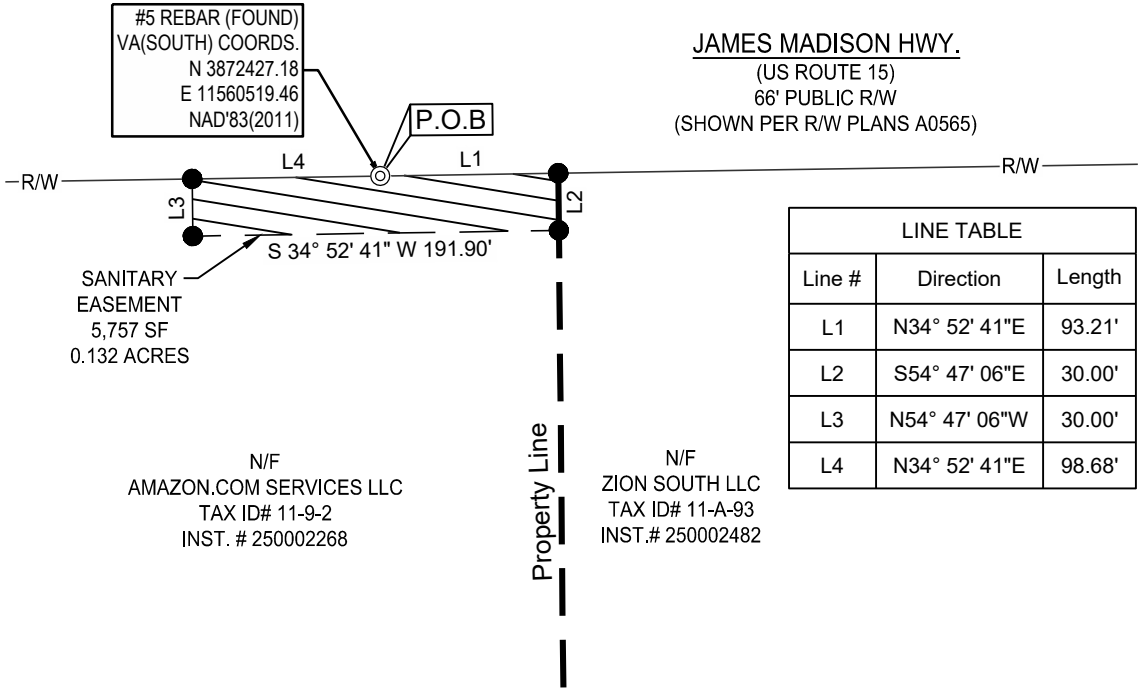
THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATION

I, WILLIAM J. HUFFMAN, CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION AND THAT THE PLAT WAS PREPARED FOR THE PURPOSE OF ACQUISITION AND EASEMENTS ONLY, AND IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN.

PRELIMINARY

WILLIAM J. HUFFMAN, PLS VA-2510
CESO, INC.
216 CENTERVIEW DR., STE. 150
BRENTWOOD, TN 37027

DATE



N/F
AMAZON.COM SERVICES LLC
TAX ID# 11-9-2
INST. # 250002268

N/F
ZION SOUTH LLC
TAX ID# 11-A-93
INST.# 250002482

LINE TABLE		
Line #	Direction	Length
L1	N34° 52' 41"E	93.21'
L2	S54° 47' 06"E	30.00'
L3	N54° 47' 06"W	30.00'
L4	N34° 52' 41"E	98.68'

LEGEND

- ⊙ - IRON PIN FOUND AS DESCRIBED
- - CALCULATED POINT



SANITARY EASEMENT

- R/W — RIGHT OF WAY
- - - EASEMENT
- - - - - PROPERTY LINE (NOT SURVEYED)

SURVEYOR NOTES

- North and bearing system based upon NAD 83, Virginia (South) State Plane - U.S. Survey Feet.
- Survey not final without Seal and Signature of Surveyor.
- This survey may not be reproduced, altered, or copied without written permission of CESO, Inc.
- All distances are horizontal grid distances, measured with electronic measuring devices.

**FLUVANNA COUNTY BOARD OF SUPERVISORS
AGENDA ITEM STAFF REPORT**

TAB D

MEETING DATE:	August 19, 2026				
AGENDA TITLE:	Ambulance Purchase Agreement with FESCO Emergency Sales				
MOTION(s):	I move the Board of Supervisors approve the Ambulance Purchase Agreement with FESCO Emergency Sales for an ambulance at a total cost of \$317,610 and authorize the County Administrator to execute the agreement subject to approval as to form by the County Attorney.				
BOS WORPLAN?	Yes	No	If yes, which item(s):		
		X			
AGENDA CATEGORY:	Public Hearing	Action Matter	Presentation	Consent Agenda	Other
				X	
STAFF CONTACT(S):	Dan Whitten, County Attorney				
PRESENTER(S):	Dan Whitten, County Attorney				
RECOMMENDATION:	Approve				
TIMING:	Routine				
DISCUSSION:	• Medix 170 Stock Unit #25-M1582 mounted on a 2026 Ford F550 4x4 cab and chassis for a total delivered price \$317,610. • This money was appropriated in FY27 and is already in the CIP; no additional funding required. • Ambulance will be delivered by Dec. 31, 2026.				
FISCAL IMPACT:	N/A				
POLICY IMPACT:	N/A				
LEGISLATIVE HISTORY:	N/A				
ENCLOSURES:	• FESCO Ambulance Purchase Agreement • FESCO Proposal & Specifications				
REVIEWS COMPLETED:	Legal	Finance	Purchasing	HR	Other
	X				

Ambulance Purchase Agreement with FESCO Emergency Sales

This **Ambulance Purchase Agreement** (together with all attachments and Exhibits referenced herein, the “**Agreement**”), dated this ____ day of _____, 2026, made and entered into by and between Laake Enterprises, Inc., a Maryland Corporation, dba FESCO Emergency Sales (“**Vendor**”), and Fluvanna County, a political subdivision of the Commonwealth of Virginia (“**Customer**” or “**County**”) is effective as of the date specified in Article 5 hereof. For valuable consideration the sufficiency of which is acknowledged the parties hereto agree as follows:

1. **DEFINITIONS.** The words below when used in this Agreement are defined as follows:

- a. “**Cooperative Agreement**” means collectively Exhibits 1 and 2 to this Agreement, and the Bid, as defined in Article 2 below.
- b. “**Quote**” means the Quotation attached hereto as Exhibit 3;
- c. “**FESCO Proposal**” means collectively the Cooperative Agreement, the Quote (being Exhibit 3), and Warranties (being Exhibit 4 hereto), each Exhibit being more specifically defined in Article 2 below.
- d. “**County’s General Terms**” means Exhibit 5 to this Agreement.
- e. “**Bid**” means FESCO’s Response to the Solicitation, including, but not limited to, prices and options offered and all suffixes, Exhibits, attachments, and amendments thereto, which is incorporated herein by reference as a material part hereof;
- f. “**Options**” means all those options and additional features, services, work, and items set forth or listed in Exhibit 3 (the “Quote”), to this Agreement.
- g. “**Specifications**” means all of the general and particular Specifications, warranties, technical Specifications, and testing requirements for the Product contained in the Vendor Proposal for the Products and services being provided to Customer under this Agreement. Specifications shall include all provisions and requirements under the Cooperative Agreement, Warranties, and the County’s General Terms.
- h. “**Product(s)**” means the ambulance and any associated equipment manufactured or furnished for the Customer by Vendor pursuant to the Vendor Proposal and consistent with all requirements of the Vendor Proposal and the Specifications, as defined below, and Delivery of Product to the Customer in Fluvanna County, Virginia. Options and Delivery of Product are material parts of the Product under this Agreement.
- a. “**Delivery**” means the date Vendor is prepared to make physical possession of the Product available to the Customer in Fluvanna County, Virginia, at the following address: 90 Rescue Lane, Palmyra, Virginia 22963.
- b. “**Acceptance**” The Customer shall have thirty (30) calendar days of Delivery to inspect the Product for conformance with the Specifications; unless the Customer sends Vendor a Notice of Defect within thirty (30) calendar days of Delivery, the Product will be deemed to be in conformance with the Specifications and accepted by the Customer excepting latent material defects. Nothing herein is intended to limit any repair, service or equipment covered under a Warranty (as defined below).
- c. “**Warranty**” means any and all warranties required under the Cooperative Agreement, Vendor Proposal, including specifically the Warranties (as defined in Article 2), and the County’s General Terms (as defined in Article 2).

2. **EXHIBITS:** The following Exhibits are attached hereto and incorporated herein as material provisions of this Agreement:

- a. Exhibit 1: Ambulance, EMS & Special Service Vehicles Contract No AM10-23 between Houston-Galveston Area Council of Governments (“HGAC”) and Laake Enterprises, Inc., dated October 23, 2023;

Ambulance Purchase Agreement with FESCO Emergency Sales

- b. Exhibit 2: HGAC Solicitation for Ambulance, EMS & Special Service Vehicles AM10-23 issued June 9, 2023, including all suffixes, Exhibits, attachments, and amendments thereto (the “Solicitation”);
 - c. Exhibit 3: Vendor’s Quotation dated July 28, 2026 (the “Quotation”);
 - d. Exhibit 4: Product Warranty Information (the “Warranties”);
 - e. Exhibit 5: Fluvanna County’s General Terms, Conditions and Instructions to Bidders and Contractors (the “County’s General Terms”); and
 - f. Exhibit 6: Vendor Data Sheet and Proof of Authority to Transact Business in Virginia (collectively the “Vendor Forms” executed by Vendor).
3. PURPOSE. This Agreement sets forth the terms and conditions of Vendor’s sale of the Product to the Customer.
4. COOPERATIVE PROCUREMENT. Pursuant to the Virginia Public Procurement Act, this a cooperatively procured contract off of the Cooperative Agreement, incorporated herein by reference and made a material part of this Agreement. The Product must meet or exceed all requirements of the Cooperative Agreement and Vendor must meet or exceed all requirements, provisions, and terms of the Cooperative Agreement relating to the Products to be provided hereunder. Notwithstanding any other provisions hereof, Vendor represents and warrants that all pricing in this Agreement for the Products is consistent with or lower than the pricing set forth in the Cooperative Agreement and all Products purchased hereunder are available under the Cooperative Agreement. **Vendor represents and warrants to Customer that: (i) all pricing offered to Customer is consistent with or less than the pricing under the Cooperative Agreement between Vendor and HGAC, as amended from time to time, under the Solicitation.** Customer is materially relying on such representations and warranties in executing this Agreement as a cooperative procurement pursuant to Virginia law.
5. TERM OF AGREEMENT. This Agreement will become effective when it is signed and approved by both Customer and Vendor’s authorized representatives (the “**Effective Date**”). This Agreement shall continue in full force and effect until the Completion Date, as defined in Article 6 below, or until sooner terminated consistent with the provisions hereof. Notwithstanding the foregoing, all continuing, guarantee, and warranty provisions of this Agreement, including the Warranty as defined above, shall survive the Completion Date and shall continue for the specific warranty period beginning on the Completion Date until the applicable warranty period expires. Any and all provisions that by their terms are intended or implied to survive the Completion Date shall so survive.
6. PURCHASE AND PAYMENT. The Customer agrees to purchase the Product made pursuant to this Agreement, the Vendor Proposal, and the Specifications, with such Product being delivered and made consistent with all requirements of the Cooperative Agreement and the County’s General Terms, for the total purchase price of **THREE HUNDRED SEVENTEEN THOUSAND SIX HUNDRED TEN AND NO/100 DOLLARS (\$317,610.00)** (“**Purchase Price**”). Prices are in U.S. funds. The Purchase Price may be invoiced by Vendor to the Customer only after the Completion Date, as defined below, and the Customer shall have forty-five (45) days to pay such proper invoice. Final payment shall be made in accordance with Section 47 “Payment” of the County’s General Terms, and in no event shall Vendor be finally paid prior to the Completion Date. The date that all Products are delivered and are fully operational and all services and work related to the Products or necessary for completion of the Products in full compliance with this Agreement and all requirements of this Agreement are satisfied, to the sole satisfaction of the Customer, is the “**Completion Date**.”
7. AGREEMENT CHANGES. The Customer may request that Vendor incorporate a change to the Products or the Specifications for the Products by delivering a change order to Vendor; provided, however, that any such change order must be in writing and include a description of the proposed change sufficient to permit Vendor to evaluate the feasibility of such change (“Change Order”). Within seven (7) business days of receipt of a Change Order, Vendor will inform the Customer in writing of the

Ambulance Purchase Agreement with FESCO Emergency Sales

feasibility of the Change Order, the earliest possible implementation date for the Change Order, of any increase or decrease in the Purchase Price resulting from such Change Order, and of any effect on production scheduling or Delivery resulting from such Change Order. Vendor shall not be liable to the Customer for any delay in performance or Delivery arising from any such Change Order unless the delay is caused by the fault, willful act, or negligence of Vendor. A Change Order is only effective when counter-signed by Vendor's authorized representative; except that Vendor may not unreasonably withhold or delay approval and signature of any Change Order.

8. CANCELLATION/TERMINATION. In the event this Agreement is cancelled or terminated by Customer without cause and solely for Customer's convenience before completion, Vendor may charge a cancellation fee. Notwithstanding the foregoing, the cancellation fee may never exceed actual costs incurred by Vendor under the Agreement up to cancellation or termination date and Vendor must use its best efforts to mitigate any such costs through the sale of such Product to another purchaser; however Customer shall remain liable for the difference between the Purchase Price and, if applicable, the sale price obtained by Vendor upon sale of the Product to another purchaser, plus any actual and reasonable costs incurred by Vendor to conduct any such sale.

9. DELIVERY, INSPECTION AND ACCEPTANCE.

- (a) Delivery. Vendor will make Delivery of the Product to Customer no later than December 31, 2026, time being of the essence. Risk of loss shall pass to Customer upon Delivery of the Product to the Customer at Customer location with prior notice of the Delivery Date and time schedule and agreed to by Customer in advance. Further, Vendor agrees that all prepayments and any other amounts paid by the Customer shall be refunded to the Customer in the event of any breach or default by Vendor.

- (b) INSPECTION AND ACCEPTANCE. Customer shall have thirty (30) days from Delivery within which to inspect the Product for conformance to the Specifications, and in the event of non-conformance to the Specifications to furnish Vendor with written notice sufficient to permit Vendor to evaluate such non-conformance ("Notice of Defect"). Any Product not in conformance to Specifications shall be remedied by Vendor within thirty (30) days from the Notice of Defect. In the event Vendor does not receive a Notice of Defect within thirty (30) days of Delivery, Product will be deemed to be in conformance with Specifications and Accepted by Customer, excepting latent defects. In the event that Vendor fails to remedy a defect within thirty (30) days, as required under this Agreement, Customer may choose to: (1) reject the Product in its entirety and receive a complete reimbursement of any and all payments made to Vendor under this agreement, in which case Vendor shall also be required at its sole cost and expense to remove the non-confirming Product from the County's location, and this Agreement shall be deemed null and void and of no further force and effect; or (2) accept the non-conforming Product subject to a discount equal to either (i) the value of the missing or defective parts, equipment, or portions of the Product including any cost to install or make such part, equipment, or portion operable, or (ii) the actual cost of the missing or defective part, equipment, or portion of the Product including any installation or service fees necessary to make such part, equipment, or portion operable based on invoices and receipts. Nothing in this Article is intended to limit any repairs, services, or equipment covered under a Warranty provided with the Product, and Vendor agrees to respond to all Warranty claims and repairs promptly and with due diligence.

10. NOTICE. Any required or permitted notices hereunder must be given in writing at the address of each party set forth below, or to such other address as either party may substitute by written notice to the other in the manner contemplated herein, by one of the following methods: hand delivery; registered,

Ambulance Purchase Agreement with FESCO Emergency Sales

express, or certified mail, return receipt requested, postage prepaid; or nationally-recognized private express courier:

COUNTY:

Fluvanna County, Attn: Victoria Melton, Finance Director, 132 Main Street, Palmyra, VA 22963, telephone (434) 591-1930 (billing, service and product inquiries)

With a Copy to: Fluvanna County Attorney, P.O. Box 540, Palmyra, VA 22963, telephone (434) 591-1910 (contract inquiries)

VENDOR:

FESCO Emergency Sales, 7010 Troy Hill Drive, Elkridge, MD 21075. Telephone (410) 379-5353

11. STANDARD WARRANTY. Any applicable warranties are set forth in the Vendor Proposal and Warranty definition in Article 1 supra and are incorporated herein as if set out in the text of this Agreement. Additional warranties contained in any Exhibits hereto are expressly approved by Vendor and incorporated into this Agreement and made a material part hereof as if set out in the text of this Agreement. Any other warranties must be expressly approved in writing by Vendor's authorized representative.

(a) Disclaimer. OTHER THAN AS EXPRESSLY SET FORTH IN THIS AGREEMENT, NEITHER THE VENDOR, AFFILIATES, SUBSIDIARIES, LICENSORS OR SUPPLIERS, THEIR RESPECTIVE OFFICERS, DIRECTORS, EMPLOYEES, SHAREHOLDERS, AGENTS OR REPRESENTATIVES, MAKE ANY EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE PRODUCTS PROVIDED HEREUNDER OR OTHERWISE REGARDING THIS AGREEMENT, WHETHER ORAL OR WRITTEN, EXPRESS, IMPLIED OR STATUTORY, INCLUDING: ANY IMPLIED WARRANTY OR CONDITION OF MERCHANTABILITY, THE IMPLIED WARRANTY AGAINST INFRINGEMENT, AND THE IMPLIED WARRANTY OR CONDITION OF FITNESS FOR A PARTICULAR PURPOSE ARE EXPRESSLY EXCLUDED AND DISCLAIMED. STATEMENTS MADE BY SALES REPRESENTATIVES OR IN PROMOTIONAL MATERIALS DO NOT CONSTITUTE WARRANTIES.

(b) Exclusions of Incidental and Consequential Damages. Other than as expressly set forth in this Agreement, in no event shall Vendor be liable for consequential, incidental, or punitive damages incurred by Customer or any third party in connection with any matter arising out of or relating to this Agreement, or the breach thereof, regardless of whether such damages arise out of breach of warranty, tort, contract, strict liability, statutory liability, indemnity, whether resulting from non-delivery or from Vendor's own negligence, or otherwise. Notwithstanding the foregoing, in the event that a dispute arises between the parties that results in litigation, any reasonable attorneys' fees and costs of the substantially prevailing party in such litigation shall be paid by the other party.

12. INSURANCE. Vendor shall maintain the following limits of insurance with a carrier(s) rated A- or better by A.M. Best:

Commercial General Liability Insurance/Products/Completed Operations:

Public General Liability	\$1,000,000 per occurrence;
	\$1,000,000 in the aggregate

Ambulance Purchase Agreement with FESCO Emergency Sales

Umbrella/Excess Liability	\$25,000,000 Aggregate Over Above Policy Limits
	\$25,000,000 Each Occurrence

Vendor will provide to the Customer a copy of a current Certificate of Insurance with the coverage listed above or the coverage required under the County's General Terms; the higher coverage requirement shall control. Where appropriate, Vendor will add Customer as an additional insured for Commercial General Liability (subject to the terms and conditions of the applicable Vendor insurance policy), and all policies will provide a 30-day notice of cancellation to the named insured.

13. OTHER TERMS. The County's General Terms are attached hereto as Exhibit 5 and incorporated herein by reference as a material part of this Agreement.
14. FORCE MAJEURE. Vendor shall not be responsible nor deemed to be in default on account of delays in performance due to causes which are beyond Vendor's control which make Vendor's performance impracticable, including but not limited to civil wars, insurrections, strikes, riots, fires, storms, floods, other acts of nature, explosions, earthquakes, accidents, any act of government, allocation regulations or other governmental orders affecting materials, equipment, facilities or completed Products, failure to obtain any required license or certificates not being the fault of Vendor, acts of God or the public enemy or terrorism, failure of transportation, epidemics, quarantine restrictions, failure of vendors (due to causes similar to those within the scope of this clause) to perform their contracts or labor troubles causing cessation, slowdown, or interruption of work.
15. DEFAULT. The occurrence of one or more of the following shall constitute a default under this Agreement: (a) the Customer fails to pay when due any amounts under this Agreement or to perform any of its obligations under this Agreement; (b) Vendor fails to perform any of its obligations under this Agreement with time being of the essence; (c) either party becomes insolvent or becomes subject to a bankruptcy or insolvency proceedings; (d) any representation made by either party to induce the other to enter into this Agreement is false in any material respect; (e) the Customer dissolves, merges, consolidates or transfers a substantial portion of its property to another entity; or (f) the Customer is in default or has breached any other contract or agreement with Vendor. Upon the occurrence of an event of default by Vendor, the Customer in its sole discretion may choose to immediately cancel and terminate this Agreement for cause with no further amounts due and payable hereunder to Vendor. If Customer so chooses to cancel and terminate, then any amount already paid to Vendor including any prepayments of any kind shall be immediately refunded to Customer with interest rate of one percent (1%). This shall be in addition to any other remedies Customer may have in law or in equity owing to Vendor's default.
16. FORCED AND CHILD LABOR PROHIBITION. Contractor agrees that the use of forced or indentured child labor, as defined by VA Code § 2.2-4311.4, will be prohibited in the performance of this Contract. Contractor agrees to include this prohibition in any subcontract or purchase order that exceeds \$10,000, so that the prohibition is binding upon each subcontractor or vendor.
17. MISCELLANEOUS. The headings of the sections of this Contract are inserted for convenience only and do not alter or amend the provisions hereof. A word importing the masculine or neuter gender only may extend and be applied to females and to corporations as well as males, and vice versa. A word importing the singular number only may extend and be applied to several persons or things as well as to one person or thing; and a word importing the plural number only may extend and be applied to one person or thing, as well as to several persons or things. This Contract may be executed in multiple counterparts each of which shall be deemed an original and together which shall constitute the Contract. This Contract may be executed in duplicate originals, any of which shall be equally authentic. Applicable law and venue provisions of the County's General Terms apply.

Ambulance Purchase Agreement with FESCO Emergency Sales

18. OTHER TERMS OF THE CONTRACT. All other terms and conditions of the Contract remain in full force and effect and shall remain binding on the parties hereto.
19. COUNTERPARTS AND ELECTRONIC SIGNATURES. This Contract may be executed in counterparts, each of which shall be deemed an original, but such counterparts, when taken together, shall constitute one Contract. This Contract may be executed by a Party's signature transmitted by facsimile or email, and copies of this Contract executed and delivered by means of faxed or emailed signatures shall have the same force and effect as copies hereof executed and delivered with original signatures.
20. MANUFACTURER'S STATEMENT OF ORIGIN. It is agreed that the manufacturer's statement of origin ("MSO") for the Product covered by this Agreement shall remain in the possession of Vendor until the entire Purchase Price has been paid. If more than one Product is covered by this Agreement, then the MSO for each individual Product shall remain in the possession of Vendor until the Purchase Price for that Product has been paid in full. In case of any default in payment, Vendor may take full possession of the Product, and any payments that have been made shall be applied as payment for the use of the Product up to the date of taking possession.
21. INDEPENDENT CONTRACTORS. The relationship of the parties established under this Agreement is that of independent contractors and neither party is a partner, employee, agent, or joint venture of or with the other.
22. ASSIGNMENT. Neither party may assign its rights and obligations under this Agreement unless it has obtained the prior written approval of the other party.
23. GOVERNING LAW; JURISDICTION. Without regard to any conflict of laws provisions, this Agreement is to be governed by and under the laws of the Commonwealth of Virginia.
24. Facsimile Signatures. The delivery of signatures to this Agreement by facsimile transmission shall be binding as original signatures.
25. Entire Agreement. This Agreement shall be the exclusive agreement between the parties for the Product. Additional or different terms proposed by the Customer shall not be applicable, unless accepted in writing by Vendor's authorized representative. No change in, modification of, or revision of this Agreement shall be valid unless in writing and signed by Vendor's authorized representative.
26. Conflict. The rights and duties of the County and Contractor under this Contract are set out herein and in the Exhibits attached hereto. Whenever possible the Agreement and Exhibits shall be read together and the requirements of all the same shall be met. In the event of a direct conflict between this Agreement and any Exhibit hereto, the following shall be the order of precedence: (i) this Agreement; (ii) Exhibit 5, the County's General Terms; (iii) Exhibit 2, the Solicitation; (iv) Exhibit 1; (v) Exhibit 3, the Quotation; (vi) Exhibit 4, the Warranties; and (vii) Exhibit 6, the Vendor Forms. For clarification, (i) would control over (ii) though (vii); (ii) would control over (iii) through (vii); and so forth.

[SIGNATURE PAGE TO FOLLOW]

Ambulance Purchase Agreement with FESCO Emergency Sales

In witness hereof the undersigned duly authorized representatives have executed this Contract on the dates set forth beside their respective signatures:

Vendor:
Laake Enterprises, Inc. DBA
FESCO Emergency Sales

Customer:
County of Fluvanna, a political subdivision of the
Commonwealth of Virginia

By: _____ Date: _____ By: _____ Date: _____

Name: _____ Name: _____

Title: _____ Title: _____

APPROVED AS TO FORM:

Fluvanna County Attorney

**FESCO EMERGENCY SALES*****BID PROPOSAL for furnishing***

7/28/2026

Fluvanna County Department of Emergency Services
123 Main Street
P.O. Box 540
Palmyra, VA 22963

To Whom It May Concern,

The undersigned is prepared to manufacture and/or supply for you, upon an order being placed by you for final acceptance by FESCO Emergency Sales (FESCO), at our office in Elkridge, Maryland, the apparatus and equipment herein named and for the following price using **HGAC Contract AM10-23**:

(1) Medix 170 Stock Unit #25-M1582 mounted on a 2026 Ford F550 4x4 cab and chassis to include FESCO Dealer
Furnished Items (DFI) List dated
for a total delivered price of.....\$317,610.00

Said apparatus and equipment are to be built and shipped in accordance with the specifications hereto attached. Delays due to strikes, war or international conflict, failures to obtain materials, or other causes beyond our control in preventing, delivery shall be **90-120** working days after receipt of this order and the acceptance thereof at our office at Elkridge, Maryland, and to be delivered to you at Fluvanna, Va

The specifications herein contained shall form a part of the final contract, and are subject to changes desired by the purchaser, provided such alterations are initialed by authorized representatives of both parties prior to the acceptance by FESCO of the offer to purchase, and provided such alterations do not materially affect the cost of the construction of the apparatus.

Unless accepted within 30 days from the above date, the right is reserved to withdraw this proposal.

**FESCO EMERGENCY SALES
7010 TROY HILL DR.
ELKRIDGE, MARYLAND 21075**

By _____

Justin Nuckols, Regional Account Manager

DFI LIST (No Price)
Fluvanna Emergency Services (Fluvanna, VA)

NUMBER OF UNITS: 1

FESCO PO#:	TBD	PRODUCTION #:	25-1582
MODEL #:	M170	CHASSIS:	Ford F550
CONTACT:	MJ Fick	CUSTOMER EMAIL:	mfick@fluvannacounty.org
CUSTOMER PHONE:	434-247-2843	EXP. DELIVERY DATE:	TBD

Rev #1
Rev #2
Rev #3
Rev #4
Rev #5

QTY	Description	Part #	Notes	Special Instructions
1	Standard Warranty Terms	No Charge		
1	Customer Supplied Equipment (Billable to Customer)	N/A		
1	Title Document Fee (Per Unit)	N/A		
1	Inflation Price Coverage (2026/2027)	N/A		
1	VA State Inspection	Flat Rate		
1	Tariff Fee Disclaimer	Enter Price on Input Tab	Pricing does not include any Tariffs or regulatory changes that may occur after contract signing. Any such charges will be itemized on final invoice	
1	Graphics Install (Per Quote Attached)	Quote Dated 5-9-25		
1	Delivery to Customer, Drive Back (Under 150 miles-	N/A		
1	STRYKER-Install Customer Supplied PowerLOAD -	Customer Supplied		
1	HGAC Fee (\$1,000-Cost) - Horton, Medix, TechOps	N/A		
1	FESCO to Install C/S Radio Package (2 heads &	Enter # on Input Page	Quote Dated 7-27-26	
1	MISC - 1	Install CP Router and Antenna	Quote Dated 7-27-26	



Unit #'s;
25-M1582-
25-M1589

DEALER: FESCO
CUSTOMER: DEMO
 Street or P.O. Box: 7010 Troy hill Drive
 City, State, Zip: Elkridge MD 21075
 Customer Contact: Gene
 Customer Email: gspangler@fescosales.com
 Customer Phone #: 410.800.8071
 Sales Associate: ANDREW EGER
 Sales Engineer: Becky Isza
 VIN#: To be assigned by MEDIX

Chassis Model Yr		2026
MEDIX Model		Type I-AD 170- MSV II
CHASSIS		Ford F-550 XLT, 6.7L Diesel, 193WB, 18,000 GVWR 108" CA, 4x4
BODY		170"L x 96"W x 72" Interior Headroom
QTY	STD/OPT	Description
1	15-M2-FG	Chassis & Conversion
		Chassis Model Year Adjustment
	-	2025 New Sales Model with Drop Skirt on BOTH SIDES
	109003	Liquid Spring Suspension Installation by Utility Bodywerks, see quote, the kit will be ordered through Utility Bodywerks; Requires Dump cancel switch that Medix will order and install - installed at the Curbside rear door on the wall - "L/S Dump Override" - p/n: MX09166. NOTE: 6 - 8 Week Lead Time
		-
	01-	Flooring & Interior Colors
1	BO# 2241	Cabinets: Laminate, LAMILUX Glass Cabinet Facing - GRAY
1	STD	Upholstery: (Specify Color & compare to std. countertop color)
1	STD	Color: BLACK Brand: EVS
1	STD	EVS Cushions & Corner Padding
1	STD	Flooring: Lonseal- LonPlate (Diamond Plate) (Specify Color) Color: GUNMETAL 424
1	100030	Compartments: Dri-Dek, floor liner, Installed on exterior compartment floors only. Black
		-
	02-	Body & Chassis
1	STD	This chassis is equipped with a Diesel Exhaust Fluid (DEF) System to meet the EPA Diesel Emissions Standards.

	NOTE: Weld Shop	NOTE: Make Sure to run Wires and Prep interior cabinets for cabinet lights in electrical section. NOTE: See special curbside wall and overlay due to special backer and seat placement plus cabinet at head of bench tie in on curbside. NOTE: See front wall for condenser location. NOTE: See front wall for M6 turns. NOTE: Offset and framework in Compartment #1 for Zico O2 Lift.
1	STD	Anti-Theft Device: Ignition Security System, for Ford F-Series Chassis
1	STD	Camera System: Ford "F" 'Series Super Duty OEM Surface Mount Back-Up Camera and Harness tied into OEM display in dash. Option Code 872. Includes RVS-MV3-IR camera and RVS-OA08 Harness.
1	STD	All Exterior compartments coated with light gray colored rubberized polyurethane material.
1	STD	Pass-Thru: With accordion boot. Sliding, latching polycarbonate window.
1	STD	Compartment Lights: Optronics ILL36CB LED Compartment lights- ALL Models Locate: (1) Ceiling of Compt #1; (2) in Compt #2- (1) URH, (1) LLH; (1) in ceiling of Compartment #3; (2) in Compt #4/5; (1) in Compt #6 (if applicable).
1	Modified per Options	Compartment #1 SS Forward: Smooth Aluminum body, Zico Universal Electric O2 lift, Door w/gas strut hold-open, Sealed access to paddle handle in door panel. Stainless steel sill protector. NOTE: See option in Oxygen Section below for Zico Lift. NOTE: See option below for Fixed Shelf.
1	99-2366	Compartment #1: Shelf, Fixed, (1) Smooth Aluminum shelf with DA finish. Will have an upturned lip on the outboard edge and turned down lips on the other three sides for bolting to the compartment walls. Both back corners will include a chamfer to allow for O2 hoses and electric O2 wires coming down from the ceiling. Shelf to be located above the O2 cylinder and the O2 viewing window trim as well. See print: 75-118968 NOTE: MSV-II 157 and 170 Models Only.
1	99-3481	Compartment #2: SS center, Smooth Aluminum body, Open Storage, Double doors with gas strut hold-opens and offset in upper RH corner for interior cabinet configuration (recessed suction or recessed waste pocket, not drawers). Compartment Tub P/N: 77-118605, (1) Adjustable aluminum shelf with DA finish. Sealed access to paddle handles in door panel. Stainless steel sill protector. NOTE: Install right hand door gas strut hold-open at bottom of offset in tub, this will be attached lower on the door panel. NOTE: Ford Chassis MSV-II 170 Type I W/Streetside Drop Skirt Only.

1	99-0713-T1	Compartment #3: SS rear, 3/4 height on 170" body, Smooth Aluminum body with Inside/Outside access, (1)- adjustable shelf with DA finish NOTE: this shelf will be narrow width to fit between the offset walls in the tub, order shelf from print: 77-118634. Door with gas strut hold-open. Sealed access to paddle handle in door panel, Stainless steel sill protector. NOTE: Offset in compartment for full length rear A/A shelf. See special tub print: #33-105141. NOTE: MSV-II 170 Type I Models Only.
2	STD	Rear Entry Doors: Dual door system w/exterior/interior, locking paddle handles; fixed glass windows and Cast Grabber hold-opens. Sealed access to paddle handles in door panels. Stainless steel sill protector. Two-piece interior door panel.
1	Modified per Options	Compartment #4/5 CS Forward: NO body above floor, ALS Cabinet w/ Inside/Outside access at lower section ONLY, ALS upper section to be closed off from exterior; Full-height, single Door w/NYLON STRAP hold-open. Bottom section aluminum body open storage standard. Stainless steel sill protector. (Optional location for additional battery with roll-out battery tray and removable, latching door.)- NOTE: See option in Cabinet Section Below for Inside access only upper section of ALS.
1	STD For 2024 Model	Drop Skirt - a 4" dropskirt shall be provided on both Streetside and Curbside forward of the rear wheelwells. Taller front stone guards shall be provide on both driver and passenger sides.
1	STD	Curbside Entry Door: Taller for 4" drop skirt. Door handle to remain aligned with Compt #4/5 handle; Single door system w/exterior/interior, locking paddle handles; window w/fixed glass; Gas strut hold-open. Sealed access to paddle handles in door panel. LED Step well light. Stainless steel sill protector. Two-piece interior door panel.
1	STD	Curbside Entry Door Stepwell: Dual, smooth aluminum steps welded into door opening coated with rubberized urethane liner material. Stainless steel threshold trim. Dri-Dek insert on lower floor of step entry.
1	99-3228	Compartment #6 CS Rear: Smooth Aluminum body, Open Storage with offset in upper right hand corner for interior cabinetry, Door with gas strut hold-open. Sealed access to paddle handles in door panel, Stainless steel sill protector. Compartment to be 20" Wide with upper corner offset. WILL HAVE SHORTER DIVIDER ATTACHED TO BOTTOM OF OFFSET. Will have (2) seat belts restraints: (1) in upper left Backboard section, (1) lower across Backboard and Stair Chair Section. Order special divider from print: 33-117399 Order special tub from print: 33-117340. NOTE: MSVII 170 Type I or Type III ONLY.
1	STD	All Entry Door paddle handle and rotary latching components will include emergency door releases located top and bottom of each door and shall meet the FMVSS 206 30G Test Requirement

1	200200MSV Modified for Panel	Power Door Locks: All Entry and Compartment Doors, wired to OEM door lock system. Includes (1) switch by Curbside Entry Door interior in standard 8-position switch panel and (1) at Rear Curbside Wall - MSV II ONLY NOTE: See option in Electrical Section below for 8-Position Switch Panel.
1	STD	Rear Bumper: ADP corner pods w/Dock bumper pads, Center grip-strut flip-up step, powder coated steel frame
2	STD	IV Hangers: (2) Cast black rubber fold-down over knee area of Cot and Squad Bench
3	STD	Mirrors, OEM: (1) heated/remote control on each cab door, (1) on interior windshield
1	STD	Wheel Covers: Stainless steel covers w/Valve Extenders
4	STD	Stone Guards: Lower body corners, ADP; 4" taller stone guards on front corners.
1	STD	Kick Plate, Rear: ADP, below rear doors across to corner posts.
1	STD	Rub Rails: C-Channel, tapered ends, Lower Body off-set mount with neoprene spacers.
2	STD	Running Boards: Diamond Plate, Type I w/starburst pattern
1	99-1294	Lights: Courtesy, (2) TecNiq EON E03-W000-1 LED lights with stainless steel horizontal bezels, center mounted below chassis door frame on top lip of running board, (1) each side of the Type I chassis only, wired to OEM dome lights.
1	STD	Fender Flares: Rolled Stainless Steel
2	STD	Fuel Fill Bezel: Cast aluminum; DEF Fill Bezel: Cast Aluminum
2	STD	Fuel Fill Scuff Plate: Stainless steel, below fuel fill bezel for Type I and DEF Fill bezel.
1	STD	Insulation: Pink, double sided radiant barrier/acoustic material, installed on curbside and streetside rear wheel wells.
1	STD	Insulation: Spray in place foam applied to curbside entry step well and both rear wheel wells
1	STD	Undercoating: Per QVM Guidelines
		-
	03-	Brake, Turn & Back-Up Lights
1	Modified for M-Series Lighting	Lights: DOT, Brake/Tail, Turn, Back Up: Whelen M6 Series LED. NOTE: See option in Warning Lights Section for M Series Lighting package.
1	99-0909	Lights: Turn Arrows, (2) Whelen M6TC Amber LED with clear lens and chrome flange mounted on front wall below outboard warning lights. IATS
1	STD	DOT Marker Lights: TecNiq LED, rubber grommet bezels; (7) S34-AC09-1 Amber- (5) on front of body as Marker lights, (2) side facing on rear extrusions as Turn Signals; (7) S34-RC90-1 Red- (5) on rear of Body as Marker lights, (2) side facing as Turn Signals.
		-
	04-	Electrical, Power Distribution, Control Center & Interior Lighting
1	STD	Battery Switch, Automatic: TST CDR-400. Located in Electrical Cabinet.

2	STD	Batteries: OEM, under hood
1	99-1893	Console: Driver's, Formed Aluminum body powder coated black and attached to chassis floor. Switch panel: Engraved black plastic with LED lighted switches for Emergency Master, Primary/Secondary Modes, Siren/Horn, Left, Rear and Right Floods, Back-Up Alarm, Module Disconnect. Siren mounted in engraved panel below switches. NOTE: See option below for additional 125v outlet added to the passenger side of console. Order from console print: 44-A13218. NOTE: TYPE I F-SERIES ONLY
1	99-0988	Electrical: USB Port, Kussmaul 091-219-N dual USB port mounted in switch panel. Fits into standard switch slot. IATS. (Does not work with curbside wall switch panels or in Transits) LOCATION: Front console switch panel.
1	99-0747	Electrical: Antenna, (2) 25' Coax with 3/8" through-hole antenna bases prewired to roof ILOS standard coaxial cables. NOTE: Radio installation tech will have to drill hole and complete mount. Terminate coax with standard Power/Ground for each behind driver's seat. Note: Modular Units Only.
8	Modified for Qty.	Dome Lights: LED w/flange, 2-banks of four (4) lights switched separately with Hi/Lo functions. NOTE: See option below for 3-Way Switching of Domes. NOTE: See option below for White/Blue Domes over Cot.
1	99-3359	Switching: (4) ON/OFF/ON Momentary switches - (2) "High / Left Dome / Low" PN: MX09322 and (2) "High / Right / Dome Low" PN: MX09323 to achieve Hi / Low 3-way switching. Locate (2) in the existing action area Positron switch panel ILOS and (2) in 8-Position Positron switch panel location on the curbside wall IATS. Requires (2) 3-way switching modules PN: MX1045MX from Positron. NOTE: Mods Only. NOTE: White/Blue Domes will not have 3-way switching.
1	99-0525	Lights: Dome, (3) Whelen 9-LED white/blue center fixtures PN: 80CBEHCR, (6) White diodes, (3) Blue diodes in each dome light with chrome flange ILOS white LEDS. Switch for "Center" domes only PN: 39-10-9177 labeled White at top / Center / Blue at bottom. NOTE: MSV-II Models Only.
1	STD	Action Area Light: 12 VDC LED light, with On/Off switch on rear control panel
1	STD	USB Port: Vanner VSS-USB dual port 2Amp mounted on A/A wall

1	99-0617	Electrical: Shoreline, 125VAC, 20-Amp, Kussmaul SUPER Auto Eject P/N: 091-55-20-120 side wired with hinged, yellow, weatherproof cover, Located above Compartment #2 on Streetside. Will have to be mounted on a Kussmaul Stainless Steel E-Z mounting plate P/N: 091-185-009 with green indicator light for ease of access. Mating Connector to be shipped loose. ILOS
1	Modified for Panel	Switch, Momentary Disable: For Scene/Load Lights. (1) Located on Curbside Wall in 8-position panel. (1) Located on Rear Curbside wall in standardized position, no bezel required, vertical S.S. trim is punched for switch.
1	STD	Timer: 5-minute check-out, wired to CS High mode dome lights
1	99-0550-M	Switch: Momentary, 15-Minute Timer for Dome Lights. Located in 8-Position Positron switch panel in standardized position on Curbside Wall. (PNs:MX09150 switch, MX09151 Timer). NOTE: MSVII Models Only
1	99-3718	Switch Panels: Rear, (8) Switch control panel with two rows of four blanks, available to use with other switch options, ILOS MSVII (4) switch panel. Locate on curbside wall over head of bench per print. Order PN: MX01632. NOTE: MSVII Models Only. NOTE: This panel is blank and will require additional switches from separate options in order. NOTE: This panel will include switches from separate options in order that add in: - Power Door Locks - (2) 3-Way switches for C/S and S/S Domes - Disable for Scene/Loads - 15 Minute Dome Timer
1	400160	Inverter: Vanner LSC12-1100- 1100watt with 3-Stage 55Amp battery charger, 20Amp power supply and built in GFI. Remote controlled with switch in the rear switch panel. (This option deletes the GFI in the A/A wall). ILOS NOTE: OPTION 99-1955 IS REQUIRED WHEN ANY INVERTER IS MOUNTED IN ANY BULKHEAD or INTERIOR ENCLOSED CABINET. Location: Ceiling of Compartment #2 Left hand side.
1	400150	Electrical: Battery Charger, DELETE STANDARD (when adding Inverter with integral charger)
1	STD	Breaker Box: 125 VAC w/20-Amp Breaker located in upper LH corner of exterior compartment #2.
3	STD	12 VDC Outlets: (1) in Action Area, (1) in ALS Cabinet, (1) in 2nd Action Area
1	99-0076	Electrical: 12VDC, 12 gauge power & ground. IATS Location(s): Upper left hand corner of upper ALS Cabinet "ALS2".
3	STD	125 VAC Outlets: Duplex, located (1) in Action Area, (1) in ALS, (1) in 2nd Action Area
2	400100	Electrical: 125VAC, Duplex Outlet, IATS Specify Location(s): (1) Curbside Wall over the head of squad bench Workstation; (1) Front Console, passenger side (See option in Electrical Section for Console).

1	Modified for Switches	Rear Switch Panel: Engraved black plastic panel with (10) LED lighted switch positions for Dome Lights-(2) 3-Way (1) Std, Vacuum (1), Cabinet Lights (1) Vent (1), A.A. Light (1), Inverter (1), Elec. O2 Bypass (1), Spare switches and digital clock w/Mode Buttons. MX01517. NOTE: See option above for 3-Way switching for Curbside and Streetside Domes. NOTE: See option below for Cabinet lighting.
9	99-0661	Lighting: Cabinet, (1) TecNiq D04-B001-1 Linear Dragon Light Vertical, Blue LED with white case (D04-0WV0-1), 36" wire. Will have Rocker On/Off Switch in Rear Panel, labeled "Cabinet Lights" (MX09188) - operates all at same time. Price per light. Locate LEDs just inside front top corner of each cabinet. NOT ON BACK WALL. Cabinet Locations: (2) in "A", (2) in "B", (1) Each Squad Bench OH Section centered, (2) Rear Overhead, (1) ALS3 centered on ceiling towards door opening
1	99-1402	Lighting: Cabinet, (1) TecNiq E44-B08V-1 Flexible LEDs, BLUE - 36" for ALS cabinet - to be wired to the interior cabinet light switch and tied in with other cabinet light options. NOTE: This LED is in addition to the exterior compartment lights.
		-
	05-	Warning Lights & Sirens
1	99-1358	Lights: Warning, Whelen M-Series LED EMERGENCY Lighting Package ILOS Whelen LED warning Package- Ford, Chevy Type III MSV-II and Ford and Dodge Type I - MSV-II Models ONLY. NOTE: Does not include LED Scene or Load Lights. All LED lights shall have CLEAR Lenses. All emergency and scene lighting shall have chrome flanges in standard locations. Front of Body: Add (7) M9 Whelen LEDs- Specify pattern by LED Color (4)Red and (3)White: Configured R/W/R/W/R/W/R . (2) outer corners and (1) center light flash on K-Spec flasher. Inner (4) flash independently on Light Bar switch on front console. Sides of Body: (4) M9 Red LEDs: (2) each side in upper corners Rear of Body: (4) Whelen M-Series Red LEDs: (2) in upper outboard corners, (2) Mid-Body wired as Warning/Brake at the window level, (1) Whelen M-Series Amber LED in the center position over the rear doors. Brake, Turn & Back-Up Lights: M6 LEDs Lights, Warning, Intersection Lights: (2) M7 Red LEDs on Front Fenders; (2) M7 Red LEDs above rear Wheel Wells- wired to Primary/Sec Modes
6	99-0700	Lights: Scene/Load, Whelen M9 Linear Super-LED® Surface Mount M9LZC with chrome flange M9FC- ILOS Halogen Specify Locations: 2 on the rear above doors and 2 on each side.

1	99-0106	Lights: Scene/Load, Rear side scene lights on each side to come "ON" in Reverse
2	Modified	Lights, Warning, Grille: LINZ6R Red LED w/clear lenses & chrome flanges on Upper section of Front Grille. NOTE: Flash in X pattern with additional lights in lower grille
2	99-0671	Lights: Warning, Grille, (1) Whelen LINZ6R Red Super-LED with clear lens & chrome flange on Lower section of Front Grille. IATS Specify Location: Lower Grill and flash with X pattern with upper grill lights.
1	STD	Flasher: Dual mode flasher for Warning Light system, Vanner 9860GCPE
2	STD	Siren Speakers: dual 100 Watt drivers mounted behind the front grille
1	STD	Siren: Whelen 295 SLSA1, 200 Watt
		-
	06-	Oxygen, Vacuum & Miscellaneous Items
3	STD	Oxygen Outlets: Quick-connect style, (2) in Action Area, (1) over Squad Bench
1	STD	Electric Oxygen with manual bypass and switch on A/A panel
1	Modified for Location	Suction Aspirator System: SSCOR disposable container mounted on Action Area panel, w/SSCOR gauge and quick-connect; SSCOR vacuum pump mounted on ceiling of Compartment #2. NOTE: See option in Cabinet Section below relocating the Suction Container and Quick Connect.
1	600080	Oxygen: O2 Cylinder Mount, Universal Lift Zico QR-OTSL-US for H-Cylinder, LH Drive, LH Remote Control; Mounting Bracket and Can Cover required: 33-102085 assembly and 33-102074 offset cover. Specify Location(s): Compartment #1 NOTE: MSV-II Models Only.
1	STD	O2 Regulator: Amvex, 50psi, pre-set
		-
	07-	AC / Heat
1	99-3816	HVAC System: Spheros PN: 11149688A High capacity, horizontal blow, brushless, combination Heat-AC system with multi-speed fan and a FRONT WALL / bulkhead mounted external condenser PN: 25062 mounted on a painted aluminum shelf PN: 33-116875. system shall include a digital thermostat mounted on the action area wall and inline booster pump to enhance the rear heater performance. The evaporator unit will be mounted in the front bulkhead. NOTE: Ford Type I 2023+ F-Series Chassis Models only. NOTE: Shelf to be painted OEM White.
		-
	08-	Cabinets, Hardware & Miscellaneous Items
1	STD	Main Streetside Wall Cabinets: Specify desired configuration-

1	OPT	Streetside Cabinet Configuration shall include a CPR Seat with Pro-4 seat belt system. The seat belt system shall include a custom contoured seat back, a single click Pro-4 seat belt, custom pads on the upper straps for shoulder comfort and a heat embossed Medix LOGO at the head area. There shall be a 2nd Action Area, which includes (1) 125VAC and (1) 12VDC outlet, located aft of the CPR seating area.
	Modified Per Options	Main Wall aisle-facing Cabinets will have (1) adjustable laminated wood shelf in each and sliding polycarbonate doors with full height extruded handles. DELETE Recessed cabinet for suction aspirator container. Stainless steel riser on lower face. NOTE: See Prints for Configuration and option below for recessed trash below primary action area.
1	99-0939	Cabinets: Main Cabinet Wall, Reconfigure Streetside Cabinet Wall to delete the standard (2) angled cabinets on either side of CPR Seat. 2nd Action Area to be 22" W x 21.875" H, this will cause the 2nd A/A to protrude into comp. #3 (special tub). Upper rear cabinet face to be flush with Lower Main. The CPR seat will be widened to 32" shifting forward and eliminating the recessed suction. Includes Engineering time. NOTE: MSV-II 170 Models Only.
1	STD	Action Area Overhead Cabinet: Single cabinet full-height/full-depth of Action Area with sliding polycarbonate doors and full height extruded handles.
1	Modified for Suction Location	Action Area and Switch Panel: Laminated, sealed countertop and vertical ALUMINUM panel with Suction system collection canister, vacuum gauge and vacuum outlet , (2) Oxygen outlets, (1) Elec. O2 w/Bypass, (1) USB, (1) 12VDC Outlet, (1) 125VAC Outlet and digital Thermostat. Switch panel MX01517 includes (10) switch positions and digital clock w/Mode Buttons. NOTE: See option above and below relocating Suction Canister and outlet.
1	99-2298	Sharps/Waste: SHARPS Only, receptacle below the action area ILOS recessed Suction with disposal hole in the action countertop, a red POWDER COATED lid (see print: 33-113772) with extruded handle that slides towards the action area panel in 3/16" J-rail. Just below the counter will be the sharps container access door, hinged towards the technician seat side. Door will have a SouthCo round non-locking latch.
	STD	Countertop: 1st / 2nd action area - Corian material overhanging cabinet edge w/ accent color lips. -Main color: Grey -Accent lip color: Black
1	STD	CPR Seat, 2nd Action Area: CPR seat w/hinged, latching lid, storage under seat w/TriMark latch, EVS formed back rest and seat cushion; 2nd Action Area w/(1) 12VDC outlet, (1) 125VAC outlet
1	STD	Sharps/Waste Tilt-Out Cabinet: Below 2nd Action Area with non-locking Austin LifeDefender latch.

1	Modified	Inside/Outside access to Compartment #3: With dual 1/2" Acrylic hinged doors w/non-locking Eberhard two point paddle latches. Doors modified for offset into compartment #3.
1	STD	Front Bulkhead Cabinets: Electrical Cabinet located above Tech Seat w/round SouthCo latching, vented door; HVAC cabinet and filtered air return above cabin-module connection.
2	STD	Pass-Thru Cabinets: Upper cabinet- general storage with (1) hinged, non-locking door and (1) LifeDefender latch on the door; Lower cabinet general storage with (1) hinged, non-locking door and (1) LifeDefender latch on the door.
1	99-3956 Modified for Inside Access Only Upper Section of ALS	ALS Cabinet: Lower Section- Dual lower 1/2" Acrylic doors with two-point non-locking paddle latches and (1) adjustable shelf w/ LonPlate flooring; Middle Section- 6-inch deep drawer w/locking latch and gas strut closure w/Dri-Dek mat; Upper Section- with dual solid doors, two-point LOCKING paddle latches and (2) adjustable shelves w/ LonPlate flooring, ILOS. NOTE: VERY TOP ADJUSTABLE SHELF WILL BE A NARROWER SHELF DUE TO OFFSET AT TOP. ILOS Cabinet Above ALS: Open storage with SHORTER, SOLID hinged FLIP-DOWN door with LifeDefender latch and LifeDefender lock. NOTE: Include part of this space and the standard adjustable shelf into taller section of ALS Cabinet Configuration. NOTE: MSV-II Type I Models ONLY NOTE: See option below for Inside access only close out upper section of ALS.
1	99-0953	ALS Cabinet: Close off upper section of ALS cabinet for Inside Access only.
1	STD	Glove Box Holders: (3) w/hinged, black .125" powder-coated steel door, above curbside entry door.
1	99-1950	Cabinets: Curbside Work Station - with a solid surface counter top and (2) aluminum drawers, with HD slides - stacked below the curbside work station countertop. Both will have LifeDefender non-locking latches. Drawers will face curbside tech seat over wheel well and top drawer will have a hinged polycarbonate lid to be used as an optional writing surface. Squad Bench will have a shortened lid, TriMark latch for lid, custom seat cushion, single EVS NON-RETRACTOR PRO-4 seated position and stainless steel kick panel. Top drawer to have approximate inside dimensions: 16.25"W x 2.5"H x 15"D (PN:. #: 33-105827). Bottom drawer to have approximate inside dimensions: 16.25"W x 2.75"H x 17"D (PN:. #: 33-105214) NOTE: DO NOT ORDER STANDARD S.S. INTERIOR TRIM AT SIDE ENTRY DOOR, ORDER FROM PRINT: 33-103282. NOTE: MSV-II 170 Type I Models ONLY NOTE: ADD BACKER PLATE TO STEPWELL SIDE FACE OF CABINET FOR GRAB HANDLE INSTALL.

1	99-2992	Cabinets: Rear of Squad Bench, storage cabinet with (2) pull out drawers. There will be a 10" Deep storage cabinet with single adjustable shelf recessed into the rear squad bench wall facing the bench with a pair of side hinged acrylic doors with non-locking, Gen2 Austin LifeDefender acrylic doors. This cabinet will protrude into Compartment #6 and require an offset (see special tub option in body section). Below this storage cabinet, install (2) 3"H x 11.875"W x 8"D Aluminum Drawers #33-106133 with HD slides and LifeDefender Non-locking latches. NOTE: MSV-II Models Only.
1	STD	Cabinet, Squad Bench Overhead: with (2) flip-up 1/2" Acrylic doors and Eberhard two point paddle latches with constant torque hinges.
1	STD For 2024 Model	Cabinet, Rear Overhead: Cabinet over rear door opening with (1) flip-up 1/2" Acrylic door, LifeDefender latch, and constant torque hinges.
1	99-2777	Seating: EVS 1880 Child Safety Seat, (1) Technician's Seat MDX-1880S4B with 10° back. Rear facing automotive style seat to include a Pro-4 black belt system, comfort shoulder padding with heat embossed Medix LOGO at the head area of the backrest and the child safety seat system. -ILOS Pro-4 seat. NOTE: Must specify seat base in separate line item. NOTE: Medix Modular Models Only (Not for use on RP90 models).
1	STD	Seat Base: EVS SB-2 Swivel Base for EVS Technician's Seat
1	STD	Assist Rail: overhead off-center toward Streetside of unit.
1	80057	Assist Rail: 72" - 1.25" Stainless w/Radius Ends, Over Squad Bench- IATS
2	99-0309	Grab Handle: 18" x 1.25" Stainless steel with radius ends, IATS Location: (1) on Curbside rear inside rear doors on Compartment #6 can cover; (1) at the side entry door FACE of the cabinet stack. See Prints.
3	STD	Grab handles: 12" x 1.25" dia. stainless steel mounted on each rear entry and curbside entry door
1	STD	Reflective Striping, Door Open Protection: .50" Red reflective striping around interior door pan of all body doors.
3	STD	Reflective Striping- Alternate Red/White chevron pattern on smooth aluminum kick panel- mounted on each rear entry and curbside entry door
		-
	09-	Cots & Miscellaneous Items
1	99-0726	Cot Mount: Stryker, Power/Performance Load Systems, install floor plate "Only". ILOS 175-4. LOCATION: Center Mount NOTE: Coil wires below floor NOTE: ME-153, ME-166, MSV-II Models Only.
		-
	10-	Paint & Lettering
1	STD	Paint: Body all OEM White
		-
0	1000100	Roof Star ONLY, DELETED

		-
		SHIP LOOSE
2	STD	Fire Extinguisher: (2) 5 lb- Ship Loose is Standard
TOTAL ORDER		

I have reviewed this Order and find it to be acceptable and ready to build.

 Dealer Signature **Date:** _____

I have reviewed this Order and find it to be acceptable and ready to build with the addition of the attached, approved changes.

 Dealer Signature **Date:** _____

Please click the link below to complete the Medix Purchase Agreement Standard Terms & Conditions.

Please note, your order will not be accepted without receipt of the signed Terms & Conditions.

[Medix Purchase Agreement Standard Terms & Conditions for Sale](#)

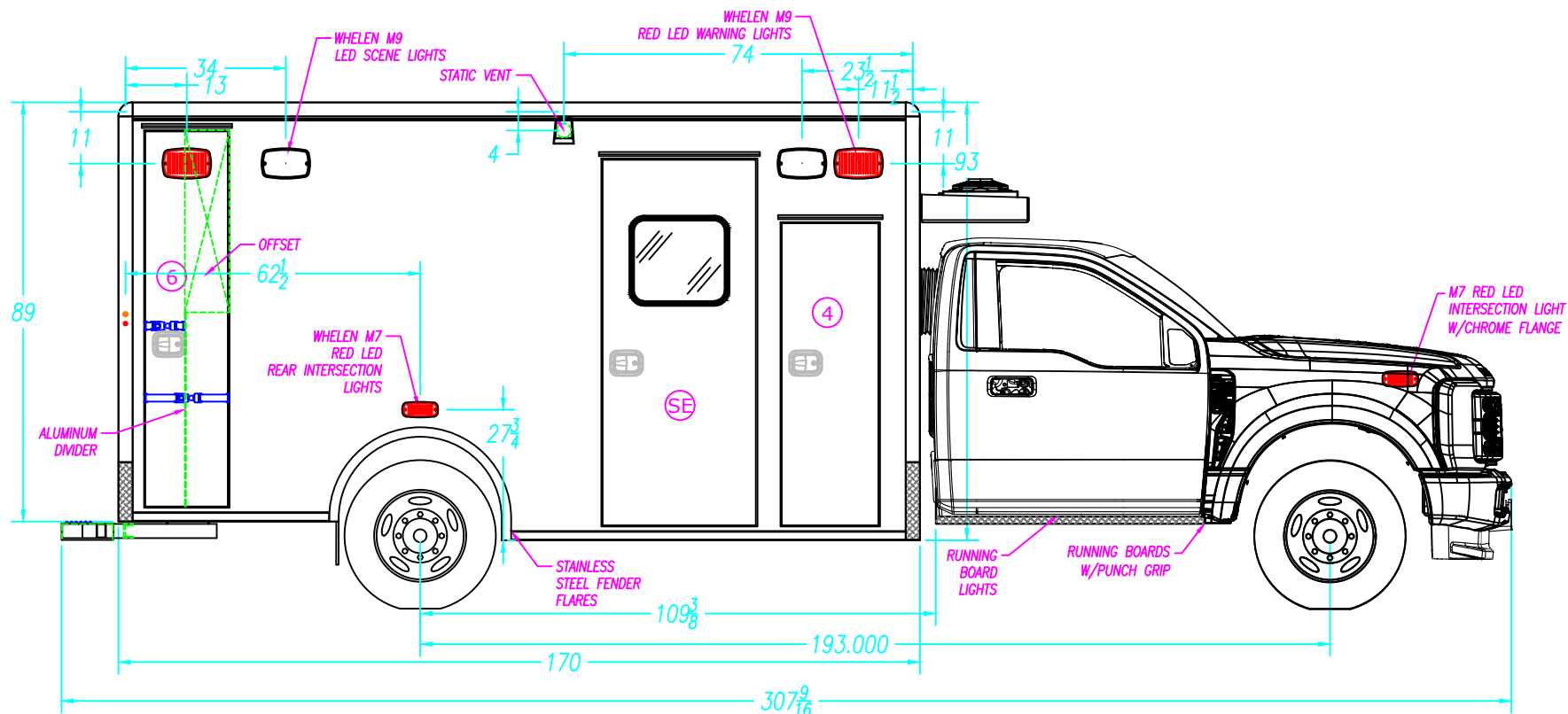
SUBMIT YOUR ORDER TO
med_new_orders@medixambulance.com

Medix maintains record of CAAS-GVS / KKK-A-1822 compliance of this model by design capability, compliant to weight & payload allowances of the model, and all build specifications to meet or exceed those standards. Customers / end users have the right to file exceptions to those criteria and receive notice of any breach as exceptions on FSAM GVS form Appendix 1 – Figure 1&2.

Due to on-going product improvements and the changing requirements of the ambulance industry, MEDIX Specialty Vehicles, Inc. reserves the right to change product specifications and related products without prior notice and without any obligation to change prior products or parts. ALL PATENTS RIGHTS RESERVED.

Product quotes are subject to change. Purchase Price will be the published price list within Quote/Order Entry System on the date of order acceptance by Company

ALL WARNING, SCENE, AND TAIL LIGHTS TO HAVE CHROME BEZELS.
ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS
WIRE TO OEM



COMPARTMENT SIZES		NOTE: THE DIMENSIONS BELOW ARE INSIDE TUB DIMENSIONS			COMPARTMENT & ENTRY DOORS				COMPARTMENT TUBS			
NO.	COMPARTMENT TYPE	WIDTH	HEIGHT	DEPTH	NO.	PART NUMBER	NO.	PART NUMBER	NO.	PART NUMBER	NO.	PART NUMBER
4	ALS COMPARTMENT	---	---	---	4	33-A11398	6	33-A10784	4	33-102298	-	---
5	BATTERY COMPARTMENT	20 1/2"	18 1/2"	23 1/4"	SE	78-116138	-	-	SE	33-102648	-	---
6	BACK BOARD COMPARTMENT	20"	79 1/2"	22"	-	---	-	---	6	33-117340	-	---
-	-	-	-	-	M2 170" TYPE I							
COMPARTMENT / ENTRY DOOR SIZES					FORD F-450/550-DIESEL-193" W.B.							
NO.	COMPARTMENT / ENTRY DOOR TYPE	WIDTH	HEIGHT	DESCRIPTION:								
4	ALS DOOR	20 1/2"	64 1/8"	CURB SIDE EXTERIOR								
5	BATTERY STORAGE DOOR	---	---	DRAWN BY: I.STANSBURY				DATE CREATED: 6/17/2025		SCALE: 5/16"=1'		
SE	SIDE ENTRY DOOR	32 1/2"	77 3/8"	REVISED BY:				DATE REVISED:		REVISION:		
6	BACK BOARD STORAGE DOOR	17 1/2"	79 1/8"									
-	-	-	-	Note: Drawings are for reference only, measurements may vary from actual product.								

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FAX: 574-266-6669

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Dealer: FESCO

Approved By:

Date:

Customer:

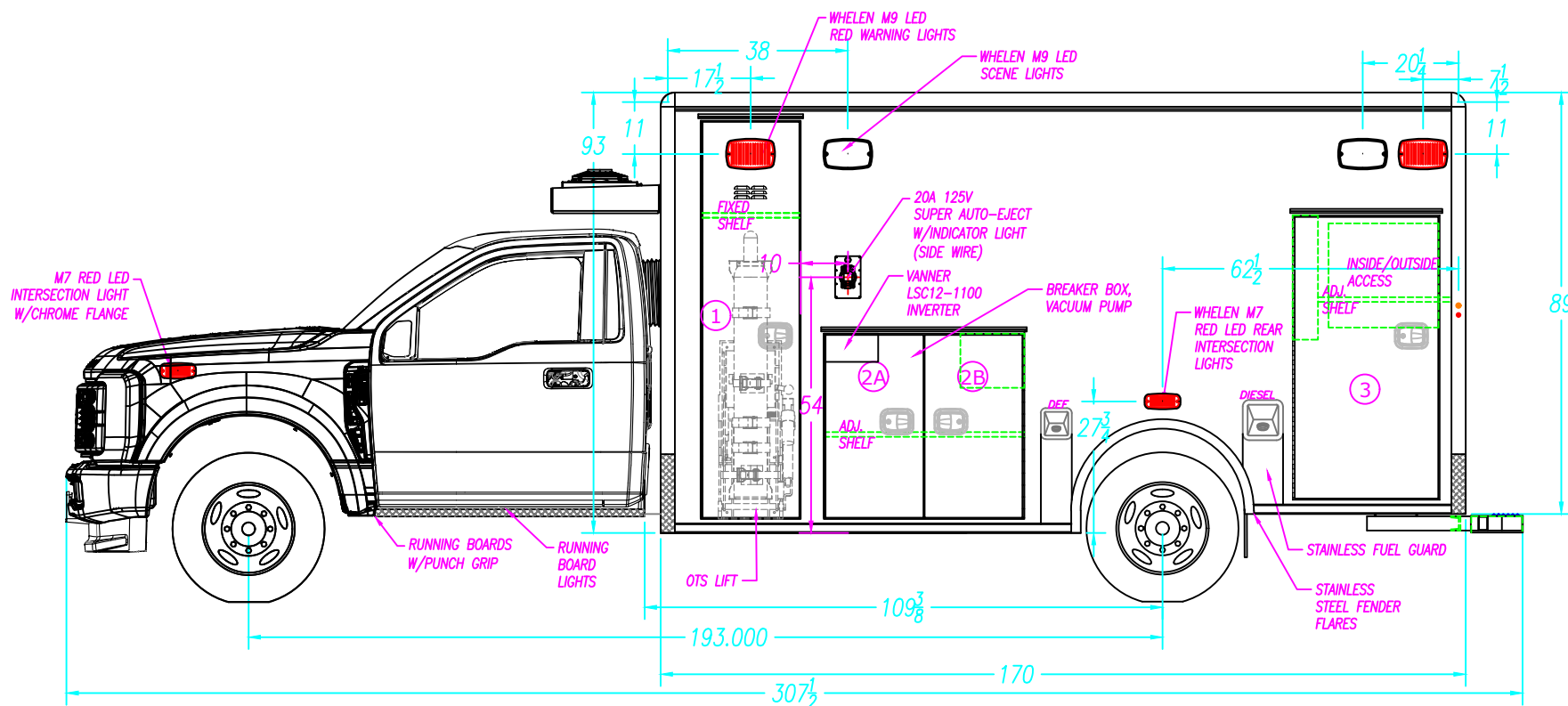
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B

ALL WARNING, SCENE, AND TAIL LIGHTS TO HAVE CHROME BEZELS.

ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS
WIRE TO OEM

COMPARTMENT SIZES

NOTE: THE DIMENSIONS BELOW ARE INSIDE TUB DIMENSIONS

NO.	COMPARTMENT TYPE	WIDTH	HEIGHT	DEPTH
1	O2 COMPARTMENT	20 1/2"	83 1/2"	18 1/2"
2	MID STORAGE COMPARTMENT	41 3/4"	38 1/2"	18 1/2"
3	REAR STORAGE COMPARTMENT	34"	59 1/2"	19 1/4"
---	---	---	---	---

COMPARTMENT / ENTRY DOOR SIZES

NO.	COMPARTMENT / ENTRY DOOR TYPE	WIDTH	HEIGHT
1	O2 STORAGE DOOR	20 1/2"	83 1/2"
2A	MID STORAGE DOOR-A	20 1/4"	38 1/2"
2B	MID STORAGE DOOR-B	20 1/4"	38 1/2"
3	REAR STORAGE DOOR	32 1/2"	59 1/2"

COMPARTMENT & ENTRY DOORS

NO.	PART NUMBER	NO.	PARTNUMBER
1	78-118069	3	33-A11397
2	78-120157		

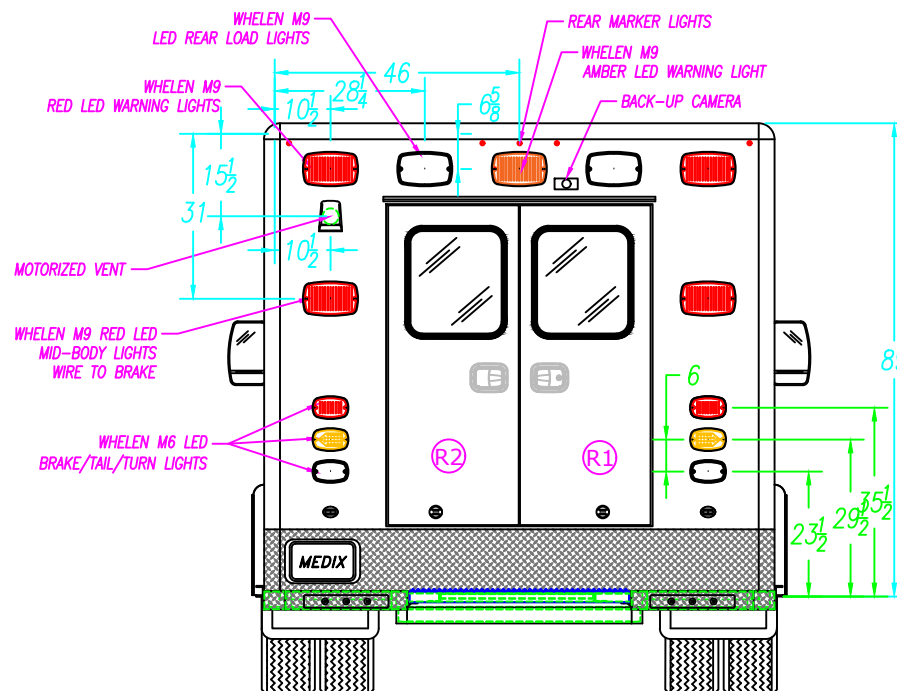
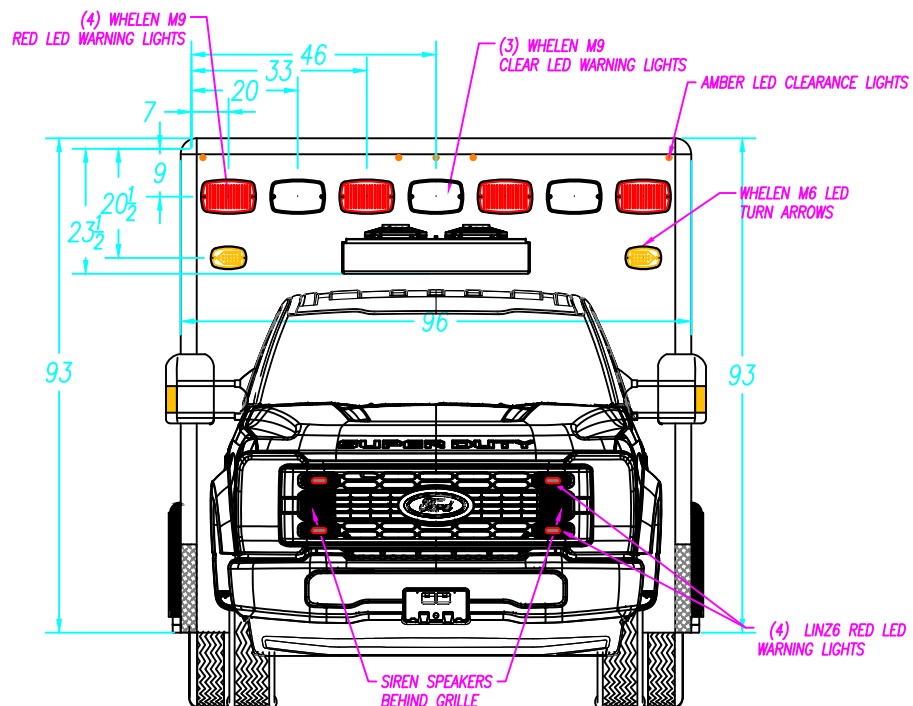
M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.		
DESCRIPTION: STREET SIDE EXTERIOR		
DRAWN BY: I.STANSBURY	DATE CREATED: 6/17/2025	SCALE: 5/16"=1'
REVISED BY:	DATE REVISED:	REVISION:
Note: Drawings are for reference only, measurements may vary from actual product.		

COMPARTMENT TUBS

NO.	PART NUMBER	NO.	PARTNUMBER
1	77-118126	-	---
2	77-118605	-	---
3	33-105141	-	---

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ALL COMPARTMENT/ENTRY DOORS TO HAVE POWER LOCKS
WIRE TO OEM



REAR ENTRY DOOR SIZES

NO.	WIDTH	HEIGHT	PART NUMBER
RE	54"	64 1/2"	78-116135

M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.		
DESCRIPTION: FRONT & REAR EXTERIOR		
DRAWN BY: I.STANSBURY	DATE CREATED: 6/17/2025	SCALE: 5/16"=1'
REVISED BY:	DATE REVISED:	REVISION:
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Date:

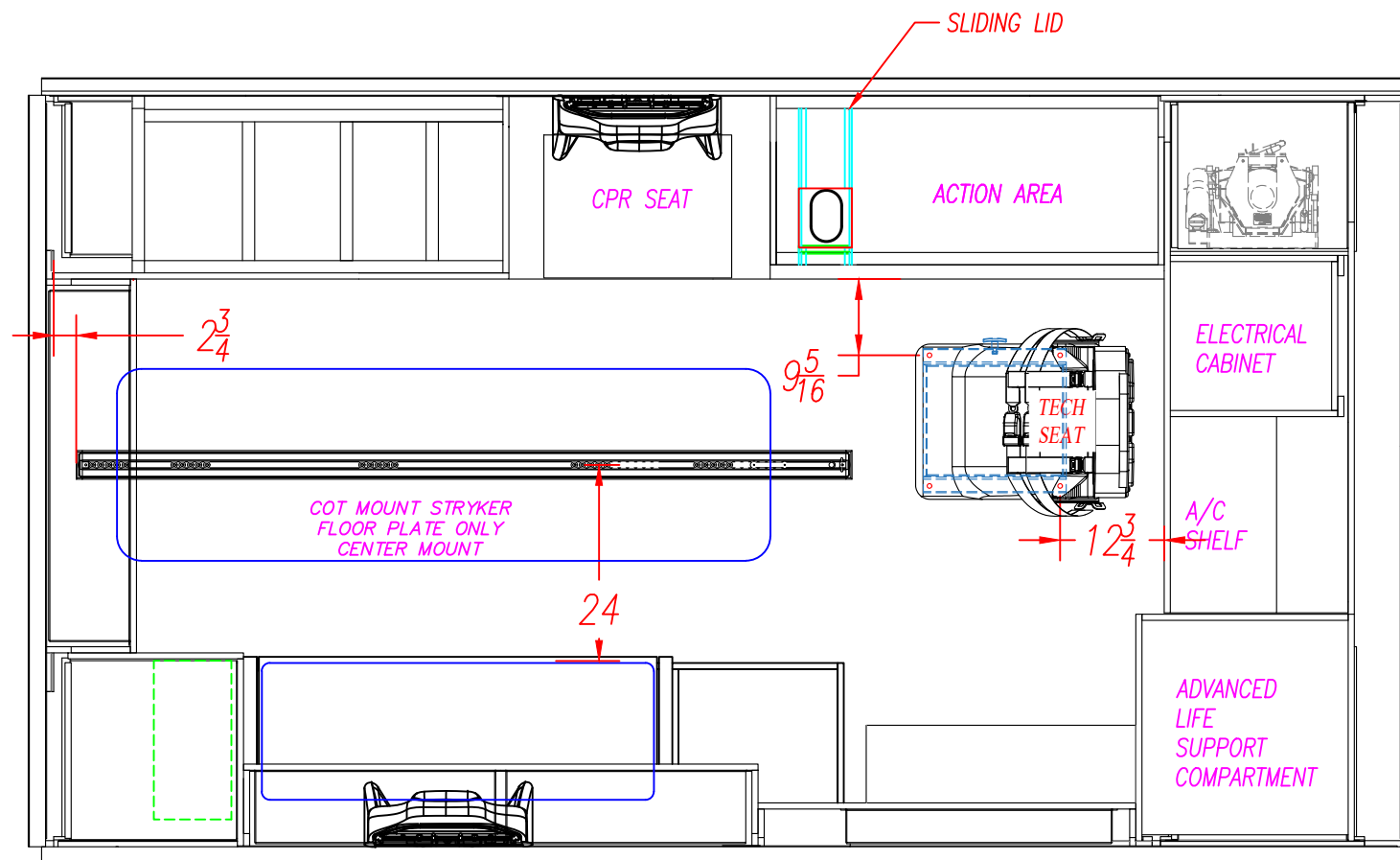
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D



M2 170" TYPE I
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

PATIENT AREA PLAN

DRAWN BY:
I. STANSBURY

DATE CREATED:
6/17/2025

SCALE:
1/2"=1'

REVISED BY:

DATE REVISED:

REVISION:

Note: Drawings are for reference only, measurements may vary from actual product.



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Dealer: FESCO

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Date:

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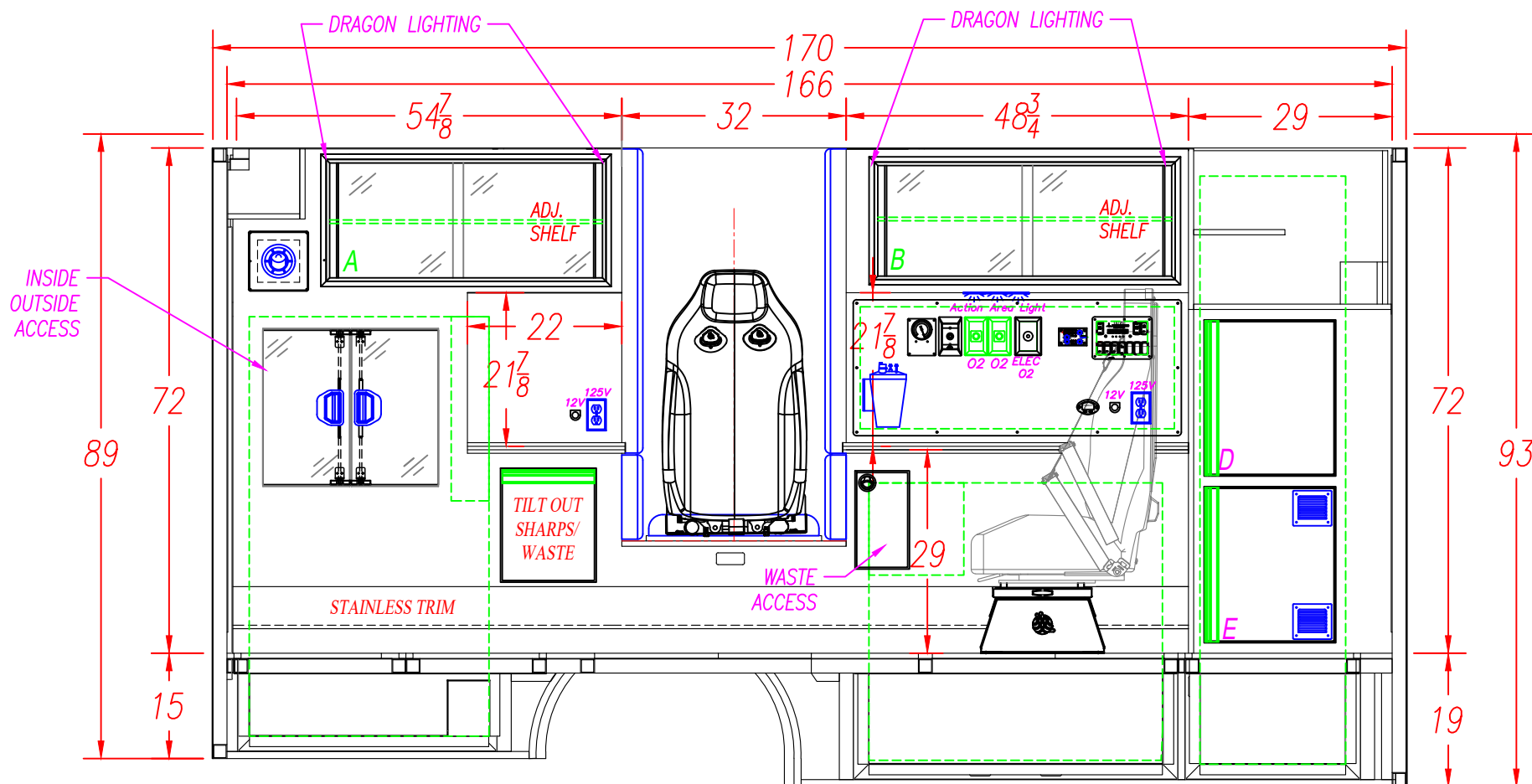
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E

CORIAN COUNTERTOPS IN 1ST & 2ND ACTION AREA.



INTERIOR CABINET STORAGE

ITEM	HEIGHT	WIDTH	DEPTH	PART #'S
A	16 $\frac{5}{8}$ "	38 $\frac{3}{4}$ "	18"	43-A10697
B	15 $\frac{7}{8}$ "	44 $\frac{1}{8}$ "	16"	43-A10698
C				-
D	23 $\frac{1}{2}$ "	21 $\frac{3}{4}$ "	17 $\frac{1}{4}$ "	-
E	23 $\frac{1}{2}$ "	21 $\frac{3}{4}$ "	17 $\frac{1}{4}$ "	-
F	-	-	-	-

M2 170" TYPE I
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

STREET SIDE INTERIOR

DRAWN BY:
I. STANSBURY

DATE CREATED:

6/17/2025

SCALE:

1/2"=1'

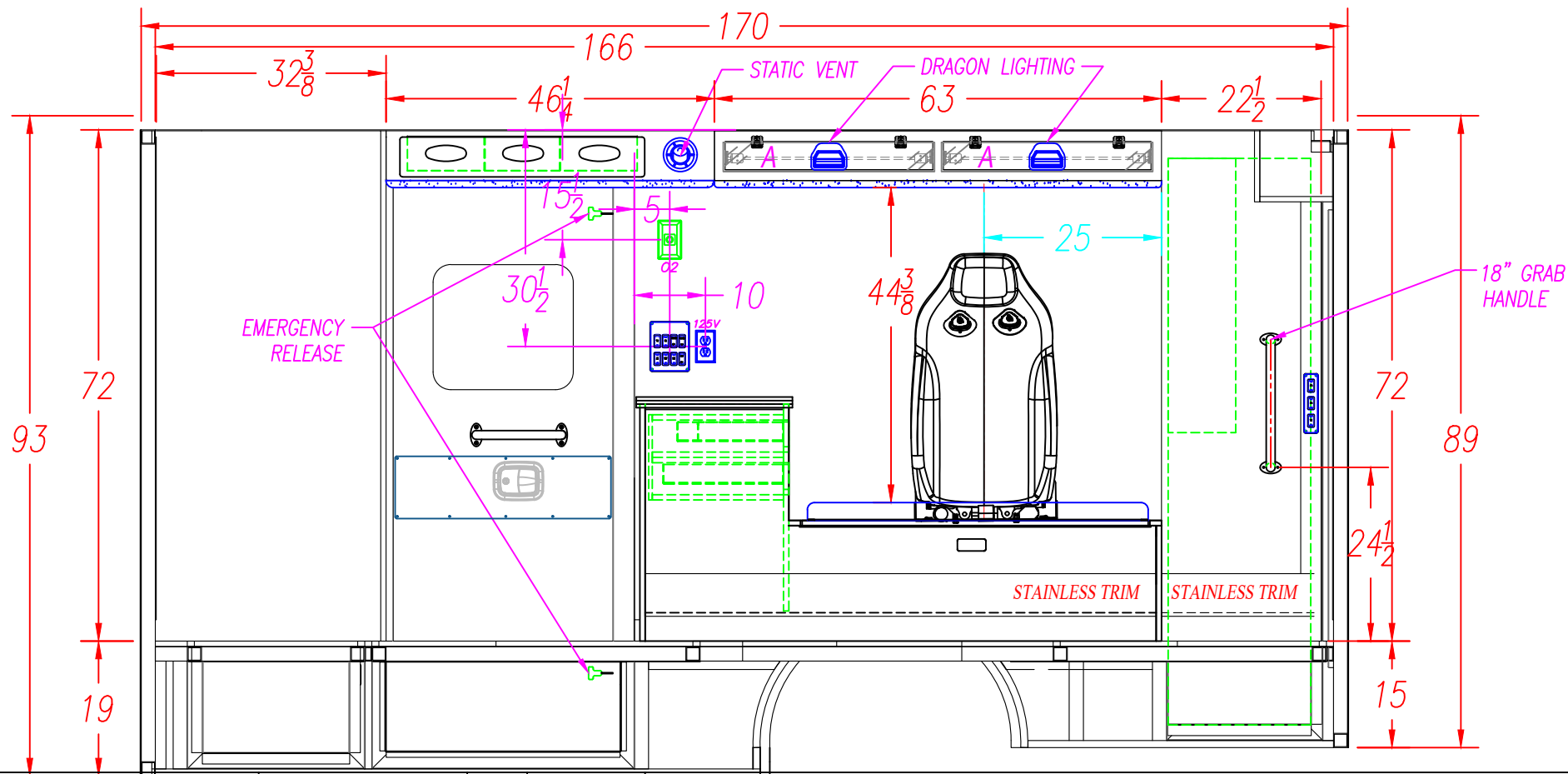
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DATE REVISED:

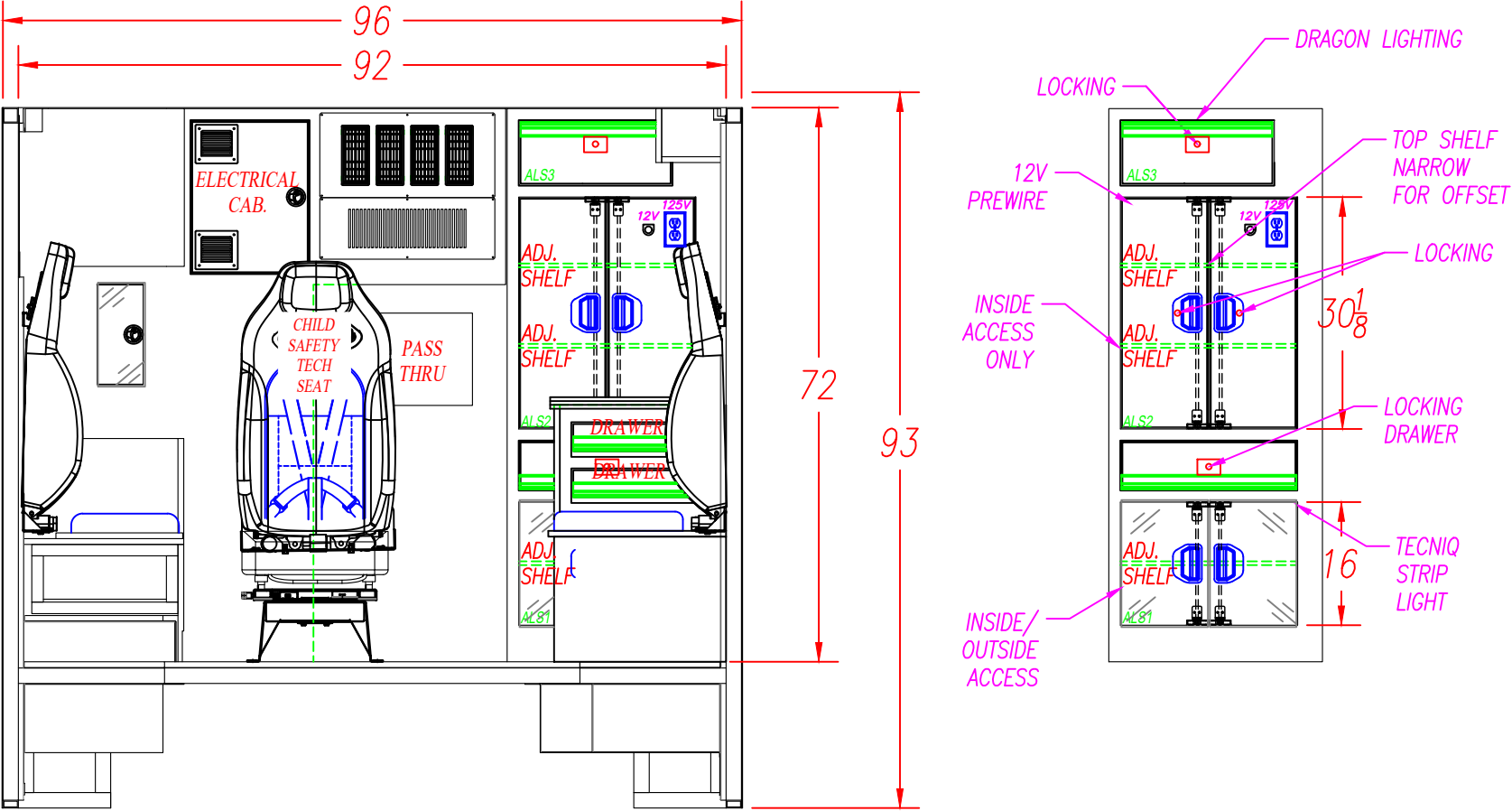
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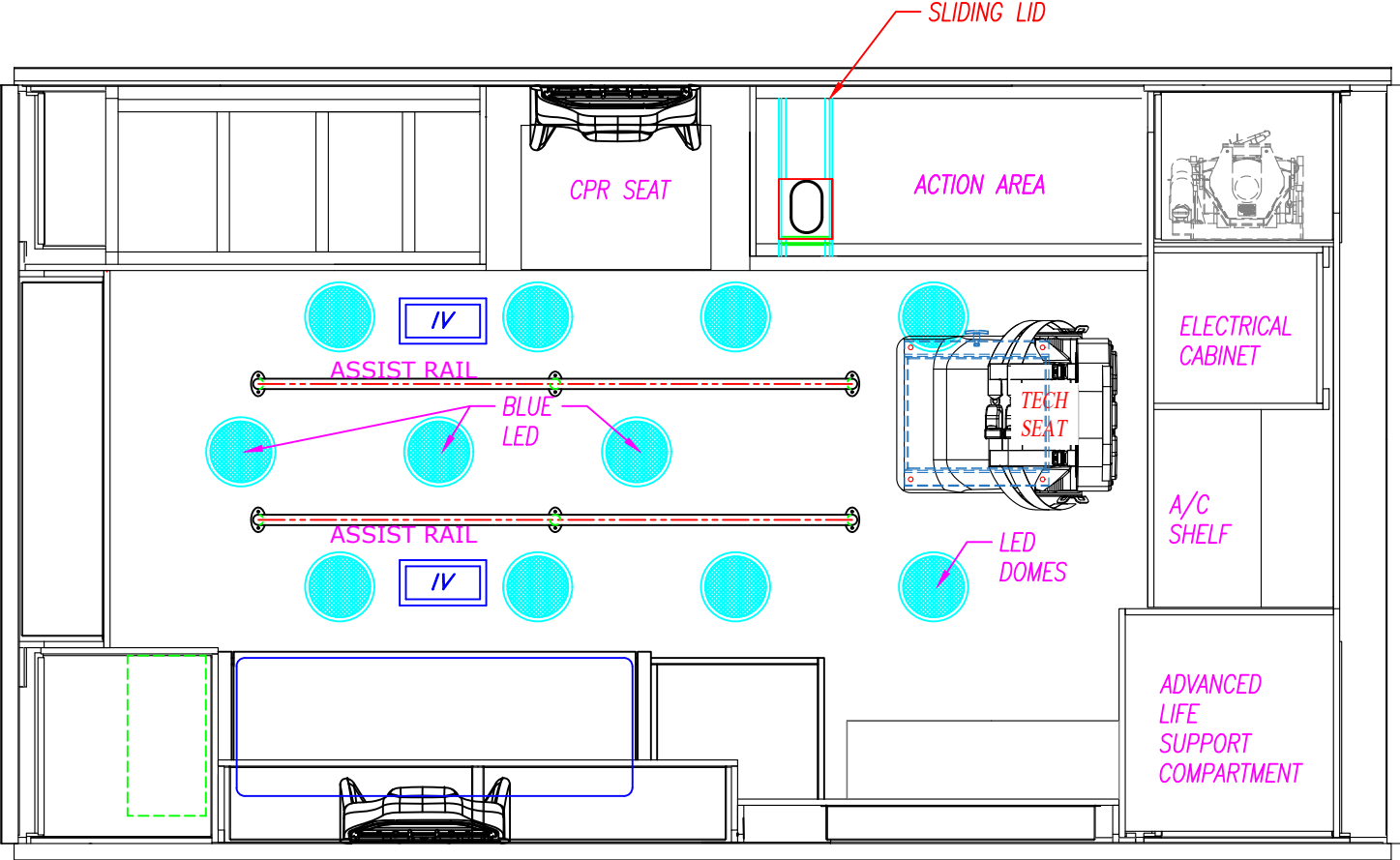
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4" SEATBELT PLATE LOCATION	WELD SHOP	33	INCHES	NOTE: THIS DIMENSION IS FROM THE BOTTOM OF THE WALL TO THE BOTTOM OF THE 4" PLATE.											
	CABINET SHOP	NOTE: THE HOLES FOR THE TOP SEATBELT BOLTS ARE 1 ¼" FROM THE TOP OF THE SQUAD BENCH TO THE CENTER OF THE SEATBELT BOLT. NOTE: THE HOLES FOR THE BOTTOM SEATBELT BOLTS ON THE SQUAD BENCH ARE 9 ⅝" FROM THE TOP OF THE FLOOR TO THE CENTER OF THE BOLT.													
	NOTE: READ THE DIMENSIONS FROM RIGHT TO LEFT AS VIEWED	THE LOCATION OF THE BOTTOM SEATBELT HOLES ARE FROM THE REAR OF THE SQUAD BENCH TO THE CENTER OF THE ½" HOLE				BOTTOM									
		THE LOCATION OF THE TOP SEATBELT HOLES ARE FROM THE REAR WALL TO THE CENTER OF THE ½" HOLE				TOP									
INTERIOR CABINET STORAGE					M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.					 3008 MOBILE DRIVE ELKHART, IN 46514 PH: 574-266-0911 FAX: 574-266-6669 "LET US SHOW YOU THE MEDIX DIFFERENCE" WWW.MEDIXAMBULANCE.COM					
ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE	DESCRIPTION: CURB SIDE INTERIOR										
A	5 ½"	29 ¼"	8 ¼"		DRAWN BY: I.STANSBURY					DATE CREATED: 6/17/2025		SCALE: 1/2"=1'			
B					REVISED BY:					DATE REVISED:		REVISION:			
C					Note: Drawings are for reference only, measurements may vary from actual product.										
D															
E															
F															



INTERIOR CABINET STORAGE					M2 170" TYPE I FORD F-450/550-DIESEL-193" W.B.			 3008 MOBILE DRIVE ELKHART, IN 46514 PH: 574-266-0911 FAX: 574-266-6669 "LET US SHOW YOU THE MEDIX DIFFERENCE" WWW.MEDIXAMBULANCE.COM
ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE	DESCRIPTION: FRONT ELEVATION			
ALS1	16"	23"	25 ¼"		DRAWN BY:	DATE CREATED:	SCALE:	
ALS2	30 ⅝"	23"	25 ¼"		I.STANSBURY	6/17/2025	1/2"=1'	
ALS3	8 ½"	20"	25 ¼"		REVISED BY:	DATE REVISED:	REVISION:	
					Note: Drawings are for reference only, measurements may vary from actual product.			



M2 170" TYPE I		
FORD F-450/550-DIESEL-193" W.B.		
DESCRIPTION: CEILING LAYOUT		
DRAWN BY: I. STANSBURY	DATE CREATED: 6/17/2025	SCALE: 1/2"=1'
REVISED BY:	DATE REVISED:	REVISION:
Note: Drawings are for reference only, measurements may vary from actual product.		



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PH: 574-266-0911
FAX: 574-266-6669

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Dealer: FESCO

Approved By:

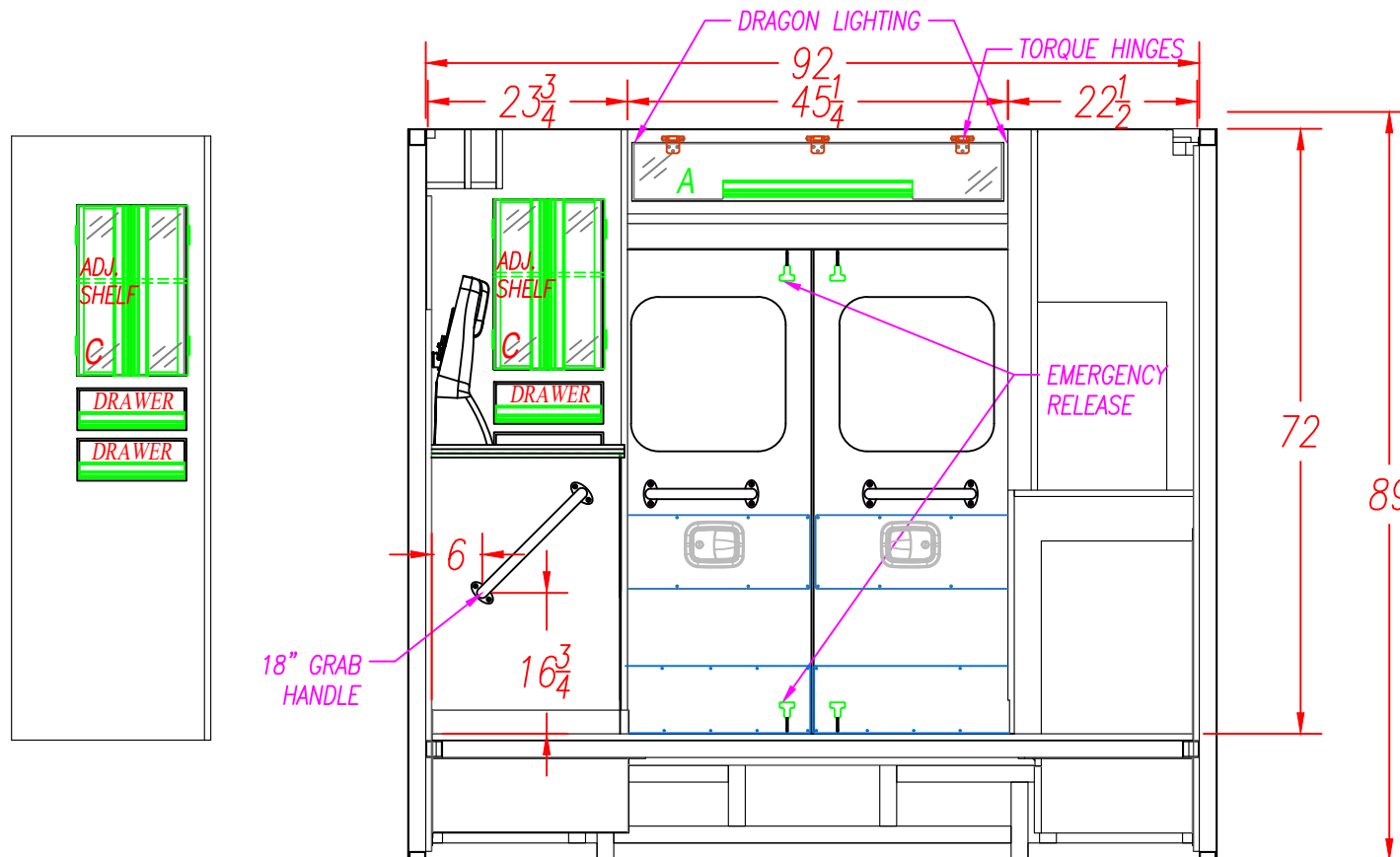
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INTERIOR CABINET STORAGE

ITEM	HEIGHT	WIDTH	DEPTH	SPECIAL NOTE
A	8 1/2"	42 1/4"	7 1/4"	
B				
C	19 3/4"	13"	10 1/4"	
D				
E				
F				

M2 170" TYPE I
FORD F-450/550-DIESEL-193" W.B.

DESCRIPTION:

REAR ELEVATION

DRAWN BY:

I. STANSBURY

DATE CREATED:

6/17/2025

SCALE:

1/2"=1'

REVISED BY:

DATE REVISED:

REVISION:

Note: Drawings are for reference only, measurements may vary from actual product.

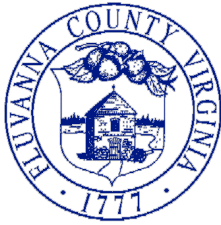


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**FLUVANNA COUNTY BOARD OF SUPERVISORS
MEETING PACKAGE ATTACHMENTS**

Incl?	Item
☒	BOS Contingency Balance Report
☐	Building Inspections Report
☒	Capital Reserve Balances Memo
☐	Fluvanna County Bank Balance and Investment Report
☒	Unassigned Fund Balance Report
☐	VDOT Monthly Report
☐	ARPA Fund Balance Memo
☐	The Board of Supervisors Work Plan



COUNTY OF FLUVANNA

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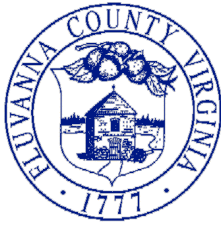
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P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister – Management Analyst II
To: Board of Supervisors
Subject: FY26 BOS Contingency Balance

The FY26 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$150,000
Less: Transfer to BOS Professional Services Budget – 10.15.25	-\$22,500
Less: Operational Medical Director (OMD) Agreement – 10.15.25	-\$24,000
Less: Tenaska Traffic Study – 10.15.25	-\$60,000
Less: Board of Supervisors Pay Increase – 06.18.25	-\$7,764
Less: County Attorney Legal Fees Tenaska Special Permit – 04.15.26	-\$19,580
Less: BOS Consult Fees Tenaska Special Permit – 04.15.26	-\$5,300
Less: Unclaimed Body – 06.17.26	-\$1,800
Available:	\$9,056



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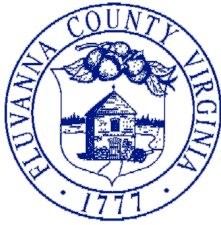
P.O. Box 540
Palmyra, VA 22963
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MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister – Management Analyst II
To: Board of Supervisors
Subject: FY27 BOS Contingency Balance

The FY27 BOS Contingency line balance is as follows:

Beginning Original Budget:	\$155,859
Less: Social Services Required Local Match for 2% Bonus – 08.05.26	-\$16,176
Available:	\$139,683



COUNTY OF FLUVANNA

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Palmyra, VA 22963
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MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister – Management Analyst II
To: Board of Supervisors
Subject: FY26 Capital Reserve Balances

The FY26 Capital Reserve account balances are as follows:

County Capital Reserve:

FY25 Carryover	\$542,664.43
FY26 Budget Allocation:	\$250,000
Less: FUF D Receptacles to Light Poles – 10.01.25	-\$6,500
Less: Carysbrook Softball Field Lights – 10.15.25	-\$3,950
Less: Fire Rescue Door Repairs – 11.05.25	-\$6,580
Less: Migration to M365 Government Cloud – 11.05.25	-\$63,269.60
Less: PG P&R Extend Power – 11.05.25	-\$15,805
Less: Courts Boiler Replacement – 01.07.26	-\$26,000
Less: Rescue 1 Add'l Counter Space – 01.07.26	-\$5,500
Less: PG House Stair & Railing Replacement – 01.21.26	-\$8,170
Less: Tree Removal & Pruning – 01.21.26	-\$14,905
Less: 2026 County Expenses from Winter Storm Fern – 04.01.26	-\$38,505
Less: ADA Walkway to Inclusive Playground – 04.01.26	-\$6,031.68
Less: Abate & Demo PG Caretaker House – 04.15.26	-\$28,200
Less: FU Fire Building Improvements – Paint – 06.17.26	-\$3,514
Less: FU Fire Building Improvements – Water – 06.17.26	-\$15,795.71
Less: Pleasant Grove House Window Repair – 06.17.26	-\$15,413.23

FY26 Available:	\$534,525.21
------------------------	---------------------

Schools Capital Reserve:

FY25 Carryover	\$176,044.63
FY26 Budget Allocation:	\$250,000
Less: CEN Playground Equipment – 08.06.25	-\$16,263.10
Less: FCHS Bus Loop Sheetrock & Ceiling – 08.06.25	-\$12,000
Less: FCHS Chiller 1 – 08.06.25	-\$9,430
Less: FCHS Stage CYC Lights – 08.06.25	-\$10,660
Less: FCHS Café Dishwasher – 09.17.25	-\$5,448.93
Less: Replace Variable Frequency Drive in FCHS Air Handler – 10.01.25	-\$7,258
Less: Removal of Bleachers at Middle School Football Field – 10.01.25	-\$15,000
Less: CEN and CAR Replacement of Cafeteria Tables – 10.15.25	-\$29,982.27
Less: FCHS Baseball Field Drainage – 10.15.25	-\$13,905
Less: CE & FMS Replace Flooring in Food Service Coolers – 11.05.25	-\$36,708
Less: Replace (2) Refrigerators at FCHS – 11.05.25	-\$49,398
Less: Abrams Academy Fire Alarm System – 11.19.25	-\$9,991.99
Less: FCHS Chiller (1) Tubes Cleaning – 11.19.25	-\$10,000
Less: FCHS VFD in the AHU – 11.19.25	-\$6,833
Less: FMS & FCHS Remote Well Monitoring System – 11.19.25	-\$6,450
Less: FCHS Floor Scrubber – 01.07.26	-\$9,387
Less: DIS Fuel Master Live – 01.21.26	-\$21,000
Less: DIV – School Snow Removal - 02.18.26	-\$7,500
Add: Closed CRM Projects – 03.09.26	\$4,367



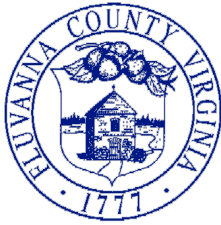
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Less: Replacement of Camera's – 03.18.26	-\$12,000
Less: Replace FCHS Press Box Window's – 03.18.26	-\$32,225
Less: FMS Wave Server Replacement – 03.18.26	-\$17,500
Less: PG Well Shut Off & Blow Off Valves Replacement – 05.20.26	-\$9,800
FY26 Available:	\$81,671.34



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MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister – Management Analyst II
To: Board of Supervisors
Subject: FY27 Capital Reserve Balances

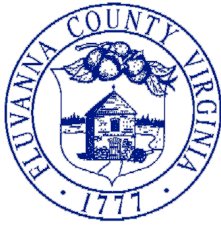
The FY27 Capital Reserve account balances are as follows:

County Capital Reserve:

FY26 Carryover	\$534,525.21
FY27 Budget Allocation:	\$250,000
FY27 Available:	\$784,525.21

Schools Capital Reserve:

FY26 Carryover	\$81,671.34
FY27 Budget Allocation:	\$250,000
Less: FCHS Sewer Station Grinder Pumps – 08.05.26	-\$9,247.63
Less: FCHS Tennis Courts – 08.05.26	-\$17,540
Less: SBO Tree Damage – 08.05.26	-\$50,486
FY27 Available:	\$254,397.71



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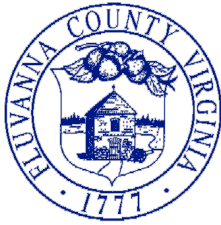
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MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister– Management Analyst II
To: Board of Supervisors
Subject: Unassigned Fund Balance

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*FY25 Year End (Audited) Unassigned Fund Balance:	\$26,607,927
Unassigned Fund Balance – 12% Target Per Policy:	\$12,022,656
Unassigned Fund Balance – Excess Above Policy Target:	\$14,585,271
Less: Coves at Monticello Performance Grant – 07.02.25	-\$63,208.33
Less: Pleasant Grove Park Paving CIP – 08.06.25	-\$21,216
Less: Information Technology ADP Services – 08.06.25	-\$11,535
Less: Fire Training Building – 09.17.25	-\$615,000
Less: FY25 to FY26 County Carryovers – 12.03.25	-\$67,921.40
Less: FY25 to FY26 County Carryovers – 12.17.25	-\$36,000
Less: Coves at Monticello Performance Grant – 01.21.26	-\$63,208.33
Less: Historic Courthouse Restoration – 01.21.26	-\$516,140
Less: Tyler Tech Resident Access and Business License Modules – 04.15.26	-\$39,772
Less: FY27 Adopted CIP – 04.08.26	-\$8,318,170
Less: Coves at Monticello Performance Grant – 06.03.26	-\$63,629.71
Less: Organizational Efficiency Study – 05.06.2026	-\$58,000
Current (Audited) Unassigned Fund Balance:	\$4,711,470.23



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MEMORANDUM

Date: August 19, 2026
From: Theresa McAllister– Management Analyst II
To: Board of Supervisors
Subject: Unassigned Fund Balance

*FY26 Year End (Unaudited) Unassigned Fund Balance:	\$4,711,470.23
Less: FCPS Revenue Budget Transfer – 07.01.26	-\$2,610,296.35
Current (Unaudited) Unassigned Fund Balance:	\$2,101,173.88

*Audited FY26 Year End Unassigned Fund Balance will be available upon Completion of the FY26 Annual Comprehensive Financial Report

