

**FLUVANNA COUNTY PLANNING COMMISSION  
MEETING MINUTES  
Carysbrook Performance Arts Center  
8880 James Madison Hwy, Fork Union, VA 23055  
Tuesday, May 7, 2024  
Work Session 6:00pm | Regular Meeting 7:00pm**

**MEMBERS PRESENT:**

Barry Bibb, Chair  
Kathleen Kilpatrick, Commissioner  
Eddie Shifflett, Commissioner  
Howard Lagomarsino, Commissioner  
Loretta Johnson-Morgan, Commissioner  
Mike Goad, Representative of Board of Supervisors

**ABSENT:**

None

**STAFF PRESENT:**

Todd Fortune, Director of Planning  
Dan Whitten, Fluvanna County Attorney  
Jason Overstreet, Senior Planner  
Kayla Polychrones, Administrative Assistant

**WORK SESSION CALL TO ORDER:**

At 6:02 pm, Chair Bibb, called the May 7, 2024 Work Session to Order, led the Pledge of Allegiance, and then he conducted a Moment of Silence.

**Solar Ordinance Review Committee**

- **March 6, 2024 – The Board of Supervisors approved a resolution of intention to amend §22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District. The Committee had the task of considering the removal of such use from the A-1 zoning district. The Planning Commission must hold a public hearing by June 20, 2024 regarding the removal of the use.**
- Committee discussed two options of creation of a new zoning district that authorizes utility scale solar facilities and minor scale solar facility by special use permit; or creating a zoning overlay district that authorizes utility scale solar facilities and minor scale solar facilities by special use permit.
- Presentation by Dan Whitten, County Attorney: Consideration to Add Supplemental Regulations
- Concerns from Commission included topography analysis, visual appeal, safety, and pending applications.
- **Next Step: The Planning Commission will address removal of utility scale solar use from A-1 at 6/11 Planning Commission Public Hearing. Recommendations to be presented to Board of Supervisors Public Hearing on July 3, 2024.**

Chairman Bibb closed Work Session at 7:01 PM.

**CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**

At 7:02 pm, Chair Bibb, called the May 7, 2024 Regular Meeting to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

**DIRECTOR'S REPORT – Todd Fortune, Director of Planning**

**Announcements and Updates**

- County staff has been approached by two solar developers about potential projects; No applications for these projects have been received at this time.

**Upcoming Zoning Cases**

- None

**Upcoming Meetings**

- June, 11 2024 – Morris Room
- July 9, 2024 – Morris Room

**PUBLIC COMMENTS #1**

At 7:06 pm, Chair Bibb opened the first round of public comments. With no one wishing to speak, Chair Bibb closed the first round of public comments at 7:06 pm.

**MINUTES OF APRIL 9, 2024**

<b>MOTION:</b>	To Approve the Regular meeting minutes of the Planning Commission of April 9, 2024.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>			<b>Second</b>	<b>Motion</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved, as presented</b>				

**PUBLIC HEARINGS**

**ZMP24:01 – Pratap Rai – Proffer Amendment**

- Ordinance to amend proffers of ZMP 09:04 with respect to 1.27 acres of TMP 5-A-54. This amendment would permit previously proffered out commercial uses such as a personal services establishment. There is currently an office, a non-conforming use of beauty parlor, and single-family dwelling occupying existing buildings.
- Mr. Rai has signed a proffer statement for the additional uses and has expressed willingness to connect to public water and sewer once it is available. Mr. Rai acknowledged VDH conditions for personal services listed in signed proffer amendment regardless of connecting to public sewer and water.
- Mr. Rai states his goal is to build a future office building and more commercial spaces such as a pharmacy, small fast food restaurant, medical office, and personal services establishment.

<b>MOTION:</b>	Motion to defer ZMP 24:01 to June 11, 2024 pending review from VDH				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Second</b>			<b>Motion</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 approved deferral</b>				

With no one else wishing to speak, Chairman Bibb closed Public Hearing at 7:24 PM.

**PRESENTATIONS**

None

**SITE DEVELOPMENT PLANS**

None

**SUBDIVISIONS**

None

**UNFINISHED BUSINESS**

None

**NEW BUSINESS**

**SUP23:01 – White Oak Tree Solar LLC – Request for Deferral – Dan Whitten, County Attorney**

<b>MOTION:</b>	Motion to accept deferral from White Oak Solar LLC to September 10				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>		<b>Seconded</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Nay
<b>RESULT:</b>	<b>4-1 Deferral Request Accepted</b>				

**PUBLIC COMMENTS #2:**

Chair Bibb opened the second round of Public Comments at 7:27 pm.

With no one wishing to speak, Chair Bibb closed the second Public Comments period at 7:27 pm.

**ADJOURNMENT**

<b>MOTION:</b>	Motion to Adjourn the May 7, 2024 Planning Commission Regular meeting at 7:27 pm				
<b>MEMBER:</b>	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
<b>ACTION:</b>			<b>Second</b>	<b>Motion</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 approved adjournment</b>				

Minutes were recorded by Kayla Polychrones, Administrative Programs Specialist.

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**Barry Bibb, Chair**  
**Fluvanna County Planning Commission**