

**FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES
132 Main Street Palmyra, VA 22963,
Tuesday, August 12, 2025
Regular Meeting 7:00 pm**

MEMBERS PRESENT: Barry Bibb, Chair
Howard Lagomarsino, Vice-Chair
Kathleen Kilpatrick, Commissioner
Loretta Johnson-Morgan, Commissioner
Bob Dorsey, Commissioner
Mike Goad, Board of Supervisors Representative

STAFF PRESENT: Todd Fortune, Director of Planning
Dan Whitten, County Attorney
Jason Overstreet, Senior Planner
Alex Porter, Planner/GIS Technician

MEETING CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:
At 7:00 pm Chairman Bibb called the August 12, 2025 meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

- **Adoption of the Agenda:**
 - Mr. Fortune recommended removal of the New Business item related to the County Address Policy from the agenda

MOTION:	To Approve the Adoption of the Agenda of the Planning Commission meeting for August 12, 2025 Meeting as amended				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Motion	Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Director’s Report:**
 - **Staff Updates:**
 - Jenny Cassell Faulknier has been hired as the new Administrative Programs Specialist and will begin on September 8.
 - A community meeting/open house will be held at Fluvanna County High School Thursday, August 14th at 6:30 pm on the Project Expedition Generating System Project.
 - Staff are working to coordinate with a university program to assist with developing concepts for Village Residential Overlays to present to the Planning Commission and the public.
 - Staff have been working with the Fluvanna County Economic Development Authority on the potential development of a Technology Zone overlay to add to the County Zoning Ordinance.
 - There are three public hearings on the agenda
 - ZTA 25:04 – Food Trucks
 - ZTA 25:07 – Process for Plan reviews
 - ZMP 25:02 – Fork Union Drive-in rezoning
 - There is one resolution on the agenda
 - ZTA 25:08 – Event Permits
 - There is an item under New Business regarding the process for presenting items to the Board of Zoning Appeals (BZA)

- **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	Sept. 9, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Oct. 7, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Nov. 18, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm

• **Minutes:**

MOTION:	Approval of Minutes from June 10, 2025 with typo correction on p.4				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

MOTION:	Approval of Minutes from July 14, 2025				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

• **Public Comments:**

- Mr. Bibb opened the first round of public comments. No one came forward to speak, and Mr. Bibb closed the first round of public comments.

• **Public Hearings:**

- **ZTA 25:04 – Food Trucks, Todd Fortune, Director of Planning**
 - This ZTA takes definition of “mobile food unit” from VA Code Sec. 3.2-6400; authorizes such activity by-right in all zoning districts. The County Code currently does not provide for this use.
 - Chairman Bibb opened the Public Hearing at 7:11 pm.
 - Donald Reynard, 3531 Union Mills Road, asked if there were distance restrictions from existing restaurants. County Attorney Dan Whitten advised that there were no such distance restrictions.
 - With no one else wishing to speak, Chairman Bibb Closed the public Hearing at 7:12 pm.

MOTION:	I move that the Planning Commission recommend approval of ZTA 25:04 – an ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending §§ 22-22-1, 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 and 22-13-2.1 to define “mobile food unit” and to authorize such activity by-right in all zoning districts.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Motion		Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **ZTA 25:07 – Process for Plan Reviews, Todd Fortune, Director of Planning**
 - This proposed ZTA would amend the Fluvanna County Code by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, and 22-23-8 to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the Subdivision Agent, and by changing certain review timeframes.
 - This change is in response to action taken by the Virginia general Assembly earlier this year. The proposed ZTA would bring the County in to compliance with the State Code.
 - Fluvanna Code uses the term “Subdivision Agent” in lieu of “Designated Agent”
 - There was some discussion of VML/VACO positions on enabling legislation. Mr. Whitten advised that a study group is being convened to study this further. Ms. Kilpatrick said that this seems to be going with the direction that homebuilders and real estate agents have been going over the last couple of decades, but this legislation appears to come up suddenly. Mr. Whitten noted that usually House and Senate bills come together, but that did not happen in this case.
 - Chairman Bibb opened the Public Hearing at 7:22 pm.
 - With no members of the public wishing to speak, Chairman Bibb closed the Public Hearing at 7:22 pm.

MOTION:	I move that the Planning Commission recommend approval of ZTA 25:07 – an ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, and 22-23-8 to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the subdivision agent, and by changing certain review timeframes.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Motion	Second	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- ZMP 25:02 – Fork Union Drive-in Rezoning, Jason Overstreet, Senior Planner
 - This request is to rezone from A-1, Agricultural, General to the B-1, Business, General, Zoning District 2.74 +/- acres of 14 acres of Tax Map 51 Section A Parcel 60. The subject property is generally located on the west side of Winnsville Drive (SR 612) approximately 0.2 miles from its intersection with US 15 at Weber City. The parcel is located in the Fork Union Community Planning Area and the Fork Union Election District.
 - A recent survey of the Fork Union Drive-in and adjacent parcels indicates that part of the Drive-in is occupying the adjacent parcel that is zoned A-1.
 - Additionally, the septic drain field for the new bathroom facilities will be located on part of the area of 51-A-60 to be rezoned and added to the Drive-in parcel.
 - All of the rezoned areas of parcel 51-A-60 are adjacent to parcel 51-A-61 and will be added to this parcel through a boundary line adjustment.
 - Chairman Bibb opened the Public Hearing at 7:27 pm.
 - Ronald Unnerstall, the applicant, spoke during the public hearing. Spoke on why this is needed. He said the rezoning would allow the owners to set up an LLC for the Drive-in and operate everything on the same parcel.
 - With no one else wishing to speak, Chairman Bibb closed the Public Hearing at 7:30 pm.

MOTION:	I move that the Planning Commission recommend approval of ZMP 25:02, a request to rezone from A-1, Agricultural, General to the B-1, Business, General Zoning District 2.74 +/- acres of 14 acres of Tax Map 51 Section A Parcel 60.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- Resolutions:
 - ZTA 25:08 – Special Events Permitting – Todd Fortune, Director of Planning
 - This proposed ZTA would amend the Fluvanna County Code by amending § 22-22-1 to amend the definitions of Outdoor Entertainment and Outdoor Gathering to clarify when a Special Entertainment Permit would be required for such events.
 - There have been discussions since late 2024 about how permits for special events are handled. The issue was brought back to the forefront recently as two big events are planned for September.
 - There is a separate issue, not addressed in this ZTA, of how permits would be approved going forward, whether administratively or by the Board of Supervisors; that issue will be brought to the Board of Supervisors for consideration.
 - Under this amendment, permits would only be required if admission was charged for the event.
 - Ms. Morgan questioned whether exempting County- and public school-sponsored events gave those entities an unfair advantage.

MOTION:	I move that the Planning Commission approve the Resolution to advertise a public hearing on September 9, 2025 to consider ZTA 25:08 – an Ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending Section 22-2-1, to amend the definitions of outdoor entertainment and outdoor gathering				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	No
RESULT:	4-1 Approved (Morgan)				

- Site Development Plans:
 - None
- Subdivisions:
 - None
- Unfinished Business:
 - Comprehensive Plan Update - Todd Fortune, Director of Planning
 - The advisory groups have held multiple meetings, and have begun reviewing documents related to the Comp Plan.
 - Work has begun on individual sections of the Plan update. Work has begun on revisions to the Vision Statement, Intro, Sec. 2 and 3, Sec. 5 and Sec. 6. Draft plan should be ready for review after the first of the new year.
 - Next meetings for each group:
 - Rural Preservation – August 26 at 5:30
 - Housing – August 27 at 3:00
 - Economic Development – September 2 at 4:30
 - Historic Preservation – TBD
 - There has been some turnover on the advisory group rosters:
 - Veneda “Kat” Roth has resigned from the Housing group, citing time constraints.
 - This leaves the Housing group with four (4) members. The group feels like they can continue to operate at this level.
 - Tricia Johnson has resigned from the Historic Preservation group, citing health concerns.
 - This leaves the Historic Preservation group with three (3) members. The Chair will be asked to appoint a new member for this committee.
 - Comprehensive Plan Community Survey District-Specific Data - Todd Fortune, Director of Planning
 - Analysis has been further refined to show district-specific data
 - Can be found in Planning Commission folder OR email aporter@fluvannacounty.org for a zip file.
 - Each question folder contains:
 - All-districts graph
 - Graph for each district
 - Python file showing methodology
 - Ms. Kilpatrick asked about the use of the data; Mr. Fortune explained that it would be referenced in the Comp Plan Update.
- New Business:
 - BZA Process – Jason Overstreet, Senior Planner
 - The Board of Zoning Appeals (BZA) occasionally hears requests for variances and appeals of zoning decisions.
 - Per Section 22-18-4(A) of the Fluvanna County Code, applications for variances are to be presented to the Planning Commission. The Commission has three options:
 - Take no action
 - Make a recommendation to the BZA
 - Attend as a party to the public hearing
 - There are two variance requests on the agenda for the BZA meeting on August 19, 2025. The Commission is being presented these two cases tonight, and given the

- option of making a recommendation or attending as a party to the hearing.
- **BZA 25-05:** Variance for size requirements for 27 directional signs as defined under section 22-22-1 of the Fluvanna County Code for a property located in the Columbia Election District and identified as Tax Map 11-9-2 for a warehouse distribution facility.
 - After some discussion about the process and the location of the signs in question, the Planning Commission decided to take no action on this variance request.
- **BZA 25-06:** Variance for maximum sign height requirements under section 22-15-3 of the Fluvanna County Code for the Ash Market gas station located in the Fork Union Election District and identified as Tax Map 51-A-10.
 - The applicant has requested a variance to allow a sign with a height of 20 feet for safety reasons

MOTION:	I move that the Planning Commission recommend approval of a variance request to be considered by the Board of Zoning Appeals for maximum sign height as defined under Section 22-15-3 of the Fluvanna County Code to authorize a maximum sign height for a freestanding sign of 20 feet for a property located in the Fork Union election district and identified as Tax Map 51-A-103.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Public Comments #2:**
 - Mr. Bibb opened the second round of public comments.
 - Donald Reynard, 3531 Union Mills Road, said the County needs to be more pro-business.
 - Patti Reynard, 3531 Union Mills Road, spoke in agreement about adopting a more pro-business posture by getting rid of the sign restrictions in the County Code.
 - No one else coming forward to speak, Mr. Bibb closed the public comment period.
- **ADJOURNMENT.**
 - Chair Bibb called for a motion to adjourn the August 12, 2025 Planning Commission regular meeting at 8:16 pm.

MOTION:	Motion to Adjourn the June 10, 2025 Planning Commission regular meeting at 8:16 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

Minutes were recorded by Karis White, Paralegal/Legal Assistant.


Barry Bibb, Chair
Fluvanna County Planning Commission