



FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING AGENDA
Morris Room, Fluvanna County Administration Building
April 10, 2018
6:00 PM (Morris Room)
7:00 PM (Morris Room)

TAB AGENDA ITEMS

WORK SESSION

A – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

B – PLANNING DIRECTOR COMMENTS

C – PUBLIC COMMENTS (Limited to 3 minutes per speaker)

D – WORK SESSION

ZTA – Density Updates - James Newman, Planner

BZA Fees – James Newman, Planner

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

2 – DIRECTOR’S REPORT

3 – PUBLIC COMMENTS #1 (3 minutes each)

4 – MINUTES

Minutes of March 13, 2018

5 – PUBLIC HEARING

ZTA 18:02-Telecommunication Facilities Fees – James Newman, Planner

6 – PRESENTATIONS

2017 Development Activity Report – James Newman, Planner

7 – SITE DEVELOPMENT PLANS

None

8 – SUBDIVISIONS

None

9 – UNFINISHED BUSINESS

None

10 – NEW BUSINESS

None

11 – PUBLIC COMMENTS #2 (3 minutes each)

12 – ADJOURN



Planning/Zoning Administrator Review

Fluvanna County...The heart of Virginia and your gateway to the future!

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator’s Office at 591-1910.*

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.

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 Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches, however, the Commission may vote to overrule both.
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.

PUBLIC HEARING RULES OF PROCEDURE

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 Commission.
 - Each speaker should clearly state his/her name and address.
 - All comments should be directed to the Commission.
 - All questions should be directed to the Chairman. Members of the Commission 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 Commission 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...The heart of Virginia and your gateway to the future!

*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 591-1910.*



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

To: Fluvanna County Planning Commission
From: Jason Stewart, AICP
Date: April 10, 2018
Re: Planning Director's Report

Board of Supervisors Actions:

March 28, 2018

- I. **ZMP 17:05 – 2428 Richmond Road LLC** – A request to rezone, from A-1 Agricultural, General to I-1 Industrial, Limited and I-2 Industrial, General, 29.4 acres of Tax Map 4, Section A, Parcel 27. The property is located along Richmond Road (U.S. Route 250), approximately 0.16 miles west of the intersection of Zion Road (State Route 627) and Memory Lane (State Route 698). The parcel is within the Zion Crossroads Community Planning Area and the Palmyra Election District. **(Denied 5-0)**
- II. **SUP 18:01 – Amber Hill LLC** – A request to establish a Salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A. The property is zoned I-2 (Industrial, General) and located along Memory Lane (State Route 698), approximately 0.35 miles south of the intersection of Richmond Road (U.S. Route 250). The parcel is within the Rural Residential Planning Area and the Palmyra Election District. **(Approved 5-0)**

April 4, 2018

None

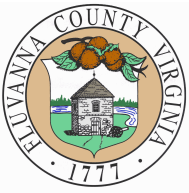
Board of Zoning Appeals Actions:

None

March - 2018

March - 2018

March - 2018



TRANSACTIONS BY USER REPORT (03/01/2018 TO 04/30/2018) FOR FLUVANNA COUNTY PLANNING DEPARTMENT

Selected Users: Stephanie Keuther

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
Stephanie Keuther					
BZA18:0002					
INV-00000059	Sign Deposit for Public Hearing	03/12/2018	Fee Payment	Check #7101	\$90.00
	Variance	03/12/2018	Fee Payment	Check #7101	\$550.00
BZA18:0003					
INV-00000113	Appeal of Zoning Administrator	03/16/2018	Fee Payment	Check #2049	\$125.00
MSC18:0003					
INV-00000105	Sign Permit	03/14/2018	Fee Payment	Check #1341	\$155.00
SDP18:0001					
INV-00000038	Site Plan Review: Major Plan	03/05/2018	Fee Payment	Check #006255	\$1,100.00
SUB18:0005					
INV-00000019	Boundary Adjustment	03/01/2018	Fee Payment	Check #2488	\$100.00
SUB18:0006					
INV-00000020	Boundary Adjustment	03/01/2018	Fee Payment	Check #8325	\$100.00
SUB18:0007					
INV-00000074	Subdivision: GIS Fee (per lot)	03/13/2018	Fee Payment	Check #271	\$100.00
	Subdivision: Minor	03/13/2018	Fee Payment	Check #271	\$500.00
SUB18:0008					
INV-00000169	Subdivision: Ordinance of Vacation	03/28/2018	Fee Payment	Check #1133	\$225.00
SUB18:0009					
INV-00000170	Subdivision: Family	03/30/2018	Fee Payment	Check #1190	\$200.00
	Subdivision: GIS Fee (per lot)	03/30/2018	Fee Payment	Check #1190	\$100.00
SUP18:0001					
INV-00000046	Sign Deposit for Public Hearing	03/05/2018	Fee Payment	Check #2255	\$90.00
ZUP18:0002					
INV-00000114	Special Use Permit: Telecommunications Towers	03/19/2018	Fee Payment	Check #102994	\$900.00
ZUP18:0003					
INV-00000130	Special Use Permit: Telecom Tower Consult. Review	03/23/2018	Fee Payment	Check #1979	\$900.00
STEPHANIE KEUTHER				TOTAL CHECK:	\$5,235.00
				NET TOTAL:	\$5,235.00
GRAND TOTALS					
				TOTAL CHECK:	\$5,235.00
				NET TOTAL:	\$5,235.00

FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING MINUTES
CIRCUIT COURT ROOM—FLUVANNA COUNTY COURTS BUILDING
6:00 p.m. Work Session 7:00 p.m. Regular Meeting
MARCH 13, 2018

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Lewis Johnson
Sue Cotellessa
Howard Lagomarsino
Patricia Eager, Board of Supervisors Representative

ALSO PRESENT: Jason Stewart, Planning and Zoning Administrator
Brad Robinson, Senior Planner
James Newman, Planner
Fred Payne, County Attorney
Stephanie Keuther, Senior Program Support Assistant
Scott Miller, Code Compliance Officer (attended regular meeting)

Absent: None

Open the Work Session: (Mr. Barry Bibb, Chairman)
Pledge of Allegiance, Moment of Silence

Director Comments:
None

Public Comments:
None

Work Session:

ZTA – Telecom Fees – Presented by James Newman, Planner

Current issues:

- 3 different fees listed for telecomm applications:
- 22-17-7. Fees: \$1,500 plus \$5,500 with consultant review
- 22-17-14. Fees for supplemental review: third party review is \$4,000
- Current application: \$900 for consultant review (*The Atlantic Group* has replaced *Cityscape* as our reviewer).

Possible Solutions:

Amend ordinance to change fee.

Proposed fee for new towers is:

- Special Use Permit, plus
- Site Development Plan, plus
- Mailing costs, plus
- Consultant Review fee (\$3,200)

Proposed fee for collocation/addition to/ modification of existing towers is:

- \$550 (cost of a minor site plan), plus
- Mailing costs, plus
- Consultant review fee (\$900)

Amending Sec 22-17-7 language to read:

Telecommunications Towers

~~\$1,500.00 plus mailing costs~~
~~\$5,500.00 w/consultant review~~
\$550 for colocation, modification,
or addition, plus consultant review
fees as set by contract from time
to time, plus mailing costs

New towers require a Special Use
Permit, a Site Development Plan,
plus consultant review fees as set
by contract from time to time, plus
mailing costs

Amending Sec 22-27-14 language to read:

Where the county deems it appropriate because of the complexity of the methodology or analysis required to review an application for a wireless communication facility, the county may require the applicant to pay for a technical review by a third party expert, selected by the county, the costs of which ~~\$4,000.00~~ shall be borne by the applicant, and be in addition to other applicable fees. ~~Site plan review for antenna element replacements only may be reduced to \$1,800.00 provided the applicant meets all the requirements for an antenna element replacement. If however, during the antenna element replacement site review it is determined the request does not meet the definition of an antenna element replacement, then review of the application will cease until the correct fee and correct plans are submitted.~~ Further, if additional information is needed to evaluate the applicant's request, the applicant, shall make such additional information available as the county might reasonably request. (Ord. 9-21-11)

By adding the language ***"plus consultant review fees as set by contract from time to time"***, staff will not need to come back to the Planning Commission and Board with a new Zoning Text Amendment to replace the consultant fee amount every time a new consultant is hired.

Staff has prepared a text amendment for April.

Cotellessa: It makes perfect sense to me to get all zoning fees out of the ordinance and put them in a separate fee schedule that you could amend separately.

Eager: It would make it more desirable to co-locate than to put up a new tower.

Newman: Yes, because no matter where you are in the county all of our zoning categories requires a special use permit for a tower. You have to go through that process, then the site plan process, and pay right now is \$3,200 to the Atlantic Group. If you're co-locating its \$900.00 to the Atlantic Group, plus the proposed \$550.00 for the minor site plan.

Stewart: I think you will find that on the application the Atlantic Group does just as good a job as our previous vendors. A major complaint with the telecom providers were the fees were much higher when compared to other localities.

Payne: One thing they said was not only were they high, but they didn't take in account for the amount of work that needed to be done. Therefore, if you had a full-scale application from the ground up with (x) amount of dollars and if you wanted to have just a review, for example to see if there's enough structure to support a relatively minor addition, we charged the same thing. This is not fair. One takes a month long job the other takes maybe an afternoon. That's how this all got started.

Newman: We will bring this back as a public hearing in April.

ZTA – Density Updates – Presented by James Newman, Planner

Dwelling Unit-Definition:

Dwelling unit: Any building or portion of building intended to be used for residential purposes by a single family and designed or arranged in such a manner that none of the facilities or areas customarily provided for cooking, sleeping, eating sanitation, or other residential functions is shared by any other family or persons residing in the same structure.








Current Density:

Zoning	Current Density	Community Planning Areas	Comp Plan Density
A-1	1 unit per 2 acres, OR Rural cluster subject to R-4	Columbia	None specified
R-1	1 unit per 1 acre, OR Rural Cluster 1 unit per 1 acre	Fork Union	Up to 4 dwelling units per acre (pg. 58)
R-2	1 unit per ½ acre	Palmyra	Up to 4 dwelling units per acre (pg. 54)
R-3	2.9 units per acre	Rivanna	Up to 6 dwelling units per acre (pg. 51)
R-4	1 unit per 2 acres without sewer/water; 2.9 units per acre with sewer/water. Rural Cluster allows 2.9 units per 1 acre	Scottsville	Up to 4 dwelling units per acre (pg. 58)
MHP	1 per 6,000 sq ft	Zion Crossroads	Up to 10 dwelling units per acre (pg. 45)
PUD	ZION CPA: Single Family: 6 per acre (max). Townhouse: 9 per acre (max). Multifamily: 16 per acre (max) ZION UDA: SF: 4 min, 6 max. Townhouse: 6 min. 9 max. Multifamily: 12 min. 16 max.	Rural Planning Areas	Comp Plan Density
		Rural Residential	1 d.u. per 2 acres, gross; or 6 d.u. per acre net (developable area only, not counting open space)
		Rural Preservation	None specified

urban

COMMUNITY ELEMENT MATRIX

rural



Regional Center		Rural Areas				
Regional Mixed Use	Regional Employment	Neighborhood Mixed Use	Neighborhood Residential	Village	Rural Cluster	Rural Preservation
Density						
Commercial FAR: 2.0 Residential DUA: 10-15	Commercial FAR: 2.0 Residential DUA: 10-15	Commercial FAR: 1.0 Residential DUA: 8-10	Commercial FAR: 0.5 Residential DUA: 4-8	Commercial FAR: 0.75 Residential DUA: 4-6	Commercial FAR: 0.5 Residential DUA: 2-6 (net)	Commercial FAR: 0.1 Residential DUA: 0.5-0.1

- As PUDs are now restricted to Zion CPA and UDA, highest density allowed elsewhere in the county is 2.9 dwelling units per acre (R-3, R-4 with provisions)
- Comp Plan shows that all Community Planning Areas should allow up to 4 dwelling units per acre
- Engineer and applicant Justin Shimp wants to make R-3 *by-right* density 2.9, with an SUP required for any *increase* in density up to a maximum of 10 units per acre.
- This would allow for more multi-family housing in county

R-3 current language and proposed:

- Sec 22-7-1. *Intent*. “This district is intended to permit compact village-style residential development and associated institutional uses, community serving mixed-uses, open spaces, and creative design in accordance with a master plan.”
- Sec. 22-7-8. *Permitted Residential Density*. “Maximum gross residential density: 2.9 residential units per acre.”

Mr. Shimp proposes this language:

Sec. 22-7-8. Permitted Residential Density.

Maximum **by right** gross residential density: 2.9 residential units per acre.
Maximum gross residential density (by special use permit): 10 residential units per acre.

Four (4) Paths for the Commission:

- Modify density for R-3 only
- Modify density for all zoning categories
- Modify density for all zoning categories, and allow for an SUP to increase density in CPA’s
- Leave as is

Potential Updates to all categories:

Zoning	Current Density
A-1	1 unit per 2 acres, OR Rural cluster subject to R-4
R-1	1 unit per 1 acre, OR Rural Cluster 1 unit per 1 acre
R-2	1 unit per ½ acre
R-3	2.9 units per acre
R-4	1 unit per 2 acres without sewer/water; 2.9 units per acre with sewer/water. Rural Cluster allows 2.9 units per 1 acre
MHP	1 per 6,000 sq. ft.
PUD	ZION CPA: Single Family: 6 per acre (max). Townhouse: 9 per acre (max). Multifamily: 16 per acre (max) ZION UDA: SF: 4 min, 6 max. Townhouse: 6 min. 9 max. Multifamily: 12 min. 16 max.
Zoning	Potential Density (for discussion purposes)
A-1	Same as existing (1 unit per 2 acres)
R-1	Same as existing (1 unit per acre)
R-2	3 units per acre (increase from 2 per acre)
R-3	4 units per acre (or no restrictions. Already requires a Master Plan) (increase from 2.9 per acre)
R-4	1 unit per 2 acres without sewer/water; 6 units per acre with sewer and water. (increase from 2.9 per acre)
MHP	Same as existing (1 per 6,000 sq. ft.)
PUD	Same as existing

Community Planning Areas	Comp Plan Density
Columbia	None specified
Fork Union	Up to 4 dwelling units per acre (pg. 58)
Palmyra	Up to 4 dwelling units per acre (pg. 54)
Rivanna	Up to 6 dwelling units per acre (pg. 51)
Scottsville	Up to 4 dwelling units per acre (pg. 58)
Zion Crossroads	Up to 10 dwelling units per acre (pg. 45)

Zoning	Purpose for Potential Density Changes
A-1	Same as existing; preserves rural character of county and purpose of A1A-1 - “low density residential development”
R-1	Same as existing; fulfills purpose of R1- “low density residential areas” “this district be established in appropriate areas...for primary residential development”. Requires central water/sewage
R-2	Multi-family housing is allowed by right in R-2. “Low to medium density concentrations of residential uses” “This district be established in...community planning areas.”. Currently 2 per acre (1 per ½ acre), increase to 3. Requires central water/sewage
R-3	“Compact village style residential...in accordance with a master plan.” . Increase density to allow for multi family. Requires central water/sewage
R-4	Majority of R-4 is in Rivanna and Columbia CPAs. Allow higher density per Comp Plan (6 per acre) if access to sewer and water. Keep existing density for parcels that rely on septic and wells.
MHP	Same as existing.
PUD	Same as existing

CPA as overlay:

Community Planning Areas	Comp Plan Density
Columbia	None specified
Fork Union	Up to 4 dwelling units per acre (pg. 58)
Palmyra	Up to 4 dwelling units per acre (pg. 54)
Rivanna	Up to 6 dwelling units per acre (pg. 51)
Scottsville	Up to 4 dwelling units per acre (pg. 58)
Zion Crossroads	Up to 10 dwelling units per acre (pg. 45)

Rural Planning Areas	Comp Plan Density
Rural Residential	1 d.u. per 2 acres, gross; or 6 d.u. per acre net (developable area only, not counting open space)
Rural Preservation	None specified

Could allow higher density in Community Planning Areas, subject to a Special Use Permit.

What would the Planning Commission like to see?

- Modify density for R-3 only
- Modify density for all zoning categories
- Modify density for all zoning categories, and allow for an SUP to increase density in CPA’s
- Leave as is

Payne: It might be a good idea to find actual development in the general area at these actual densities.

Open the Regular Session at 7: 00pm (Mr. Barry Bibb, Chairman)

The Pledge of Allegiance followed by a Moment of Silence.

Director’s Report: Mr. Stewart:

Board of Supervisors Actions:

February 21, 2018

ZTA 18:01 – Rezoning Fee: An ordinance to amend Fluvanna County Code Section 22-17-7. The proposed amendment reduces the rezoning fee by eliminating the \$50 per acre charge, so as to aid in the economic development of the county. **(Approved 5-0)**

March 7, 2018

None

Board of Zoning Appeals Actions:

February 20, 2018

BZA 18:01 – Bella Terra Farm LLC: A request for a variance to Fluvanna County Code Sec.22-4-3(C) of the Zoning Ordinance to allow for the reduction of the minimum frontage required along a public road, from 300 feet to 296.59 feet, for the purpose of subdividing 8.869 acres from an existing 11.558 acre parcel being Tax Map 4, Section A, Parcel 38. **(Approved 5-0)**

Technical Review Committee for March 8, 2018:

None

Public Comments:

None

Approval of Minutes

Minutes of February 13, 2018

Motion:

Johnson made a motion to approve the minutes of February 13, 2018 Planning Commission meeting as presented. Seconded by Zimmer. The motion was approved with a vote of 5-0 AYE: Cotellessa, Johnson, Bibb, Zimmer, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

Public Hearing:

ZMP 17:05 - 2428 Richmond Road LLC – Presented by Brad Robinson, Senior Planner

To amend the Fluvanna County Zoning Map with respect to 29.4 Acres of Tax Map 4, Section A, Parcel 27, to rezone the same from A-1, Agricultural, General to I-1, Industrial, Limited and I-2, Industrial, General. The affected property is located along Richmond Road (U.S. Route 250), approximately 0.16 miles west of the intersection of Zion Road (State Route 627) and Memory Lane (State Route 698). The parcel is within the Zion Crossroads Community Planning Area and the Palmyra Election District.

Existing Zoning: A-1, Agricultural, General

Proposed Zoning: I-1, Industrial, Limited and I-2, Industrial, General

Existing Land Use: Vacant industrial

Planning Area: Zion Crossroads Community Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1, I-1, I-2 and R-3.

Zoning History: A salvage yard operated by Cosner Bros. was formerly located on the property for several decades. The salvage yard ceased operation within the last year and was a legal nonconforming use.

Zoning Violations

- Complaints received since February 13, 2018
- Activity has included lights, noise and beeping from trucks and equipment, camper parked on property, dog chained to fence, and welding
- Storage of construction materials constitutes a contractor's storage yard
- Not permitted in A-1 District

Bibb: It was 30 days ago yesterday of notice of this violation, has anything been done to correct this violation? **Robinson:** No

Zimmer: Are materials being stored there? **Robinson:** Yes

Bibb: It's now A-1 and they want to increase the possible usage of it, yet there in violation of the present zoning. How many complaints have you had? **Robinson:** At least 100 emails or so. Some from the same complainant.

Bibb: Were they given 30 days' notice to correct the zoning violation notice? **Robinson:** Yes

Stewart: The zoning violation to our knowledge wasn't in existence when they initially made the application. This was discovered through citizen complaints about a month ago.

Zimmer: There were apparently multiple violations, have any been corrected? **Robinson:** No

Scott Miller, Code Enforcement Officer: On February 14, 2018 they were notified they were in violation.

Bibb: You've seen no efforts to correct this?

Miller: Correct. One of the violations that are present didn't exist when the initial violation notice was issued. So there's been an additional violation since then.

Zimmer: What's that? **Miller:** The camper.

Payne: I want to make a correction; today is actually 31 days not 30 days. January has 31 days.

Bibb: How long do you think as of today do you think it would take to correct the violation?

Miller: 3 - 4 days.

Bibb: But no efforts have they been made about correcting these violations? **Miller:** Correct.

Lagomarsino: Is there evidence of someone living in the trailer?

Miller: It does appear to me now that someone is. When it was out front, I wasn't sure. It stayed out front for about 1 ½ to 2 weeks, then it was moved to the back.

Johnson: Who did you present your violation too?

Miller: Mr. Morris, the owner of M&M Salvage.

Zimmer: Can you tell specifically what was being laid down and or stored out there?

Miller: Yes, the wood shown out there was from pallets stacked high, large pieces of pipe, numerous pieces of equipment, valve pieces, and many complaints with traffic being blocked on 250, which I has witnessed for myself.

Stewart: It should be noted that's one of the reasons we have site plan requirements is for VDOT to have comments about those type of situations.

Bibb: Is this part of the Williams Pipeline?

Miller: We thought all of it was, but now we understand only part of it is. It could be several contractors storing stuff, but I don't know which is which or whose is whose.

Johnson: When he's running these things is he constructing something or tearing things down?

Miller: They appear to be welding large sections of pipe, which have additional extensions coming out the tops.

Bibb: Has there been any encroachment onto the subdivision property?

Miller: I have only seen lighting and heard constant noise.

Lagomarsino: Is the noise in violation of the noise ordinance? **Miller:** No

Kelly Strickland with Shimp Engineering, Representative of the applicant: It's our understanding that the salvage yard is a grandfathered by-right use and it ceased to operate last May so it's good to operate for at least another year from this May. From my perspective, the use that's in there now is in violation because it's not zoned properly and I think Mr. Morris is trying to come forward and rezone it. He didn't realize it would take a month or two. In the meantime, he lined up a gas company that's using the site. I have written down the comment from Mr. Morris:

If it's not approved I will run them out in 30 days if the zoning is approved he will submit a site plan and put the salvage yard back in place.

Bibb: It bothers me that this is A-1, we have a zoning violation, and a person wants to have higher zoning. How will they do with larger zoning? So the applicant is not here? **Strickland:** No

Bibb: So we can't ask him about his purpose or anything.

Strickland: He spoke at the neighborhood meeting.

Cotellessa: I noticed on the application it doesn't have an E911 address but I assume it's the same as the name of the company. When we talk about the impacts on adjoining properties the application says Fox Glen Subdivision is east but it's actually west, correct. **Strickland:** Yes.

Cotellessa: There's mention of Fox Glen's open space serving as a buffer certainly the buffer is from the more intensive use to the lesser intensive use and Fox Glen's open space is associated with their development; it's not to create a buffer for this particular use. So that would have to come on this site itself.

Public Comment:

Kary Clarke, 504 Glen Circle, Troy VA: I'm a new resident to Fluvanna County and I noticed on your report to the citizens it's a great place to live, learn, work and play; well I'm not finding it a great place to live right now because my property is right on the rear of what was M&M. We were woken up shortly after we had moved at 1am due to bright lights and beeping. It wasn't an alarm; it was a tractor unloading from a tractor-trailer. This could be seen clearly with the lights. What bothers me the most with the company there now with all these zoning violations: what will they do if they are legally allowed to stay there? There's currently a trailer there; where is the hazardous waste going? Are they just dumping it? If there not following the rules who's to say what they will do with their waste. They allow dogs chained to the fence and they disregarded animal control. We try hard to live by the rules while they just disregard them. It bothers me we're woken up by lights and noise. If this is zoned I-2 it will continue and it won't make my living conditions very good. It will also mean you don't believe what you write and say.

Rob Zanferdino, from Fieldstone Development: My wife and I moved down from New York 4 years ago. The primary reason we picked Fluvanna County was that it reminded us of Upstate New York where I'm originally from. I would like the board to remember this name, The City of Hopewell Junction, New York. Hopewell Junction, New York is a town approximately 70 miles North of New York City in the Hudson Valley Region it is the home of sum 30, 000 people about the size of Fluvanna County it's also the home of IBM. IBM also has a semiconductor plant in this town it's been a resident for about 50 years. One of the things IBM has done was to pollute the ground water along with some of the other manufacturing companies that supported IBM. My concern being a resident not too far from this construction site is that the possibilities of the demolition of these vehicles is the leakage of pollutants in the ground water. The concern I have after spending \$350,000 on a new home, that the likelihood five years from now ten years from now that this going to be another Love Canal situation. For those of you younger than me who don't know what that is, it's a city near Buffalo that was buried over with dirt because of the pollutants they found in the water. Now as the town is very familiar with if your well goes bad a filtering system cost \$5,000 for a resident homeowner. The people of Hopewell Junction had to contact the federal government and have the EPA put in these filtering systems. So the other concern I have is being a resident not too far from 250 as currently the large amount of trucks that are traveling on this road. My wife and I are very well known at VDOT for requesting them to clean up along 250. I can only imagine what an operation like this running 24/7 with trucks will be like. As much as I'm an environmentalist, I'm also a capitalist. I understand that the town/county need to support the residents, however for a penny, as I understand it the amount were to obtain from this establishment. I just think this is the wrong place and the wrong type of business so close to a residential area.

Salvatore Zambito, 394 Glenn Cir.: I am the president of the Homeowners association of Fox Glen. I have received many of the complaints of the residents being that I'm the president. I would like to pass along some of these complaints. Regarding the dogs chained to the fence, we've had contacts with animal control and the sheriff. The sheriff yesterday gave them two citations for the violations for not providing proper shelter for the dog and leaving them out in the snow. The sheriff said the worker that owned the two dogs are currently living in the camper located on the property because he lives out of state. Some of the impacts on the subdivision are lights, noise vibrations. I've actually had to leave my house with my dog because she started to get bad anxiety. My dog would run around the house panting and hiding due to the vibrations. I don't want to have to move because my dog has panic attacks all the time. Another impact on the subdivision was on multiple occasion they would block the turning section into our subdivision with their trucks and just park. We've had three homes go up for sale since LKQ was approved. The people that were trying to sell their homes have had trouble due to the activity that's going on. One homeowner told me he had multiple potential buyers but no sale because of the construction going on surrounding the neighborhood. One offer he did get was \$50,000 lower than the market value because of the construction going on next store. This will also impact the quality of life in Fox Glenn. When you're sitting down to relax and watch T.V. all you hear is the beeping and I'm all the way at the far end of the subdivision furthest away.

Joseph Ryan, 113 Glenn Cir: These violations have been going on since December. I live right behind the front part of the parcel. When I get up at six in the morning, there are the bright lights. I hear things before work and when I come home from work. The only reason we didn't report this earlier is we didn't realize that these were zoning violations. Mr. Morris commented at the last meeting twice, well you moved next to a junk yard. Well before when it was Cosner there, we didn't have these problems. It wasn't noisy it was quiet. I was an urban planner for 5 years. We never put I-2 industrial next to a residential community.

Comments ended. Commission Discussion:

Payne: First, the important thing to remember is that the primary zoning violation is the use. The contractor storage yard is not a permitted use in A-1 district. Second, it's not the same use as a salvage yard so the use has been changed. The noise and lights I'm sure are very bothersome but the issue is, this is not a permitted use in the A-1 district. The significance of this use and problems the neighbors are having is it illustrates the problems that can arise from certain uses by right, and the use by right in question, contractor storage yard is permitted in both district I-1 & I-2 permitted by right. This is an illustration of potential problems of this kind of use. It impresses me that a non-conforming use has been abandoned and not merely by non-use but the use has not only been discontinued, it's been substituted by another use. I believe the law is that when a non-conforming use is terminated and another use is substituted for it that it is deemed abandoned and is no longer lawfully non-conforming. If the argument is, well we can go back and reestablish the salvage yard that may very well not be true. And it almost certainly would not be true without a site plan.

Bibb: If the applicant or representative is not willing to attend the TRC, how can they take care of these other things?

When notified of the zoning violation they don't seem to be concerned with fixing it. You would think they would want to show they could be in compliance.

Zimmer: We really did not get a good explanation for the violation; maybe the rezoning process didn't move as fast as they thought it would. But if you can't tell someone you have a contract with you can't start yet because it's not legal, that's a big concern of mine. This doesn't just accidentally happen that this use started before it was properly zoned. The no effort to correct it by not attending the TRC and then to threat to turn it back into a salvage yard if the rezoning is not approved is not ok with me.

Cotellessa: I look at this a little bit differently. It's about basic consistency with our comprehensive plan. We talk about this area, the application talks about adjacent industrial zoned properties; it doesn't mention how much of the adjacent property is agriculturally and residentially zoned as well. Also, it doesn't talk much about the fact that the Economic Development section in our Comprehensive Plan does call for a range of uses that light industry is probably more compatible for than is heavy industrial. So the I-2 part of this application concerns me, in addition the intent in the zoning ordinance says that the I-2 district is created specifically to prohibit residential and neighborhood commercial use of the land.

Johnson: I'm always concerned with how the neighbors feel and I haven't heard any of the neighbors speak positive about this.

Lagomarsino: On the application, they want to mitigate everything that is brought up.

Bibb: I just don't understand how the applicant themselves are not here.

Motion:

Johnson move that the Planning Commission recommend denial of ZMP 17:05, a request to amend the Fluvanna County Zoning Map with respect to approximately 29.4 acres of Tax Map 4, Section A, Parcel 27, to rezone the same from A-1, Agricultural, General, to I-1, Industrial, Limited and I-2, Industrial, General. Seconded by Cotellessa. The motion was denied with a vote of 5-0 AYE: Cotellessa, Johnson, Bibb, Zimmer, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

SUP 18:01 – Amber Hill LLC – Presented by Brad Robinson, Senior Planner

Request for a special use permit to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A. The property is located along Memory Lane (State Route 698), approximately 0.35 miles south of the intersection of Richmond Road (U.S. Route 250). The parcel is within the Rural Residential Planning Area and the Palmyra Election District.

Existing Zoning: I-2, Industrial, General

Existing Land Use: Vacant industrial

Planning Area: Rural Residential Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1, I-1 and I-2.

Zoning History: ZMP 17:04 was approved on December 20, 2017. ZMP 05:11 was approved January 18, 2006 for a portion of Tax Map 4-A-27A which is now a part of adjoining parcel 4-A-20A. 2 A salvage yard operated by Cosner Bros. was formerly located on the property. The salvage yard ceased operation within the last two to three years and was a legal nonconforming use.

Salvage and scrap yard is defined as *“Facilities engaged in the storage, sale, dismantling or other processing of uses or waste materials which are not intended for reuse in the original forms. Typical uses include, but are not limited to, paper and metal salvage yards, automotive wrecking yards, junk yards, used tire storage yards, or retail and/or wholesale sales of used automobile parts and supplies.”*

Overview

- 100,000 sq. ft. building with parking area and storage yard;
- Vehicles are dismantled and eventually crushed and hauled away;
- Office/retail hours and storage yard to operate only during daytime hours; dismantling facility to operate 24/7;
- Change by applicant 3/12/2018 – proposed building height now stated as 50' instead of 30' to 35'

Eager: Is there an existing turning lane going onto Memory Lane? **Robinson:** Yes, going east bound.

Cotellessa: The staff analysis had a statement that a sketch plan may be sufficient with a special use permit. Does staff believe that this will require a more detail site plan? **Stewart:** Yes, definitely. A major site plan would be required, which would come back to the Commission for review.

Cotellessa: I had particular concerns with environmental impacts and loading spaces, along with several other issues.

Payne: In addition to that, I would like add a suggestion to another condition, which would not relate to the site plan because that's going to be required by the ordinance anyway. Substantial compliance with the sketch plan is proposed. I would suggest a condition as follows: Development of the property shall be generally in accord with the sketch plan submitted with the application, subject to revisions necessary to meet requirements of those conditions and as otherwise required by law.

This would not substitute for a full site plan, but an addition to the site plan.

Cotellessa: There may be revisions that would be beneficial to the community that would change the sketch plan somewhat.

Payne: I tried to word this carefully so not to preclude that sort of thing. The main thing I was thinking of was the idea of the location built and it's obvious the building is going to have to relocate because, assuming the Board agrees with your recommendation to deny the rezoning application for ZMP 17:05. That's the kind of revision I'm thinking of in terms of the sketch plan. Certainly, what I am talking about would not preclude any detail of improvements of the entrance parking, lighting screening and all that.

Applicant Scott Haley with KP Development representing LKQ: With me tonight is Matt Caddy the district manager. Ross Stephens with Kimley-Horn all here to answer questions. Our company has the contract to purchase the property; we work for fortune 500 companies that do similar to what we're doing here and throughout the country.

As you know it is a special use permit, I think the staff appropriately mentioned before this is not a by-right use, it's a special use permit, which allows this body to make recommendation to the Board. I think our application and the recommendations that have been outlined in the report; we recognize those and accept those. I hear the county attorney referencing a sketch plan in compliance when we come through with a final plan that is acceptable. I also understand that if the adjoining property is not rezoned then we would have to adjust to and create a buffer. We can easily address those items. Again, the outlined

conditions are acceptable. (Mr. Haley concluded his presentation with a power-point presentation that can also be heard by audio at time 1:37)

Zimmer: I see the concrete and the paved area; would that be considered a pervious or impervious surface?

Applicant, Scott Haley: That would be considered impervious.

Bibb: So you're saying the vegetative buffer would be there and the actual fence would be inside of that?

Applicant, Scott Haley: Correct. You'll see there's other opportunities to deal with storm water by retaining it. Right now, it free-flows into the waterways that are there.

Cotellessa: Would the storm water areas be outside the buffer so they would not affect the tree buffer?

Applicant, Scott Haley: Yes, that is correct.

Bibb: Are all the fluids drained from the vehicles inside the building? **Applicant, Scott Haley:** Yes

Cotellessa: When vehicles get to the site, are they stored first for a certain period?

Applicant, Scott Haley: Most cars come into a holding area and are processed, drained, and dismantled. All fluids remaining are captured and taken off site before the cars even go onto the lot. Some of the oils are even used to heat the building during the winter and fall. In terms of the lighting, we are not lighting the remaining site, we're only lighting around the building. There aren't any light poles around the building, our operations occur during the day. This is not a junk yard it's a salvage yard where things are done in a very systematic fashion. Cars are placed in certain ways because there assets, not just something to store so it can be crushed later. What happens when a car comes into the facility they know they bought their car at an auction and the value of that car. When it comes, it is processed and they're immediately taking off parts and other elements of that car are being cleaned and distributed in the warehouse and then taken to a larger facility. So when that car is processed some of the parts are dismantled; if they need a front door or a bumper they take those. That car then has its own spot. The car will later be brought back in to take other parts off it until it has no more value left to it. The parts are taken off and boxed they are then loaded into trucks. We have very limited trucks that leave and not at all hours of the night. They probably leave between the hours of 6-8pm at night. The truck would then return empty, probably around 4a.m. The process is then repeated.

Bibb: You deal with individuals. Do you deal with Insurance Companies as well? **Applicant, Scott Haley:** yes

Zimmer: Have these vehicles been in accidents and floods?

Applicant, Scott Haley: Yes, but it's not a pick and pull salvage yard.

Cotellessa: One of the things our Comp Plan talks about is the importance of riparian buffers and it actually recommends 100-foot forest buffer along our stream banks. What are you doing to protect the streams on the site?

Applicant, Scott Haley: We are working with engineers. Kimley-Horn would be better to address that.

Cotellessa: Have you considered another thing the Comp Plan talks about in this area of the Zion Crossroads: in order to make industrial facilities consistent with residential, agricultural and commercial is to provide things that workers and residents alike can do to recreate. Like a trail?

Applicant, Scott Haley: Not specifically a trail. But buffers yes. A fence on our side of the buffer area, which allows people to walk along some of those areas.

Cotellessa: Memory Lane dead ends. I think on the sketch plan there's discussion about temporary access or possible future dedication to VDOT given the possible large number of vehicles that will be coming back and forth. Has there been any discussion of construction that section on Memory Lane to VDOT standards?

Applicant, Scott Haley: We have not. In terms of the width and the cul-de-sac and getting in and out, the site is sufficient for our needs. In terms of the size of the trucks and the number, we identified about 40 trucks. As I mentioned early on we're looking at how this site will operate 20 years from now. We're nowhere near doing 40 trucks on day one.

Matt Caddy LKQ: Most of the cars come from auctions, some direct buys from wholesalers. 9x out of 10 it will be wrecked or damaged. We will set that car up closer to the building, usually 3-4 week's tops. There's usually a couple weeks' worth of inventory there to process, everything else would be stored in the yard once it has been properly drained. All of your drive tram and motor transmission and everything like that are removed before its set in the yard. Those are all drained and stored inside the facility.

Bibb: How often does crushing occur?

Matt Applicant: 3-5 days monthly, when it's done we then pick up all the debris.

Zimmer: Crushing occurs where?

Matt Caddy LKQ: In the yard.

Ross Stephens, Kimley-Horn: There's a dedication shown on the survey that the attorney is still working through to determine if VDOT still needs that extra projection of the cul-de-sac into the property. It would just be an extension of the cul-de-sac; it wouldn't be widened or additional width created. What's there today is sufficient for our needs.

Bibb: You said it would be used as a temporary easement in order to be dedicated for public use for the extension of route 698.

Ross Stephens, Kimley-Horn: Correct.

Cotellessa: So you're talking about the turning radius within the cul-de-sac. I'm concerned about site circulation when the trucks are coming on and using loading docks. I know a facility that is hundred thousand square feet has zoning ordinance loading requirements beyond what's shown here. What are you proposing for loading docks?

Ross Stephens, Kimley-Horn: We have shown truck-turning movements. We have two access points to the sites so we can have movements that illustrate that trucks can come into the facility, back into the loading space, and leave. We have confirmed that we have adequate loading spaces onsite for truck turning requirements per the code.

Zimmer: Turning back to the crushing, what are the business hours for crushing and what are the noise decibels?

Matt Caddy LKQ: It's a diesel engine; we would be in compliance with the noise ordinance.

Zimmer: So the loudest part would be the engine running, not the crushing noise?

Matt Caddy LKQ: Surprisingly it's not nearly as loud (Spoke from his seat and unable to hear)

Eager: When we talked about the trucks backing up, you said that your company uses the lowest decimal OSHA allows.

Matt Caddy LKQ: Yes, and there is an adjustable level we can use. (Spoke from his seat and unable to hear)

Public Comment:

Kary Clarke, 504 Glen Circle: Being efficient is about doing things right and being effective is about doing the right thing. My concerns are hazardous waste. All it takes is one mistake from one person to make an impact on thousands of people. That vacant house could possibly be a historic home and should be considered for preservation. When they talk about trucks coming up Memory Lane, I had no idea what it looked like until I drove up it. Its very small narrow road that hardly accommodates two cars. There a home's right up close to that children live and play there one time is all it takes for a major liability. Just the little noise M&M makes can be compounded; you can only imagine what a larger company will sound like.

Rob Zanferdino , Fieldstone Development, 122 Spring Meadow Lane: Since the purpose of this meeting is to discuss not only the economic impacts and the environmental impacts, I want to throw out some numbers to you. Representing as a resident of

Fieldstone Development there are sum of approximately 60 homes in the Fieldstone development at an average cost of about four hundred thousand dollars per home. You're talking about a residential community somewhere in the area of twenty-four million dollars. Now assuming that we all pay approximately the same taxes, your talking something in the area of one hundred eighty-thousand dollars that we pay to the county. What is the impact that this facility will have on these sixty homes? There's also a major concern regarding trucks. Just Rt 250 alone the commercial trucks that are going into Van-Der-Linde Recycling and all the other facilities that has become a major impact. Now Memory Lane you all have to create a much larger entrance into that area. The other concern I have and I don't want to be redundant is, having come from New York where IBM was a major resident my concern is the contamination of ground water. You have vehicles that are being dismantled, there is going to be leakage. Now the crushing the gentleman said it was only going to happen about 3-4 times a day. I have been in the corporate world for 30 some years I know for a fact that crushing... means a profit. They're going to try to crush as many vehicles as possible because that's their business. Whether or not the location of this facility is the best place, I really think this committee has to decide, do you want to put this type of facility next to a residential area impacting the community.

Katie Ward, 705 Burton Street, Hampton, VA: I am an adjacent property owner to the property directly south that borders along the creek. We just purchased the land last summer. Thank you for your vote in December, because you listened to your instincts and us and knowing this is not the right fit for the county. I wish it would have made more of an impact on the BOS I'm quite surprised it didn't. However, we're here now and I hope you can apply those same principles in this case with the application. One thing I just can't quite get is when I'm asking at the different meetings about environmental impact analysis or traffic analysis I'm continually told well that comes later in the process or that's after the special use permits approved. Is it too much to ask as a residential or of the Planning Commission to have those documents up front so that the questions that you have are already answered before you have to approve anything? Take trucks for example. At first in December, we were told its 3-4 a day, then it was 8 at the neighborhood meeting. Then the conditions the staff recommended it could be up to 40 that's a huge difference. I think that's something that should be considered as to have these things outlined on paper or upfront other than a guess. Another example of something that's just changed is back in December it was said that the crushing would occur once a month or every other month. It was just asked and it's back to 5 times a month. Things just keep changing and it makes me very uncomfortable because I'm wondering why these things keep changing further along the process. Maybe things will change in the future but I don't feel comfortable with that because that's my property. Now again that building could even move closer to the creek from what the original plan was. It seems like this was planned to be rezoned under false pretenses because things keep changing left and right and its very upsetting. As you saw the property and the beautiful farm, I just think it's the epitome of Fluvanna. An old farm, an old barn that could have some historic value based on it was owned by a Civil War soldier. There's no condition in that staff report that says that should be looked at for archeological purposes before its demolished. I think that's important. Also, I remember from the original testimony that there's the water sample but not the soil. To me that really important because water could tell you one thing but the soil could tell you something completely different. I the cars are on the lot then the soil or the gravel in this case should be looked at.

Jennifer Hoppe, 164 Buck Ridge Rd: I'm here today because this is not what Fluvanna is about. I lived here before there was Fox Glen, before there was Field Crest. I was born and raised in Fluvanna. Fluvanna is not industrial and that's one of the awesome things about it you all keep it tight. If I wanted this noise, I would live in Charlottesville or in a big city. I don't want to hear this noise. Ask yourselves this, would each and every one of you be ok with this coming to your neighborhood to your backyard while you're watching TV. Would you be ok with this noise, traffic and pollution? You people are essentially okaying mixing industrial with residential. Have you seen Memory Lane? It's not exactly big. There are kids down there people walk down there, people's dogs and pets are there. You want eighteen-wheelers and all that even if it is just one once a day. Who wants an eighteen-wheeler coming down their country road every day? We're a county of preserving and there's a civil war marker on this house site. Do you even know there's a house there? Yeah it's abandoned but Fluvanna's all about preserving history. What part of a junkyard is preserving history? People keep saying M&M was there already and it's a junkyard why do you care now. Yes, look at what M&M is doing now and the trouble they're causing. Thank you for voting against the rezoning in December. If the BOS doesn't back you, you then why are you even here?

Salvatore Zambito, 394 Glenn Cir: I am the president of the Fox Glen HOA. Mr. Zimmer, the one thing that wasn't answered was the time crushing would take place. I want to point that out. Another thing that hasn't been mentioned yet is LKQ has a D-business rating from the BBB. Where M&M Salvage yard was an 8-5 Mon-Fri business operation, this will be 24/7. AT the neighborhood meeting with LKQ, they said they like to work with residents in the area. Yet here are there responses to some of my questions.

1. Will they be willing to change their hours of operation from 24/7 to 8-5 Mon- Fri. LKQ said not possible
2. Would they keep the delivery/crushing hours between 8-5 Mon- Fri. LKQ said no.
3. Would they build a higher fence to block the visuals or a sound barrier like the one you see on the highway? LKQ said no.
4. They said they would not have any lighting on the property. Since then they've said they would have lighting around the building itself.
5. We asked they not have the lighting. LKQ said no, they need it for the workers at night.
6. Their application said they wouldn't have any significant impact on vegetation, yet they will be tearing down approximately 20 acres of trees.

I don't think these are unreasonable request, but it's obvious that LKQ is too big of a company for this area and don't want to work with the residents at all. I hope you will deny this for LKQ, if not please have them limit their hours and crushing from Mon-Fri 8-5 or 8-6.

Dorothy, 122 Spring Meadow Lane: I want to start by saying the acoustics are horrible in here (the Courthouse). So those of us in here that are hard of hearing may repeat some of the things that were already said. Now that you've heard the pros and the cons, I would like to ask you as stewards of the county to ask yourself two questions. 1. What do you want Fluvanna to become? Do you want to be known for as its beauty of wild life and beauty? Or do you want to become known as the heavy industry county. If you let them come in it will crack the door for more to come in. Then our other concerns will happen: the noise the pollution vehicles, fluids, and chemicals. You know there will be an accident with a high-risk company. What do you want Fluvanna to be? All the money you put into this county at the Library, sheriff's office, the school makes it beautiful. You have a great opportunity to make this a great residential community. Or become the garbage dump with heavy industry. Rt 15 will have heavy industries. Even though you think they're bringing in money in the long run they're not. Take care of the county and us now and we won't have to deal with these problems later.

Minor Eager, Mechunk Creek Dr: I went to Pennsylvania with Patricia Eager to see the operation. The best way to describe it would be it's an industrial valet. It was the most organized, neat, clean and incredible operation you've ever laid your eyes on. It was spotless; the employees were thrilled with their jobs. I think there talking about bringing us close to 30 jobs and they pay well and they're highly skilled. Out in the yard was really nothing but the frames. The transmissions, motors and suspensions were all lined up perfectly. Every little mirror, bumper, and tire was taken off. All the fluids were carefully recycled. There was no noise from the take down shop. I walked all around the take down shop and no noise got through that building. Now the backup beepers I'm not sure what we do about that, but I believe there required by OSHA. It was the most impressive industrial operation I have ever seen. Somewhere we have to recycle cars. They really are excellent jobs, the employees I talked to were thrilled with their jobs, management was impressive. The whole operation, you really had to see it to believe it! I would love to see an industrial operation of that quality in our county.

Walker Ward, 705 Burton St Hampton VA: I am an adjacent property owner to the property directly south. The building itself I have concerns with as far as them storing vehicles outside before they make their way in. They can't guarantee that cars they buy the fluids are drained and won't contaminate while waiting to be processed. So if cars are being brought in and set out on the pad for three to four weeks, it's a guarantee that the area around there is basically going to have some contamination and could possibly get down in between before where they take it in to actually remove all the fluids from the vehicles. The noise, some of the other hearings they said you may not hear impacts in the wintertime because the doors will be closed. In the summer time when it's nice out the doors would be open, while they're dismantling vehicles. You're going to add more noise and pollution during the summer times but the wintertime's it will be quieter. There's another consideration to look at as far as decibels and hearing stuff. They said they were going to try and do something about the beepers on the vehicles. If they don't need to be there with all these forklifts moving cars back and forth, then why have them there? I just retired from the military and bought this piece of property. We paid over two hundred thousand from an enlisted salary. I don't make a lot of money.

We wanted to come to the country and enjoy the rest of my life after being medically retired for the injuries I sustained while being deployed in Iraq. I just wanted to come here, enjoy my time and my piece of property, and not have anything around this area. Granted it used to be a salvage yard, but know when you look at it all the cars are gone and it's beautiful. There's a nice majestic barn up there, old house. That place could be a very nice winery. Something else besides a salvage yard. You can drive by M&M and see what it's done to the area. There is stuff left over from the M&M operation that's still affecting the environment. What's to say they will do any better?

John Alexander: I know a few of you. I previously lived here, I moved away about five years ago to the adjoining county of Louisa. I'm a landowner here in the county. I also work for AG Dillard, which is directly across from this proposed facility. There's been many things brought up. When I was here, previously I was a member of the Economic Development Committee and a lot of what I hear tonight is what I heard before. These folk seem to have put together a reasonable sketch plan with reasonable things. Truck traffic, we have trucks at AG Dillard that go down that road every day. Our employees are parents of the children that are on that road playing. This area of the county has been designated as a growth area and while I understand, each individual taxpayer has the right to want their own happiness on their own land we have to look at the total picture. The kind of money we spend to educate kids; from a taxpayer perspective we need to be able to give them sustainable jobs. That's something Fluvanna definitely lacks. I would encourage you to move this forward.

Comments ended. Commission Discussion:

Bibb: Mrs. Eager visited the site and told us a little about it at the February work session. She said it was a very clean site. Inside the buildings, was the noise level high? **Eager:** no, you could easily have a conversation.

Bibb: The machinery they had has different sensors to keep the vehicles from going in too close?

Eager: Yes, when they bring the pieces from the automobiles to box them and sell them? **Bibb:** Yes **Eager:** They're all stored on the racks you saw in the power point. The forklift actually has magnets on the floor inside the concrete. Once the forklift lines up with the magnet it goes directly to where it needs. We saw them pick up a motor turn and go out without touching anything and there wasn't much space to do that.

Bibb: Was everything outside neat and orderly? **Eager:** Yes, it was all lined up neatly. Reminds me of the solar farm.

Bibb: Were the doors opened or closed? **Eager:** They were closed as it was in January and cold outside.

Bibb: And the noise outside, was it loud? **Eager:** No, just the occasional truck backing up. They were not crushing that day.

Bibb: Was the backing up of the forklift very loud? **Eager:** It was not as loud as the one at Fox Glen, they have it dialed down.

Bibb: I looked up the BBB since that was brought up. And there not actually rated by the BBB at all. There was just a complaint about a freight charge of \$750.00. I looked at the employee rating sites, it turned out 67% approved, and approximately 33% did not approve. Some of the things said are normal in the retail environment.

Eager: We all drive cars, they all get old, and they have to have somewhere to go. Lately we've been concerned in the county about the county's trash, the way people's yards look and the amount of cars they have. A gentleman asked me to ride along his farm on their Gator and there were so many cars abandoned in the woods, close to 100 I bet. We can't have that! That's what people tend to do when there's nowhere to take them.

Bibb: I asked my brother who's in insurance if they had heard of them and they had. I talked to Mr. Johnson and he had a car part that actually came from LKQ.

Zimmer: Some of my consideration comes from the fact the BOS approved this rezoning. As you said, we can't really re-litigate that rezoning in any way. So there is clearly going to be some type of industrial there, why not this company?

Cotellessa: The zoning is not an issue. It is zoned I-2. What is an issue is what's going to be on there? We talked earlier tonight about potential rezoning on a site and what could be by-right without a site plan, which could be contractor storage yards, machine shops, lumberyards, or saw mills. It's going to be important to control through the special use permit process what goes on this site, where things are sited, conditions you place on it. There's going to be noise and the noise will have to have limits. There's going to be visual impacts and we have to mitigate that. There have been changes through this process. That is very typical of development processes. As you go through and a question is asked they think, well we might need a little flexibility for the future on this. As we're looking at this if you do a very tight box on this then it becomes a real headache in the future. We have to look at as many of the issues as possible, button them up as much as you can. And we put in most of our special use permits a phrase that says the property shall be maintained in a neat and orderly manor so the visual appearance is acceptable to county officials. You have rules on noise limitations, which can be measured. You have rules on lighting, which can also be measured. There are likely to be ones we heard first tonight and some issues like those that we heard tonight. However, I think we cannot say we can't do this particular use in favor of getting who knows what. My tendency would be to try as much as possible to rely on the guarantees of the site plane process, DEQ, and certainly all the environmental aspects are critical. The staff will need to work with the developer and the engineers to make sure that during the buffers are appropriate and the riparian areas are respected. The building coming back another 15ft from the northern property line is likely to occur if

the rezoning to the north does not occur. I don't think that's a huge difference especially given the building now is to be 50ft. A 50ft set back makes perfect sense. My biggest concern is going to be really monitoring the noise and making sure the buffer is as good as it can be.

Lagomarsino: My issue is when we were talking about the rezoning, what will go there if this doesn't? I think we need to control what we have where we're at. The other uses that are there, to me, are worse. The things that are allowed by-right are much worse.

Johnson: I think this is about as good as your going to get it.

Recommended Conditions:

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet all Virginia Department of Environmental Quality requirements.
4. The site must meet the requirements set forth by the Virginia Department of Health.
5. The dismantling facility and the adjoining concrete pad area shall be permitted to operate 24/7. The operational hours of the storage yard shall only be for daylight hours.
6. The dismantling facility and storage yard will not have more than 40 truck trips in any 24 hour period. A truck trip shall be defined as the same truck leaving and returning or arriving and leaving the facility.
7. Used motor oil, coolants, discarded automotive parts and tires shall be recycled or disposed of in accordance with State and local laws.
8. A minimum 50 foot buffer shall be maintained along all property lines that adjoin agricultural, residential or business districts. A minimum 8 foot fence shall be used around the storage yard. Privacy fence slats shall be required on chain link fencing and shall be green in color.
9. Any lighting shall not be directed toward adjacent properties and comply with Article 25 of the Fluvanna County Code. The storage yard shall not have any site lighting.
10. Any noise shall comply with Chapter 15.1 of the Fluvanna County Code.
11. The property 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.
12. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
13. 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.
14. Development of the property shall be generally in accord with the sketch plan submitted with the application, subject to revisions necessary to meet requirements of those conditions and as otherwise required by law.

Motion:

Zimmer moved that the Planning Commission recommend approval of SUP 18:01, a request to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A, subject to the thirteen (14) conditions listed in the staff report. Seconded by Johnson. The motion was approved with a vote of 5-0 AYE: Cotellessa, Johnson, Bibb, Zimmer, and Lagomarsino. NAY: None ABSTAIN: None ABSENT: None

Public Comments

None

PRESENTATIONS:

None

Site Development Plans:

None

Subdivisions:

None

Unfinished Business:

None

New Business:

None

Public Comments:

None

Adjourn:

Chairman Bibb adjourned the Planning Commission meeting of March 13, 2018 at 9:28 pm.

Minutes recorded by Stephanie Keuther, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission



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

STAFF REPORT

To: Fluvanna County Planning Commission

Case Number: ZTA 18:02

From: James Newman

Date: April 10, 2018

General Information: This request is to be heard by the Fluvanna County Planning Commission on Tuesday April 10, 2018 at 7:00 pm in the Morris Room of the Fluvanna County Administration Building

Applicant/Representative: Fluvanna County

Requested Action: Amend the Fluvanna County Zoning Ordinance

- *An Ordinance to Amend Chapter 22, Articles 17 and 27 of the Fluvanna County Code By Certain Amendments to Sections and Subsections 22-17-7, and 22-27-14, Thereof, Amending the Fluvanna County Zoning Ordinance. The public purpose of these amendments is to update the fee schedule for telecommunication facilities.*

Background

Project Timeline:

Item discussed by the Planning Commission at their work session on March 13, 2018.

Analysis

The proposed amendments amend the Fluvanna County Zoning Ordinance. The amendments are made to update the fee schedule for telecommunication facilities. Additions to, modifications of, or collocations onto existing towers now require a fee of \$550 (the cost of a minor site plan), plus any applicable consultant review fees and mailing costs. A new tower is specifically required to obtain a Special Use Permit, followed by a Site Plan. Applicable mailing costs and consultant fees apply.

Sec 22-17-7: Consultant Review Fees

A third party contractor engages in analysis of new towers, as well as additions to, modifications of, and collocations on existing towers. This is done because of the complexity of the methodology or analysis required to review an application for a wireless communication facility, which falls outside the realm of expertise of county staff.

From time to time, the contractor chosen may change when new bids are put out by the County at the end of a contract. By adding the language *"plus consultant review fees as set by contract from time to time"* staff will not need to come back to the Planning Commission and Board with a new

Zoning Text Amendment to replace the consultant fee amount every time a new consultant is hired; our current ordinance states the fee is \$1,500 plus a consultant fee of \$5,500. \$5,500 was charged by our previous consultant party *Cityscape*. We now use *The Atlantic Group*. Their fee is \$900. Approving the language of the amendment will allow for easier flow of work when our consultant changes.

Section 22-17-7: Special Use Process

In order to establish a new Telecommunications Facility in any of our existing Zoning Ordinances, a Special Use Permit is required. Furthermore, new development like requires a Site Development Plan. The proposed language of the amendment clarifies for applicants and staff what applications and fees are required to proceed with a new tower: a Special Use Permit, a Site Plan, and consultant fees, plus applicable mailing costs.

Section 22-27-14: Language Struck Out

Sub section 22-27-14 contained language that was no longer applicable to our current review process. The code states “*the county may require the applicant to pay for a technical review by a third party expert, selected by the county, the costs of which ~~\$4,000.00~~ shall be borne by the applicant, and be in addition to other applicable fees.*” The proposed amendment removes that \$4,000 figure, simplifying the language to state the applicant must bear the costs of the consultant review.

Public Safety Towers

Towers erected for public safety purposes and others subject to Section 22-27-3 of the Zoning ordinance are exempt from the ‘*Regulations of Telecommunications Facilities*’ Article of the Fluvanna County Zoning Ordinance and are not affected by these code changes.

Conclusion

The proposed amendment to the Fluvanna County Zoning Ordinance will:

- Amends the ordinance to update and clarify the fees and applications required for new towers, as well as for collocations, additions, or modifications to existing towers.
- New towers require a Special Use Permit, a Site Development Plan, plus applicable mailing costs and consultant fees (The Atlantic Group charges \$3,200 for new tower reviews).
- Collocations, additions, and modifications require a fee of \$550 (the cost of a minor site plan), plus applicable mailing costs and consultant fees (The Atlantic Group charges \$900 for this type of review).

Suggested Motion

I move that the Planning Commission recommend [approval/denial/deferral] of ZTA 18:02, to amend Chapter 22, Article 17 and Article 27 of the Fluvanna County Code By Certain Amendments to Sections and Subsections 22-17-7, and 22-27-14, Thereof, Amending the Fluvanna County Zoning Ordinance. The public purpose of these amendments is to update the fee schedule for telecommunication facilities.

Attachments: A: General Provisions Chapter: Zoning Chapter 22, Article 17, proposed changes
Attachments: B: Regulation of Telecommunication Facilities Chapter: Zoning Chapter 22, Article 27, proposed changes

ATTACHMENT A

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Sections 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended, by the addition thereto of a Section 22-17-7 as follows:

Sec. 22-17-7. – Fees

The following schedule of fees shall be applicable for zoning submittals and shall supersede any schedule of fees heretofore adopted:

Site Plan Review

Sketch Plan	\$ 150.00
Minor Plan	\$ 550.00
Major Plan	\$1,100.00
Amendment of Plan	\$ 150.00
<u>Landscape Plan Review*</u>	\$ 50.00
<u>Outdoor Lighting Plan Review*</u>	\$ 50.00
<u>Tree Protection Plan Review*</u>	\$ 50.00

* If not part of a site plan review

Special Use Permit

	\$ 800.00 plus Mailing costs•
Amendment of Condition	\$ 400.00 plus Mailing costs•
Telecommunications Towers	\$1,500.00 plus mailing costs• \$5,500.00 w/consultant review – \$550 for colocation, modification, or addition, plus consultant review fees as set by contract from time to time, plus mailing costs
	New towers require a Special Use Permit, a Site Development Plan, plus consultant review fees as set by contract from time to time, plus mailing costs
Mobile Home	\$ 350.00 plus mailing costs•
Permit Extension (Mobile Home)	\$ 200.00 plus mailing costs•

Rezoning

\$1,000.00 plus mailing costs•

Proffer or Master Plan Amendment

\$750.00 plus mailing costs•

Zoning Text Amendment

\$550.00

Map

\$750.00 plus \$ 50.00 per acre

Variance

\$550.00 plus mailing costs•

Appeal of Administrator

\$125.00

ATTACHMENT A

BZA Interpretation of Map	\$ 50.00
<u>Zoning Permit</u>	\$100.00 Primary Structures
	\$ 50.00 Accessory Bldgs.

ATTACHMENT A

<u>Sign Permit</u>	\$155.00
<u>Copy of Ordinances</u> ••	\$ 30.00
<u>Comprehensive Plan</u> ••	\$ 50.00
<u>Tax Map Book</u> ••	\$ 30.00
<u>Request for Temporary Exception</u> <u>Outdoor Light Control</u>	\$ 50.00
<u>Street Sign Installation</u>	\$200.00 per intersection
<u>Sign Deposit for Public Hearing</u>	\$ 90.00 per sign
•Mailing Costs – \$20.00 per Adjacent Property Owner (APO) after 1 st 15 APO's, Certified Mail,	
••Available on-line for free	

And be it further resolved that the public purpose for the proposed amendments is to codify and update the fees to be paid for certain reviews required by the zoning ordinance.

And be it further resolved that the proposed amendment be, and it is hereby, referred to the Planning Commission.

ATTACHMENT B

Sec. 22-27-14. Fees for supplemental review.

Where the county deems it appropriate because of the complexity of the methodology or analysis required to review an application for a wireless communication facility, the county may require the applicant to pay for a technical review by a third party expert, selected by the county, the costs of which ~~\$4,000.00~~ shall be borne by the applicant, and be in addition to other applicable fees. ~~Site plan review for antenna element replacements only may be reduced to \$1,800.00 provided the applicant meets all the requirements for an antenna element replacement. If however, during the antenna element replacement site review it is determined the request does not meet the definition of an antenna element replacement, then review of the application will cease until the correct fee and correct plans are submitted.~~ Further, if additional information is needed to evaluate the applicant's request, the applicant, shall make such additional information available as the county might reasonably request. (Ord. 9-21-11)



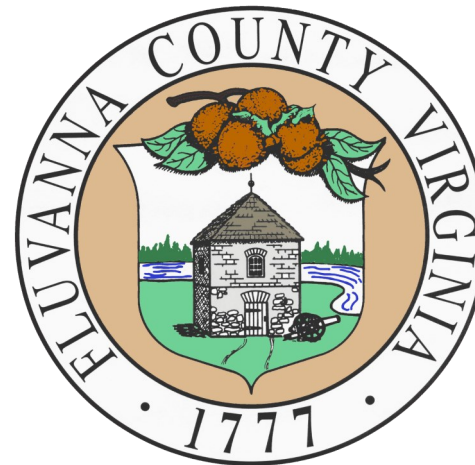
FLUVANNA COUNTY, VIRGINIA

2017 DEVELOPMENT ACTIVITY REPORT



TABLE OF CONTENTS

Table of Contents.....	1	Code Compliance.....	42
List of Images, Tables, and Figures.....	2	Board of Zoning Appeals	45
Introduction	3	Preservation Programs	47
Executive Summary.....	5	Agricultural & Forestal Districts	48
Development & County Government	7	Land Use Taxation	51
Planning & Community Development	8	Conservation Easements	53
Building Inspections	9	Appendix A: Comprehensive Plan Future Land Use Map	54
Planning Commission	10	Appendix B: Map of Agricultural & Forestal Districts	55
2015 Comprehensive Plan	11	Appendix C: Map of Conservation Easements	56
Land Use Planning Areas.....	11		
Comprehensive Plan Amendments	12		
Residential Activity.....	13		
Building Permits	13		
Subdivisions.....	21		
Fluvanna/Louisa Housing Foundation	26		
Development Activity.....	27		
Site Development Plans	28		
Zoning Activity.....	33		
Zoning Text Amendments	34		
Zoning Map Amendments	35		
Special Use Permits.....	38		



This document could not have been completed without the wonderful work done by all members of the Planning and Zoning, and Building Inspections Departments. Thank you for your tireless work. Thank you as well to the Commissioner of the Revenue's Office

LIST OF IMAGES, TABLES, AND FIGURES

Images

Cover photos:

(Top): Solar Panels (SDP 17:03)

(Left) Carbon Core (SDP 16:07) approved July 2017

(Right) JRWA Pipeline (SDP 17:08)

1. Greenberrys (SDP 17:07).....	4
2. JRWA Pipeline (SDP 17:08).....	6
3. A public hearing notice sign.....	8
4. A commercial building under construction....	9
5. 2015 Comprehensive Plan.....	12
6. A new house under construction	13
7. Housing under construction	21
8. Cunningham United Methodist Church (SDP17:10).....	28
9. Education Transformation Centre purchased property (SUP 17:01).....	40
10. View of the Rivanna River.....	50
11. View of a field.....	54
12. View of the Barber Property.....	55

Tables

1. Approx. acreage in planning areas.....	11
2. Comp. Plan text amendments.....	12
3. Building permits for new homes by type.....	13
4. Building permits for new homes by election...	14
5. Building permits for new homes by area.....	15
6. Permits for new detached homes by location.	16
7. Permits for new detached homes by location.	17
8. Avg. construction cost of new homes.....	19
9. Avg. costs of home construction-attached.....	19
10. Subdivisions by building permits for homes..	20
11. Subdivision lots by planning area.....	22
12. Subdivision lots by election area.....	23
13. Subdivision lots by planning area.....	24
14. Fluvanna/Louisa Housing Found. expend.....	26
15. Site Dev. Plans by planning area.....	28
16. Site Dev. Plans by planning area.....	29
17. Site Dev. Plans by use.....	30
18. Site Dev. Plans by Project Type.....	31
19. Zoning Text Amendments.....	34
20. Zoning Map Amendments	35
21. Zoning Map Amendments by planning area..	36
22. Special Use Applications by Land Use.....	39
23. Special Use Applications by District.....	40
24. Code Compliance by election district.....	43
25. Code compliance by planning area.....	44
26. Zoning variances by year.....	45

Tables (cont'd)

27. Zoning variances by election district.....	46
28. Agricultural & Forestal Districts.....	48
29. Acreage enrolled in Ag./For. Districts.....	49
30. Acreage under Land Use taxation.....	51
31. Conservation Easements approved.....	53

Figures

1. Planning Area Acreage.....	11
2. New home permits by type.....	13
3. Permits for new homes by elec. dist.....	14
4. Permits for new homes by planning area.....	15
5. Number of new inside and outside LM.....	16
6. Number of new home permits issued.....	18
7. Average costs of home construction.....	19
8. Subdivisions by planning area.....	22
9. Subdivisions by election district.....	23
10. Subdivisions by planning area.....	25
11. Site Development Plans by type.....	32
12. Site Development Plans by planning area....	32
13. Zoning Text Amendments.....	34
14. Zoning map amend. by planning area.....	37
15. Special use applications by election dist.....	41
16. Code compliance by election district.....	43
17. Zoning variances requests by year.....	45
18. Ag./For. dist. additions and withdrawals....	50
19. Acreage under Land Use Taxation.....	52

INTRODUCTION

The Fluvanna County Department of Planning and Community Development is proud to present the 2017 Development Activity Report (DAR). Development activity in this report has been approved by the Fluvanna County Board of Supervisors and committees appointed or approved by them, including the Planning Commission, Board of Zoning Appeals, and the Department of Planning and Zoning. This report has been prepared to make clear the growth impacting Fluvanna County, which is reflected by changes in land use. Land use changes are tracked by the Development Information Database (DID) and the Tyler Technology Energov System, which were used to prepare this report. The DID is maintained by the Department of Planning and Zoning.

The DID and Energov systems are used to track site development plans, subdivisions, code compliance cases, special use permits, variances, zoning map amendments, zoning text amendments, and conservation easements, among other activities. A similar database used by the Building Inspections Department tracks building permits and is used in the residential activity calculations in this report.

The DAR allows land use comparisons and trends to be seen over a 15 year span, which provides important clues for future needs, such as new school bus routes and traffic systems. This report reflects the outcome of development by Election District and Land Use Planning Area, and evaluates Fluvanna County's preservation initiatives. In addition, this report allows an analytical observation of the relationship between land use planning and various application requests. For example, proposed growth areas may not achieve the intended results if development requests are granted in areas outside established Community Planning Areas (CPAs). This report provides a quantitative summary of development through 2016, and indicates where this growth is taking place.

Although residential growth has dropped considerably since its peak several years ago, new homes are built throughout the County. Only a handful were constructed within the gates of Lake Monticello; as the subdivision approaches build-out, new construction is taking place elsewhere. Boxwood, Nahor Village, and Sycamore Landing were the subdivisions which experienced the most new home construction in 2017. A majority of the new homes built in the County were located within the Rural Residential Planning Areas.

While overall development activity continued to decline in the County, several long-range planning projects were carried-out in 2017, including a water pipeline to Zions Crossroads. The County's Comprehensive Plan five-year review process continues.

Methodology Note: Total County Acreage for this report was calculated in GIS. A new column was created in the Master Parcels layer. This column was made as a 'Double'. Acreage was calculated in NAD 1983 State Plane VA South. **This information is not to be used as an official total of Fluvanna County acreage;** it merely represents the acreage of parcels as drawn in GIS, which may not be survey accurate. Therefore the total County acreage may change slightly from year to year depending on how parcels are drawn as subdivisions and boundary lines occur.

In addition to the future land use map, the 2015 Comprehensive Plan contains over 100 strategies for implementing the goals outlined in the plan. Since the adoption of the Comprehensive Plan in 2015 several of these strategies have been completed, others are on-going actions, and some are in the process of being implemented.

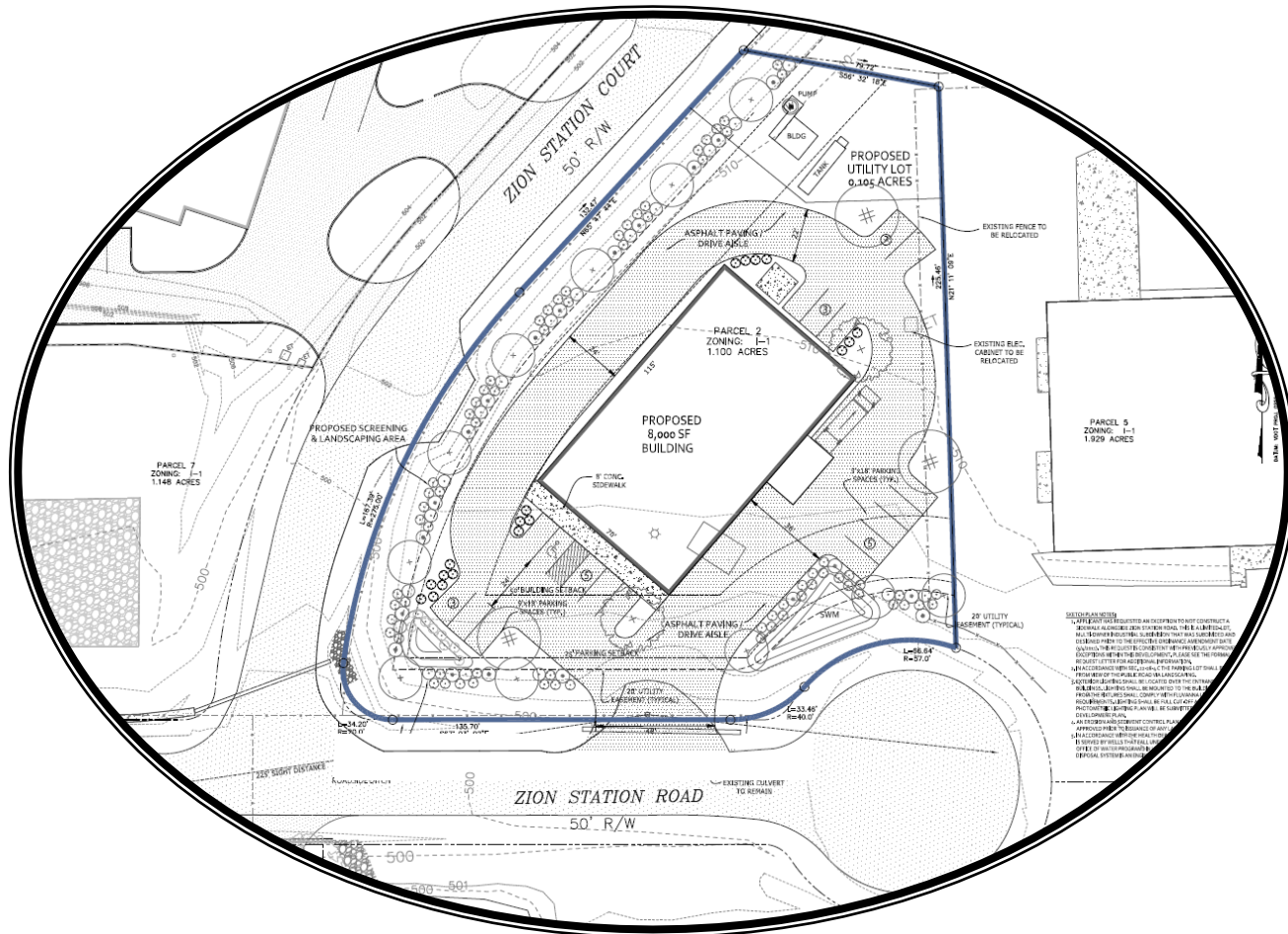


Image 1: Greenberry's Site Development Plan (SDP 17-07).

EXECUTIVE SUMMARY

Land Use Planning Areas

- Fluvanna County's Comprehensive Plan, adopted in 2015, continues to influence growth and development decisions.
- The Comprehensive Plan's designated growth areas cover roughly 9% (17,344 acres) of the County. The growth areas, known as Community Planning Areas, are located near existing population centers and are intended to receive the majority of new development. There are CPA's located in and around Palmyra, Lake Monticello, the town of Scottsville, Zions Crossroads, Fork Union, and the former town of Columbia.
- Roughly 91% (175,486 acres) of the County is designated as rural by the Comprehensive Plan. There are two designations for rural areas: Rural Residential and Rural Preservation.

Building Permits

- 85 building permits for new homes were issued in 2017, a 25% decrease from the 113 permits issued in 2016.
- 29 building permits for new homes (34%) were issued within designated growth areas.
- 56 building permits for new homes (66%) were issued within rural areas.

Subdivisions

- 25 new subdivision lots were approved in 2016, a 31% increase from the 19 new lots approved in 2015.
- Five (5) of the new lots approved were within designated community planning areas. This comprised 20% of new lot construction.
- Twenty (20) of the new lots approved were within rural areas.

Site Development Plans

- 9 site development plans were reviewed in 2017, a 50% decrease from the 18 plans reviewed in 2016.
- 80% of the site development plans reviewed were located within designated growth areas.

Special Use Permits

- 5 special use permits were reviewed in 2017
- 3 of the special use permits reviewed were located in designated growth areas.

Zoning

- 5 rezoning applications were considered in 2017. 3 were approved, one was withdrawn, and another was denied.
- 5 zoning text amendments were received in 2017. 4 were approved and one was withdrawn.
- One variance was granted by the Board of Zoning Appeals (BZA) in 2017.

Code Compliance

- At least 32 zoning complaints were initiated after a preliminary investigation in 2017, an increase from the 26 cases in 2016.
- 30 of the cases initiated in 2017 were resolved, along with 1 extension, and 1 permit pending.

Land Conservation

- There are 19 Agricultural and Forestal Districts (AFDs) in Fluvanna County, which include 20,542.8 acres (11.16% of Fluvanna County). No new AFDs were created in 2017.
- As of December 2017, 14,120 acres (8% of Fluvanna County) are protected by conservation easements held by various organizations.
- 109,947 acres (59% of Fluvanna County) were enrolled within the Land Use Taxation Program.

Image 2: JRWA Pipeline (SDP 17:08)



DEVELOPMENT & COUNTY GOVERNMENT: PLANNING & COMMUNITY DEVELOPMENT

To ensure that growth and development occur in an orderly way that does not compromise the health, safety, and welfare of current residents and newcomers, Fluvanna County has its own Department of Planning and Zoning. The department's duties and activities are described below:

Current Planning (Development Administration)

This primary activity involves the daily administration and enforcement of the zoning and subdivision ordinances. Tasks associated with the administration of these ordinances include the processing of subdivision proposals, boundary adjustments, easement plats, site plans, special use permits, rezonings, and variances. County staff also respond to general inquiries and other requests.

The department serves as the primary staff contact for the Planning Commission, Board of Zoning Appeals, Agricultural and Forestal District Advisory Committee, and other ad hoc committees and task forces. Department staff also supports the Board of Supervisors as needed or requested.

Long Range Planning (Project/Policy Development and Management)

Planning recommendations are routinely provided to the Planning Commission and the Board of Supervisors on a wide array of issues. Strategic and long-term planning begins with the preparation and implementation of the Comprehensive Plan, associated comprehensive plan or zoning text amendments, the annual review of the Capital Improvements Plan (CIP) by the Planning Commission, and other local projects. These planning documents provide the foundation for many of the land use and budgetary decisions that are implemented by the County.

The department also manages the Agricultural and Forestal District and the Conservation Easement programs. Staff advises County agencies about regional and local transportation issues and assists in the development of recreational facilities as needed. Geographic Information Systems (GIS) information critical to planning and land use decisions is developed, collected, and maintained by planning staff. Routine contact with other regional planning departments including Cumberland, Goochland, Louisa, and the Thomas Jefferson Planning District Commission (and all of its member localities) is critical to maintaining up-to-date information and invaluable regional connections.

DEVELOPMENT & COUNTY GOVERNMENT: PLANNING & ZONING

Code Enforcement and Inspections

Code compliance ensures that Fluvanna County's regulations are enforced consistently and equitably. A wide variety of code issues are reported to the County, including subdivision and zoning ordinance violations, inoperative vehicle and junkyard complaints, and other nuisance and miscellaneous complaints.

Erosion & Sediment Control

The department is responsible for issuing all new land disturbance permits and ensuring that developing sites are in conformance with Chapter 6 (Erosion & Sedimentation Control) of the County Code. As part of their duties, the Erosion and Sediment Control Site Inspectors perform site inspections on a two-week rotation and after all significant rainstorm events. In 2014, the Erosion and Sediment Site Inspector, the Building Official, and Planning Staff worked together to create a stormwater management plan (SMP) in accordance with new state stormwater legislation.

Current Staff

The Department of Planning and Zoning consists of six full-time employees:

Jason Stewart:	Planning Director/Zoning Administrator
Brad Robinson:	Senior Planner (Current Development)
James Newman:	Planner (Long-Range Planning)
Scott Miller:	Code Compliance Officer
Roger Black:	Erosion and Sediment Plans Reviewer
Stephanie Keuther:	Senior Program Support Assistant

Image 3: A public hearing notice sign set up by staff



DEVELOPMENT & COUNTY GOVERNMENT: BUILDING INSPECTIONS

To ensure that structures are built and modified in a safe manner, Fluvanna County has its own Department of Building Inspections. The department's duties and activities are described below:

Building Inspections

The department enforces the Uniform Statewide Building Code for all new structures, additions, and alterations, as required by state law. As part of its enforcement activities, the department reviews plans associated with all new regulated construction; performs the required building, electrical, plumbing, and mechanical inspections; and issues the necessary permits and certificates of occupancy. Inspectors work with the Planning and Zoning Department to ensure that new construction meets the regulations set forth within the zoning ordinance, including building setbacks. The department is also responsible for initiating the addressing and street naming process.

Current Staff

The Department of Building Inspections consists of three full-time employees:

Kevin Zoll:	Building Official
Johnny Vaughn:	Building Inspector
Amy Helfrich:	Permits Clerk

Image 4: A commercial building under construction at Zion Station



DEVELOPMENT & COUNTY GOVERNMENT: PLANNING COMMISSION

The Planning Commission is an appointed body charged with promoting the orderly development of the community. Every locality in Virginia is required to have its own Planning Commission (Virginia Code §15.2-2210). Per Virginia law, the Planning Commission is responsible for:

- Preparing the local comprehensive plan;
- Preparing and reviewing amendments to the zoning and subdivision ordinances;
- Reviewing proposed changes to the zoning map;
- Reviewing site plans and major subdivisions; and
- Preparing the local capital improvement plan (CIP).

The Planning Commission is not a legislative body, but an advisory committee. It makes recommendations to the Board of Supervisors on legislative matters, such as the adoption and amendment of the comprehensive plan, zoning ordinance, and subdivision ordinance.

The Planning Commission consists of five (5) voting members (one from each voting district) and one (1) non-voting representative of the Board of Supervisors. Planning Commission members are appointed to four-year terms by the supervisors representing their election district.

Staff from the Department of Planning and Community Development provide the Planning Commission with technical support.

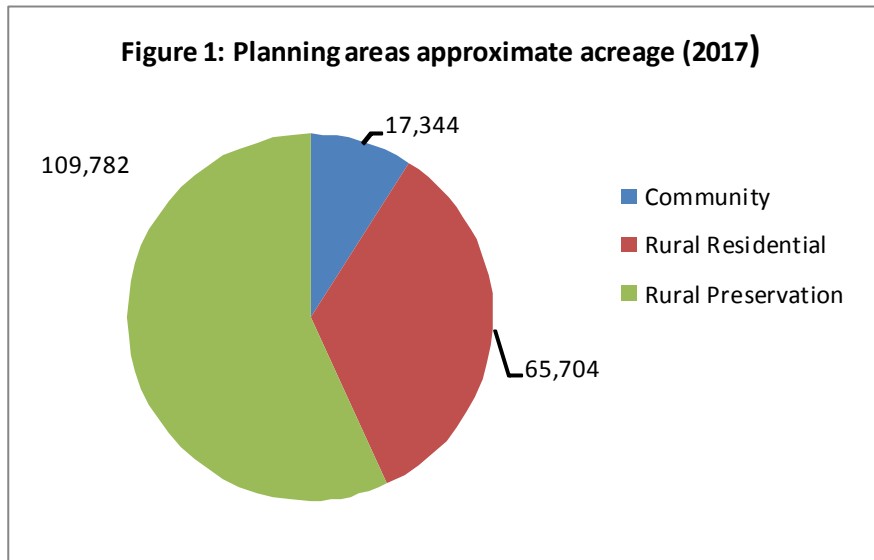
Planning Commission Members (as of January 2018)

Columbia District:	Ed Zimmer
Cunningham District:	Barry Bibb
Fork Union District:	Lewis Johnson
Palmyra District:	Howard Lagomarsino
Rivanna District:	Sue Cotellessa
Board of Supervisors Rep.:	Patricia Eager

2015 COMPREHENSIVE PLAN: LAND USE PLANNING AREAS

The Comprehensive Plan is a guide to the future growth and development of Fluvanna County. The current Comprehensive Plan was adopted in 2015. Since its adoption, the document has influenced land use decisions and County policy. Officials continue to implement strategies that help the County realize the goals described within the plan.

The Comprehensive Plan's Future Land Use Map shows where the County wants to direct new development. Fluvanna County has six (6) Community Planning Areas, which are intended to support higher density, mixed-use development around existing population centers. The Rural Residential areas accommodate low-density, clustered residential development, while the Rural Preservation areas are intended to remain largely undeveloped.



Source: Dept. of Planning & Community Development

Table 1: Approximate Acreage in Land Use Planning Areas (2017)

Planning Area	Approximate Number of Parcels	Approximate Acreage	Percentage of Total County Acreage (Approximate)
Community	6,864	17,344	9%
Rural Residential	4,743	65,704	34%
Rural Preservation	4,495	109,782	57%
TOTAL	16,102	192,830	100.00%

Methodology: GIS Parcels selected by Location, via "have their centroid in source layer feature" as some Planning Areas overlap. All future tables for this data should be calculated as such, for consistency. These numbers may differ from 2015 and earlier DARs, and may differ from the parcel amount calculated Commissioner of Revenue's Office. **This is parcel count is not to be used for official purposes.**

2015 COMPREHENSIVE PLAN: AMENDMENTS

With the approval of the Board of Supervisors, the Comprehensive Plan may be amended. These amendments should be based upon established goals and sound planning principles. According to Virginia Code, the plan must be reviewed at least once every five (5) years. Occasional revision is essential if the plan is to remain flexible and to continue to serve as a reliable guide for community growth; however, constant amendment of the plan undermines and limits its effectiveness.

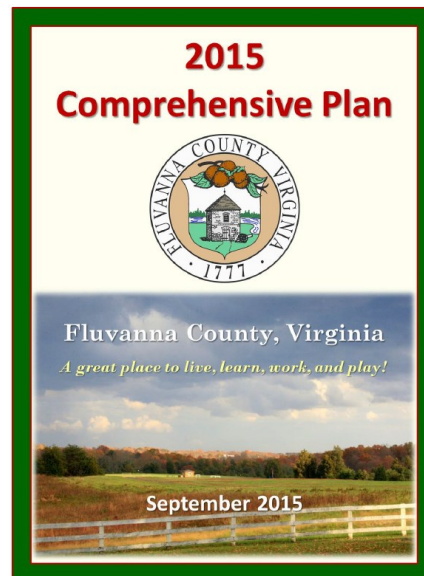
Since its adoption in 2015, there have been few amendments to the current Comprehensive Plan. The Board of Supervisors did not approve any amendments to the 2015 Comprehensive Plan in 2017.

Table 2: Comprehensive Plan Text Amendment Applications (2017)

Applicant Name	Affected Chapters of the Comprehensive Plan	Description of Request
None	N/A	N/A

Source: Dept. of Planning & Community Development

Image 5: The 2015 Fluvanna County Comprehensive Plan



RESIDENTIAL ACTIVITY: BUILDING PERMITS

Generally, any project that involves building a new structure, altering an existing structure, or demolishing a structure will require a building permit. Fluvanna County issues building permits for all construction within its boundaries. The number of building permits issued for new home construction helps officials understand the rate at which residential growth is occurring and where it is concentrated. In Fluvanna County, most new dwellings constructed are single-family units.

Table 3: Building Permits Issued for New Homes by Type (2017)

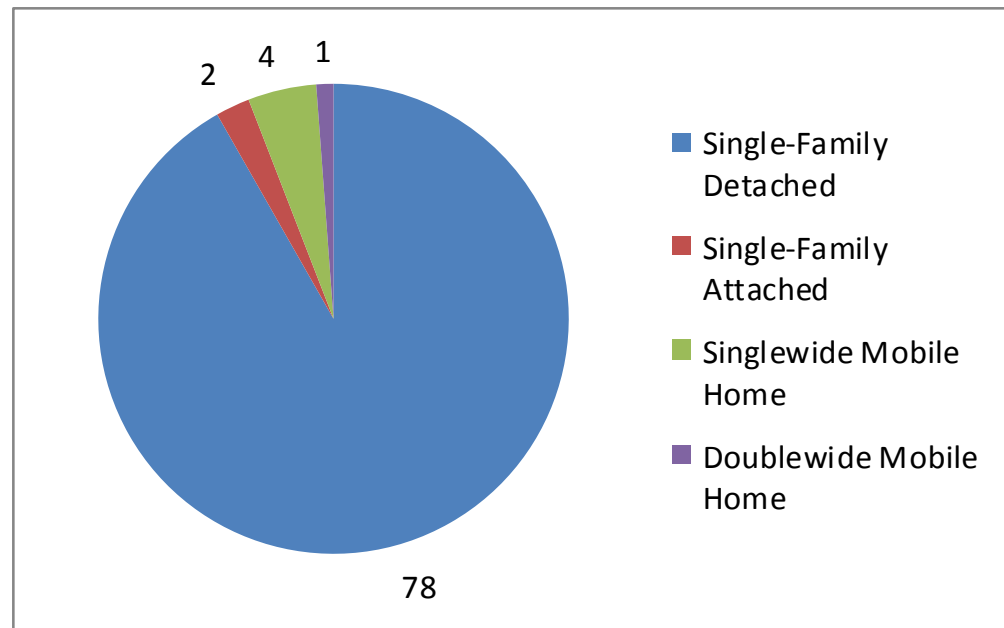
Housing Type	Number of Permits Issued	Percentage of Total
Single-Family Detached	78	92%
Single-Family Attached	2	2%
Singlewide Mobile Home	4	5%
Doublewide Mobile Home	1	1%
TOTAL	85	100.0%

Source: Dept. of Building Inspections



Image 6: A new house under construction

Figure 2: Building Permits Issued for New Homes by Type (2017)

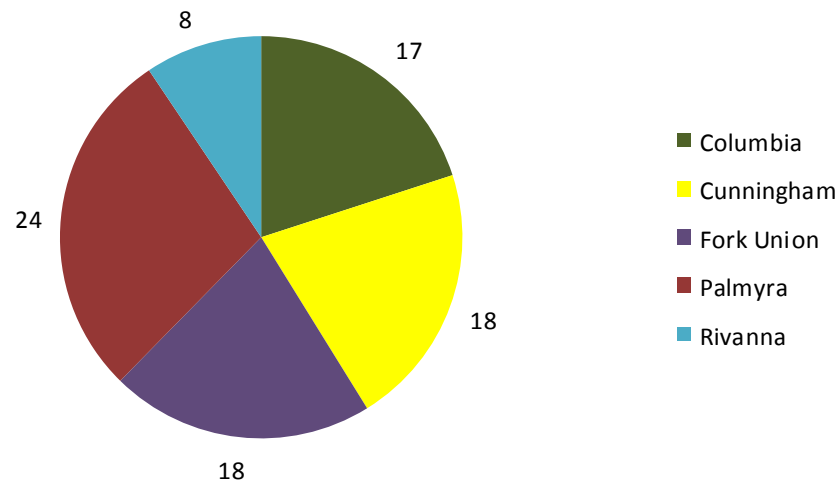


RESIDENTIAL ACTIVITY: BUILDING PERMITS

Table 4: Building Permits Issued for New Homes by Election District (2017)

Election District	Number of permits issued	Percentage of total
Columbia	17	20%
Cunningham	18	21%
Fork Union	18	21%
Palmyra	24	29%
Rivanna	8	9%
Total	85	100.00%

Figure 3: Number of building permits issued for New Homes by Election District (2017)



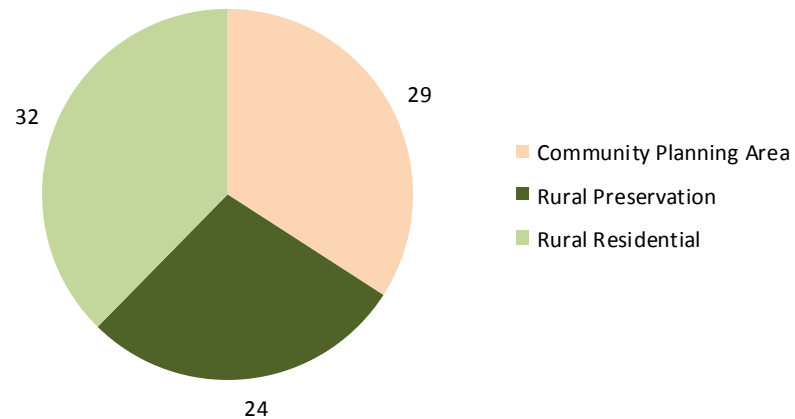
Source: Dept. of Building Inspections

RESIDENTIAL ACTIVITY: BUILDING PERMITS

Table 5: Building Permits Issued for New Homes by Planning Area (2017)

Planning Area	Number of Permits Issued	Percentage of Total
Columbia Community Planning Area	0	0
Fork Union Community Planning Area	0	0
Palmyra Community Planning Area	0	0
Rivanna Community Planning Area	28	32.9%
Scottsville Community Planning Area	0	0
Zion Crossroads Community Planning Area	1	1.1%
Community Planning Area Subtotal	29	34%
Rural Residential Subtotal	32	38%
Rural Preservation Subtotal	24	28%
TOTAL	85	100%

Fig 4: Permits for new homes by Planning Area (2017)



RESIDENTIAL ACTIVITY: BUILDING PERMITS

Lake Monticello is Fluvanna County's largest population center. According to the 2010 census, Lake Monticello housed 9,920 residents, which represents 38.6% of Fluvanna County's total population (2010 Census: 25,691). Since its establishment in the early 1970s, Lake Monticello has supported most of the County's residential growth. As the community approaches build-out, new construction has slowed; new homes in Lake Monticello represent only a small portion of all new construction countywide. According to information provided by the Lake Monticello's Owners Association, about 420 of the community's 5,000 or so lots are vacant.

Fig 5: Number of Permits issued inside Lake Monticello versus outside Lake Monticello (2017)

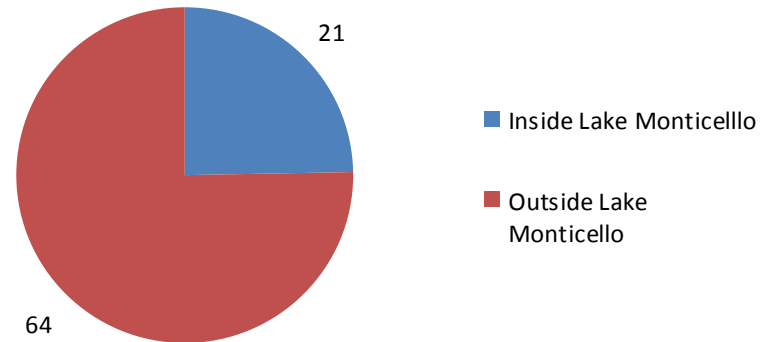


Table 6: Number of Permits Issued for New Homes Inside versus Outside Lake Monticello (2017)

	Inside Lake Monticello	Outside Lake Monticello	County Overall
Number of Permits Issued	21	64	85
Percentage of Total	25%	75%	100%
<u>Average</u> Construction Cost of New Homes	\$215,625	\$193,169	\$198,717
<u>Total</u> Construction Cost of New Homes	\$4,528,126	\$12,362,863	\$16,890,989

Note: Costs provided by developers

Source: Dept. of Building Inspections

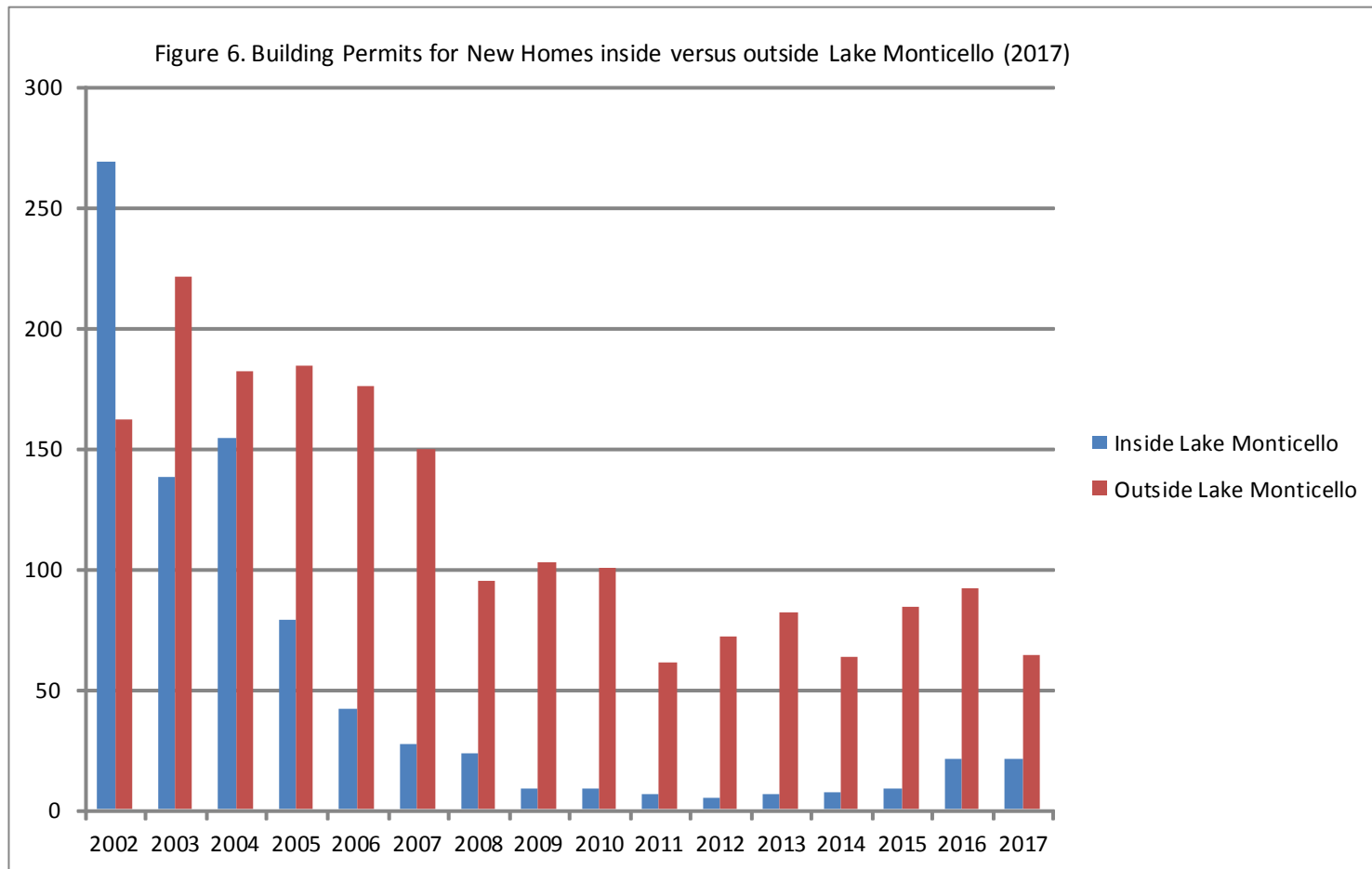
RESIDENTIAL ACTIVITY: BUILDING PERMITS

Table 7: Building Permits Issued for New Homes Inside versus Outside Lake Monticello (2002-2017)

Year	Inside Lake Monticello	Outside Lake Monticello	Total Countywide	Percentage Change from Previous Year
2002	269	162	431	-4.9%
2003	138	221	359	-16.7%
2004	154	182	336	-6.4%
2005	79	184	263	-21.7%
2006	42	176	218	-17.1%
2007	27	150	177	-18.8%
2008	23	95	118	-33.3%
2009	9	103	112	-5.1%
2010	9	100	109	-2.7%
2011	6	61	67	-38.5%
2012	5	72	77	14.9%
2013	6	82	88	13.0%
2014	7	63	70	-20.5%
2015	9	84	93	32.9%
2016	21	92	113	21.50%
2017	21	64	85	-24.7%

RESIDENTIAL ACTIVITY: BUILDING PERMITS

Since the early 1970s, thousands of homes have been constructed in Lake Monticello, Fluvanna County's largest subdivision. In the early 2000s, more homes were built in Lake Monticello than in the rest of the County; in 2001, approximately 62.3% of new homes constructed in Fluvanna County were located within Lake Monticello. As the community has approached buildout, the number of new homes constructed within Lake Monticello has dropped considerably.



RESIDENTIAL ACTIVITY: BUILDING PERMITS

When applying for a building permit, builders must provide an estimate of the home's construction cost. In 2017, the average construction cost of a new detached single-family home in Fluvanna County was \$207,912. Inside Lake Monticello, the average construction cost for a new detached single-family home was \$218,322. Outside of Lake Monticello, the average construction cost for a new detached single-family home was \$202,420.

Note that the average construction cost does not include land costs, and costs are provided by developers.

Figure 7: Average costs of new single family detached home construction (2017)

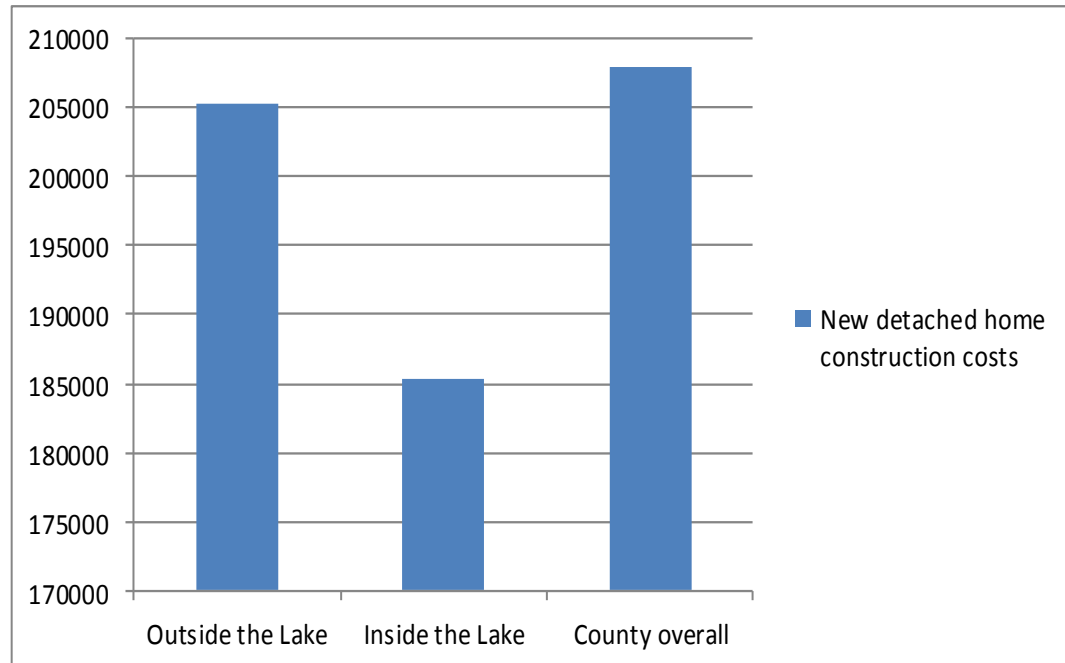


Table 8: Average Construction Cost of New Detached Homes (2017)

Source: Dept. of Building Inspections

	Inside Lake Monticello	Outside Lake Monticello	Countywide
Average Cost of New <u>De-</u> <u>tached</u> Homes	\$218,322	\$202,420	\$207,912

Note: Costs provided by developers. Does not include cabins, singlewides, or doublewides.

Table 9: Average costs of new attached home construction

New <u>Attached</u> Homes	Average Cost of New <u>Attached</u> Homes
2	\$190,000

Note: Costs provided by developers

RESIDENTIAL ACTIVITY: BUILDING PERMITS

As the number of new homes constructed in Lake Monticello continues to decline, builders are purchasing lots in other newly-developed communities. The subdivisions with the highest number of building permits issued for new homes are located in the northwestern corner of the County, near Lake Monticello.

Table 10: Subdivisions with the Highest Number of Building Permits Issued for New Homes (2017)

Subdivision	Permits Issued
Boxwood Estates	7
Nahor Village	6
Sycamore Landing	5
Riverside	5
Panorama	4
Rosewood Manor	3
Allen Subdivision	2
Cunningham Meadows	2
Knollwood	2
Montpelier	2
Total	38

Source: Dept. of Building Inspections

RESIDENTIAL ACTIVITY: SUBDIVISIONS

The subdivision ordinance regulates the division of land. Regulations within the subdivision ordinance control the dimensions of lots, the extent and nature of required utilities, plat details, and necessary transportation improvements. Virginia Code requires all localities to adopt a subdivision ordinance. The approval of subdivision plans is an administrative process; local planning staff reviews subdivision plans to determine whether or not they meet the provisions of the subdivision ordinance. In Fluvanna County, most new subdivisions are associated with residential development.



Image 7: Housing under construction

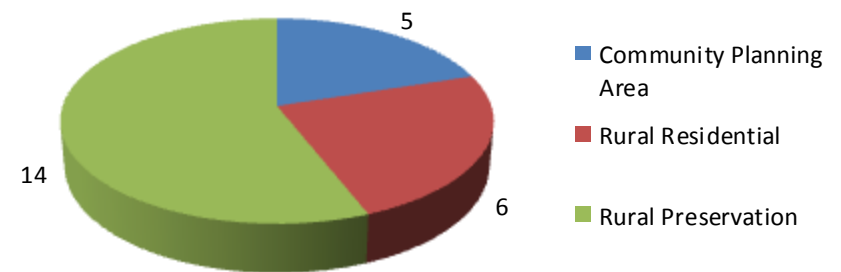
RESIDENTIAL ACTIVITY: SUBDIVISIONS

Table 11: Approved Subdivision Lots by Planning Area (2017)

Planning Area	Subdivisions Type and Number of Lots			
Community	Major	Minor	Family	Total
Columbia CPA	0	0	0	0
Fork Union CPA	0	0	0	0
Palmyra CPA	0	0	3	3
Rivanna CPA	0	0	1	1
Scottsville CPA	0	0	0	0
Zion Crossroads CPA	0	1	0	1
Community Planning Area	0	1	4	5
Rural Residential	0	4	2	6
Rural Preservation	0	9	5	14
TOTAL	0	14	11	25

Source: Dept. of Planning & Community Development

Fig.8 Approved Subdivision lots by Planning Area (2017)



In 2017, twenty-five (25) new lots were created and approved through the subdivision process. Fourteen (14) of these lots were created as part of *minor subdivisions* (subdivisions with five or fewer lots). Eleven (11) lots were associated with *family subdivisions*, which permit the transfer of land to closely-related family members. There were no *major subdivisions*.

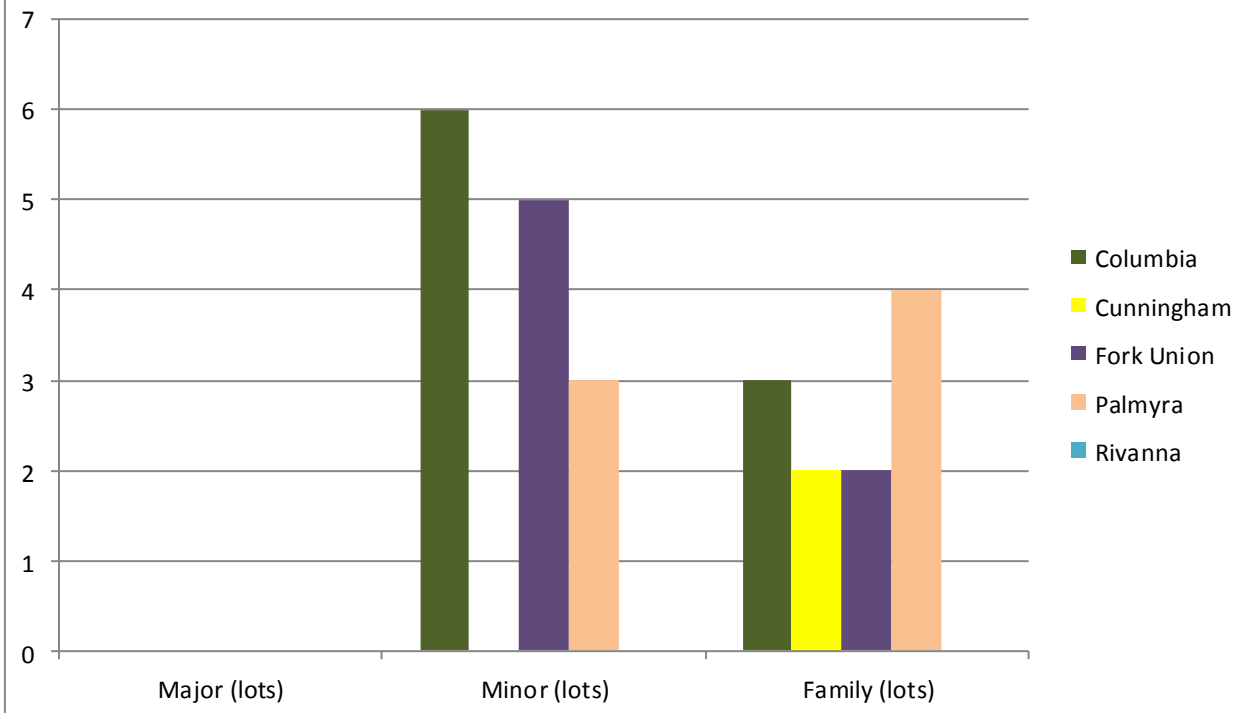
Most of the lots created were located within the Rural Preservation Planning Areas; the second largest number of lots created were located in the Rural Residential Planning Areas, as designated within the 2015 Comprehensive Plan. Rural Preservation Planning Areas are intended to be the least developed areas of the county, with very low-density residential development. The Rural Residential Planning Area is intended to accommodate limited low-density residential development (no more than one unit per two acres) and agricultural uses. Community Planning Areas are intended to accommodate higher-density development near existing communities.

RESIDENTIAL ACTIVITY: SUBDIVISIONS

Table 12: Approved Subdivision Lots by Election District (2017)

Election District	Major (lots)	Minor (lots)	Family (lots)	Total (lots)	% of Total
Columbia	0	6	3	9	36%
Cunningham	0	0	2	2	8%
Fork Union	0	5	2	7	28%
Palmyra	0	3	4	7	28%
Rivanna	0	0	0	0	0%
Total (lots)	0	14	11	25	100%

Figure 9. Approved Subdivision Lots by Election District (2017)



RESIDENTIAL ACTIVITY: SUBDIVISIONS

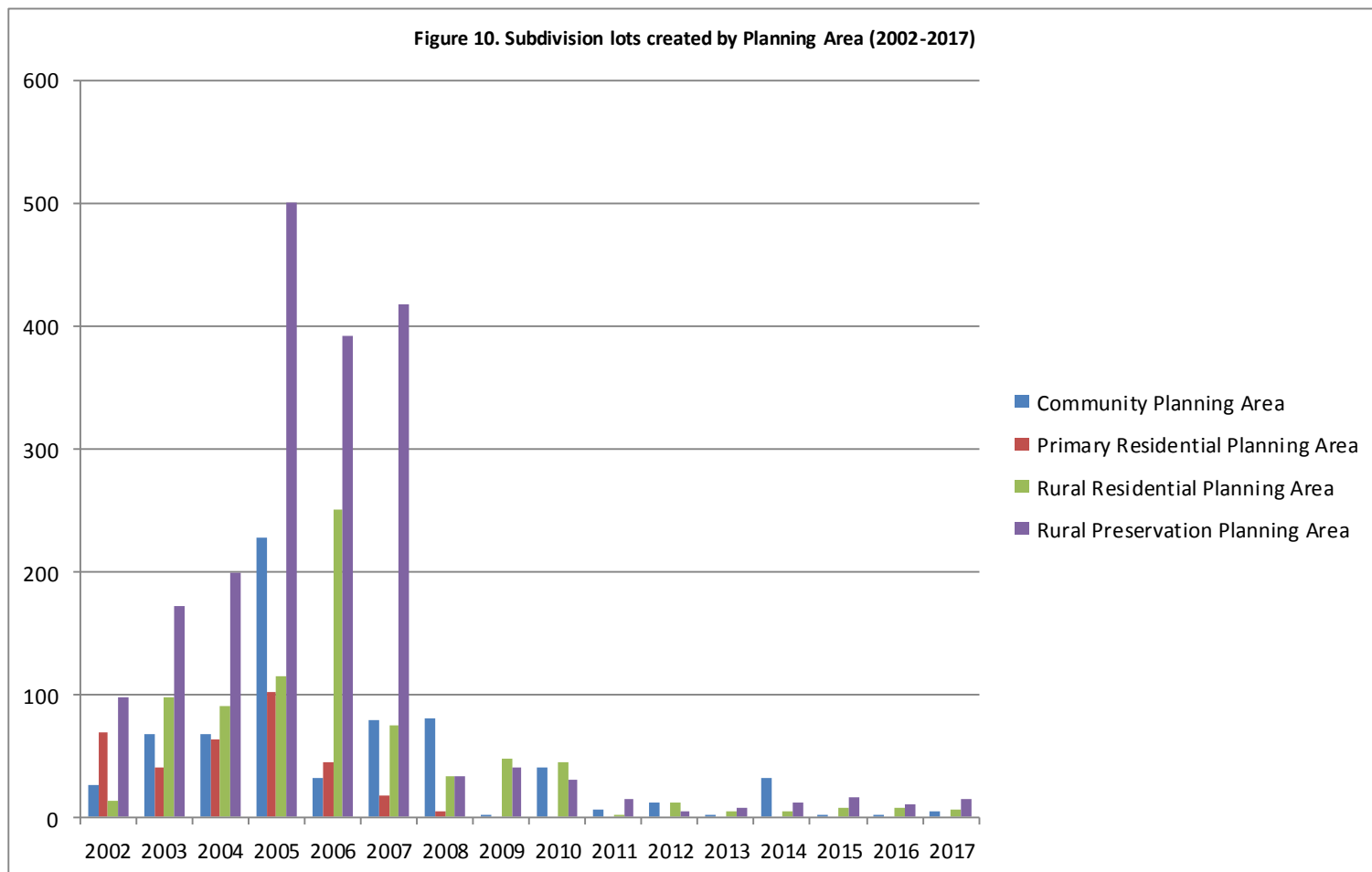
Table 13: Approved Subdivision Lots by Planning Area (2002 - 2017)

Year	Community Planning Area	Primary Residential Planning Area	Rural Residential Planning Area	Rural Preservation Planning Area	Total	% Change from Previous Year
2002	26	69	13	98	206	42.10%
2003	67	40	97	172	376	82.50%
2004	67	63	91	199	420	11.70%
2005	228	102	115	501	946	125.20%
2006	32	44	250	392	718	-24.10%
2007	79	17	75	418	589	-17.97%
2008	80	4	33	33	150	-74.53%
2009	2	0	48	40	90	-40.00%
2010	40	0	45	30	115	21.74%
2011	6	0	2	14	22	-82.61%
2012	11	0	11	4	26	18.18%
2013	2	NA	4	7	13	-50.00%
2014	31	NA	4	12	47	261.54%
2015	2	NA	7	16	25	-46.81%
2016	2	NA	7	10	19	-24%
2017	5	NA	6	14	25	31%

* Primary Residential Planning Areas were eliminated

RESIDENTIAL ACTIVITY: SUBDIVISIONS

Subdivision activity has slowed significantly since 2007. In the mid-2000s, thousands of lots were created in Fluvanna County; most of these lots were located in areas designated for rural preservation. After 2007, the number of lots approved annually dropped dramatically.



RESIDENTIAL ACTIVITY: FLUVANNA/LOUISA HOUSING FOUNDATION

As part of the County's commitment to addressing housing needs, the Fluvanna/Louisa Housing Foundation, a non-profit organization, was established by Fluvanna County residents in 1990 to improve substandard housing countywide. Since its founding, the organization has installed plumbing in hundreds of homes, assisted many first-time homebuyers, and performed hundreds of emergency repairs. The organization also manages the Housing Choice voucher program.

Fluvanna County contributes funds to the Fluvanna/Louisa Housing Foundation. It contributed \$16,000 to the Foundation in 2017.

Table 14: Fluvanna/Louisa Housing Foundation Expenditures on Major Activities (2017)

Activity	Number	Cost
Rental Home Construction	2	\$ 109,885
Replacement Homes	0	-
Rental Home sold to first time homebuyer	0	-
Assistance to first-time homebuyer	0	-
New roof replacement projects	2	\$ 8,986
New Furnace/Heat Pump replacement projects	6	\$ 17,957
Misc Emergency Repairs	21	\$ 16,297
Roof Material Funding, volunteer installed	3	\$ 4,980
Trailer skirting material, volunteer installed	1	\$ 808
Wood ramp material, volunteer installed	3	\$ 1,200
Aluminum handicap ramps installed 2017	8	-
Aluminum handicap ramps , total in place	35	-
Housing Vouchers	58	-
Total Sum of Costs		\$ 160,113

Source: Fluvanna/Louisa Housing Foundation

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

Per Fluvanna County's zoning ordinance (Chapter 22), site development plans must be submitted whenever there is construction that causes a visible change; "visible change" includes grading, clearing for development, mining, or building improvements that change the traffic circulation on the site. Agricultural and forestry activities, as well as the construction of single-family homes on individual lots, are exempt from site plan requirements. Most site plans are reviewed administratively; sketch plans that preclude major site plans must be reviewed by the Planning Commission.



Image 8: Cunningham United Methodist Church (SDP17:10)

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

Table 15: Site Development Plans within Community Planning Areas (2017)

Use	Description	Applicant Name	Planning Area	Zoning	Election District	Site Plan Type	Status
Public	Pool replacement	Angie Cooke, Contracts Mgr.	Rivanna CPA	R 4	Rivanna	Sketch	PC Approved/ Waiting on New Plats
Commercial	Propane tank	Foster Fuels	Zion Crossroads CPA	I-1	Columbia	Minor	Approved
Industrial	Solar Farm	Palmer Solar Center	Zion Crossroads CPA	A1	Columbia	Minor	Approved
Industrial	Concrete Plant	Conmat Properties, LC	Zion Crossroads CPA	I-2	Palmyra	Sketch	PC Approved/ Waiting on New Plats
Commercial	Parking expansion	County Waste of VA	Zion Crossroads CPA	I-1	Columbia	Sketch	PC Approved/ Waiting on New Plats
Industrial	Operation expansion	Peter Van Der Linde	Zion Crossroads CPA	I-1	Columbia	Major	PC Approved/ Waiting on New Plats
Commercial	Coffee business	JA - Zan LLC	Zion Crossroads CPA	I-1	Columbia	Sketch	PC Approved/ Waiting on New Plats

Source: Dept. of Planning & Community Development

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

Table 16: Site Development Plans outside Community Planning Areas (2017)

Use	Description	Applicant Name	Planning Area	Zoning	Election District	Site Plan Type	Status
Institutional	Water Pipeline	JRWA	Rural Preservation	A-1	Cunningham	Major	PC Approved/Waiting on New Plats
Institutional	Assembly Hall	Cunningham United Methodist Church	Rural Residential	A-1	Cunningham	Sketch	PC Approved/Waiting on New Plats

Source: Dept. of Planning & Community Development

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

Table 17: Site Development Plans by Use (2017)

Use	Description	Applicant Name	Planning Area	Zoning	Election District	Site Plan Type	Status
Commercial	Propane tank	Foster Fuels	Zion Crossroads CPA	I-1	Columbia	Minor	Approved
Commercial	Parking expansion	County Waste of VA	Zion Crossroads CPA	I-1	Columbia	Sketch	PC Approved/Waiting on New Plats
Commercial	Coffee business	JA - Zan LLC	Zion Crossroads CPA	I-1	Columbia	Sketch	Sketch Received/Need to Review
Industrial	Solar Farm	Palmer Solar Center	Zion Crossroads CPA	A1	Columbia	Minor	Approved
Industrial	Concrete Plant	Conmat Properties, LC	Zion Crossroads CPA	I-2	Palmyra	Sketch	PC Approved/Waiting on New Plats
Industrial	Operation expansion	Peter Van Der Linde	Zion Crossroads CPA	I-1	Columbia	Major	PC Approved/Waiting on New Plats
Institutional	Water Pipeline	JRWA	Rural Preservation	A-1	Cunningham	Major	PC Approved/Waiting on New Plats
Institutional	Assembly Hall	Cunningham United Methodist Church	Rural Residential	A-1	Cunningham	Sketch	PC Approved/Waiting on New Plats
Public	Pool replacement	Angie Cooke, Contracts Mgr.	Rivanna CPA	R 4	Rivanna	Sketch	PC Approved/Waiting on New Plats

Source: Dept. of Planning & Community Development

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

Table 18: Site Development Plans by Project Type (2002 - 2017)

Year	Commercial/Retail	Industrial	Public/Institutional	TOTAL
2002	4	3	1	8
2003	6	2	2	10
2004	8	0	4	12
2005	4	3	0	7
2006	9	2	1	12
2007	9	5	6	20
2008	9	6	2	17
2009	5	3	2	10
2010	3	0	4	7
2011	9	5	2	16
2012	11	3	5	19
2013	4	4	5	13
2014	6	4	4	14
2015	7	3	5	18*
2016	7	1	10	18
2017	3	3	3	9
TOTAL	106	44	57	207 PLANS FROM 2002-2017

*There were three agricultural SDPs in addition to the 18 listed here, for a total of 21 SDPs. Source: Dept. of Planning & Community Development

DEVELOPMENT ACTIVITY: SITE DEVELOPMENT PLANS

In 2017, site development plans were submitted for nine (9) new projects throughout the County. All were approved. Seven (7) of these projects were located within community planning areas.

Figure 11: Site Development Plans by Type (2002-2017)

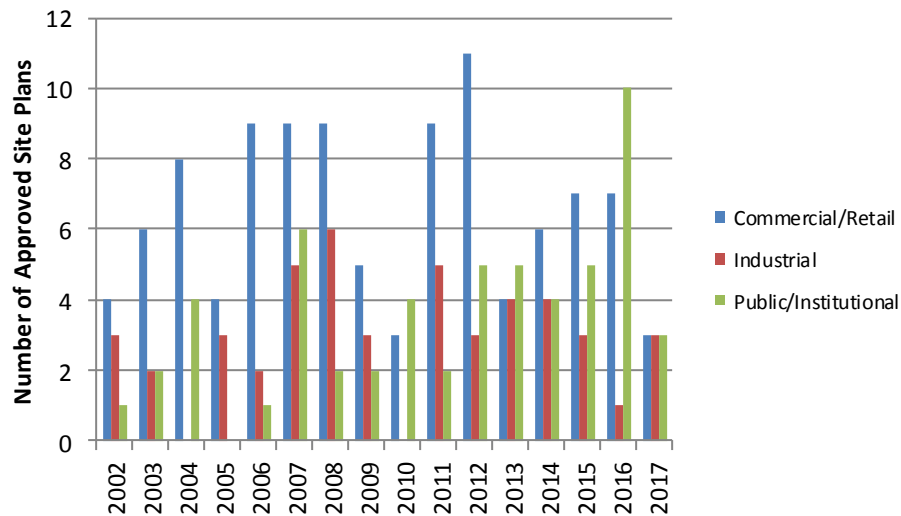
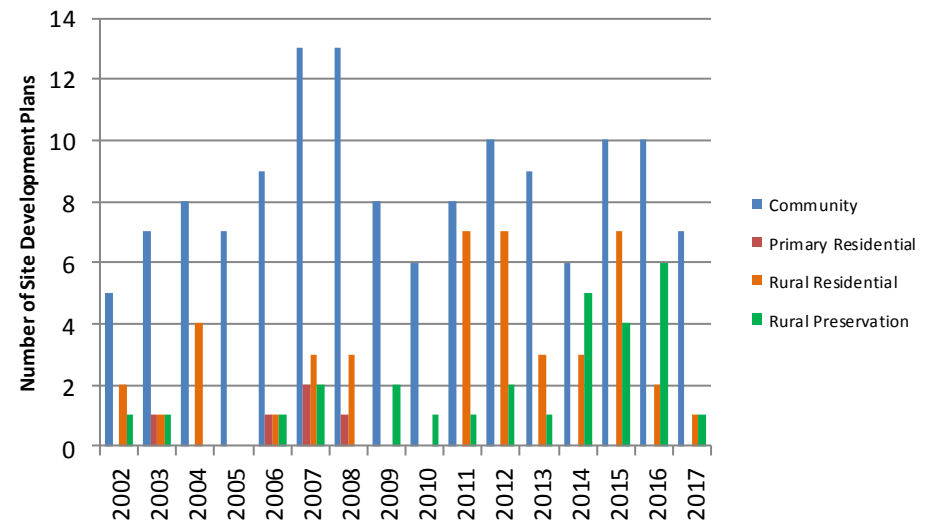


Figure 12: Site Development Plans by Planning Area (2002-2017)



Source: Dept. of Planning & Community Development

ZONING ACTIVITY: ZONING TEXT AMENDMENTS

The zoning ordinance establishes regulations governing the use of land. Fluvanna County's zoning ordinance includes eleven (11) different districts and describes the allowable uses permitted in each district. It also establishes design standards for new development.

Fluvanna County's zoning ordinance was first adopted in January 1974. Since that time, its text has been amended to reflect the changing needs of the community. Many, but not all, of the zoning text amendments have been initiated by the Planning Commission or Board of Supervisors.

Four (4) text amendments were reviewed by the Planning Commission and Board of Supervisors in 2017. All were approved. A fifth text amendment was submitted for review and is undergoing analysis by staff.

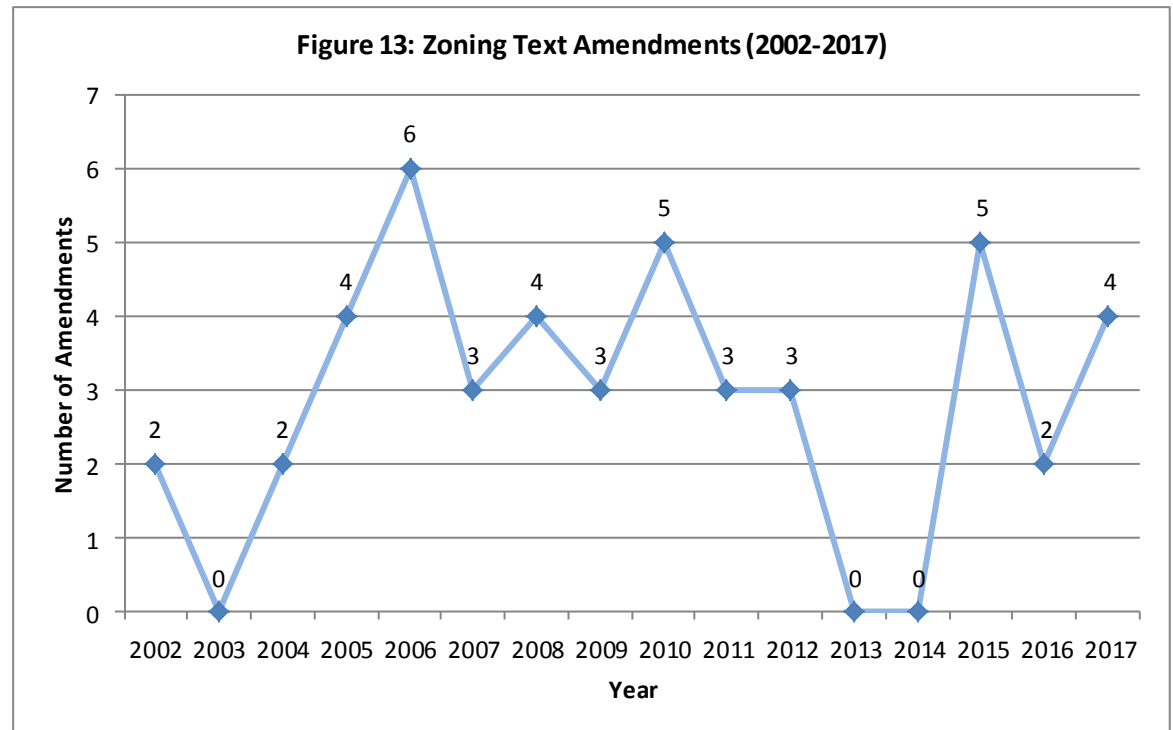
Note: For tracking purposes, amendments to the zoning and subdivision ordinances are both classified as zoning text amendments (ZTAs).

ZONING ACTIVITY: ZONING TEXT AMENDMENTS

Most zoning text amendments have been initiated by the Planning Commission or the Board of Supervisors. Many of these amendments were intended to address changing development patterns, as well as economic, environmental, and public safety concerns. Since the County's needs change regularly there is often at least one zoning text amendment annually, although 2013 and 2014 are exceptions to this tendency.

**Table 19: Zoning Text Amendments
(2002 - 2017)**

Year	Number
2002	2
2003	0
2004	2
2005	4
2006	6
2007	3
2008	4
2009	3
2010	5
2011	3
2012	3
2013	0
2014	0
2015	5
2016	2
2017	4
TOTAL	46



ZONING ACTIVITY: ZONING MAP AMENDMENTS

Zoning map amendments are requests to change the zoning of a particular property (a **rezoning**). Requested zoning map amendments must be reviewed by the Planning Commission and approved by the Board of Supervisors. While these requests generally involve changing the property's zoning classification from one district to another, they may also involve modifications to conditions imposed upon a property as part of a previous rezoning.

There are currently eleven different zoning districts: A-1 (Agricultural), R-1 (Residential, Limited), R-2 (Residential, General), R-3 (Residential, Planned Community), R-4 (Residential, Limited), B-1 (Business, General), B-C (Business, Convenience), I-1 (Industrial, Limited), I-2 (Industrial, General), Mobile Home Park (MHP), and Planned Unit Development (PUD).

Table 20: Zoning Map Amendment Applications (2017)

ID#	Description	Applicant Name	Election District	Land Use	Zoning	Requested Zoning	Status
ZMP 17-001	Planned Unit Development	Steven L & Codie C Peters	Palmyra	Rivanna CPA	B-1(21.5)&A-1	PUD	Withdrawn
ZMP 17-002	Proffer change	Village Oaks	Palmyra	Rural Residential	R 3	R 3	Approved
ZMP 17-003	Zoning for Columbia	Columbia Rezoning	Columbia	Columbia CPA	None	Various	Approved
ZMP 17-004	Agricultural to Industrial-2	Fluvanna County	Palmyra	Rural Residential	A 1	I2	Approved
ZMP 17-005	Agricultural to Industrial-2	2428 Richmond Road LLC	Palmyra	Zion Crossroads CPA	A1	I2	Denied

Source: Dept. of Planning & Community Development

ZONING ACTIVITY: ZONING MAP AMENDMENTS

There were five (5) rezoning requests in 2017. Three (3) of those requests were approved, with one (1) withdrawn and one (1) still being reviewed by staff.

Table 21: Zoning Map Amendments Approved by Planning Area (2002—2017)

Planning Area	Acres Rezoned															
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Columbia	**	**	**	**	**	**	**	0	0	0	0	0	0	4.6	1.53	122
Fork Union	0	0	0	0.3	9.5	7.1	0	0	0	0	0	5	0	0	0	0
Palmyra	0	0	52.1	4.8	52.1	5	0	231.8	0	0	0	2.6	230.6	6.9	0	0
Rivanna	116	16.5	42.7	0	11.4	43.7	0	2.9	44.2	0	1.4	0	36.6	21.5	13.81	61.95
Scottsville	**	**	**	**	**	**	**	0	0	0	0	0	0	0	0	0
Zion Cross-roads	15.1	27.3	25.2	54.3	67.7	30.9	21.8	0	0	23.9	0	0	17.1	4.3	10.5	0
Community Areas	131.1	43.8	67.9	54.3	140.7	86.7	21.8	234.7	44.2	23.9	1.4	7.6	284.3	37.3	25.84	183.95
Primary Residential	0	0	0	0	1.5	0	0	*	*	*	*	*	*	*	*	*
Rural Residential	0	0	43.8	0	0	0	2	5.3	0	0	0	0	0	1.9	0	90.17
Rural Preservation	0	0	0	13	0	0	0	0	0	0	0	0	0	0	0	0
Total	131.1	43.8	163.9	72.4	142.1	86.7	23.8	240	44.2	23.9	1.4	7.6	284.3	39.2	25.84	274.12

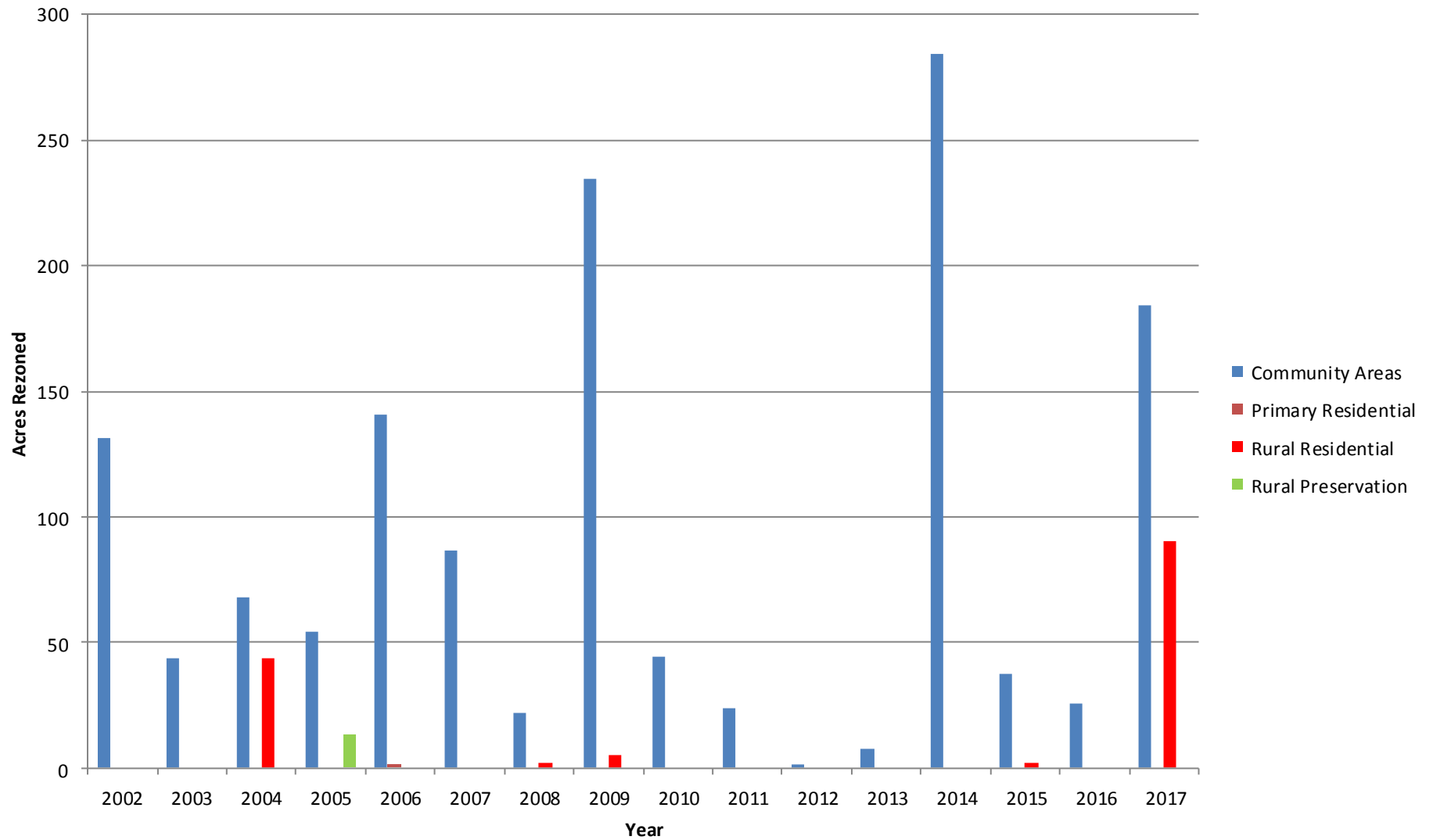
* Primary Residential Planning Area was eliminated.

Source: Dept. of Planning & Community Development

** Columbia CPA and Scottsville CPA were adopted as part of the 2009 Comprehensive Plan.

ZONING ACTIVITY: ZONING MAP AMENDMENTS

Figure 14: Acreage Rezoned, by Planning Area (2002-2017)



ZONING ACTIVITY: SPECIAL USE PERMITS

Within the Fluvanna County Zoning Ordinance, certain uses may be permitted in select districts with a special use permit; that is, uses that require a special use permit may be appropriate in certain locations, but not throughout the entire zoning district. The Planning Commission and the Board of Supervisors review special use permit applications to ensure that the proposed use:

- Does not change the character and established pattern of development in the surrounding location
- Is compatible with the uses permitted by-right in the zoning district
- Does not adversely affect the use or value of neighboring property

The Board of Supervisors may require that the applicants adhere to certain conditions. If the conditions are not met, the special use permit may be revoked.



Image 9: Education Transformation Centre purchased property (SUP 17:01)

ZONING ACTIVITY: SPECIAL USE PERMITS

Table 22: Special Use Permit (SUP) Applications by Land Use District (2017)

Community Planning Area							
Project Type	ID#	Description	Applicant Name	Zoning	District	Land Use	Status
Institutional	SUP 17-001	Educational	Cjpc, LTD	B-1	Palmyra	Rivanna CPA	Approved
Commercial	SUP 17-002	Roofing	R15 Fluvanna 11B LLC	B-1	Columbia	Zion Crossroads CPA	Approved
Commercial	SUP 17-005	Automobile Mechanic	Jackson's Auto-motive Services	A 1	Cunningham	Rivanna CPA	BOS

Source: Dept. of Planning & Community Development

Rural Preservation							
Project Type	ID#	Description	Applicant Name	Zoning	District	Land Use	Status
Institutional	SUP 17-003	Educational	Mary Marks	A1	Columbia	Rural Preservation	Approved
Institutional	SUP 17-004	Educational	The Light Academy Inc.	A1	Fork Union	Rural Preservation	Approved

Source: Dept. of Planning & Community Development

ZONING ACTIVITY: SPECIAL USE PERMITS

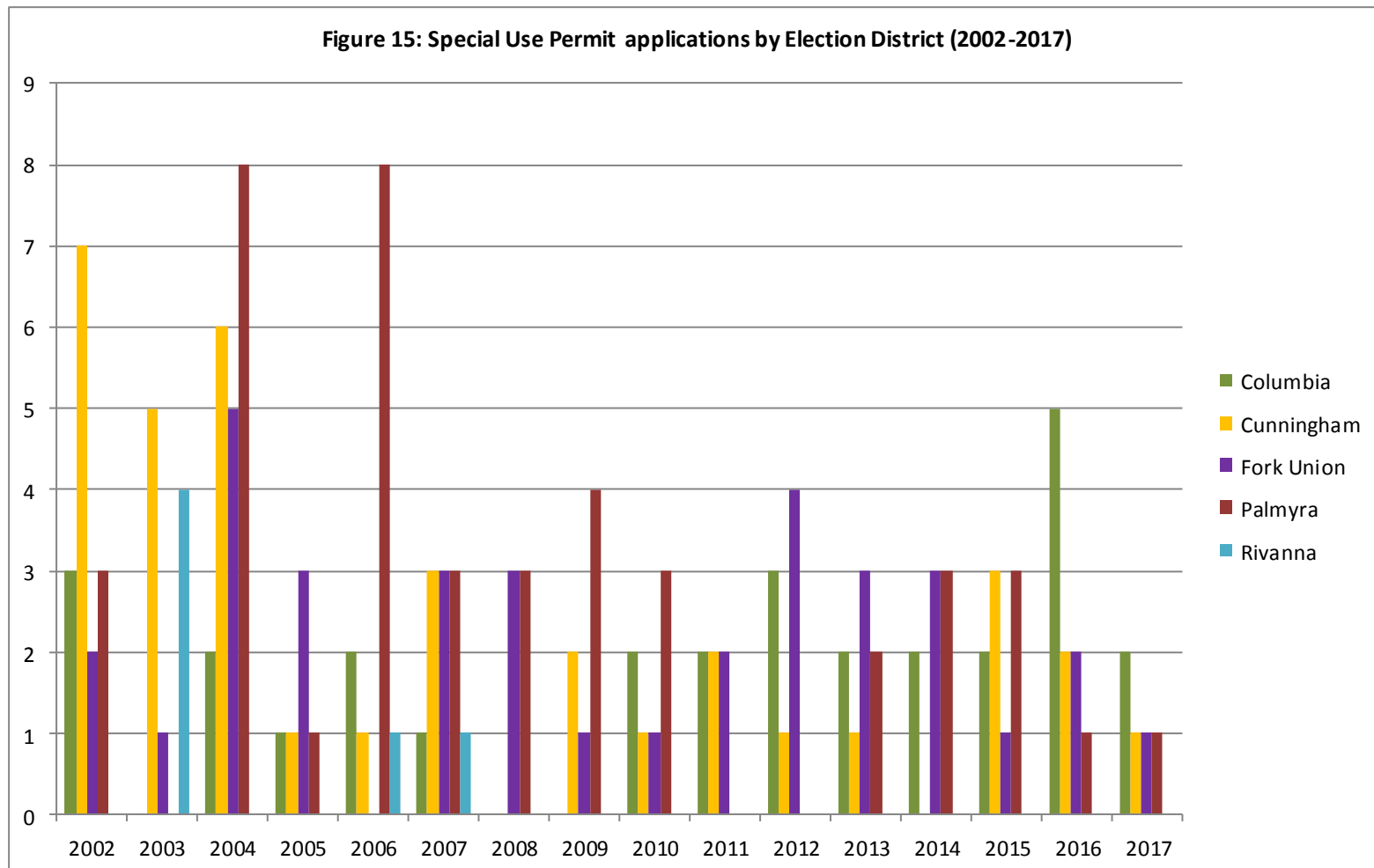
Table 23: Special Use Permit (SUP) Applications by Election District (2002 - 2017)

Year	Election District					
	Columbia	Cunningham	Fork Union	Palmyra	Rivanna	Total
2002	3	7	2	3	0	15
2003	0	5	1	0	4	10
2004	2	6	5	8	0	21
2005	1	1	3	1	0	6
2006	2	1	0	8	1	12
2007	1	3	3	3	1	11
2008	0	0	3	3	0	6
2009	0	2	1	4	0	7
2010	2	1	1	3	0	7
2011	2	2	2	0	0	6
2012	3	1	4	0	0	8
2013	2	1	3	2	0	8
2014	2	0	3	3	0	8
2015	2	3	1	3	0	9
2016	5	2	2	1	0	10
2017	2	1	1	1	0	5
Total	28	38	35	44	8	149

Source: Dept. of Planning & Community Development

ZONING ACTIVITY: SPECIAL USE PERMITS

Five (5) applications for special use permits (SUPs) were submitted Countywide. Four (4) were approved and one is scheduled to be approved by the Board at time of writing. Three (3) applications were located within Community Planning Areas, with the other two (2) in Rural Preservation. Most of these applications were for educational or commercial facilities.



ZONING ACTIVITY: CODE COMPLIANCE

The Fluvanna County Zoning Ordinance describes what uses are permitted in each of the zoning districts and how these uses may be conducted. These regulations help promote the health, safety, and general welfare of Fluvanna County residents by designating the types of buildings, businesses, and activities that are acceptable in specific zoning districts. The Code Compliance Officer ensures that the regulations set forth in the zoning ordinance are enforced consistently and equitably. A wide variety of code issues routinely come to the County including subdivision and zoning ordinance violations, inoperative vehicle and junkyard complaints, and other nuisance and miscellaneous complaints. All complaints are investigated quickly, fairly, and thoroughly. Complainant information is kept confidential, but all complaints that are received, anonymous or otherwise, are processed.

In addition to investigating citizen complaints, the Code Compliance Officer completed several other projects:

- Removed illegal signage within road right-of-ways throughout the County
- Monitored sound levels within industrial areas
- Inspected properties with existing Special Use Permits, Zoning Use Permits, and Site Development Plans
- Accompanied Health Department and Building Department officials on site inspections as requested
- Inspected and surveyed properties with problematic erosion and sediment control issues
- Completed photographic assessments of commercial, residential, and institutional properties
- Assisted Department of Building Inspections, Department of Public Works, and Planning Department with miscellaneous tasks
- Erected public hearing signs, and replaced damaged signs if necessary.

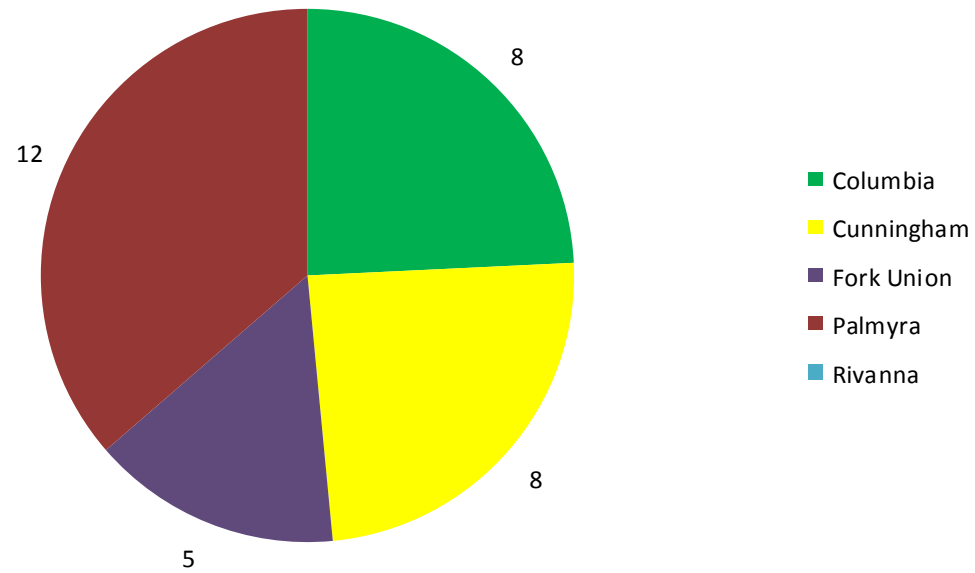
ZONING ACTIVITY: CODE COMPLIANCE

Table 24: Code Compliance Cases by Election District (2017)

Election District	Closed Cases	Pending Cases	Total	% of Total
Columbia	7	1	8	24%
Cunningham	8	0	8	24%
Fork Union	5	0	5	15%
Palmyra	10	2	12	37%
Rivanna	0	0	0	0%
Total	30	3	33	100%

Source: Dept. of Planning & Community Development

Fig. 16. 2017 Code Compliance Cases by Election District



ZONING ACTIVITY: CODE COMPLIANCE

Table 25: Code Compliance Cases by Planning Area (2017)

Planning Area	Case Status		
Community	Closed	Pending	Total
Columbia CPA	2	0	2
Fork Union CPA	0	0	0
Palmyra CPA	2	0	2
Rivanna CPA	2	0	2
Scottsville CPA	1	0	1
Zion Crossroads CPA	3	1	4
Community Planning Area	10	1	12
Rural Residential	8	1	9
Rural Preservation	12	1	13
TOTAL	30	3	33

Source: Dept. of Planning & Community Development

ZONING ACTIVITY: BOARD OF ZONING APPEALS

The Board of Zoning Appeals (BZA) is responsible for hearing appeals from orders, requirements, decisions, or determinations made by the zoning administrator or other local government staff. The BZA is also responsible for granting variances from zoning regulations. Virginia law requires that every locality with a zoning ordinance have a BZA.

There are currently five (5) members appointed to the BZA. The board is scheduled to meet monthly, but only convenes when an item is requested for their consideration.

In 2017, the BZA heard one (1) case, which was approved. A second case was withdrawn.

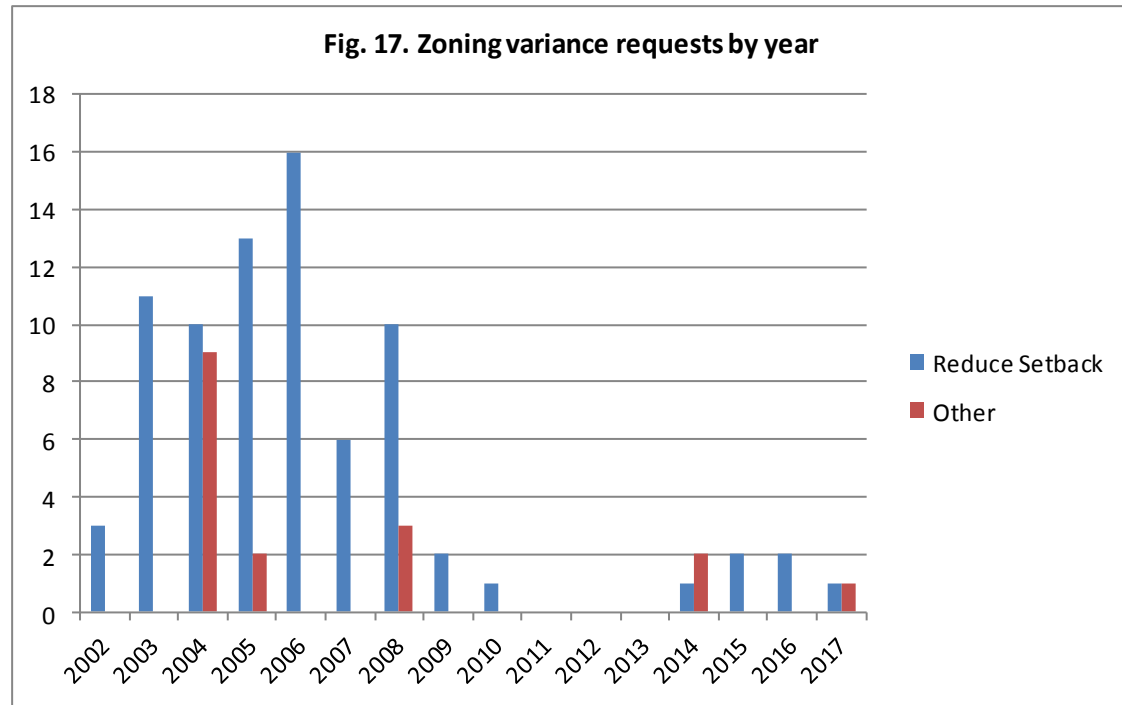


Table 26: Zoning Variances by Year (2002 - 2017)

Type of Variance	Year																
	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	Total
Reduce Set-back	3	11	10	13	16	6	10	2	1	0	0	0	1	2	2	1	78
Other	0	0	9	2	0	0	3	0	0	0	0	0	2	0	0	1	17
TOTAL	3	11	19	15	16	6	13	2	1	0	0	0	3	2	2	2	95

Source: Dept. of Planning & Community Development

ZONING ACTIVITY: BOARD OF ZONING APPEALS

Table 27: Zoning Variances by Election District (2017)

Election District	Type of Variance Request				
	Reduce Setback	Reduce Parking Required	Reduce Public Road Frontage	Other	TOTAL
Columbia	0	0	0	0	0
Cunningham	0	0	0	0	0
Fork Union	0	0	0	0	0
Palmyra	1	0	0	1	2
Rivanna	0	0	0	0	0
TOTAL	1	0	0	1	2

Source: Dept. of Planning & Community Development

PRESERVATION PROGRAMS: OVERVIEW

Despite experiencing rapid population growth over the past decade, Fluvanna County retains its rural character. To promote the preservation of its rural lands, Fluvanna County has adopted several conservation initiatives.

The Agricultural and Forestal District (AFD) program provides an economic incentive for landowners to retain their property as open space. Landowners who use their property for farming or forestry are eligible, with approval from the Board of Supervisors. Properties enrolled in the program qualify for an agricultural or forestal use-value assessment. While a property is enrolled in the AFD program, it may not be developed to a more intensive use. The program also provides protection from some state actions.

The Land Use Valuation Program allows for the reduction of real estate taxes on parcels used for qualified agricultural, horticultural, forestry, and open space uses. Interested landowners must apply to the Commissioner of the Revenue to enroll in the program.

Several agencies and organizations hold conservation easements throughout the County. In 2006, the Board of Supervisors adopted its own Conservation Easements Program; the first two conservation easements to be held by Fluvanna County were approved in 2007. As of December 2017, 15,369 acres were under conservation easements held by public and private entities. The County itself currently holds four (4) conservation easements totaling approximately 916 acres.



Image 10: View of the Rivanna River from the Barber property, which Fluvanna County holds a conservation easement upon.

PRESERVATION PROGRAMS: AGRICULTURAL & FORESTAL DISTRICTS

Table 28: Agricultural & Forestal Districts (2017)

AFD NAME	DISTRICT(S)	ORIGINAL AP- PROVAL DATE	DATE RE- NEWED	REVIEW PE- RIOD	NEXT REVIEW DATE	ACREAGE
Adams Creek	Cunningham	16 May 2001	4 Apr 2011	10 years	16 May 2021	557.64
Bourne Tract	Cunningham	4 Aug 2007	2 Sept 2015	8 years	2 Sept 2023	282.06
Bowlesville	Columbia	1 Aug 1999	1 Apr 2015	8 years	1 Apr 2023	934.86
Bremo Recess	Fork Union	17 Jan 2001	1 Dec 2010	10 years	17 Jan 2021	496.29
Byrd Creek	Columbia	21 Jul 1999	3 Jun 2009	10 years	21 Jul 2019	905.54
Carysbrook	Fork Union	21 Jul 1999	1 Jul 2009	10 years	21 Jul 2019	1847.1
Cunningham Acres	Palmyra/Rivanna/Cunningham	17 Nov 1999	7 Oct 2009	10 years	17 Nov 2019	473.74
Dobby Creek	Cunningham	17 Jan 2001	1 Dec 2010	10 years	17 Jan 2021	371.16
Glenarvon Farm	Fork Union	17 Nov 1999	7 Oct 2009	10 years	17 Nov 2019	3102.35
Granite Hills	Columbia	4 Aug 1999	1 Jul 2009	10 years	4 Aug 2019	771.97
Kidds Store	Cunningham	15 Dec 1999	7 Oct 2009	10 years	15 Dec 2019	1669.52
Lower Bremo	Fork Union	17 Jan 2001	1 Dec 2010	10 years	17 Jan 2021	1493.76
North 640	Palmyra/Columbia	6 Oct 2004	7 Oct 2009	10 years	17 Nov 2019	2303.69
Poorhouse	Palmyra/Columbia	19 Jan 2000	2 Dec 2009	10 years	19 Jan 2020	494.28
Shepherds	Columbia	15 Nov 2000	6 Oct 2010	10 years	15 Nov 2020	706.49
Shores-Hardware	Fork Union/Cunningham	17 Jan 2001	1 Dec 2010	10 years	17 Jan 2021	1238.56
Stage Junction	Columbia	7 Jun 2000	19 May 2010	10 years	7 Jun 2020	770.66
Union Mills	Palmyra	15 May 2002	2 May 2012	10 years	15 May 2022	324.72
Upper Bremo	Fork Union	20 Sep 2000	4 Aug 2010	10 years	20 Sep 2020	1798.41
Total acreage of Districts						20,542.8
% of Total County Acreage in Ag/For Districts						11.16%
*Total Acreage of Fluvanna County is approx. 183,988 acres.**						

**Please see disclaimer at end of Introduction on Page 3.

Source: Dept. of Planning & Community Development

PRESERVATION PROGRAMS: AGRICULTURAL & FORESTAL DISTRICTS

Table 29: Acreage Enrolled in Agricultural & Forestal Districts (2002 - 2017)

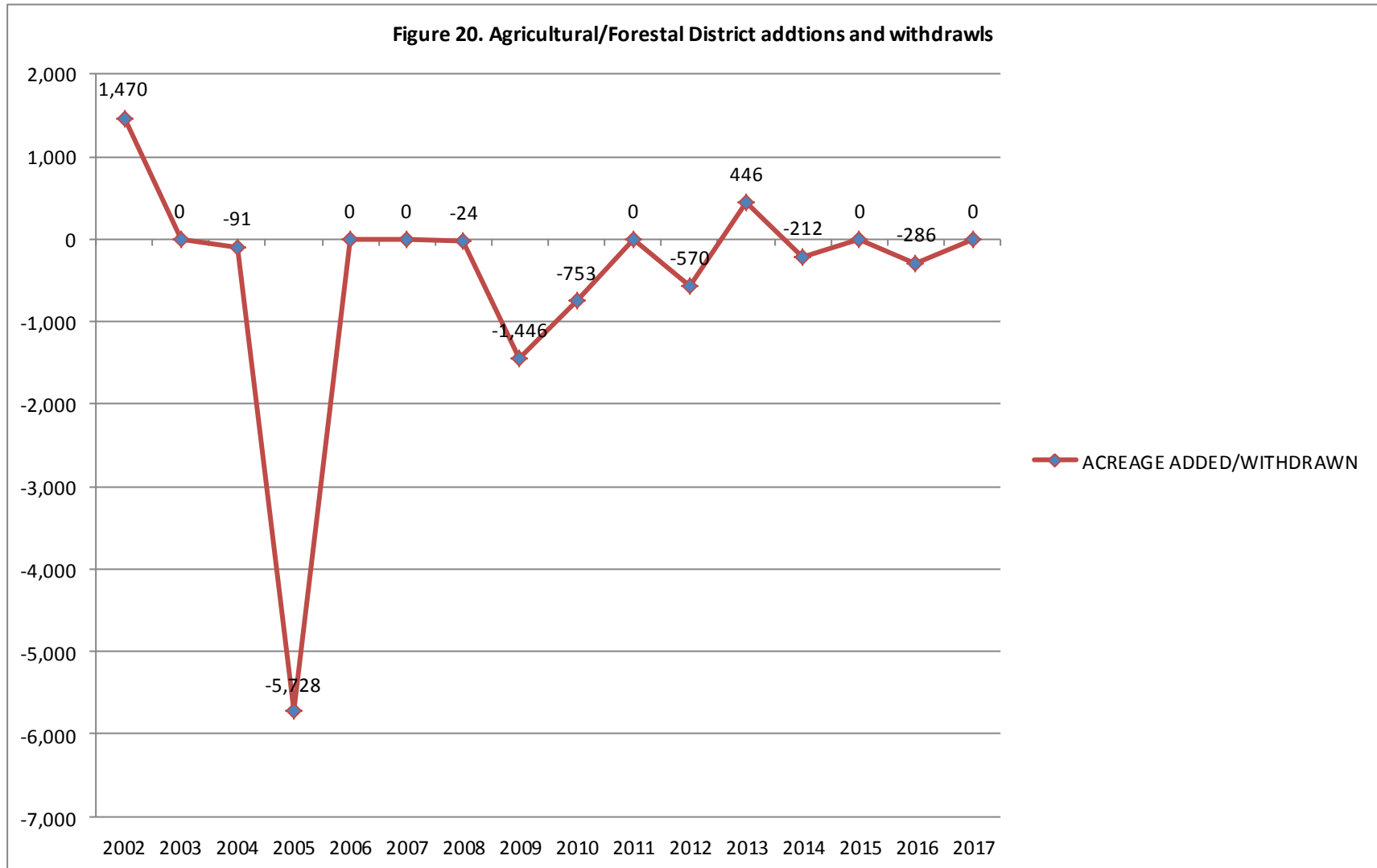
YEAR	DISTRICTS APPROVED/ NULLIFIED	ACREAGE ADDED/ WITHDRAWN
2002	2	1,470
2003	0	0
2004	0	-91
2005	-3	-5,728
2006	0	0
2007	0	0
2008	0	-24
2009	0	-1,446
2010	0	-753
2011	0	0
2012	-1	-570
2013	0	446
2014	0	-212
2015	0	0
2016	0	-286
2017	0	0

Agricultural & Forestal Districts (2017)

Total Number of Districts:	19
Total Acreage within Districts:	20,542.8
Total Number of Parcels:	347

Note: In 2016 there were no applications for additions or withdrawals from this program. However, the total number of acres in this program is different between 2015 to 2016 because of methodology used.

PRESERVATION PROGRAMS: AGRICULTURAL & FORESTAL DISTRICTS



Note: In 2016 there were no applications for additions or withdrawals from this program. However, the total number of acres in this program is different between 2015 to 2016 because of methodology used

PRESERVATION PROGRAMS: LAND USE TAXATION

Table 30: Acreage Under Land Use Taxation (2002 - 2017)

Year	Land Use Type				Total	Percentage of Total County Acreage
	Agriculture	Forestry	Open Space	Horticultural		
2002	31,827	98,604	531	*	130,962	71%
2003	32,283	98,342	577	*	131,202	71%
2004	31,945	96,608	599	*	129,152	70%
2005	30,463	92,520	555	*	123,538	67%
2006	29,846	89,978	482	*	120,306	65%
2007	31,095	90,098	173	*	121,366	66%
2008	31,378	90,739	141	*	122,258	67%
2009	28,380	82,620	89	*	111,089	60%
2010	28,176	85,134	309	*	113,619	62%
2011	27,335	83,981	86	*	111,402	61%
2012	27,186	83,868	86	*	111,140	60%
2013	27,205	84,904	153	*	112,262	61%
2014	26,974	84,311	304.38	*	111,642	61%
2015	26,593*	83,434	568	26	110,623	61%
2016	26,440**	83,035	977	33	110,156	57%
2017	26,122.90	82,603	1,188.66	33.24	109,947.79	59%

Source: Commissioner of the Revenue

PRESERVATION PROGRAMS: LAND USE TAXATION

From its highpoint in 2003, the amount of acreage enrolled in the Land Use Valuation Program has generally decreased. In 2003, approximately 71% of the County (131,202 acres) was enrolled in the program; by 2013, only 60.4% of the County (111,642 acres) was enrolled.

The total acreage enrolled in the program in 2017 was 109,947 , a slight decline from the total 110,156 acres enrolled in 2016.

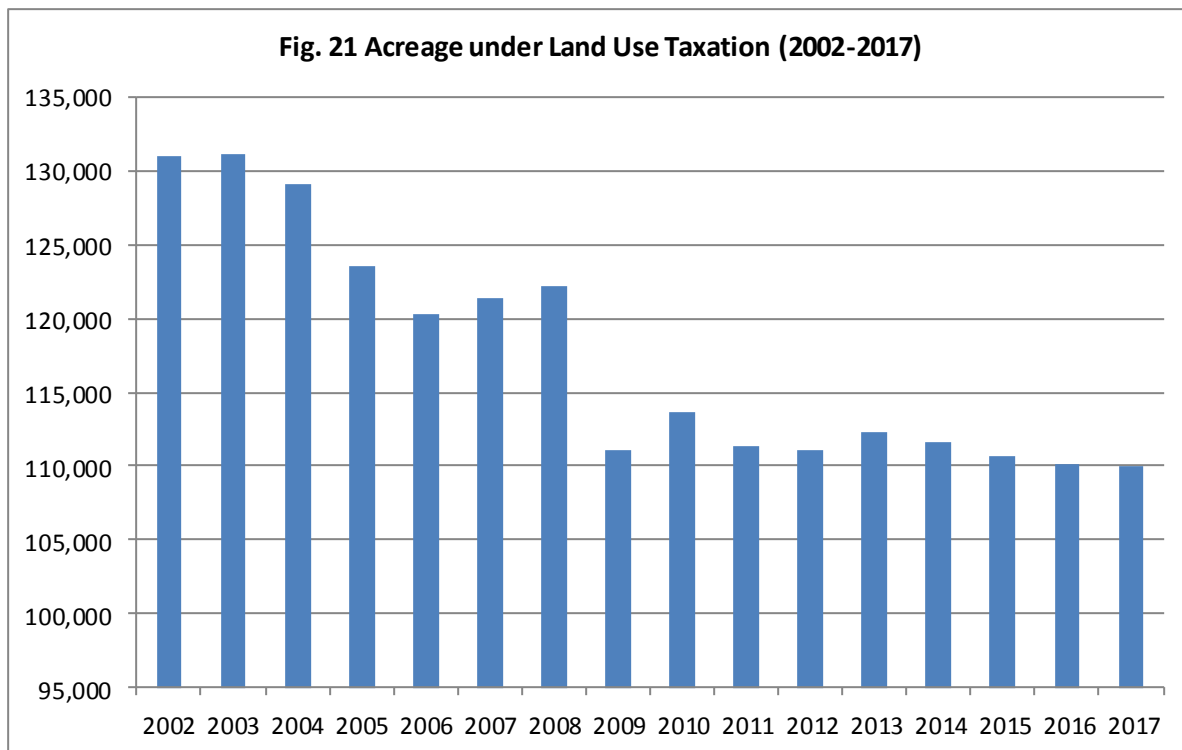


Image 11: View of a field

PRESERVATION PROGRAMS: CONSERVATION & HISTORIC EASEMENTS

As of January 1, 2016, there are six (6) conservation and historic easements holding entities in Fluvanna County. These easements protect **14,120 acres**, or **approximately 8% of the County****. The Virginia Department of Forestry (VDOF), Virginia Department of Historic Resources, Virginia Outdoors Foundation, and Fluvanna County itself hold easements county-wide. The County itself currently holds four (4) conservation easements totaling approximately 917 acres. Most of the land protected by conservation and historic easements is located in the eastern portions of the County, along or near the Rivanna and James Rivers (see Appendix B).

Table 31: Conservation Easements Approved (not yet recorded) in Fluvanna County in 2016

Property Name	Easement Holder	Year Placed	Planning Area	Acreage
N/A	N/A	N/A	N/A	N/A

** The 2016 DAR lists there as being 39 unique owners. That was property owners, not Easement Holders. A property may be owned by Person X but subject to an easement held by Person Y. This section has been amended to list the number of Easement holding entities in the county, not the number of different property owners who have easements on their property.

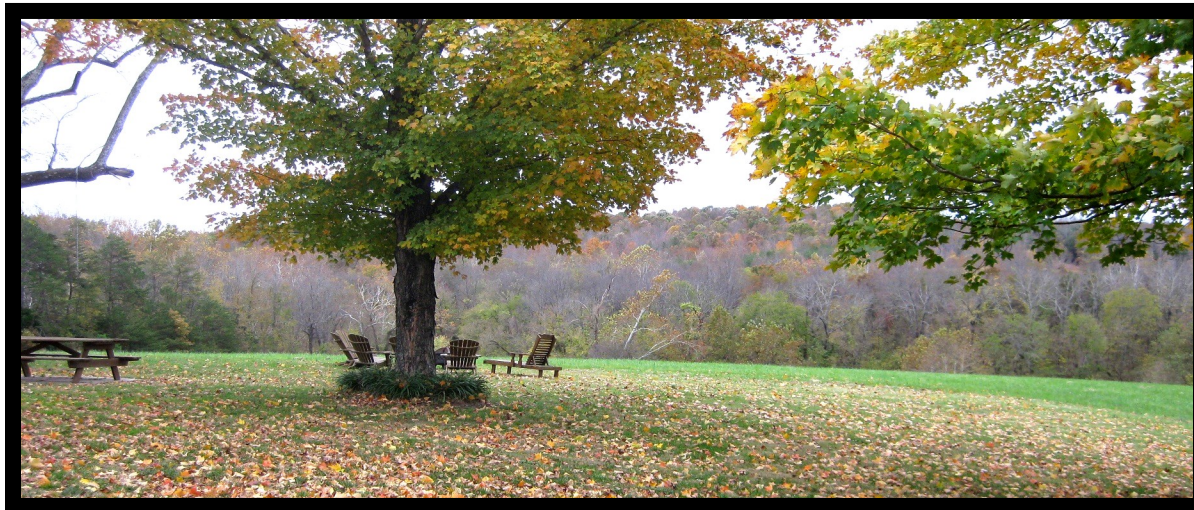
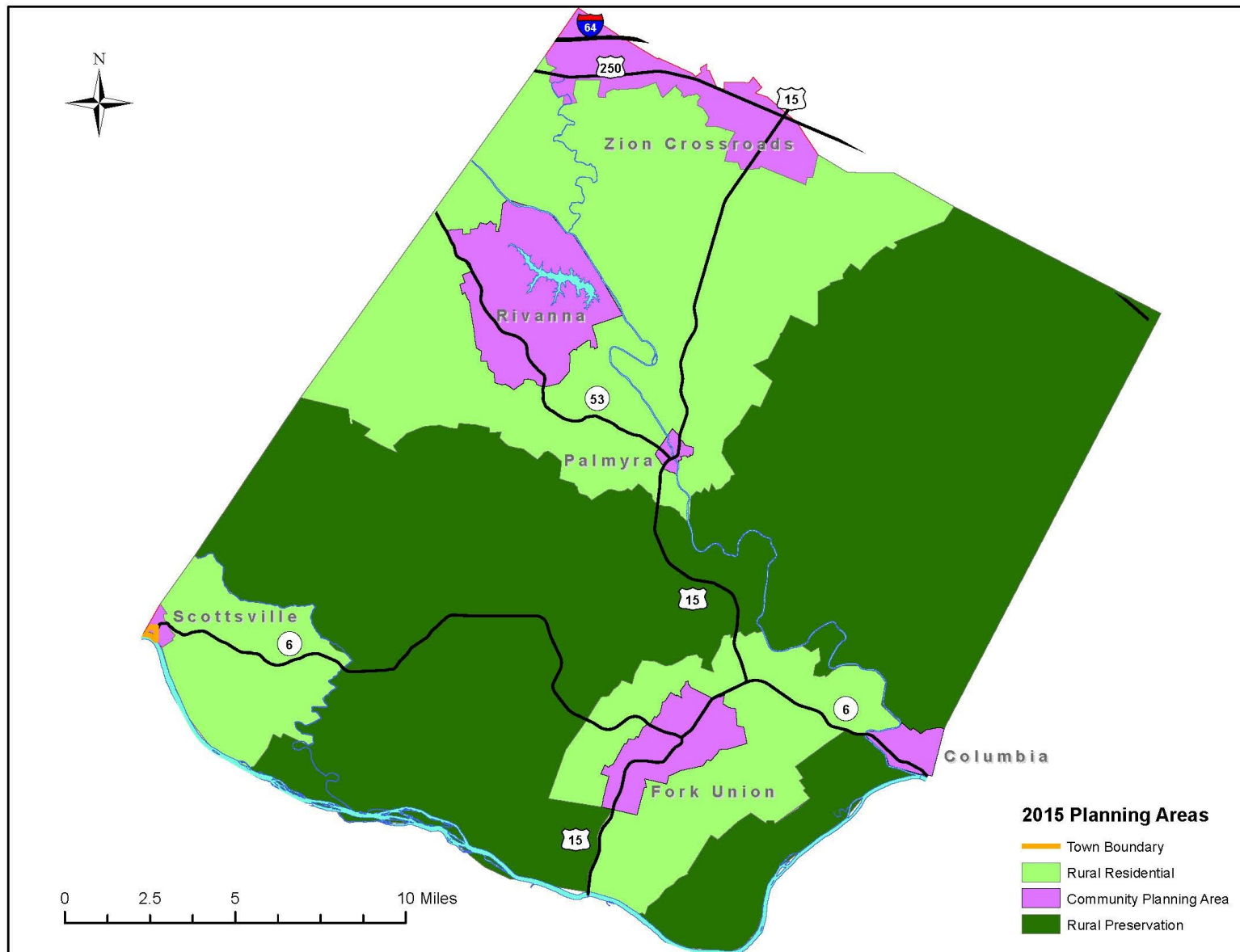


Image 12: View of the Barber Property, one of the first conservation easements accepted by Fluvanna County.

APPENDIX A: 2015 COMPREHENSIVE PLAN FUTURE LAND USE MAP

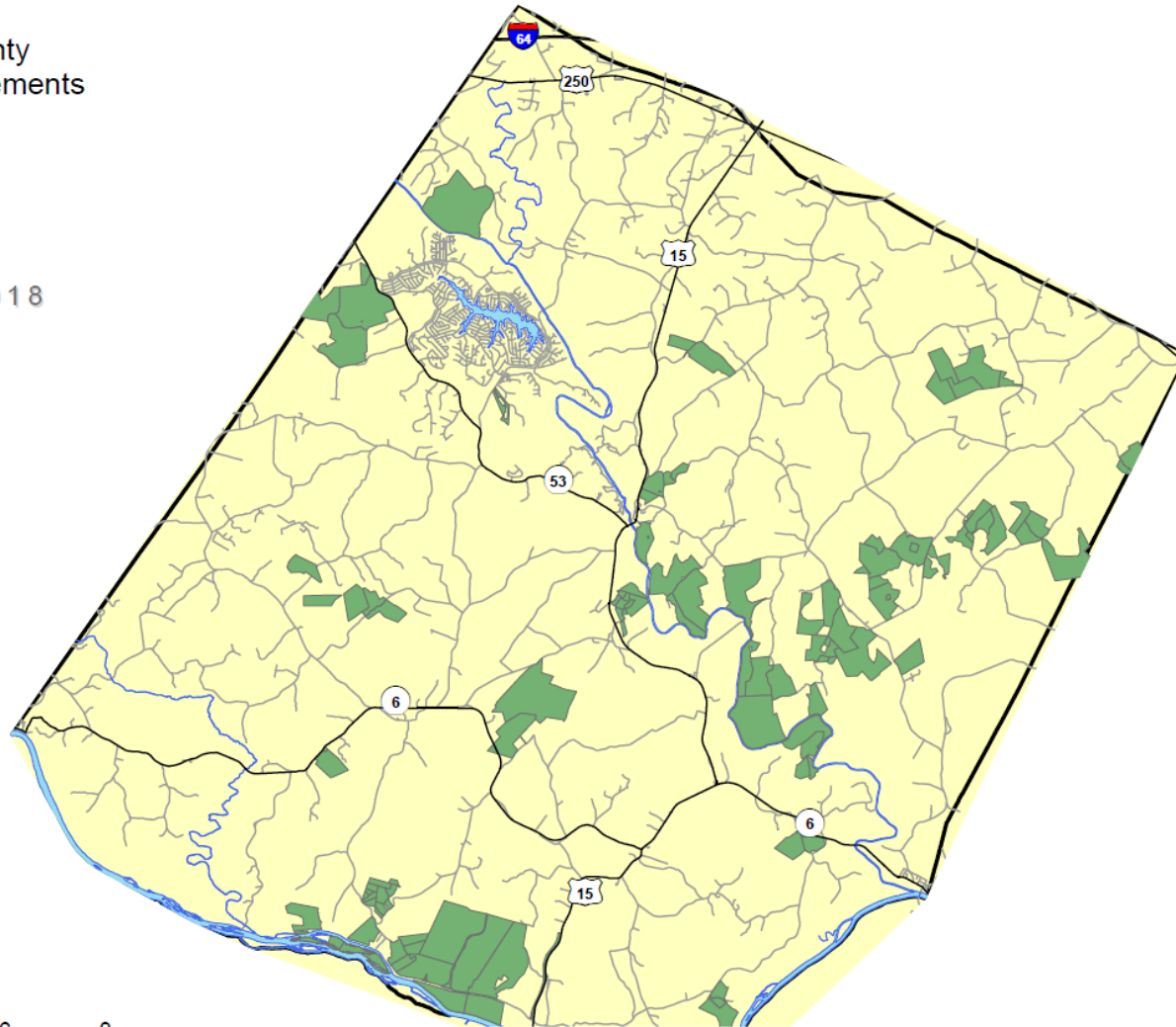


APPENDIX B: MAP OF CONSERVATION EASEMENTS

Fluvanna County
Conservation Easements



February 2018



Legend

- Major Roads
- Conservation Easements
- Major bodies of water
- Roads

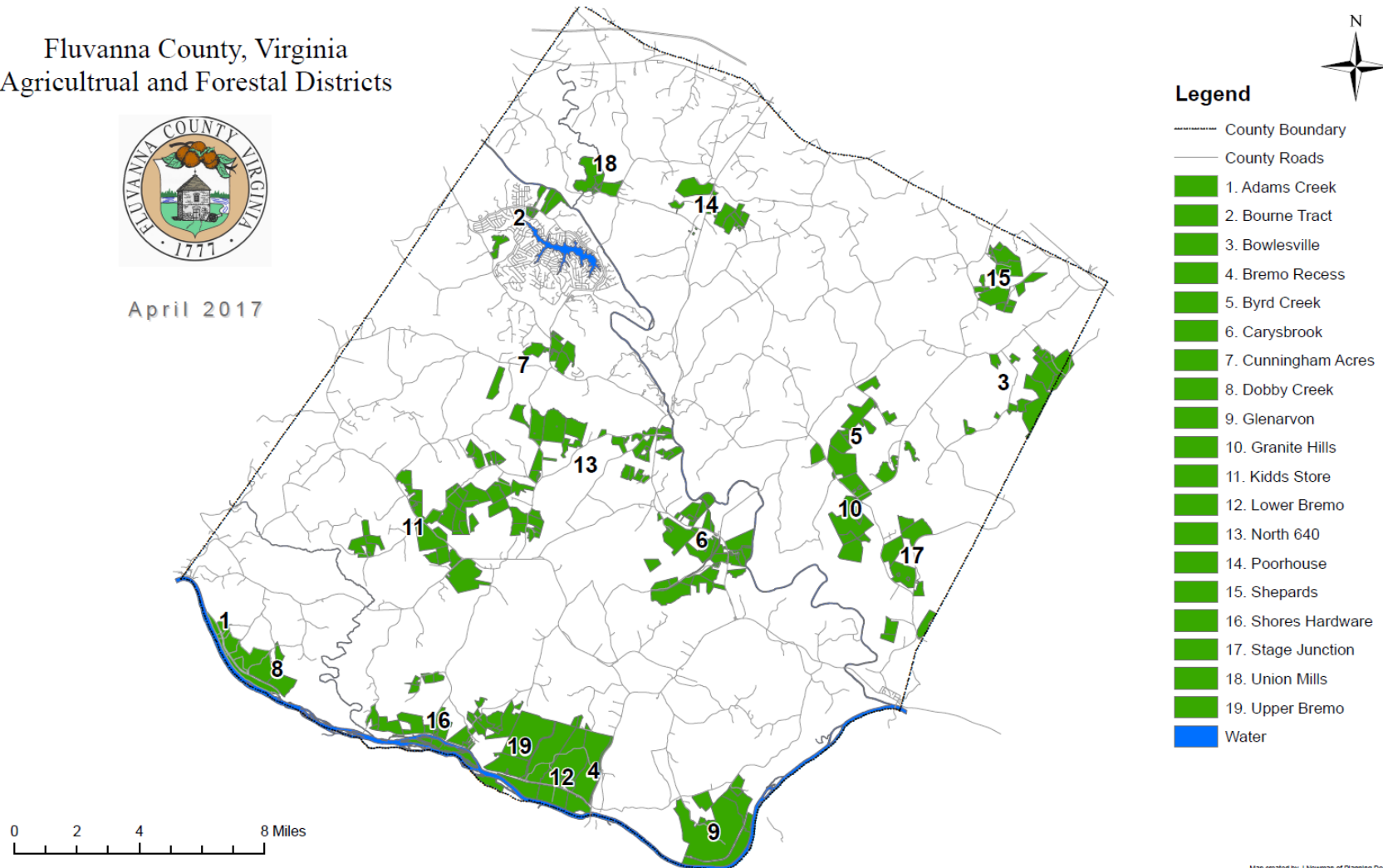
Fluvanna County Planning Dept. J. Newman, Feb 23, 2018

APPENDIX C: MAP OF AGRICULTURAL & FORESTAL DISTRICTS

Fluvanna County, Virginia Agricultural and Forestal Districts



April 2017



Map created by J. Newman of Planning Department

Same map from the 2017 DAR is used as there were no changes to acreage or parcels in the Ag/Forestal Program