



FLUVANNA COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Fluvanna County Library
214 Commons Boulevard Palmyra, VA 22963

Tuesday, July 11, 2023

6:00 pm Work Session
7:00 pm Regular Meeting

TAB	AGENDA ITEM
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WORK SESSION

- | | |
|----|--|
| A. | Call to Order, Pledge of Allegiance and followed by a Moment of Silence |
| B. | <u>Utility-Scale Solar Energy Discussion</u> – Douglas Miles, Community Development Director |
| C. | Adjournment |
-

REGULAR MEETING

1 – Call to Order, Pledge of Allegiance and followed by a Moment of Silence – Vice Chairman Lagomarsino

2 – DIRECTOR'S REPORT – Douglas Miles, Community Development Director

3 – PUBLIC COMMENTS #1 (5 minutes per speaker)

4 – MINUTES: Review and Approval of Draft Minutes from June 13, 2023

5 – PUBLIC HEARING:

ZMP 23:03 Caroline and Christopher Minsky An ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 which is zoned I-1. This amendment would permit previously proffered out commercial uses such as a retail store. There is a retail furniture store with warehouse space that would like to occupy this existing building. The front portion of the property is known as 2428 Richmond Road and is in the Zion Crossroads Community Planning Area and the Palmyra Election District.

6 – PRESENTATIONS:

2023 General Assembly Update – Dan Whitten, County Attorney

7 – SITE DEVELOPMENT PLANS: None

8 – SUBDIVISIONS: None

9 – UNFINISHED BUSINESS: None

10 – NEW BUSINESS: None

11 – PUBLIC COMMENTS #2 (5 minutes per speaker)

12 – ADJOURNMENT

Douglas Miles

Community Development Director

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

*For the Hearing-Impaired – Listening devices are available 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 434.591.1910.*

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.

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**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Fluvanna County Library
214 Commons Blvd
Palmyra, VA 22963**

**Tuesday, June 13, 2023
Regular Meeting 7:00 pm**

MEMBERS PRESENT:

Barry Bibb, Chair
Howard Lagomarsino, Vice Chair
Mike Goad, Commissioner
Lorretta Johnson-Morgan, Commissioner
Patricia Eager, Board of Supervisors member

ABSENT:

Bree Key, Commissioner

STAFF PRESENT:

Eric Dahl, County Administrator
Fred Payne, County Attorney
Dan Whitten, County Attorney
Kelly Harris, Assistant County Administrator
Douglas Miles, Community Development Director
Jason Overstreet, Senior Planner
Valencia Porter-Henderson, Administrative Programs Specialist

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

At 7:00 pm, Chair Bibb, called the June 13, 2023 Regular Meeting to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

Fred Payne, County Attorney indicated that this would be his last Planning Commission meeting at Fluvanna County. He introduced Dan Whitten, new County Attorney who would be observing during tonight's meeting and he was recently hired full-time on June 5th at Fluvanna County.

2. DIRECTOR'S REPORT – Douglas Miles, AICP, CZA, Community Development Director

Thursday, June 8th Technical Review Committee meeting

Fluvanna Louisa Housing Foundation is proposing Mountain Hill Rural Cluster Subdivision of up to 10 lots for senior housing units proposed behind the Fluvanna Community Holiness Church.

Caroline and Christopher Minsky are proposing to amend ZMP 19:02 2428 Richmond Road LLC conditional rezoning case that was approved on June 17, 2020 and they are proposing to permit a general retail furniture store land use.

ZMP 23:03 Caroline and Christopher Minsky Amendment

The applicants, are proposing a Community Meeting to discuss the amendment of a Conditional Zoning case to permit retail sales use on Thursday, June 22nd at 6:00 pm.

SUP 23:03 Sun Reventon Farm LLC – Camp Land Use

Reventon Farms Camp Applications have been filed in Fluvanna and Albemarle County and the applicant is hosting this meeting on Thursday, June 29th at 6:00 pm.

Mr. Goad: stated that Pinegate Renewables Solar has indicated that they will be conducting a Community Meeting on Thursday, June 27th at 6:00 pm.

Ms. Morgan: stated that the meeting would be at West Bottom Baptist Church for the residents of the West Bottom Road and Bremono Road area.

Mr. Payne: stated that Commissioners when they attend community meetings should mainly listen and avoid being at a community meeting with more than two Planning Commissioners.

3. PUBLIC COMMENTS #1

Chair Bibb opened Public Comments #1 at 7:22 pm by giving each Public speaker a limit of five (5) minutes to speak and he asked that they state their name and their address for the record. With no one wishing to speak in person or online, Chair Bibb closed the first round of Public Comments at 7:22 pm.

4. DRAFT MINUTES:

MOTION:	To approve the minutes of the Planning Commission of May 9, 2023.				
MEMBER:	Bibb	Goad	Key	Lagomarsino	Morgan
ACTION:				Motion	Second
VOTE:	Aye	Aye	Absent	Aye	Aye
RESULT:	4-0-1 Approved, as presented				

5. PUBLIC HEARING:

None

6. PRESENTATIONS:

Jason Overstreet, Senior Planner, provided an overview of the current Agricultural Forestall District activity in the County and a summary of the 2020 Fluvanna Census demographics.

Douglas Miles, Community Development Director, provided an overview of Utility-Scale Solar Energy activity in the County and a summary of the Recommended SUP Solar Case Conditions.

Chair Bibb asked if there were any questions or comments from the Planning Commissioners.

Mr. Goad and Ms. Morgan asked questions about the Utility Scale solar community meetings and about the utility scale solar review process. Mr. Payne indicated that when attending the solar community meetings that as Commissioners you should listen and not ask questions.

7. SITE DEVELOPMENT PLANS:

None

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

None

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

Chair Bibb opened Public Comments #2 at 9:04 pm by giving each speaker a limit of five (5) minutes to speak and asked that they state their full name and property address for the record.

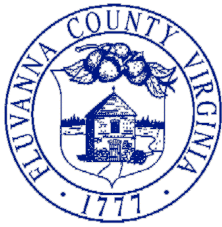
With no one coming forward wishing to speak in person or online, Chair Bibb closed the Public Comments period at 9:05 pm.

12. ADJOURNMENT:

Chair Bibb adjourned the Planning Commission meeting on June 13, 2023 at 9:05 pm.

Minutes recorded by Valencia Porter-Henderson, Administrative Programs Specialist.

Barry A. Bibb, Chair
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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P.O. Box 540
Palmyra, VA 22963
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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission

From: Douglas Miles, AICP, CZA

Request: I-1 Zoning Case Amendment

District: Palmyra Election District

General Information:

This Conditional Rezoning amendment request is to be heard by the Planning Commission on Tuesday, July 11, 2023 at 7:00 pm in the Fluvanna County Library.

Applicant:

Caroline and Christopher Minsky, Contract Purchasers

Representative:

Kelsey Schlein, Shimp Engineering

Requested Action:

ZMP 23:03 Caroline and Christopher Minsky An ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 which is zoned I-1. This amendment would permit previously proffered out commercial uses such as a retail store. There is a retail furniture store with warehouse space that would like to occupy this existing building. The front portion of the property is known as 2428 Richmond Road and is in the Zion Crossroads Community Planning Area and the Palmyra Election District.

Existing Zoning:

I-1, Limited Industrial Zoning District / ZMP 19:02 June 17, 2020

Proposed Zoning:

I-1, Limited Industrial Zoning District with proffered conditions

Existing Land Use:

Vacant building and parking lot area

Previous Land Use:

Automobile salvage yard and repair shop

Applicant Summary:

Caroline and Christopher Minsky, the contract purchasers of the 29.4-acre parcel, are proposing to relocate their retail home furnishings and furniture store into the existing building located at 2428 Richmond Road. The 7.5-acre front portion of the subject property is zoned I-1 and it is subject to ZMP 19:02, a conditional rezoning case request that was approved on June 17, 2020. The rear 21.9-acre portion of the property is zoned A-1, General Agricultural. The approved proffered conditions prohibit certain neighborhood commercial uses, like the retail uses, from operating on the property, which normally are allowed under I-1, Limited Industrial zoning.

The applicants are requesting to amend the approved case proffers so that they can relocate their existing business from the City of Charlottesville as their current retail store location is slated for redevelopment. This profitable, established retail business approached Fluvanna County staff to relocate up onto Route 250 and to continue their retail store use in the existing marketplace. This property offers a unique opportunity for a retail establishment, as this site is accessible on Route 250, a major transportation corridor, which is ideal for the retail aspects of the business use along with the ease of customer access to their store. The existing building is large enough to not only accommodate retail floor space but also to establish warehouse space for additional store stock.

Comprehensive Plan:

The subject property is located in the Zion Crossroads Community Planning Area and this area is envisioned to be the most developed part of the county and consisting of areas like neighborhood mixed-use development. This area is in the county's prime regional economic development area and retail stores and warehousing uses are desirable within Zion Crossroads in Fluvanna County. The site is located within the Neighborhood Mixed Use area and this area is encouraged to take shape as retail, office warehouse and residential uses that are neighborhood mixed use land uses.

The Economic Development portion of the Plan reiterates that Zion Crossroads is the county's primary commercial area and Route 250 is a primary corridor in the County. In this area, land use, transportation and economic development should be balanced in a holistic approach instead of viewing them as individual issues. This conditional rezoning amendment addresses land use, transportation, site design, and economic development as equally important parts for reusing this existing building for a new land use that looks to serve this neighborhood and overall the region.

Planning Analysis:

The ZMP 19:02 case applicant has proffered out these commercial uses: Car washes; Financial institutions; Flea markets; Gas stations; Laundries; Medical clinics; Professional schools Retail stores, general; Retail stores, large scale; Retail stores, neighborhood convenience; Shooting ranges, indoor and Transportation terminals. The indoor retail store uses were not desired by the applicant as he was more interested in establishing an outdoor vehicle impound facility land use.

Zoning Ordinance Article 22 Definitions:

Retail store, general: A retail sales establishment offering the sale or rental of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by definition.

Retail store, large-scale: A retail sales establishment of more than 30,000 square feet of gross floor area engaged in the sale or rental of goods for consumer or household use.

Retail store, neighborhood convenience: A retail sales establishment primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as, but not limited to, prepackaged food and beverages, limited household supplies and hardware, and

limited food preparation and service. Such uses that include fuel pumps or the selling of fuel for motor vehicles shall be considered gas stations.

If approved, the amendments to the proffer statement would allow for most of the proffered out uses to return on the property as most of these uses are contained within the existing building. Financial institutions like banks, Flea markets which is used currently for artisan craft shows, Professional schools, General retail stores, Large Scale retail stores, and even Neighborhood convenience retail stores, would be permitted with the proper site landscaping and screening.

The restored neighborhood commercial uses would align with the vision of the Neighborhood Mixed Use area as potential businesses that serve the surrounding neighborhood residents and regionally supply home furnishings and furniture items to the growing Zion Crossroads Area. Especially with its location immediately on Route 250 the Fluvanna and Louisa area residents and business owners could easily access any commercial services located on the property, and continue to enhance the Route 250 corridor by allowing for better commercial uses on the site.

Transportation Planning:

The applicants propose to use the two (2) existing entrances onto Richmond Road (US 250) and have been reviewed by VDOT for the proposed I-1 land uses under the ITE Trip Generation, 10th edition manual. The new vehicle trips generated by the applicant’s proposed uses would not be a significant impact on a primary road like US Route 250. The existing building has been in place on Richmond Road since 1959 and the conditional rezoning amendment request would help to retain certain business uses that would not increase the traffic patterns but look to contain the same amount or less during peak periods. The VDOT Land Use Engineer will continue to work with the contract purchasers during the minor site plan review and commercial permit processes.

Site Screening and Buffer Areas:

The Fluvanna County Zoning Ordinance contains Landscaping requirements and Tree Protection options that can be selected by the applicant and their site consultant to provide the proper Buffer and Screening requirements while providing for the required VDOT site distance requirements:

Sec. 22-24-4. – MINIMUM STANDARDS

(A) The following shall be the minimum size of plant materials for site landscaping installation:

- (1) Large shade trees—1.5" caliper
- (2) Medium shade trees—1.25" caliper
- (3) Ornamental trees—1.25" caliper
- (4) Evergreen trees—5' in height
- (5) Shrubs—18" in height
- (6) Ground cover—1 year plants

(B) All required landscaping shall be planted according to the following standards:

- (1) All trees to be planted shall meet the American Standard for nursery stock published by the American Nursery and Landscape Association.

(2) The planting of trees shall be done in accordance with either the standardized landscape specifications jointly adopted by the Virginia Nursery and Landscape Association and the Virginia Society of Landscape Designers, or the Road and Bridge Specifications of the Virginia Department of Transportation.

(3) All required landscaping shall be planted between September 15 and June 30, provided that the ground is not frozen. (Ord. 8-1-12; Ord. 12-16-15)

Sec. 22-24-7. – SCREENING

(A) Screening shall be required in the following instances:

(1) Commercial and industrial uses shall be screened from view of adjacent properties in residential and agricultural zoning districts, except for commercial and industrial uses allowed by right in said districts.

(2) Parking lots, consisting of five (5) spaces or more, shall be screened from view of public roads, rights-of-way, and adjacent properties.

(3) Objectionable features, including but not limited to the following, shall be screened from the view of public roads, rights-of-way, and adjacent properties: i. Loading areas. ii. Refuse areas. iii. Storage yards. iv. Dry detention ponds. v. Maintenance areas.

(B) When required, screening shall consist of the new plantings, existing vegetation, an opaque masonry wall or wooden fence, or combination thereof, to the reasonable satisfaction of the Zoning Administrator.

Unless otherwise specified within this chapter, one of the following landscaping treatment options shall be utilized to meet the minimum screening requirements:

(1) Evergreen Option: Two (2) rows of evergreen trees, shall be planted ten (10) feet on center, and staggered within a planting strip that is twenty-five (25) feet wide; or

(2) Berm Option: Two (2) rows of evergreen shrubs shall be planted ten (10) feet on center and staggered. The berm shall be at least thirty (30) inches higher than the finished grade of the surrounding area and shall not have a slope steeper than 2:1. The berm shall be stabilized with groundcover or other vegetation;

(3) Mixed Vegetation Option: One (1) large shade tree, one (1) medium shade tree, one (1) evergreen tree, and three (3) evergreen shrubs for each twenty (20) linear feet, within a planting strip that is twenty-five (25) feet wide; or

(4) Woodlands Preservation Option: Existing woody vegetation shall be preserved as a buffer strip with a minimum width of seventy-five (75) feet. Additional tree or shrub plantings may be required by the Zoning Administrator. The woodlands preservation area shall be placed in a landscape easement, and the landscape plan shall demonstrate the techniques to be used for

removing underbrush, pruning, and protecting the existing trees from any damage during site development;

(5) Structural Option: A wall or fence, no shorter than six (6) feet in height, shall be provided and one (1) evergreen tree or shrub shall be planted every ten (10) feet along the side of any such wall or fence facing a public street or use for which the screening shall benefit.

Community Meeting:

A community meeting was held on June 22, 2023 in the County Administration Building Morris Room with the surrounding property owners in attendance and along with the Assistant County Administrator, Community Development Director, and Economic Development Director and the Palmyra District Board member. Kelsey Schlein, a Planner from Shimp Engineering provided a presentation along with the contract purchasers and they explained the proposed land use in order to adaptively re-use the existing brick building into a retail home furnishings and furniture store. The surrounding property owners expressed their support of the proposed land use and they were encouraged that the building would be utilized for a compatible land use adjacent to their homes.

Summary Conclusion:

When reviewing this conditional rezoning application, the Planning Commission should take into consideration any potential adverse impacts that this development may have on this portion of Fluvanna County and traffic generation issues have been analyzed generally by the VDOT Land Use Engineer. The proposed land uses would occupy this existing brick building and would allow for a retail store and warehousing use to serve the surrounding community and the region.

The applicant has worked with both the Building Official and Community Development Director on the existing brick building to make sure that the existing building can be remodeled in order to modernize the building for new land uses that would serve this immediate neighborhood area. The current property owner limited the I-1 permitted uses back in 2020 and which did not allow for future uses such as the proposed home furnishings and furniture store use in this building.

Suggested Motion:

I move that the Planning Commission recommends (Approval / denial / deferral) of ZMP 23:03 as an ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 zoned I-1 and is subject to the revised proffers dated May 26, 2023.

Attachments:

Rezoning Application and Textual Statement
Fluvanna County APO and Community Letters
Statement of Proffers dated May, 26, 2023



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

RECEIVED

JUN 01 2023

Fluvanna County
 Planning Dept

Owner of Record: 2428 Richmond Road LLC

Address: P.O. Box 22, Ruckersville, VA 22968

Phone: _____ Fax: _____

Email: ^(owner's rep) matthew.woodson@nestrealty.com

Representative: Shimp Engineering, P.C.

Address: 912 E High Street, Charlottesville, VA 22902

Phone: 434-227-5140 Fax: _____

Email: kelsey@shimp-engineering.com

Tax Map and Parcel(s) 4-A-27

Acreeage 29.4 **Current Zoning** I-1

Location of Parcel: 200' east of Glen Circle

Requested Zoning I-1 **Proposed Use of Property** proposed use - Retail stores, general; proffer amendment for other commercial uses

Applicant of Record: Caroline + Christopher Minsky

Address: 218 W Market St. Ste 4 Charlottesville, VA 22902

Phone: 434-970-1900 Fax: _____

Email: cminsky@gmail.com

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

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

Is parcel in Land Use Valuation Program? No Yes

Deed Book and Page: 931 / 492

If any Deed Restrictions, please attach a copy

Affidavit to Accompany Petition for Rezoning

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

I/We, being duly sworn, depose and say that we are Owner/Contract Owner of the property involved in this application and that we have familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of our knowledge.

Date: 5/21/2023 Signature of Owner/Applicant: [Signature]

Subscribed and sworn to before me this 21st day of May, 2023 Register # 7907276

My commission expires: 01/31/2024 Notary Public: [Signature]

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

Office Use Only

Date Received: 06/01/2023 Pre-Application Meeting: _____ PH Sign Deposit Received: 06/01/2023 Application #: ZMP 23 : 03

\$1,000 fee paid: _____ Mailing Costs: \$20.00 per Adjacent Property Owner after first 15, Certified. Paid: _____

Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid: Check 11503

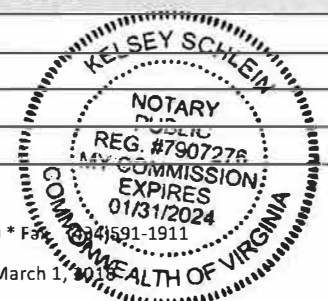
Election District: Palmyra Planning Area: Zion Crossroads Community

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:





COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

RECEIVED

JUN 01 2023

Fluvanna County
Planning Dept

Name: Caroline + Christopher Minsky
Address: 218 W market St. Ste 4 Charlottesville, Va 22902
City: _____
State: _____ Zip Code: _____

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

[Signature] Applicant Signature 6/24/23 Date

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

Office Use Only

Application #: **BZA** _____ : _____ **CPA** _____ : _____ **SUP** _____ : _____ **ZMP** 23 :03 **ZTA** _____ : _____

\$90 deposit paid per sign*:
check 11504

Approximate date to be returned:



Commonwealth of Virginia
County of Fluvanna
Rezoning Application Checklist

RECEIVED

JUN 01 2023

Fluvanna County
 Planning Dept

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

Applicant must supply	Staff Checklist
Completed Rezoning Application signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
<ul style="list-style-type: none"> Statement on proposed use of property and reason for rezoning Ten (10) copies of plats showing existing and proposed improvements (if applicable) Deed restrictions (if applicable) Copy of the Tax Map showing the site (preferred) General Location Map (preferred) 	
Supporting photographs are not required, but suggested for evidence	

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

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content:	
<ul style="list-style-type: none"> Technical Review Committee review and comment Determine all adjacent property owners Placed as a Public Hearing on the next available agenda of the Planning Commission. 	
Notification of the scheduled Public Hearing to the following:	
<ul style="list-style-type: none"> Applicant All adjacent property owners Local Newspaper advertisement 	
Staff Report to include, but not be limited to:	
<ul style="list-style-type: none"> General information regarding the application Any information concerning utilities or transportation Consistency with good planning practices Consistency with the comprehensive plan Consistency with adjacent land use Any detriments to the health, safety and welfare of the community. 	

For Applicant

The Rezoning Application fee is made payable to the **County of Fluvanna**.

Meetings for the processing of the application

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

Process:

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

Applicant or a representative must appear at the scheduled hearings.

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

Board Actions

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

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

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

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

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



COUNTY OF FLUVANNA

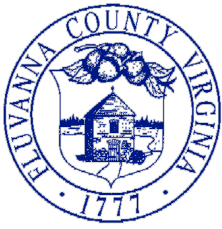
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(434) 591-1910
Fax (434) 591-1911
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MEMORANDUM

Date: June 30, 2023
From: Valencia Porter
To: Douglas Miles
Subject: APO Memo Complete

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the July 11, 2023 Planning Commission meeting.



COUNTY OF FLUVANNA

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PUBLIC HEARING NOTICE

June 30, 2023

ZMP 23:03 Caroline and Christopher Minsky / Tax Map 4 Section A front portion of Parcel 27

This is to notify you that the Fluvanna County Planning Commission will hold a public hearing on:

Meeting: Planning Commission Regular Meeting

Date: Tuesday, July 11, 2023 at 7:00 pm

Location: Fluvanna County Library
214 Commons Boulevard Palmyra, VA 22963

ZMP 23:03 Caroline and Christopher Minsky An ordinance to amend proffers of ZMP 19:02 with respect to 7.5 acres of Tax Map 4 Section A front portion of Parcel 27 which is in the I-1, Limited Industrial District. This amendment would permit previously proffered out commercial uses such as a retail store. There is a retail furniture store with warehouse space that would like to occupy this existing building. The front portion of the property is known as 2428 Richmond Road and is in the Zion Crossroads Community Planning Area and the Palmyra Election District.

Please be advised that you can attend the meeting in person, join the meeting via Zoom or by a phone call where you will have an opportunity to provide any Public comments. Instructions for participation in the Public Hearings will be available on the County's website along with the Meeting Agenda and Staff Reports.

You can contact the Fluvanna County Planning & Community Development Department, 8:00 am – 5:00 pm, Monday through Friday. If you have any questions regarding this application or the scheduled public hearing, and please contact me at dmiles@fluvannacounty.org or call me at 434.591.1910 with questions.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director

SHIMP ENGINEERING, P.C.

Design Focused Engineering

Shimp Engineering
Kelsey Schlein, Project Representative
912 East High St.
Charlottesville, VA 22902
kelsey@shimp-engineering.com
(434) 227-5140

June 8, 2023

RE: Community Meeting | 2428 Richmond Road Rezoning Request [Proffer Amendment Only]

Dear Neighbor,

On behalf of Caroline and Christopher Minsky (the “applicants”), we invite you to share comments and ask questions regarding the applicants’ rezoning request of a portion of tax parcel 4-A-27, which is located on Route 250 and has a physical address of 2428 Richmond Road (the “property”). The property is approximately 200’ east of Glen Circle and is the site of a former salvage and scrap yard. The applicants seek to locate their furniture retail store and warehouse on the property within the existing building and to do so, they must amend the proffered development conditions to which the property is subject.

The property is 29.4 acres in total, where the 7.5-acre portion that fronts on Route 250 is zoned I-1 Industrial and is subject to proffered development conditions and the rear 21.9-acre portion is zoned A-1 Agricultural. The rezoning request is limited to amending the existing proffers applicable to the I-1 portion of the property; there are no proposed changes to the rear 21.9 acre portion of the property zoned A-1 with this rezoning request. The approved proffered development conditions prohibit certain neighborhood commercial uses, such as retail uses, from operating on the property and so this rezoning request seeks to amend the approved proffered development conditions to permit certain commercial uses that are compatible with the surrounding context and are permitted by-right in the I-1 Industrial zoning district. Several I-1 Industrial uses, such as transportation terminals, laundries, indoor shooting ranges, and sawmills, will remain excluded from taking shape on the property.

We invite you to ask questions and share comments about the proposed project, County review procedures, and relevant regulations and policies of the County applicable to the proposed project at a community meeting. The meeting will be held on **Thursday, June 22 at 6 p.m. at the Fluvanna County Administration Building, Morris Room, 132 Main Street, Palmyra, VA 22963.** A presentation about the project will begin at 6:15 p.m., followed by a question and answer period. The meeting will conclude at 7 p.m.

There are several ways that you can learn more about this project, share your comments or ask questions about this proposal:

1. Attend the community meeting on Thursday, June 22 at 6 p.m. or
2. Contact me directly by phone or email using the contact information provided at the top left corner of this letter
3. Contact the Fluvanna County Planning & Zoning Department at (434) 591-1910

We look forward to hearing from you.

Sincerely,



Kelsey Schlein

SHIMP ENGINEERING, P.C.
Design Focused Engineering

Project Narrative For: 2428 Richmond Road | Rezoning Request – Proffer Amendment
Parcel Description: Tax Parcel 4-A-27
Initial Submittal: June 1, 2023

	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 4-A-27	29.4 AC (7.5 AC subject to proffered conditions and this rezoning request)	I-1 [7.5 AC] A-1 [21.9 AC]	Proffer amendment to restore certain by-right I-1 land uses on 7.5 AC subject to proffered conditions	Zion Crossroads Community Planning Area

Location:

Approximately 200’ east of Glen Circle; the property lies on the southern side of Route 250

Project Proposal:

2428 Richmond Road LLC is the owner (the “owner”) of tax parcel 4-A-27 in Fluvanna County (the “property”). The property is a 29.4-acre parcel, where the 7.5-acre portion of the property fronting on Route 250 is zoned I-1 Industrial subject to proffered conditions and the rear 21.9-acre portion is zoned A-1 Agricultural. Caroline and Christopher Minsky (together, the “applicant”) requests to amend the approved proffers under ZMP 19-02, which excluded certain by-right I-1 land uses under Section 22-11-2.1 of the Fluvanna County Zoning Ordinance. The property formerly served as a salvage and scrap yard with related accessory uses but has been vacant for several years since those business operations ceased.

The applicant seeks to establish a new location for a specialty home furnishings store currently located in the City of Charlottesville. The building where the specialty home furnishings store currently has its retail operation is slated for redevelopment and so this established business is searching for a new home. The property offers a unique opportunity for a retail establishment as the site is readily accessible from Route 250, a major transportation corridor, which is ideal for the retail aspect of the business and ease of customer access, and the existing building is large enough to not only accommodate a retail facing aspect of the business but also the warehouse aspect of the business where product is stored that has not yet made it out on to the retail floor for sale.

Per the proffers approved with ZMP 19-02, commercial retail uses are not permitted on the property. To realize this business in Fluvanna County on this property and to allow for additional commercial flexibility for compatible uses, the applicant requests an amendment to the approved proffers to restore certain by-right uses, which are commercial in nature, within the 7.5-acre I-1 zone. Uses that may have a greater impact to nearby properties, such as for example, sawmills, solid waste collection facilities and indoor shooting ranges remain excluded uses as part of this proffer amendment.



JUN 01 2023

Consistency with the Comprehensive Plan:

The property is located within the Zion Crossroads Community Planning Area. According to the Fluvanna County Comprehensive Plan (2015), the Zion Crossroads area is “envisioned to be the most intensely developed part of the county, consisting of mixed-use, regional employment, and neighborhood mixed-use developments. This area is the county’s primary regional economic development area” (44). Furthermore, as a “primary gateway to Fluvanna County...a scenic welcome...It should develop as an employment, retail, commercial, and recreational destination for county residents and travelers along Routes 64, 15, and 250” (44). Within the Zion Crossroads Planning Area, the site is located within the Neighborhood Mixed Use area. Uses in the Neighborhood Mixed Use areas are encouraged to take shape as “retail, office, civic, and residential” (33). If approved, the amendment of the proffer statement would allow for Financial institutions; Flea markets; Medical clinics; Professional schools; Retail stores, general; Retail stores, large scale; Retail stores, neighborhood convenience. The restored commercial uses would align with the vision of the Neighborhood Mixed Use area as potential businesses that would serve the surrounding Zion Crossroads residents. Especially with its location immediately on Route 250, the Zion Crossroads community could easily access any commercial services located on the property, while enhancing a major corridor of Fluvanna County.

Proposed Proffers to Address Impacts:

There are existing proffers on the property that prohibit certain commercial and industrial uses allowed by-right and by special use permit in the I-1 district. This rezoning request is limited to restoring certain by-right commercial uses in the I-1 district that are considered compatible with the surrounding area.

ATTACHMENTS:

- Exhibit A – Plat Exhibit: Area Subject to Proffer Amendment
- Exhibit B – Approved Proffers Redline Exhibit
- Proffer Statement

TRIP GENERATION + TURN LANE WARRANT ANALYSIS

FLUVANNA COUNTY TMP 4-A-27

2428 Richmond Road

Fluvanna County, Virginia 22974

PREPARED FOR

Caroline and Christopher Minsky

PREPARED BY

Shimp Engineering, P.C.

June 20, 2023

TRIP GENERATION AND TURN LANE WARRANT ANALYSIS

2428 Richmond Road LLC is the owner (the “owner”) of tax parcel 4-A-27 in Fluvanna County (the “property”). The applicant seeks to establish a new location for a local specialty home furnishings store currently located in the City of Charlottesville. The applicant is currently pursuing a proffer amendment to permit retail stores and other neighborhood commercial uses on the property, which is zoned I-1 Industrial, and this trip generation summary and turn lane warrant analysis is being provided in conjunction with the proffer amendment request. There is currently no site plan under review for this proposal. The applicant intends to operate a furniture store on the property that is comprised of both a retail and warehousing component in an existing structure on the property.

The Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition was used to prepare the trip generation summary. 2019 AADT data from VDOT was used for the background traffic data; since the COVID-19 pandemic traffic patterns have shifted and more current data does not indicate traffic counts at pre-pandemic levels and so 2019 data is being used for this analysis. Right and left turn lane warrant analyses were completed and no turn lanes are required with the proposed development.

Figure 1. 2428 Richmond Road Trip Generation - ITE Trip Gen. Manual 11th Edition

	ITE Code	Independent Variable	AM			PM			Daily Total
			In	Out	Total	In	Out	Total	
Warehousing	150	9,000 Sq Ft	1	1	2	0	2	2	4
Furniture Store	890	6,000 Sq Ft	1	1	2	1	2	3	5
Turns In			2			1			

Figure 2. 2019 AADT US 250 Richmond Road (6 mi. from Fluvanna/Albemarle County Line to US 15 Zion Crossroads) 55 MPH - 2 lane hwy

K	.096
D	.633
AADT	4000
Peak Hour	384
PHV Direction A	243
PHV Direction B	141

Figure 3. Background Traffic and New Trips from Proposed Development

US 250 Richmond Road (6 mi from Fluvanna/ Albemarle County Line to US 15 Zion Crossroads)				
	Turns In	Advancing	Opposing	% of Left Turns
Morning Right	0.8	142	-	-
Morning Left	1.2	244	142	1%
Evening Right	0.6	244	-	-
Evening Left	0.4	141	244	-

Note: 60/40 turn split assumed in the mornings and evenings, distribution for proposed trips expected to be consistent with background traffic.

Figure 4. Right Turn Lane Unwarranted

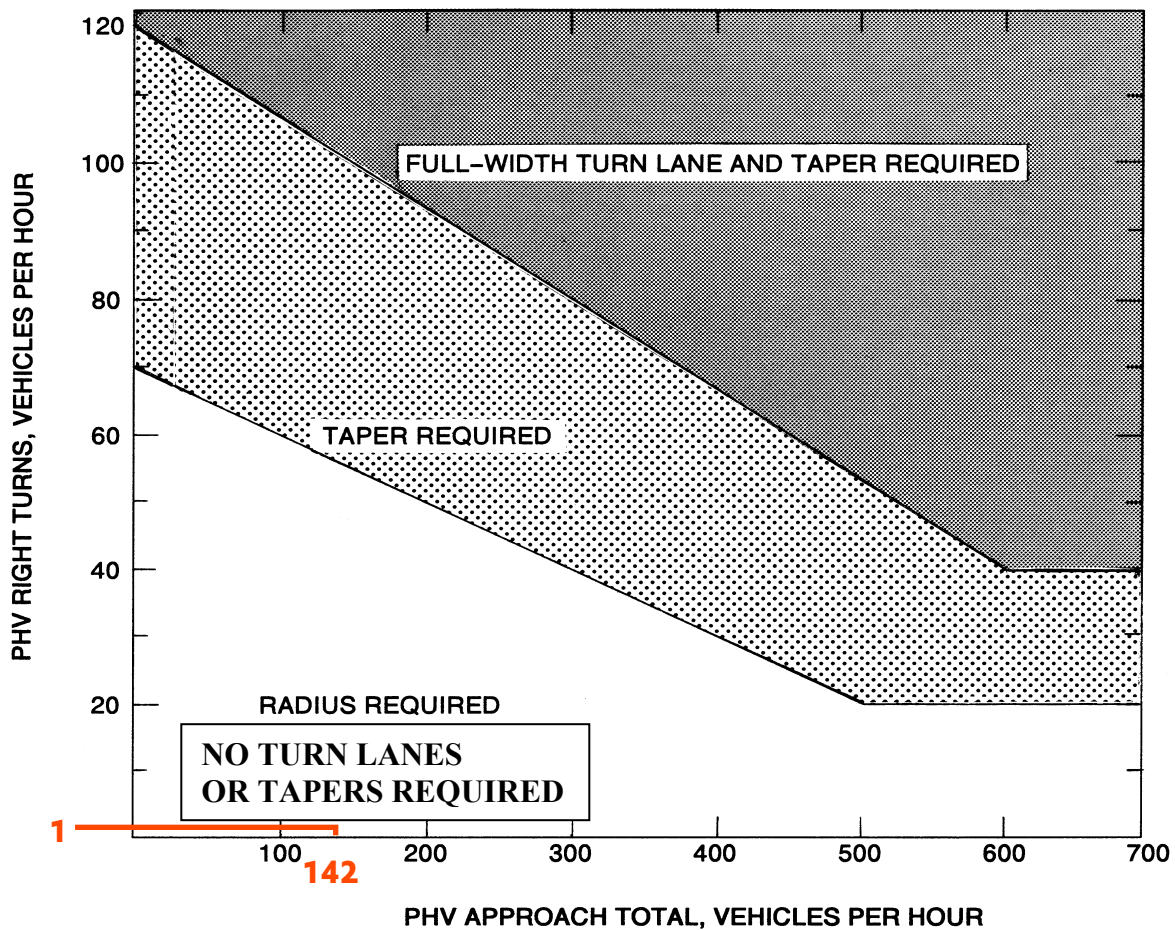


FIGURE 3-26 WARRANTS FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)

Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

For posted speeds at or under 45 mph, PHV right turns > 40, and PHV total < 300.

Adjusted right turns = PHV Right Turns - 20

If PHV is not known use formula: $PHV = ADT \times K \times D$

K = the percent of AADT occurring in the peak hour

D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice

Figure 5. Left Turn Lane Unwarranted

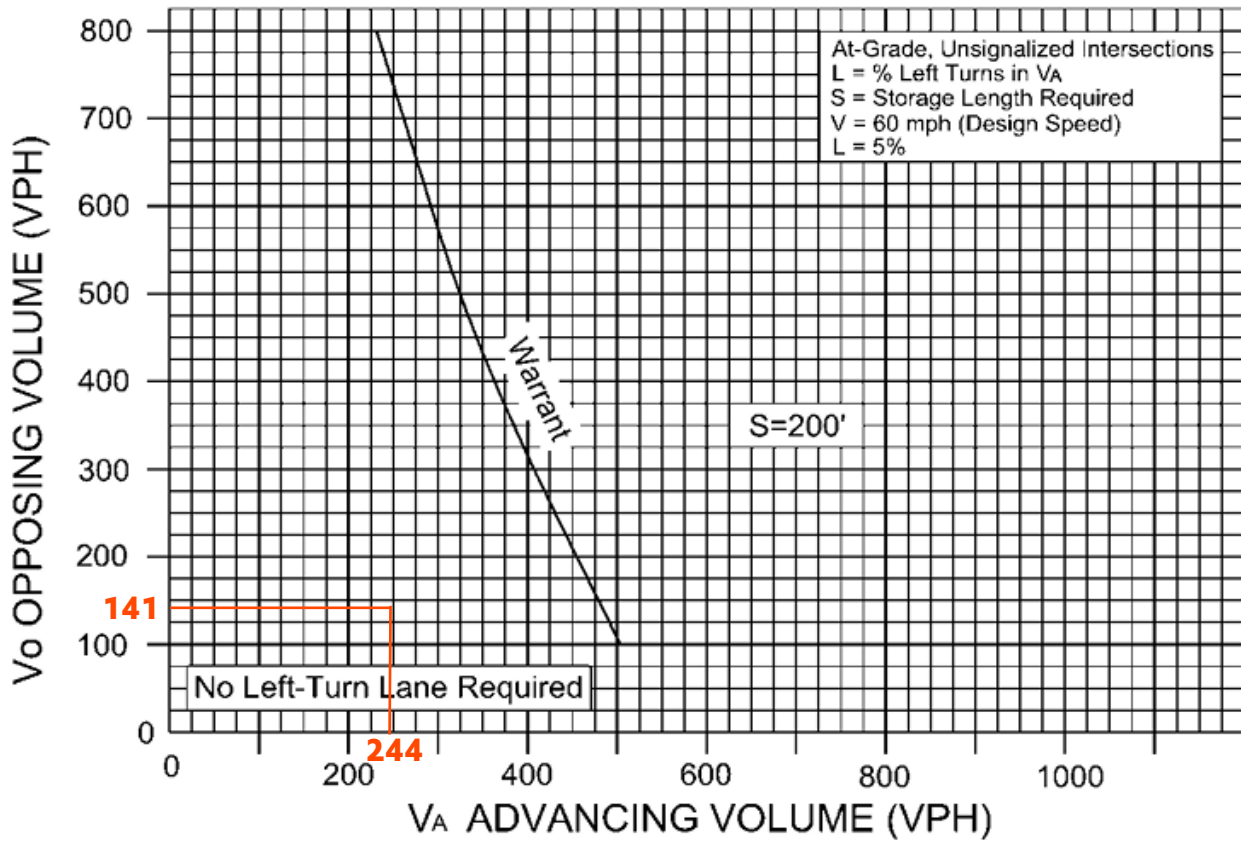


FIGURE 3-16 WARRANT FOR LEFT TURN STORAGE LANES ON TWO LANE HIGHWAY

RECEIVED

JUN 01 2023

County of Fluvanna
Department of Community Development
132 Main Street
Palmyra, VA 22963

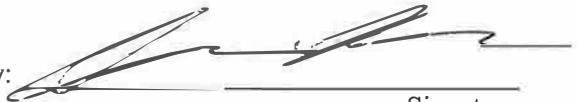
Fluvanna County
Planning Dept

Re: **AUTHORIZATION TO SUBMIT LAND USE APPLICATIONS**

2428 Richmond Road LLC is the Owner (the "Owner") of Fluvanna County tax parcel 4-A-27 (the "Property"). The Owner desires to submit land use applications affecting the Property, such as, but not limited to, Rezoning Applications, Site Plan Applications, and other similar land use applications affecting the Property (collectively, the "Land Use Applications"). The Owner hereby authorizes the following individuals and entities to submit Land Use Applications on behalf of the Owner in connection with the Property: Justin M. Shimp and Kelsey Schlein of Shimp Engineering and Caroline Minsky and Christopher Minsky. This authorization includes the authority to take any other steps, and submit any other documentation to Fluvanna County necessary to effectuate the Land Use Applications on behalf of the Owner.

2428 RICHMOND ROAD LLC

By:



Signature



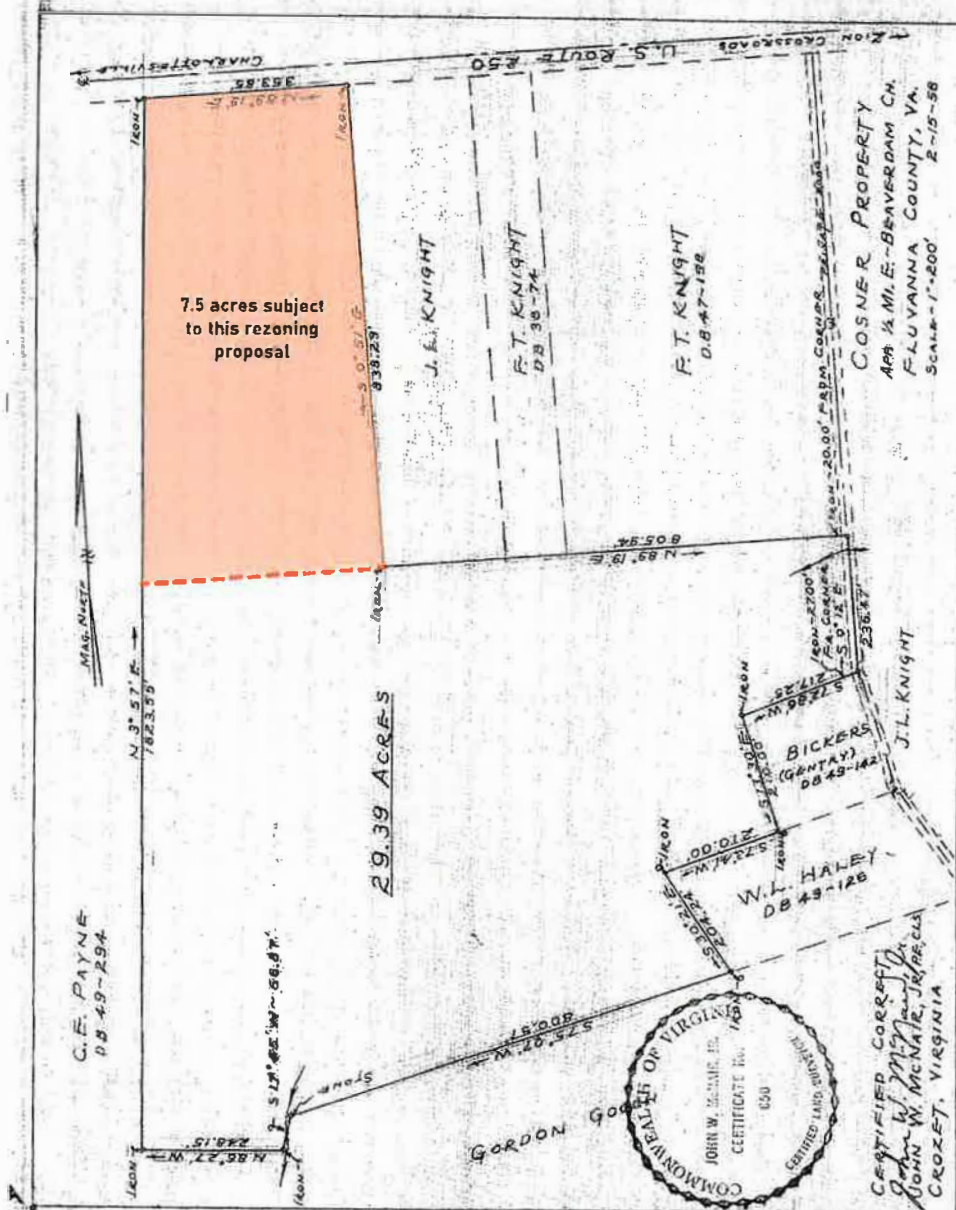
Printed Name, Title

Date:

05/26/23

4-(A) 27

20
7/1/58



VIRGINIA: In the Clerk's Office of the Circuit Court of Fluvanna County May 16, 1958.

The foregoing deed and plat was this day received in said office, and thereupon together with the certificate(s) thereto annexed, and the U. S. Documentary Stamps thereon, amounting to \$9:90 duly cancelled, admitted to record at 10:57 A.M.

Taste: Richard F. Gentry Clerk.

St. Tax \$7.50
Tr. Fee 1.00
Ck. Fee 3.00
\$11.50

*Receipt page
20
5-22-58*

MYRTLE M. MANN AND ANNIE B. SULLIVAN

TO: DEED ✓

NELSON A. MILLER AND FANCHON V. MILLER

THIS DEED, Made and entered into this 26th. day of April, 1958, by and between Myrtle M. Mann and Annie B. Sullivan, both single, residing in Kenova, Wayne County, West Virginia, parties of the first part, hereinafter known as the grantors, and Nelson A. Miller and Fanchon V. Miller, husband and wife, of 142 Glen Haven Road, New Haven, Connecticut, parties of the second part, herein-

STATEMENT OF PROFFERS

Pursuant to Section 15.2-2296 of the Code of Virginia and Section 22-17-9 of the Fluvanna County Zoning Ordinance, 2428 Richmond Road LLC, does hereby voluntarily proffer, as the owner of record of the property (the "Property") which is the subject of this rezoning request, that the development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present this statement of proffers for Tax Map 4 A, the front portion of Parcel 27 for which rezoning to I-1 is sought:

1. The following permitted by right land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.1:

Commercial Uses: Car washes; ~~Financial institutions; Flea markets;~~ Gas stations; Laundries; ~~Medical clinics; Professional schools; Retail stores, general; Retail stores, large scale; Retail stores, neighborhood convenience;~~ Shooting ranges, indoor; and Transportation terminals.

Industrial Uses: Railroad facilities; Research laboratories; Sawmills, temporary; and Solid waste collection facilities.

2. The following permitted by special use permit land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.2:

Commercial Uses: Shooting ranges, outdoors.

Industrial Uses: Sanitary landfills; Sawmills, permanent; and Solid waste material recovery facilities.

Miscellaneous Uses: Aviation facilities; and Utilities, major.

Uses available for the balance of the property, whether governed by ordinance or by vested right, will remain unaffected by the proposed rezone of the front portion of the property.

I hereby acknowledge as the Property Owner that the Rezoning of the Property gives rise to the need for these conditions.

2428 RICHMOND ROAD LLC, by:


Carroll R. Morris, its Agent/Manager

Date: 01/02/20

JUN 0 1 2023

Fluvanna County
Planning Dept

Original Proffers _____
Amendment X

PROFFER STATEMENT

Pursuant to Section 15.2-2296 of the Code of Virginia and Section 22-17-9 of the Fluvanna County Zoning Ordinance, 2428 Richmond Road LLC, as the owner of record of Tax Map 4 Section A Parcel 27, a 7.5 acre portion of which is zoned I-1 (the "Property") that is the subject of this rezoning request, does hereby voluntarily proffer that development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present this amended statement of proffers for Tax Map 4A, the front portion of Parcel 27, which is zoned I-1. If approved these proffers presented with this amended proffer statement will supersede all formerly approved proffers on the Property, including those approved with ZMP19:02:

- 1. The following permitted by right land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.1:

Commercial Uses: Car washes; Gas stations; Laundries; Shooting ranges, indoor; and Transportation terminals.

Industrial Uses: Railroad facilities; Research laboratories; Sawmills, temporary; and Solid waste collection facilities.

- 2. The following permitted by special use permit land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.2:

Commercial Uses: Shooting ranges, outdoors.

Industrial Uses: Sanitary landfills; Sawmills, permanent; and Solid waste material recovery facilities.

Miscellaneous Uses: Aviation facilities; and Utilities, major.

I hereby acknowledge as the Property Owner that the Rezoning of the Property gives rise to the need for these conditions and that these conditions are reasonable.

2428 RICHMOND ROAD LLC, by:

Carroll R. Morris

Carroll R. Morris, its Agent/Manager

05/26/23

Date

COMMONWEALTH OF VIRGINIA

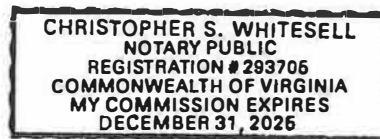
CITY/COUNTY OF Greene

I, *Christopher S. Whitesell*, a Notary for the State of Virginia
do verify that the foregoing instrument was signed before me this the 26th day of
May, 2023.

My commission expires: Dec. 31, 2025

Christopher S. Whitesell

Notary Public



Legend: ~~Proffered Out in 2020 and 2023~~

Previously Proffered Out uses requested in 2023 Case

I-1, Limited Industrial District

Sec. 22-11-2.1. - Uses permitted by right.

The following uses shall be permitted by right:

Civic Uses

Public uses

Commercial Uses

Automobile repair service establishments

Automobile sales

~~Car washes~~

Communications service

Corporate offices

Financial institutions

Flea markets

~~Gas stations~~

Landscaping materials supply

~~Laundries~~

Machinery sales and service

Medical clinics

Offices

Parking facilities

Professional schools

Recreational vehicle sales

Retail stores, general

Retail stores, large-scale

Retail stores, neighborhood convenience

Retail stores, specialty

Self-storage facilities

~~Shooting ranges, indoor~~

~~Transportation terminals~~

Vehicle impound facilities

Vending carts

Veterinary offices

Industrial Uses

Contractor's storage yards

Data centers

Lumberyards

Machine shops

Manufacturing, light

~~Railroad facilities~~

~~Research laboratories~~

~~Sawmills, temporary~~

~~Solid waste collection facilities~~

Upholstery shops

Wholesale warehouses

Miscellaneous Uses

Accessory uses

Minor scale solar generation facility

Utilities, minor

Wood storage, temporary

(Ord. 9-17-08; Ord. 10-21-09; Ord. 11-3-10; Ord. 11-20-12; Ord. 9-15-21; Ord. 8-17-22)

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

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

Commercial Uses

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

Industrial Uses

- Manufacturing, medium
- ~~Sanitary landfills~~
- ~~Sawmills, permanent~~
- ~~Solid waste material recovery facilities~~
- Truck terminals

Miscellaneous Uses

- ~~Aviation facilities~~
- Outdoor gatherings
- Small scale solar generation facility
- Utility scale solar generation facility
- Telecommunication facilities
- ~~Utilities, major~~

(Ord. 9-17-08; Ord. 10-21-09; Ord. 11-3-10; Ord. 11-20-12; Ord. 9-15-21; Ord. 8-17-22)



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

June 18, 2020

2428 Richmond Road LLC
Post Office Box 22
Ruckersville, VA 22968
Attn: Carroll Morris

C. Waverly Parker, Esquire
Post Office Box 559
Stanardsville, VA 22973
Attn: C. Waverly Parker

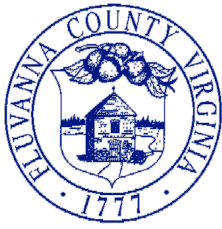
RE: ZMP 19:02 2428 Richmond Road LLC / Tax Map 4 Section A Front Portion of Parcel 27

Please be advised that the Fluvanna County Board of Supervisors on June 17, 2020 by a 4-1 vote approved Conditional Rezoning ZMP 19:02 2428 Richmond Road LLC with proffered conditions dated January 2, 2020. Please contact me at dmiles@fluvannacounty.org or at 434.591.1910 with any further questions.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director



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

BOARD OF SUPERVISORS STAFF REPORT

To: Fluvanna County Board Members
Case Number: ZMP 19:02
Tax Map: Tax Map 4, Section A, Parcel 27

From: Douglas Miles, AICP, CZA
District: Palmyra Election District
Date: June 17, 2020

General Information: This request is to be heard by the Board of Supervisors on Wednesday, June 17, 2020 at 7:00 pm in the Fluvanna County Circuit Court Room.

Applicant/Owner: 2428 Richmond Road LLC / Carroll Morris

Representatives: Harry Austin and C. Waverly Parker, Esquire

Requested Action: To amend the Fluvanna County Zoning Map by a request to conditionally rezone, from A-1 Agricultural, General to I-1, Industrial, Limited, approximately 7.5 acres of Tax Map 4, Section A, front portion of Parcel 27. (Attachment A)

Location: 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 property is within the Zion Crossroads Community Planning Area and the Palmyra Election District. (Attachment B)

Existing Zoning: A-1, General Agricultural Zoning District (Attachment C)

Proposed Zoning: I-1, Limited Industrial Zoning District with proffered conditions

Existing Land Use: Vacant Building

Planning Area: Zion Crossroads Community Planning Area

Adjacent Zoning: Adjacent properties are zoned A-1, I-1 and R-3 zoning

Zoning History: A salvage yard operated by Cosner Brothers was formerly located on the property for several decades and as a legal, nonconforming use. An application (ZMP 17:05) to rezone the property from A-1 to I-1 & I-2 was denied by the Board of Supervisors on March 28, 2018.

Neighborhood Meeting:

A neighborhood meeting was held on December 5, 2019 at Beaver Dam Baptist Church with the surrounding property owners in attendance along with several Fluvanna County Staff members including the County Administrator, County Attorney, Community Development Director and the Palmyra District Board member. Harry Austin from the C. Waverly Parker law firm presented the conditional rezoning case request. The concerns raised at the community meeting were some of the same that were raised during a previous rezoning request in 2018 that did not get approved by the Board of Supervisors.

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 12, 2019:

1. Douglas Miles, Community Development Director: He read the current list of I-1 land uses that would be permitted in the existing building or would be allowed on the property. He indicated that the applicant was finalizing their proffer statement letter for the allowed land uses and that they would consider other proffered conditions for the I-1 rezoning case.
2. Kevin Zoll, Building Official: He stated that a permit for a change of use may be needed depending on what use ultimately ends up occupying the building on the subject property.
3. Roger Black, ESC Plans Reviewer: He did not have any comments on the rezoning of the property but he stated that DEQ may have regulations dealing with the automotive fluids.
4. Mike Brent, Fluvanna Fire Chief: He stated he did not have any rezoning case comments.
5. Eric Hess, Sheriff (not present): He indicated via e-mail that he did not have any rezoning case comments.
6. John Wilson, VDOT: He stated that VDOT recommends consolidating the two (2) access points to the subject property from Richmond Road. The applicant indicated that they could add it to the proffered conditions when submitted for this conditional rezoning case.
7. Mrs. Patricia Eager, Board of Supervisors member: She asked about the proposed hours of operation and stated this was a concern from the neighborhood meeting that was held on December 5th by the meeting attendees. The applicant stated the hours of operation would be from 8:00 am to 5:00 pm. Mrs. Eager asked if towing to the property could occur overnight and the applicant responded yes. Mr. Miles indicated that through a future Special Use Permit (SUP) that the towing hours of operation could be conditioned by the Board of Supervisors.

(Attachment D)

Analysis:

The applicant is requesting to conditionally rezone the front portion of Tax Map 4, Section A, Parcel 27 from A-1, General Agricultural to I-1, Limited Industrial with proffered conditions. The proffered conditions address some of the higher intensity I-1 by Right and by Special Use Permit (SUP) land uses that were discussed with and negotiated with the surrounding community members mainly from the adjoining Fox Glen subdivision that is located west of the subject site.

The purpose of the A-1 District is *“to conserve water and other natural resources, reduce soil erosion, protect watersheds and reduce hazards from floods; to preserve the rural character of the county; to promote existing and future farming and forestry operations; and to promote the retention of undisturbed open space.”*

In comparison, the purpose of the I-1, Limited Industrial Zoning District, is *“to permit certain light industries. The limitations ... are imposed to protect and foster adjacent residential property while permitting certain light industries to locate near a labor supply.”* The applicant has proffered out these I-1 by right land uses as a part of their conditional rezoning request on the property:

Commercial Uses: Car Washes, Financial Institutions, Flea Markets, Gas Stations, Laundries, Medical Clinics, Professional Schools, Retail Stores, general, large scale and neighborhood convenience, Shooting Ranges, indoor, and Transportation Terminals.

Industrial Uses: Railroad Facilities, Research Laboratories, Sawmills, temporary, and Solid Waste Collection Facilities.

These I-1 land uses by Special Use Permit (SUP) have been proffered out in this rezoning case:

Commercial Uses: Shooting Ranges, indoors

Industrial Uses: Sanitary Landfills, Sawmills, permanent, and Solid Waste material recovery facilities.

Miscellaneous Uses: Aviation Facilities and Major Utilities

(Attachment E)

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Zion Crossroads Community Planning Area. According to this chapter, *“Zion Crossroads is envisioned to be the most intensely developed part of the county, consisting of regional mixed-use, regional employment, and neighborhood mixed-use developments. This area is the county’s primary regional economic development area and is targeted as a regional employment center with primarily mixed-use, mixed-income development.”*

Economic Development Chapter:

According to this chapter, *“the primary infrastructure service areas will be the Zion Crossroads, Lake Monticello, and Fork Union community planning areas”* and *“Zion Crossroads is considered the most viable area to attract light industrial, technology business, medical facilities, and retail.”* The subject property is located in close proximity to other light industrial land uses along US 250 and it is adjacent to Fox Glen subdivision which provides an available pool of potential employees for some of the by right I-1, Limited Industrial Zoning District uses.

Planning Commission:

The Planning Commission considered this rezoning request at their February 11, 2020 meeting.

Public comments were received that were not in favor of the proposed, conditional rezoning case request. After a lengthy discussion, and in consultation with the County Attorney, and following confirmation with the applicant’s representative, Harry Austin, Vice Chairman Zimmer moved to recommend Approval, along with the additional agreed upon land uses to be proffered out of this request. This would be done by the applicant’s representative, upon submission to the Board of Supervisors for the next scheduled Public Hearing date and for their positive consideration of the conditional rezoning case request. The motion was seconded by Ms. Murray-Key. The additional agreed upon I-1 land uses permitted by right were: Automobile sales; contractor’s storage yards; Lumberyards; and Solid waste collection facilities. The applicant’s representative would confirm with their client prior to the next Board of Supervisors meeting. The motion was passed by 5-0 to Recommend Approval with the additional land uses and it was forwarded on to the Board of Supervisors.

Board of Supervisors:

The Board of Supervisors placed this rezoning case request on their March 18, 2020 agenda but were not able to conduct the Public Hearing that night due to the COVID-19 health concerns. This request was to be brought back on the next available Board agenda up to June 17, 2020.

At the time of finalizing this conditional rezoning staff report, the additional agreed upon I-1 land uses as described above in the Planning Commission’s motion have not been received from the applicant’s representative. The Statement of Proffers letter dated January 2, 2020 that was filed with the application remain the proffered conditions to be considered by the Board members.

Conclusion:

The 2015 Comprehensive Plan states *“it is not sufficient for an applicant to receive approval for a rezoning simply because a property is within a community planning area. Each application is considered by the county to see if the proposed development is well planned within the context of the surrounding community.”* Planning Staff has worked with the applicant’s representatives to come up with potential land uses that could be used to adaptively reuse the existing building. If the applicant wants they can also pursue a Special Use Permit for any other similar land uses that would be contained in the building and would be allowed screened, outside storage areas on site.

In addition to conformance with the 2015 Comprehensive Plan, the Board of Supervisors may want to consider the Planning Commission's motion found within this staff report that contained the agreed upon land uses to be proffered out for conditional rezoning case approval following the Public Hearing on this request. The County Attorney can provide additional legal advice, if needed, should the applicant or the applicant's representative positively respond to amend their proffer statement.

Suggested Motion:

I move that the Board of Supervisors recommend [approval / denial / deferral] of ZMP 19:02, a request to amend the Fluvanna County Zoning Map with respect to approximately 7.5 acres of Tax Map 4, Section A, front portion of Parcel 27, to conditionally rezone the same from A-1 Agricultural, General to I-1, Industrial, Limited with proffered conditions [dated January 2, 2020].

Attachments:

- A – Application and APO Letter
- B – Aerial Vicinity Map
- C – Existing Zoning Map
- D – TRC Comment Letter
- E – Proffer Statement
- F – Proposed Ordinance

STATEMENT OF PROFFERS

Pursuant to Section 15.2-2296 of the Code of Virginia and Section 22-17-9 of the Fluvanna County Zoning Ordinance, 2428 Richmond Road LLC, does hereby voluntarily proffer, as the owner of record of the property (the "Property") which is the subject of this rezoning request, that the development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present this statement of proffers for Tax Map 4 A, the front portion of Parcel 27 for which rezoning to I-1 is sought:

1. The following permitted by right land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.1:

Commercial Uses: Car washes; Financial institutions; Flea markets; Gas stations; Laundries; Medical clinics; Professional schools; Retail stores, general; Retail stores, large scale; Retail stores, neighborhood convenience; Shooting ranges, indoor; and Transportation terminals.

Industrial Uses: Railroad facilities; Research laboratories; Sawmills, temporary; and Solid waste collection facilities.

2. The following permitted by special use permit land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.2:

Commercial Uses: Shooting ranges, outdoors.


Industrial Uses: Sanitary landfills; Sawmills, permanent; and Solid waste material recovery facilities.

Miscellaneous Uses: Aviation facilities; and Utilities, major.

Uses available for the balance of the property, whether governed by ordinance or by vested right, will remain unaffected by the proposed rezone of the front portion of the property.

I hereby acknowledge as the Property Owner that the Rezoning of the Property gives rise to the need for these conditions.

2428 RICHMOND ROAD LLC, by:


Carroll R. Morris, its Agent/Manager

Date: 01/02/20

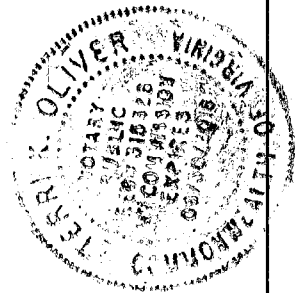
COMMONWEALTH OF VIRGINIA AT LARGE, TO-WIT:

In Greene County, Virginia on this 2nd day of January 2020 the foregoing Statement of Proffers was acknowledged before me by Carroll R. Morris, in his capacity indicated.

My notarial registry number is 315326.

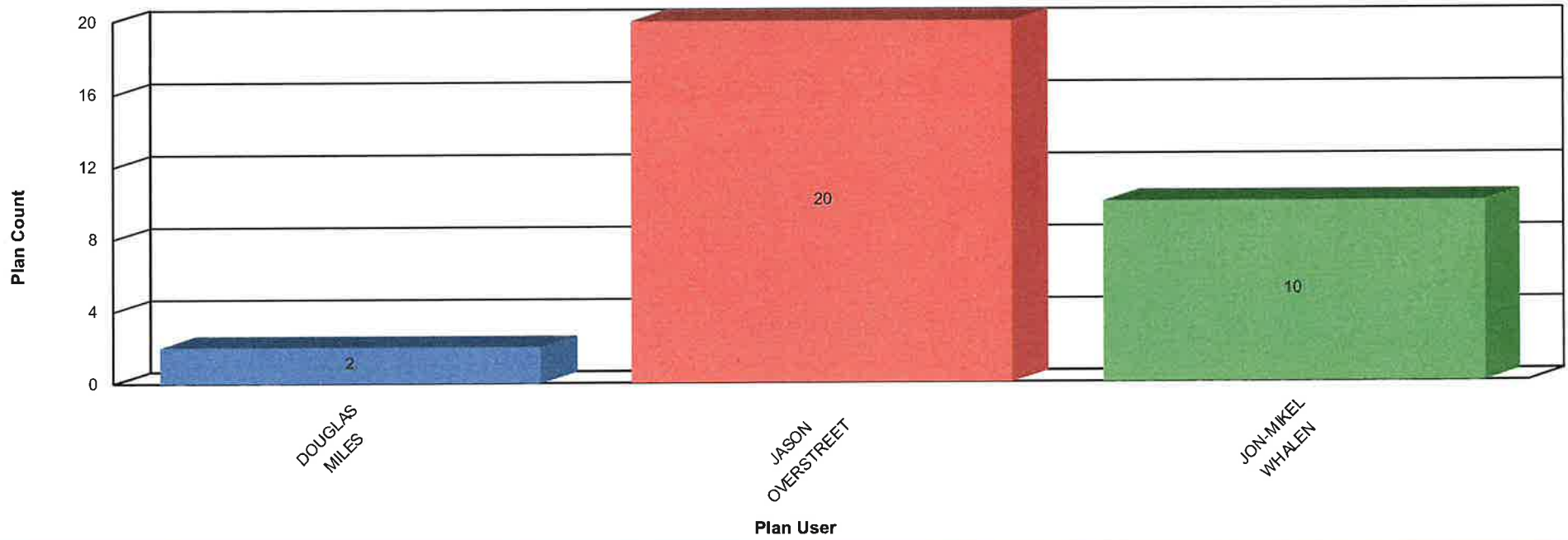
My commission expires: 06/30/22.

Terrill K. Oliver
NOTARY PUBLIC





PLANS APPLIED BY USER (06/01/2023 TO 06/30/2023) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT



Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	Application Date	Expiration Date	Complete Date	Approval Expire Date	Applicant		
	Zone	Sq Ft	Valuation	Fee Total	Assigned To		
DOUGLAS MILES							
ZMP23:0003	Rezoning 06/01/2023	Rezoning 07/31/2023	In Review	2428 Richmond Rd, Troy, VA 22974	Not Assigned	Palmyra	4 A 27
		0	\$0.00	\$840.00	Caroline & Christopher Minsky Douglas Miles		
	<i>Description: Retail stores, general;</i>						
SDP23:0006	Site Development Plan 06/30/2023	Sketch Plan 08/14/2023	In Review		Not Assigned	Palmyra	5 24 1
		0	\$0.00	\$150.00	Charlottesville Glass & Mirror Douglas Miles		
	<i>Description: Light Industrial building with parking</i>						

PLANS APPLIED FOR DOUGLAS MILES: 2

PLANS APPLIED BY USER (06/01/2023 TO 06/30/2023)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	<i>Application Date</i>	<i>Expiration Date</i>	<i>Complete Date</i>	<i>Approval Expire Date</i>	<i>Applicant</i>		
	<i>Zone</i>	<i>Sq Ft</i>	<i>Valuation</i>	<i>Fee Total</i>	<i>Assigned To</i>		
JASON OVERSTREET							
MSC23:0132	Miscellaneous	Miscellaneous - Other	Approved	2444 Carysbrook Rd, Palmyra, VA 22963	Not Assigned	Columbia	31 A 62A
	06/01/2023	0	\$0.00	\$50.00	Jason Overstreet		
	<i>Description: Replacing Barn to store equipment</i>						
MSC23:0133	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Cunningham	38 12 7
	06/05/2023	0	\$0.00	\$50.00	Jason Overstreet		
	<i>Description: 2- Pole barn/ Storage buildings</i>						
SUB23:0027	Subdivision	Subdivision - Minor	In Review		Not Assigned	Fork Union	50 A 113A
	06/06/2023	07/21/2023			Jefferson Jakubowski Jason Overstreet		
		0	\$0.00	\$750.00			
	<i>Description: Winnsville Estates</i>						
MSC23:0134	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Palmyra	8 13 137
	06/06/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Single Family Detached Dwelling</i>						
MSC23:0136	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Fork Union	40 18 21
	06/14/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Single family dwelling</i>						
MSC23:0138	Miscellaneous	Miscellaneous - Other	Approved	237 Mechunk Ridge Ln, Keswick, VA 22947	Not Assigned	Palmyra	3 A 2
	06/14/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: covered deck</i>						
MSC23:0139	Miscellaneous	Miscellaneous - Other	Approved	52 Wildwood Dr, Palmyra, VA 22963	Not Assigned	Rivanna	18A 3 466
	06/14/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: reskin existing deck, build 15 X 10 season room</i>						
MSC23:0141	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Cunningham	18A 11 77
	06/14/2023						

PLANS APPLIED BY USER (06/01/2023 TO 06/30/2023)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	<i>Application Date</i>	<i>Expiration Date</i>	<i>Complete Date</i>	<i>Approval Expire Date</i>	<i>Applicant</i>		
	<i>Zone</i>	<i>Sq Ft</i>	<i>Valuation</i>	<i>Fee Total</i>	<i>Assigned To</i>		
		0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: New Single Family Dwelling</i>						
MSC23:0142	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Fork Union	52 3 1B
	06/14/2023						
		0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: New Single Family Dwelling</i>						
MSC23:0143	Miscellaneous	Miscellaneous - Other	Approved	31 Lyles Church Ln, Palmyra, VA 22963	Not Assigned	Columbia	32 4 B
	06/20/2023						
		0	\$0.00	\$50.00	Jason Overstreet		
	<i>Description: Horse Barn /Office</i>						
MSC23:0144	Miscellaneous	Miscellaneous - Other	Approved		Not Assigned	Columbia	44 5 12
	06/21/2023						
		0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: New Single Family Dwelling</i>						
MSC23:0145	Miscellaneous	Miscellaneous - Other	Approved	129 Island Hill Rd, Palmyra, VA 22963	Not Assigned	Fork Union	18 16 31
	06/22/2023						
		0	\$0.00	\$50.00	Jason Overstreet		
	<i>Description: Screen Porch</i>						
SUB23:0028	Subdivision	Ordinance of Vacation	In Review	289 Bremo Bluff Rd, Bremo Bluff, VA 23022	Not Assigned	Fork Union	58 A 45
	06/22/2023	08/06/2023			Kenneth Maxwell		
		0	\$0.00	\$225.00	Jason Overstreet		
	<i>Description: 289 Bremo Bluff Rd</i>						
MSC23:0146	Miscellaneous	Miscellaneous - Other	Approved	661 White Hall Rd, Keswick, VA 22947	Not Assigned	Palmyra	3 22 C
	06/22/2023						
		0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Addition to the house</i>						
MSC23:0148	Miscellaneous	Miscellaneous - Other	Approved	331 Forest Glen Ln, Palmyra, VA 22963	Not Assigned	Fork Union	40 18 10
	06/23/2023						
		0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Addition</i>						

PLANS APPLIED BY USER (06/01/2023 TO 06/30/2023)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	<i>Application Date</i>	<i>Expiration Date</i>	<i>Complete Date</i>	<i>Approval Expire Date</i>	<i>Applicant</i>		
	<i>Zone</i>	<i>Sq Ft</i>	<i>Valuation</i>	<i>Fee Total</i>	<i>Assigned To</i>		
MSC23:0147	Miscellaneous	Miscellaneous - Other	Approved	74 Cunningham Ct, Palmyra, VA 22963	Not Assigned	Cunningham	17 29 6
	06/23/2023	0	\$0.00	\$50.00	Jason Overstreet		
	<i>Description: Install of 12 ground mounted solar panels</i>						
SUB23:0029	Subdivision	Boundary Adjustment	In Review	15686 James Madison Hwy, Palmyra, VA 22963	Not Assigned	Columbia	19 14 2
	06/28/2023	08/12/2023			Mary & David Tilman		
		0	\$0.00	\$100.00	Jason Overstreet		
SUB23:0030	Subdivision	Subdivision - Minor	In Review	912 Shores Rd, Palmyra, VA 22963	Not Assigned	Fork Union	49 A 2
	06/28/2023	08/12/2023			Benco, LLC		
		0	\$0.00	\$750.00	Jason Overstreet		
MSC23:0151	Miscellaneous	Miscellaneous - Other	In Review		Not Assigned	Palmyra	8 13 F
	06/29/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Pavilion # 1</i>						
MSC23:0152	Miscellaneous	Miscellaneous - Other	In Review		Not Assigned	Palmyra	8 13 D
	06/29/2023	0	\$0.00	\$100.00	Jason Overstreet		
	<i>Description: Colonial Circle Pavilion 2</i>						

PLANS APPLIED FOR JASON OVERSTREET: 20

JON-MIKEL WHALEN

SUB23:0025	Subdivision	Boundary Adjustment	In Review	4203 West River Rd, Scottsville, VA 24590	Not Assigned	Cunningham	37 A 45B
	06/01/2023	07/16/2023			John Celin		
		0	\$0.00	\$100.00	Jon-Mikel Whalen		
SUB23:0024	Subdivision	Boundary Adjustment	In Review		Not Assigned	Columbia	19 12 1
	06/01/2023	07/16/2023			James Fowler		
		0	\$0.00	\$100.00	Jon-Mikel Whalen		
SUB23:0026	Subdivision	Boundary Adjustment	In Review	485 Shores Rd, Palmyra, VA 22963	Not Assigned	Fork Union	39 2 18A
	06/01/2023	07/16/2023			Daniel & Faith Stuart		
		0	\$0.00	\$100.00	Jon-Mikel Whalen		
	<i>Description: to be added to 485 Shores Rd</i>						

PLANS APPLIED BY USER (06/01/2023 TO 06/30/2023)

Plan Case #	Type	Workclass	Status	Main Address	Project	District	Parcel
	<i>Application Date</i>	<i>Expiration Date</i>	<i>Complete Date</i>	<i>Approval Expire Date</i>	<i>Applicant</i>		
	<i>Zone</i>	<i>Sq Ft</i>	<i>Valuation</i>	<i>Fee Total</i>	<i>Assigned To</i>		
MSC23:0135	Miscellaneous	Miscellaneous - Other	Approved	472 Beaver Pond Rdg, Troy, VA 22974	Not Assigned	Palmyra	3 23 39
	06/13/2023	0	06/15/2023	06/15/2023	Jon-Mikel Whalen		
			\$0.00	\$100.00			
	<i>Description: 15 X 30 gunite pool with auto cover</i>						
MSC23:0137	Miscellaneous	Miscellaneous - Other	Approved	5738 Rolling Rd S, Scottsville, VA 24590	Not Assigned	Cunningham	26 16 20
	06/14/2023	0	06/15/2023	06/15/2023	Jon-Mikel Whalen		
			\$0.00	\$100.00			
	<i>Description: 18 X 36 Vinyl liner Inground swimming pool</i>						
MSC23:0140	Miscellaneous	Miscellaneous - Other	Approved	15154 James Madison Hwy, Palmyra, VA 22963	Not Assigned	Columbia	19 A 44
	06/14/2023	0	06/29/2023	06/29/2023	Jon-Mikel Whalen		
			\$0.00	\$50.00			
	<i>Description: Installing a 20 X 30 metal garage on concrete, will have thickened edges and rebar included in the slab</i>						
ZUP23:0004	Zoning Use Permits	Telecommunications Tower	In Review	569 North Boston Rd, Troy, VA 22974	Not Assigned	Palmyra	10 19 9
	06/20/2023	08/04/2023			Bobby Bhandari		
		0	\$0.00	\$1,450.00	Jon-Mikel Whalen		
	<i>Description: Verizon</i>						
MSC23:0149	Miscellaneous	Miscellaneous - Other	Approved	1693 Broken Island Rd, Palmyra, VA 22963	Not Assigned	Fork Union	19 A 35
	06/23/2023	0	\$0.00	\$50.00	Jon-Mikel Whalen		
	<i>Description: Guest cottage / Office</i>						
SUB23:0031	Subdivision	Subdivision - Minor	In Review	336 Sclaters Ford Rd, Palmyra, VA 22963	Not Assigned	Fork Union	29 A 55
	06/28/2023	08/12/2023			David Wagner		
		0	\$0.00	\$600.00	Jon-Mikel Whalen		
	<i>Description: 2 ac Subdivision</i>						
MSC23:0150	Miscellaneous	Miscellaneous - Other	In Review	8 Highland Rd, Palmyra, VA 22963	Not Assigned	Rivanna	18A 8 324
	06/29/2023	0	\$0.00	\$100.00	Jon-Mikel Whalen		
	<i>Description: Expanding existing front porch</i>						

PLANS APPLIED FOR JON-MIKEL WHALEN: 10

GRAND TOTAL OF PLANS: 32

THE COMMONWEALTH OF VIRGINIA'S

2022 ENERGY PLAN



RELIABLE. AFFORDABLE. CLEAN. INNOVATIVE.

VIRGINIA DEPARTMENT OF ENERGY





COMMONWEALTH of VIRGINIA

Office of the Governor

Glenn Youngkin
Governor

October 3, 2022

To My Fellow Virginians,

I'm proud to present, on behalf of the Virginia Department of Energy and our entire Administration, the Commonwealth of Virginia's 2022 Energy Plan.

To ensure that Virginia is the best place to live, work and raise a family, Virginia must *grow*. We need to grow new jobs. We need to grow new businesses. We need to grow our population. And, to fuel that growth, we need a sensible, achievable, energy plan that provides abundant, reliable, affordable and clean energy.

We need to keep families warm in the winter and safe from the summer heat. We need to keep the kitchen humming at the family-owned restaurant getting ready for the dinner rush. We need to keep the lights on, the internet powered, communication flowing, and we need to do it without driving further runaway inflation.

As we look to build on our dominance in energy-intensive industries like data centers and advanced computing and increase our leadership in emerging fields like advanced manufacturing, ag-tech, and biopharmaceuticals, we know that our grid must deliver power, 24 hours a day, 7 days a week, 365 days a year, and it must deliver that power at a competitive price.

The plan adopted in recent years by the previous administration goes too far in establishing rigid and inflexible rules for the transition in energy generation in Virginia. We need to recognize that a clean energy future does not have to come at the cost of a healthy, resilient, and growing economy. We first must embrace a measure of humility as to our ability to project and predict 30-years of energy demand and technological innovation. And we certainly should not make irreversible decisions today to exit critical elements of power stack.

Additionally, we must reject the mindset that it is "*either/or*," and embrace the reality that it is "*both/and*." In fact, the *only* way to confidently move towards a reliable, affordable and clean energy future in Virginia is to go all-in on innovation in nuclear, carbon capture, and new technology like hydrogen generation, along with building on our leadership in offshore wind and solar.

Energy innovation will not just honor our calling to environmental stewardship, it will deliver economic development and job creation opportunities across the Commonwealth, including in Southwest Virginia, where this plan calls for launching a commercial small modular nuclear reactor in the next 10 years.

The release of this plan is the *start* of a conversation about Virginia's Energy Future. It is the start of a movement. We need to push beyond petty politics and execute on a real strategy to provide the reliable, affordable and clean energy economy of tomorrow that Virginia deserves.

I want to thank the hundreds of individuals and groups who had a role in shaping this plan over the past months. Every one of you has a part to play going forward.

Let's get to work.

Sincerely,

A handwritten signature in black ink, reading "Glenn Youngkin". The signature is fluid and cursive, with a prominent "G" and "Y".

Glenn Youngkin

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Competition

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CONCLUSION

ACKNOWLEDGEMENTS

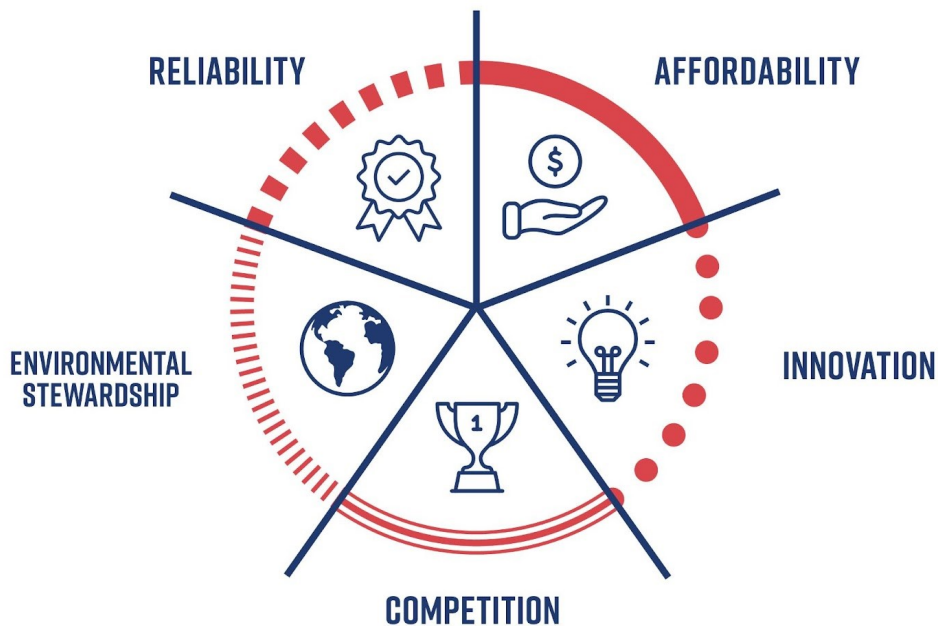
2022 VIRGINIA ENERGY PLAN

INTRODUCTION

A growing Virginia – growing population, growing businesses, growing jobs and growing economy – must prepare for the infrastructure and energy needs of tomorrow. The Commonwealth deserves an achievable plan to provide families, businesses and communities with abundant, reliable, affordable, and clean energy. Now, more than ever, Virginia needs a plan for more energy generation and reliable transmission. An “all of the above” approach that includes natural gas, nuclear, renewables and embraces innovation and emerging technologies that will meet the diverse needs of the Commonwealth’s residents and businesses now and in the future.

The 2022 Virginia Energy Plan (the Plan or 2022 VEP) provides an analytical assessment of the current state of the Commonwealth’s energy economy, a practical approach for Virginia to base future policy decisions, and a series of commonsense recommendations for policymakers and industry participants to adopt immediately. The “all of the above” approach in this Plan embraces a flexible path going forward to respond to the changing and growing demands of customers based on our guiding principles of reliability, affordability, innovation, competition, and environmental stewardship.

VIRGINIA’S *ENERGY* FUTURE



The Plan recommends required periodic reassessments of Virginia's energy portfolio to remain current with the evolution of energy production and transmission. To manage a responsible energy transition, the Plan recognizes a necessary level of humility in predicting the future of energy needs and how to meet them.

To guarantee abundant, clean energy for Virginia's future, the Plan recommends the Commonwealth make strategic investments in innovative, emerging technologies, including hydrogen, carbon capture, storage and utilization, and, particularly, small modular nuclear reactors (SMR). The Plan supports funding to initiate the goal of deploying a commercial SMR in Southwest Virginia within ten years.

This Plan also supports adding offshore wind generation to our energy mix. Of course, certainty regarding project cost, timing, and efficiency is critical for ratepayers when assessing any significant wind projects. Offshore wind also capitalizes on economic development opportunities for the domestic wind supply chain. Virginia must leverage its existing offshore wind leadership position, as host of the largest planned offshore wind project in the Free World and the deepest, widest and safest port on the East Coast.

The Plan advances competition within our current regulatory structure to provide customers needed flexibility and considers cumulative impacts of energy generation on the entire environment - land, water, and air.

The ultimate goal of the 2022 Virginia Energy Plan is to ensure access to abundant, reliable, affordable, and clean energy so all Virginians can live, work and raise a family in a growing and thriving Commonwealth.

THE CURRENT STATE OF VIRGINIA'S ENERGY

Virginia's energy landscape is at a crossroads. The energy needs of the Commonwealth, its businesses and its families are changing – and growing. The changing energy ecosystem presents stark contrasts between the reliability of baseload generation on one hand and reduction of carbon emissions on the other. Between these dueling objectives is a debate over the relative cost to consumers of continuous baseload versus intermittent energy generation technologies. Baseload generators, like nuclear power stations and combined cycle natural gas, operate continuously and consistently over time to meet the peaks and troughs of power demand. Intermittent generators, such as solar and wind, can only operate when conditions are right, with the sun shining or the wind blowing.

Over the past fifteen years, Virginia's energy policy has been governed by a series of legislative initiatives that reestablished a regulatory monopoly framework and enabled certain projects, with guaranteed rates of return, to be placed outside the base rates overseen by Virginia's public utility regulator, the State Corporation Commission (SCC). More recently, the Virginia Clean Economy Act (VCEA) was passed in 2020 and introduced uncertainty into the Commonwealth's energy landscape, placing additional costs on consumers and raising concerns regarding the reliability of the electrical grid, a historically strong aspect of Virginia's energy system.

From 2010 to 2020, Virginia's energy consumption grew 2.0% from 123.8 terawatt hours (TWh) to 126.3 TWh. In 2010, Virginia generated 73.0 TWh and imported 50.8 TWh of energy (41.0% of total consumption) through excess power generated by states in Virginia's Regional Transmission Organization (RTO), PJM, which Virginia joined in 2005. Largely driven by the addition of natural gas generation facilities, Virginia grew intrastate generation by 41% to 103.1 TWh in 2020, decreasing the level of net imports to 23.2 TWh (18.4% of total consumption), allowing Virginia to supply lower cost power instead of importing power from other states.

Figure 1. Power Generation and Consumption in Virginia (2010-2020, Terawatt hours)¹

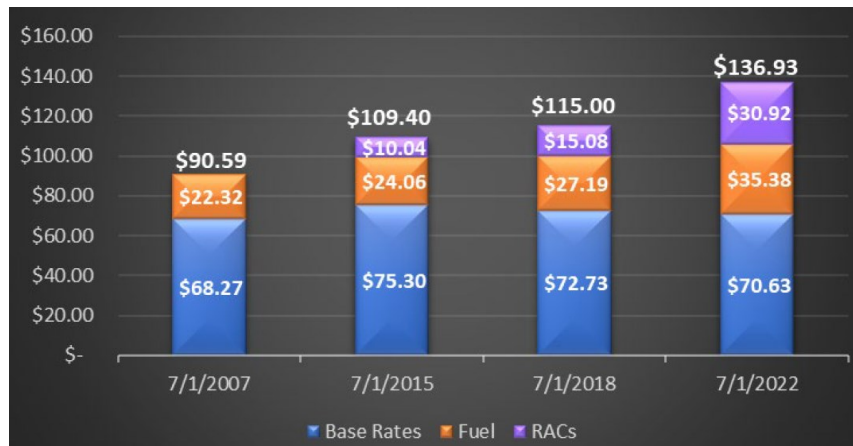
YEAR	CONSUMPTION	GENERATION	NET IMPORTS	
			TOTAL	%
2010	123.8	73.0	50.9	41.1%
2020	126.3	103.1	23.2	18.4%
DELTA (%)	2.0%	41.2%	-54.4%	NA
CAGR (%)	0.2%	3.5%	-7.5%	NA

Historically, to pay for growing capacity, the SCC set “just and reasonable” electricity rates based on cost of service plus a rate of return from which utilities collected a prescribed profit, and customers paid for their energy usage according to “base rates.” In 2007, the General Assembly passed the Re-Regulation Act, allowing utilities to request to recover certain costs outside of their base rates through rate adjustment clauses (RACs) or riders.

Since 2007, Virginia ratepayers have seen an increasing number of RACs accumulate on their monthly power bills. Combined with public interest declarations, which allow utilities to recover all project costs through rates, RACs are advantageous for utilities because they allow utilities serving as project developers to recover costs associated with riskier investments with a minimum *guaranteed* rate of return. In Virginia’s somewhat uniquely regulated utility structure, independent power producers have been disadvantaged in competing for such projects.

In fact, as shown in *Figure 2*, RACs are responsible for almost 100% of the rising electricity rates in Virginia between 2007 and 2022.

Figure 2. Monthly Dominion Residential Electricity Bills Since the Inception of RACs²



As shown in the figure below, Virginia has had a dramatic shift in electricity generation over the last 10 years. Cleaner burning natural gas went from 23% of Virginia’s electricity generation in 2010 to 61% in 2022, and coal generation was reduced from 35% to 4% during the same period.³

1 U.S. Energy Information Administration, Form EIA-923, Power Plant Operations Report and predecessor forms. U.S. Energy Information Administration, Form EIA-860, Annual Electric Generator Report. U.S. Energy Information Administration, Form EIA-861, Annual Electric Power Industry Report. Form EIA-111, Quarterly Imports and Exports Report.

2 [State Corporation Commission. Status Report: Implementation of the Virginia Electric Utility Regulation Act Pursuant to § 56-596 B of the Code of Virginia. September 1, 2022.](#)

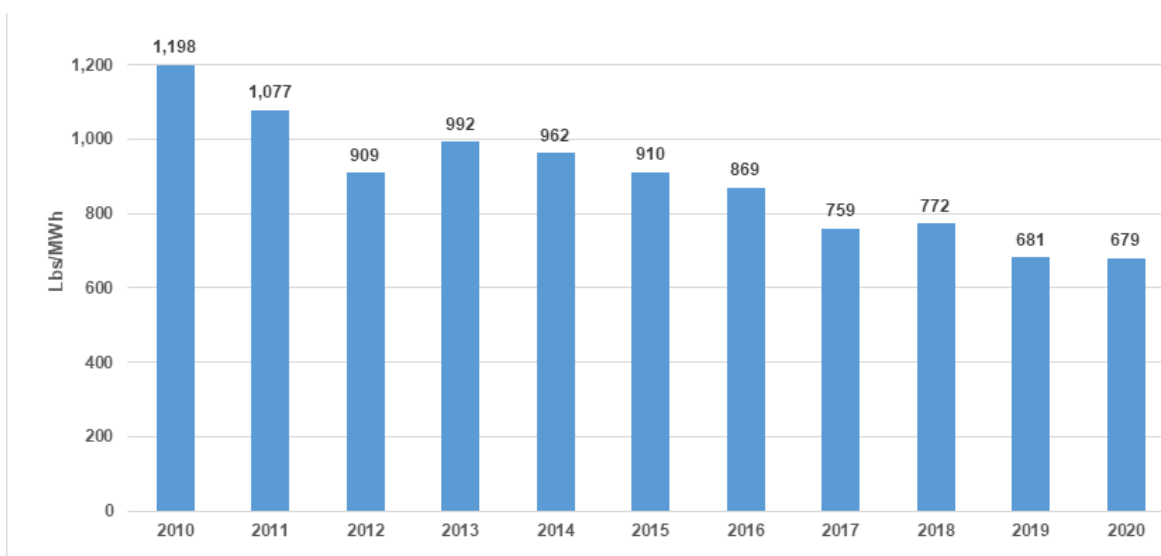
3 [Energy Information Administration. Table 5. Annual Virginia Electricity Profile Data, 2020.](#)

Figure 3. Virginia's Electricity Generation Over Time (Terawatt hours)⁴

YEAR	BASELOAD/PEAKING					INTERMITTENT			TOTAL
	NUCLEAR	COAL	NATURAL GAS	OTHER	%	WIND	SOLAR	%	
2010	26.6	25.5	17.0	3.9	100.0%	0.0	0.0	0.0%	73.0
2020	30.1	3.8	62.6	5.2	98.7%	0.0	1.4	1.3%	103.1
DELTA (%)	13.4%	-85.2%	268.4%	31.1%	NA	NA	NA	NA	41.2%
CAGR (%)	1.3%	-17.4%	13.9%	2.7%	NA	NA	NA	NA	3.5%

The most recent U.S. Energy Information Administration (EIA) data shows Virginia's environmental progress. From 2010 to 2020, the Commonwealth reduced carbon dioxide emissions by 20%, sulfur oxides emissions by 91% and nitrogen oxides emissions by 58% primarily due to this shift from coal to lower-emission natural gas generation.⁵ In particular, carbon emissions per MWh, per capita were reduced by 25% to 12.5 metric tons per capita in 2020, placing Virginia 16th in the country and 4th among the 13 states in PJM for carbon emission reductions. In fact, prior to joining the Regional Greenhouse Gas Initiative (RGGI), the Commonwealth had organically reduced its carbon emissions rate by more than 43%.

Figure 4. Virginia Power Sector Carbon Emission Rates, 2010 - 2020⁶



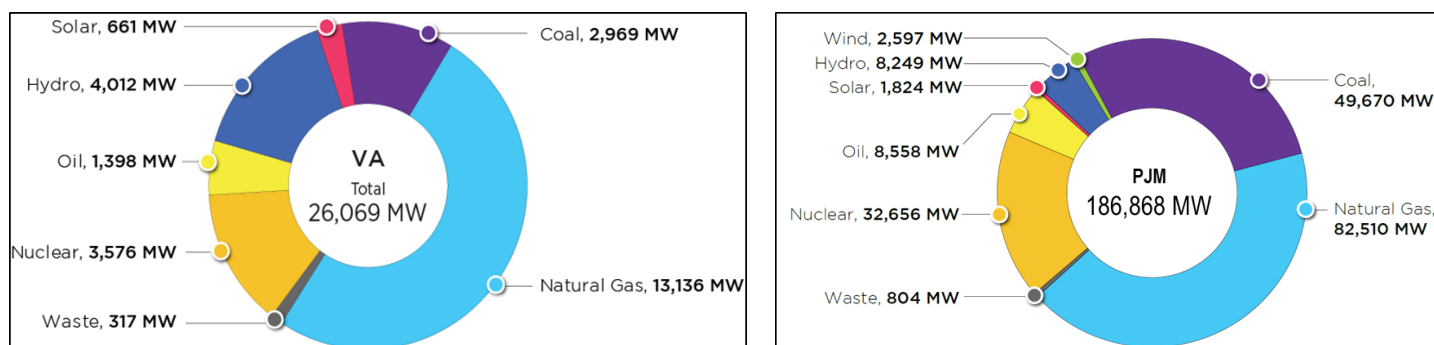
As of December 2021, the Commonwealth had 661 MW of installed wind and solar capacity. These low-cost, intermittent sources comprised 3% of the Commonwealth's power capacity. The majority of the Commonwealth's capacity is comprised of baseload generation sources, such as natural gas (50%) and nuclear (14%). Comparatively, the total capacity mix of PJM includes significantly more coal at 27% (compared to Virginia's 11%), similar levels of nuclear (17%) and intermittent sources (2%), and lower amounts of natural gas (44%).

⁴ [Energy Information Administration. Table 5. Annual Virginia Electricity Profile Data, 2020.](#)

⁵ [PJM Interconnection. PJM 2021 Infrastructure Report. Table 4. Per capita energy-related carbon dioxide emissions by state \(1970–2019\).](#)

⁶ [Energy Information Administration. Detailed EIA-923 emissions survey data - Electric power industry estimated emissions by state.](#)

Figure 5. Comparison of Installed Capacity, Virginia vs. PJM (2021)⁷



Electricity Pricing and Affordability

Despite the RAC-driven increases in monthly bills, Virginia has enjoyed competitive energy prices. As of June 2022, Virginia is ranked 15th in the US for energy affordability across sectors (\$0.11/kWh), including 21st in residential (\$0.14/kWh), 19th in industrial (\$0.08/kWh), and 7th in commercial (\$0.09/kWh), and these energy prices place Virginia in the middle of our competitor states⁸ for residential cost per kWh and 3rd for industrial costs per kWh.

Despite its current competitive pricing, the rate of increase of energy prices in the Commonwealth was the fastest among competitor states over the last 15 years – see the Affordability section below for more. From 2005-2020, energy prices for residential customers increased 47%, compared to national growth of 39% and median competitor growth of 35%. For industrial customers, the comparative growth was more distinct at 41%, compared to national growth of 30% and median competitor growth of 12%⁹. Over the same period, energy price increases also significantly eclipsed GDP growth of 16.4%¹⁰, employment growth of 14.4%¹¹, and overall population growth of 14.1%.¹²

As real energy costs continue to outpace economic growth, the cost of living will further rise, negatively impacting the Commonwealth’s industrial competitiveness.

This Plan also recognizes that current costs don’t always represent total costs, and the Plan suggests that the lifespan of certain generation sources, nuclear (80 years), gas (30 years), and wind and solar (20-30 years), present different end of life profiles and costs. The Plan recommends that future reviews of energy projects account for the present value of end of life disposal and recycling costs.

Finally, the Plan acknowledges current dueling objectives, affordable energy prices and carbon emissions reduction, and incorporates the need for periodic reassessments that utilize technical advancements and cost-curve changes to chart Virginia’s path forward.

⁷ [PJM Interconnection. PJM 2021 Infrastructure Report. Table 4. Per capita energy-related carbon dioxide emissions by state \(1970–2019\).](#)

⁸ Competitor states include Florida, Georgia, North Carolina, South Carolina, Tennessee and Texas. “Compared to competitors” refers to the median rate of change across the peer group.

⁹ [Energy Information Administration. Table 8 data. Annual Virginia Electricity Profile Data, 2020.](#)

¹⁰ Real State GDP grew by 11.5% overall between 2005Q1 and 2020Q4. Virginia Economic Development Partnership.

¹¹ Between January 2005 and December 2020, the employment level in Virginia increased by 14.4% overall on a seasonally adjusted basis. The same statistic for December 2019 through December 2020 was -6.7%. Virginia Economic Development Partnership.

¹² 2005 through 2020 population growth for VA was 7.9%. Virginia Economic Development Partnership.

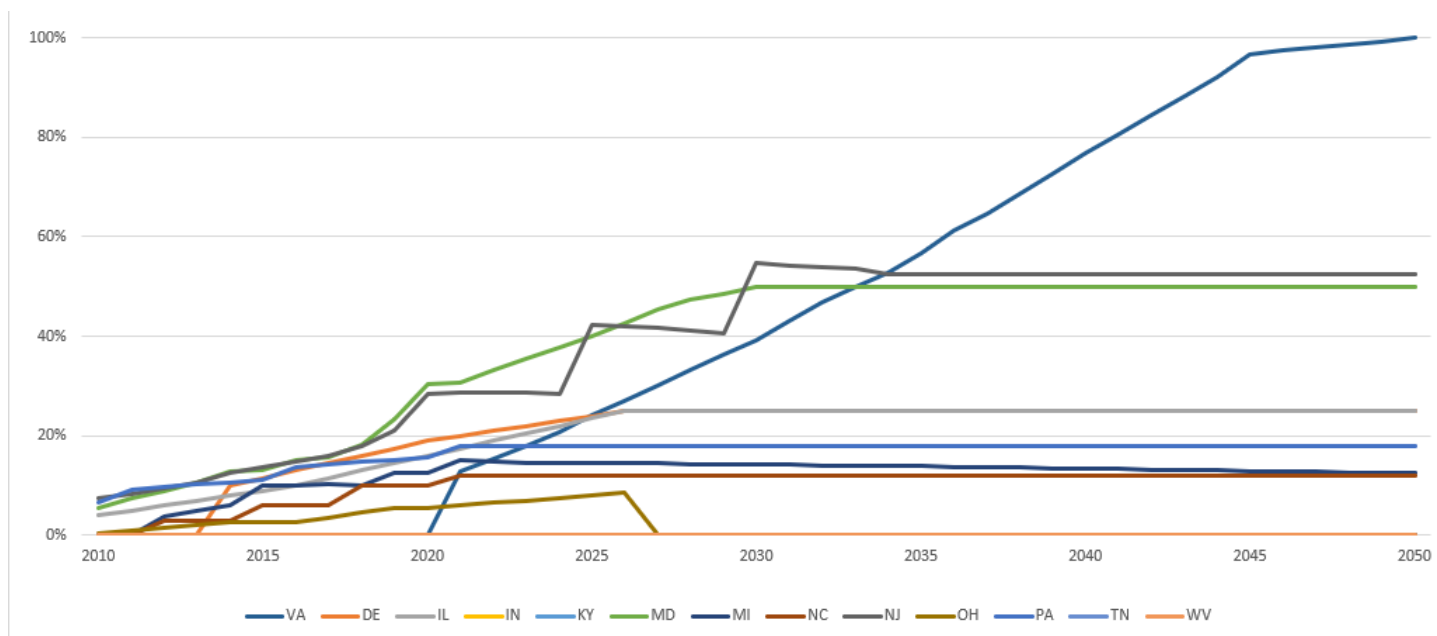
2020 LEGISLATION AND VCEA

In 2020, the General Assembly passed the Virginia Clean Economy Act (VCEA), which mandated a goal of 100% zero-carbon energy generation by 2050 and prescribed increasingly strict Renewable Portfolio Standards (RPS) for Virginia’s investor-owned electric utilities. As discussed in more detail below, VCEA imposes a number of mandates that present challenges for the Commonwealth, including:

- grid reliability;
- affordability;
- performance accountability;
- technology flexibility;
- land use; and
- ability to contribute to the overall baseload capacity of PJM system;

As shown below, VCEA has a 30-year requirement instead of a series of intermediate objectives, and Virginia is the first and only state completely within PJM to have adopted this form of carbon reduction commitment.¹³ Virginia is also the only state among its competitors to have inflexible implementation standards for renewable energy. Given the likely technical, affordability, and reliability challenges for Virginia’s electrical grid, these mandates require periodic review and reauthorization.

Figure 6. Renewable Portfolio Standard Requirements Among PJM and Competitor States¹⁴



¹³ [Lawrence Berkeley National Laboratory, February 2021](#). Some states, including NC, and IL have since adopted different RPS standards. In October 2021, NC passed House Bill 951, which charted a plan to reduce carbon emissions by 70% by 2030, and carbon neutrality by 2050. Illinois adopted a new 100% RPS requirement by 2045 on September 15, 2022, but only the greater Chicago area is served by PJM. Lee and Wise Counties and Norton City in Virginia are served by Kentucky utilities and are not within PJM.

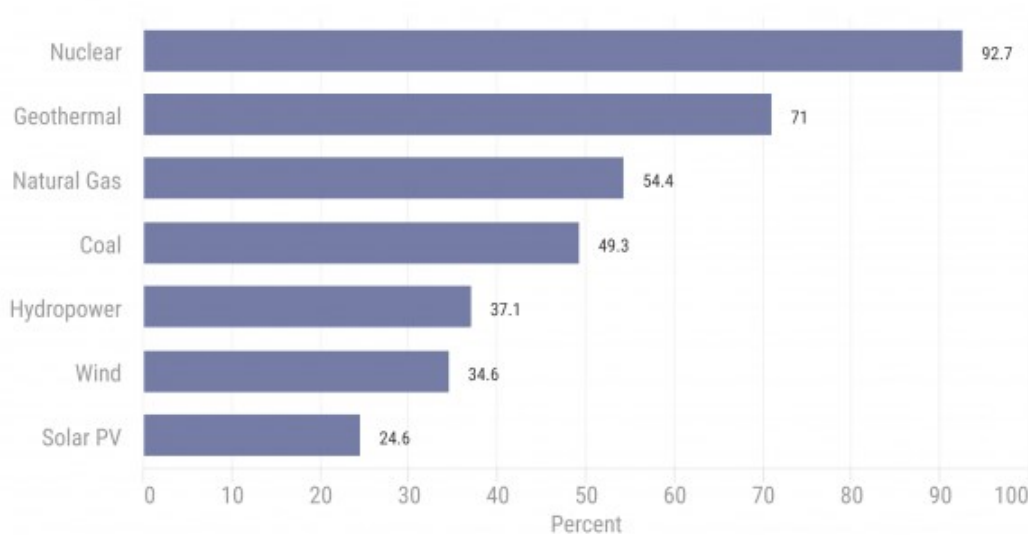
¹⁴ [Lawrence Berkeley National Laboratory, February 2021](#).

Under the VCEA, Virginia is legally required to retire all baseload generation, except for incumbent nuclear power plants, in favor of intermittent renewable generation. With the retirement of baseload generation which is dispatchable and always on-demand, utility scale storage is required to manage power demand when the sun isn't shining and the wind isn't blowing. Such battery storage is not currently cost effective.¹⁵ While cost burdens could decline in the future, the Commonwealth needs thoughtful consideration of assumptions to avoid prematurely incorporating utility scale storage into Virginia's generation stack.

As measured by Dominion and the SCC, full compliance with the VCEA will increase electricity costs over 2020 levels by 53% by 2030 and 72% by 2035.¹⁶ This growth in energy costs will likely outpace competitor states that have more reasonable intermittent energy ambitions. In addition, these projected cost increases occur before the full transition to intermittent energy sources and retirement of natural gas generation facilities, and ratepayers will assume the risk of mostly unknown costs of utility-scale storage and associated transmission system upgrades.

In addition to substantially raising costs, retiring baseload generation in favor of solar and wind will reduce Virginia's electricity reliability. Capacity factors, or the percentage of time an energy generation system is producing energy, are shown in *Figure 7*, and they vary widely across traditional and renewable sources. For example, nuclear is nearly three times more reliable than both wind and solar. As a result, the industrial world relies on continuous baseload generators such as natural gas, nuclear and coal. Cost, technical concerns related to utility scale storage, and transmission upgrades demand prudence before removing current baseload capacity.

Figure 7. US Capacity Factor by Energy Source¹⁷



Source: U.S. Energy Information Administration

¹⁵ [Lazard. Levelized Cost Of Energy, Levelized Cost Of Storage, and Levelized Cost Of Hydrogen. October 28, 2021.](#)

¹⁶ [Dominion Energy. 2021 Dominion Energy Integrated Resource Plan. Figure 2.5.1.](#)

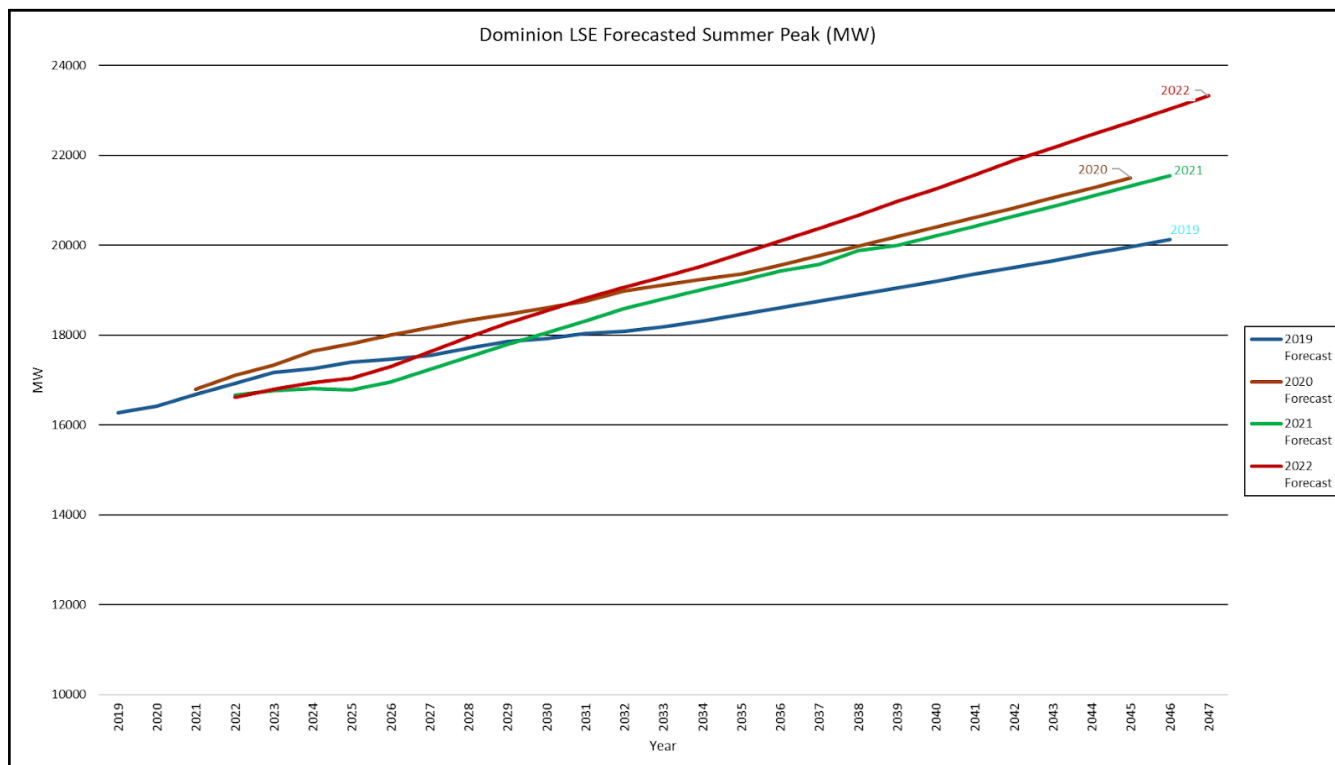
¹⁷ [U.S. Department of Energy. Office of Nuclear Energy. "What is Generation Capacity?" May 1, 2020.](#)

Every energy resource comes with tradeoffs. While VCEA’s ambitions for carbon reduction appear laudable, they come with substantial future risk. VCEA’s mandates are an inflexible, 30-year determination with a prescribed route that currently cannot be delivered and do not contain any guidelines ensuring reasonable energy costs for Virginian consumers. Blindly complying with VCEA exposes Virginia families and businesses to outsized energy costs, risks the reliable delivery of energy, and closes Virginia to innovative energy sources and technologies.

As Virginia focuses on job and business growth, Virginia’s energy demand will increase. Our future needs will intensify demands on the grid as Virginians purchase electric cars, building owners increase electrification, and the Commonwealth continues to lead and expand in energy-intensive sectors such as data center services and high-tech indoor farming agriculture.¹⁸

To illustrate the challenges of accurately forecasting rapidly changing energy demands, the chart below displays recent electricity demand from Dominion Power. These forecasts show energy demand increasing and an underestimation of power demand growth as demonstrated in the upward revisions. When coupled with the required retirement of traditional generation, VCEA creates serious reliability and capacity concerns in the future.

Figure 8. Dominion Forecasted Peak Electricity Demand Over Time¹⁹



18 [Weldon Cooper Center for Public Service, University of Virginia, “Electricity Sales Forecast for Virginia 2020-2050.](#)

19 Various Dominion Energy IRPs.

Figure 9. Virginia Total Annual Energy Generation by Source and Future Portfolio Growth²⁰

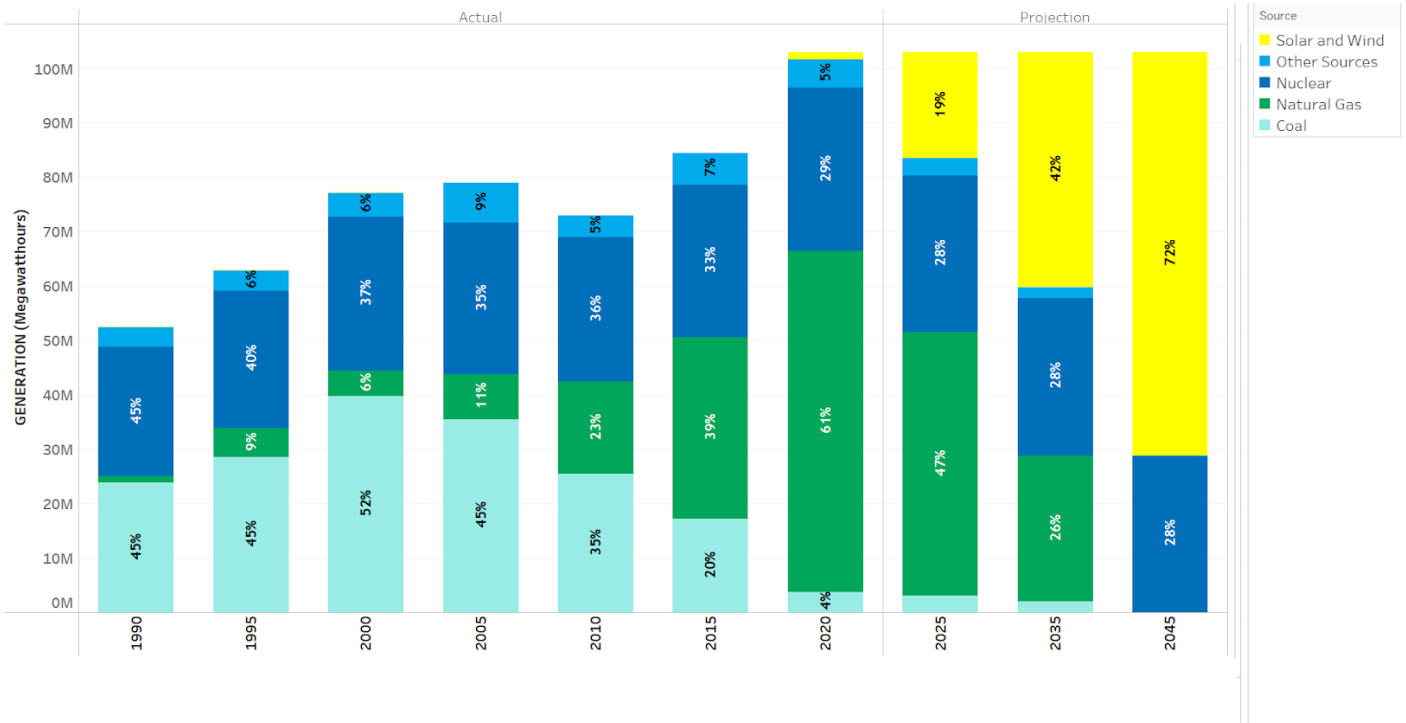
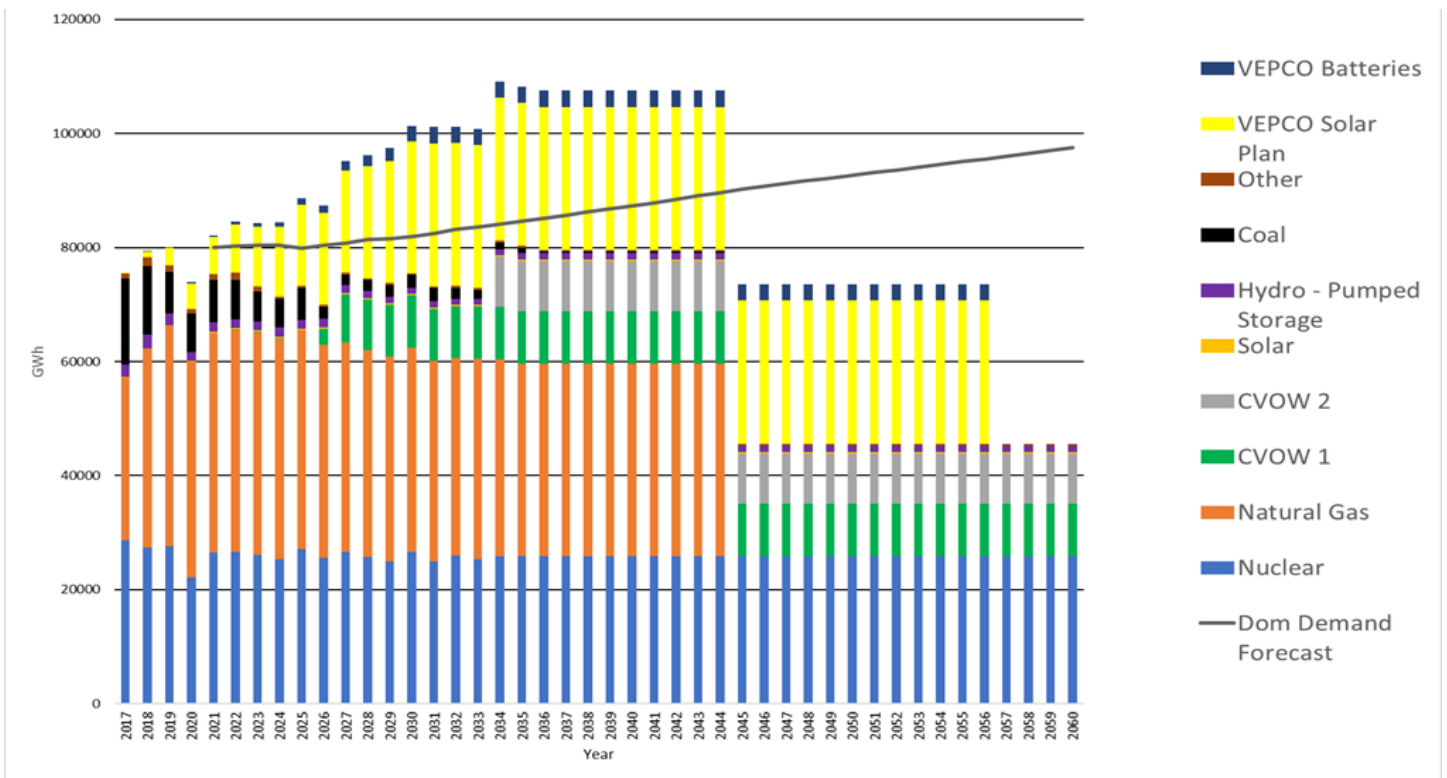


Figure 10. Dominion's Projected Customer Demand Compared to Generation Profile²¹



²⁰ [Energy Information Administration. Net Generation by State by Type of Producer by Energy Source.](#)

²¹ [Dominion Energy. 2021 Dominion Energy Integrated Resource Plan. Figure 2.5.1.](#) Compiled using required VCEA integration of solar and offshore wind, retirements of carbon generation, capacity factors, and values from Dominion's 2020 IRP. Demand forecast is extrapolated from 2047 until 2060 based on the CAGR for the forecast period. Other generation includes light fuel oil, heavy fuel oil, biomass, and conventional hydroelectric

To meet Virginians' round-the-clock energy needs, full compliance with VCEA will necessitate a reliance on other PJM states to produce the baseload generation capacity for the Commonwealth absent incorporation of currently unavailable grid storage, nuclear, or hydrogen technologies. In short, VCEA depends on Virginia outsourcing reliable baseload capacity to other states, many of which have a high percentage of coal and natural gas generation, and increasing Virginia's dependence on electricity imports. As a result, supply and transmission of energy to Virginia homes and businesses has the potential to become less reliable than today,

In addition, VCEA requires the retirement of reliable baseload generation and prescribes that Virginia will utilize only solar and wind generation (and legacy nuclear plants) beginning in 2045.²² As the chart above highlights, this transition results in a significant supply shortage because VCEA results in a 58% reduction in baseload energy generation without planning for replacement sources.

Finally, VCEA's inflexible standards greatly reduce the opportunities for innovative energy generation technologies to emerge from the market and become incorporated into Virginia's energy portfolio. The prescribed RPS standards were not subject to cost/benefit analysis, feasibility studies, or alternative analysis to evaluate what was in the best interests of Virginia. VCEA requires the perfect prediction of the unknowable future of clean energy three decades from now. The Commonwealth needs an energy plan that includes periodic reassessment and reauthorization to enable Virginia's energy economy to remain open and embrace innovation.

THE FRAMEWORK FOR VIRGINIA'S ENERGY FUTURE

The 2022 Virginia Energy Plan solicited input from over 200 diverse stakeholders and utilized an empirical data gathering process that included analysis produced by the Virginia Department of Energy and the Cadmus Group.

The Plan's goal is to ensure access to reliable, affordable, clean, and abundant energy so all Virginians can live, work, and raise a family in a growing and thriving Commonwealth. The Plan's "all of the above" energy generation approach includes a pragmatic set of principles:

1. Reliability
2. Affordability
3. Innovation
4. Competition
5. Environmental Stewardship

This Plan does not attempt to predict every technological innovation or long-term change in the production and consumption of energy. The Plan embraces flexibility and supports multiple technologies as a path to providing the appropriate balance of baseload and growing clean energy generation at a reasonable cost. The use of a framework and guiding principles, not prescriptive mandates, can drive consensus that unites all Virginians and sets the tone for a practical approach that will serve the Commonwealth into the future.

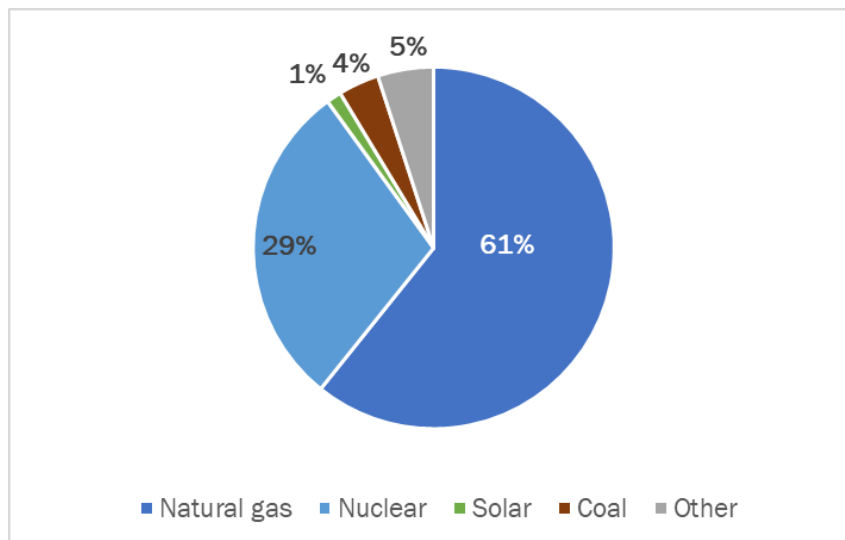
22 Dominion currently has a license for a third conventional nuclear reactor located at Lake Anna, but has halted construction

RELIABILITY

The lights must always turn on. From supporting internet connections for students to cooling homes in the summer, to powering critical data centers and state-of-the-art manufacturing facilities, and to keeping a senior citizen warm in the winter, the reliability of our electricity grid is critical. As a seasonal state, Virginia experiences highly variable demand on its grid, with peak to trough swings that must be satisfied twenty-four-seven, 365 days a year. There are no holidays for power generation.

Reliability is predicated on sufficient baseload and the ability to meet peak demand with additional on-call or dispatchable generating power sources. Grid reliability is also impacted by the interactions between customers, utilities, the SCC and PJM when it comes to planning for tomorrow's energy needs. Today, the vast majority of electricity demand is met by continuous and dispatchable generation sources, primarily natural gas, nuclear, and to a much lesser extent coal. In addition, the Commonwealth relies on natural gas plants to meet increased energy needs during periods of peak demand, with total natural gas generation comprising 61% of Virginia's generation output in 2020.²³

Figure 11. 2020 Generation Output by Fuel Source ²⁴



Renewable energy sources, such as solar and wind, provide electricity on a low variable cost, but intermittent basis. The output from these sources varies across seasons, weather systems and time of day, rendering them challenging to meet consistent energy demands – as experienced in recent years in California and Western Europe.

VCEA requires the Commonwealth to retire its natural gas power plants by 2045 (Dominion) and 2050 (Appalachian Power). These facilities currently comprise 67% of the current baseload generation as well as 100% of the power plants that meet peak demand. This switch mandated by VCEA has not occurred successfully anywhere in the world.

23 and 24 [Energy Information Administration. State Electricity Profiles.](#)

During the foreseeable future, intermittent energy generation cannot meet all of our energy needs. Some of this capability could come from utility scale battery storage, but the reliability, cost, safety, and availability of raw materials to incorporate this technology is at odds with the timeline constraints of the current VCEA requirements.

At this time, solar and wind generation are affordable in many locations, but battery storage systems required to turn these generation sources into dispatchable energy are cost prohibitive. For example, current battery storage costs per MWh are more than four times more expensive than the cost per MWh produced by a solar generator on a levelized basis.^{25, 26}

While investment in battery innovations is an economic development opportunity that can produce meaningful breakthroughs in the future, a prudent energy plan should not force the retirement of economically viable baseload generation. Until battery and grid modernization technologies mature and are deployed for intermittent energy generation at affordable costs, the Commonwealth should not consider these sources as viable substitutes for current baseload technologies.

VCEA has also ignored the reliability aspects of other clean energy generation technologies, such as nuclear (SMR) and hydrogen, as well as carbon capture, utilization and storage (CCUS) advancements. This Plan advocates for exploratory investments to capitalize on the long term opportunities of these technologies, with a particular focus on reliability as indicated by our top recommendation to invest in the development of the first commercial SMR facility in the U.S. in Southwest Virginia.

Whether it is nuclear, hydrogen, natural gas, biomass, or renewables paired with battery storage, having reliable baseload generation capacity is critical to meeting future energy needs. Forecasted power demand has increased meaningfully, and all forecasts show Virginia's power needs increasing consistently on an annual basis. This rate of increase will become more pronounced as the Commonwealth's population grows, the economy expands, more Virginians choose to buy electric vehicles, and more business and jobs come to Virginia, especially in energy intensive industries such as data centers.^{27,28} To meet this consistently growing demand while continuing the transition to clean energy, retaining existing and exploring new baseload generation is key.

Similar to RPS requirements, the California Air Resources Board regulations, which are statutorily mandated in Virginia, eliminate consumer choice and ban the sale of non-electric vehicles by 2035, which will put significant strains on Virginia's grid. The Weldon Cooper Center at UVA estimates that, if Virginia maintains its Zero Emission Vehicle standard, electricity demand will increase by 5,000 GWh annually leading up to 2035, amounting to a total demand increase of 25,000 to 32,000 GWh, or a 25% increase over current demand.²⁹ Transitioning from baseload generation while attempting to accommodate this increase in electricity demand could be a disastrous combination for Virginia's grid reliability. California, which is now asking drivers to refrain from charging their electric vehicles to prevent blackouts, provides an instructive example of what banning non-electric vehicle sales and retiring all baseload generation would look like in Virginia.

25 [Energy Information Administration. Levelized Costs of New Generation Resources in the Annual Energy Outlook 2022. March 2022.](#)

26 [Lazard. Levelized Cost Of Energy, Levelized Cost Of Storage, and Levelized Cost Of Hydrogen. October 28, 2021.](#)

27 Virginia has received \$100 million to install electric vehicle infrastructure and charging stations across the Commonwealth

28 Our current forecasts do not consider Virginia adopting California's Air Resources Board regulations. Current mandates will require the rate of electrification to increase markedly if Virginia does not reassert its own electric vehicle policymaking.

29 [Weldon Cooper Center for Public Service. University of Virginia. "Electricity Sales Forecast for Virginia: 2020-2050."](#)

Figure 12. Energy Generation Under VCEA³⁰

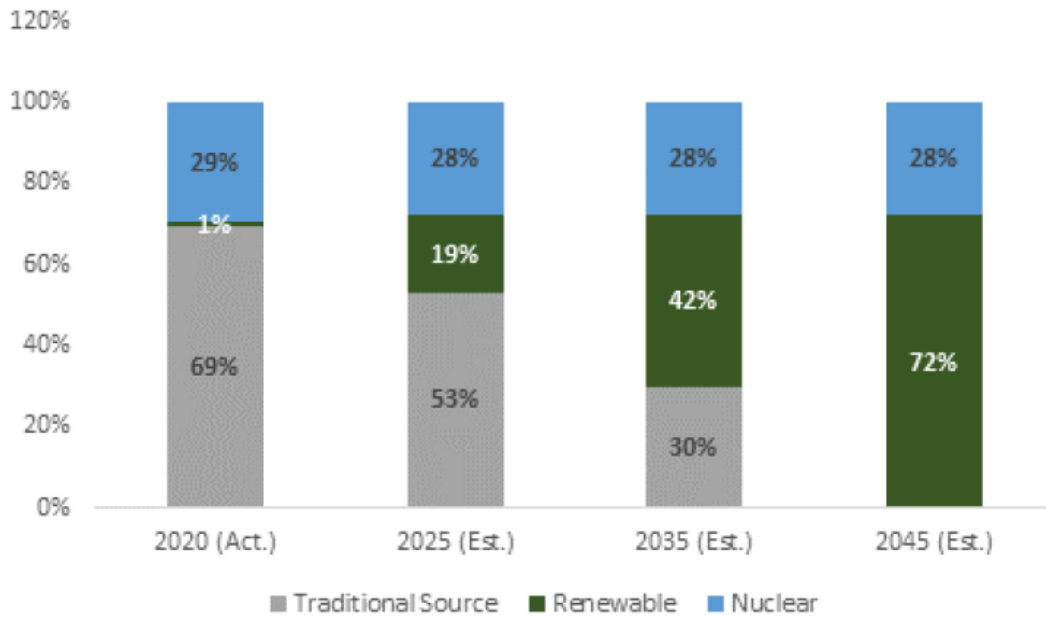
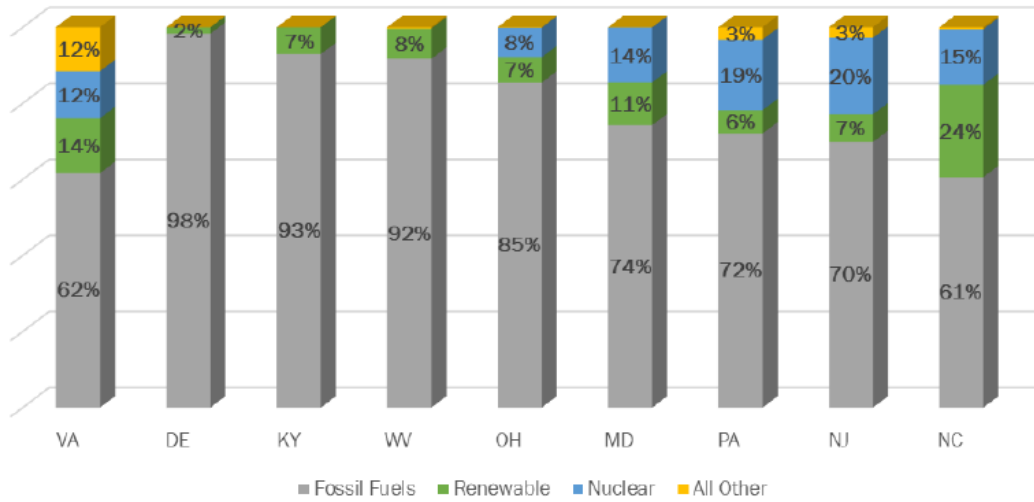


Figure 13. Net Summer Capacity (MW) of Utility Scale Units by Technology³¹

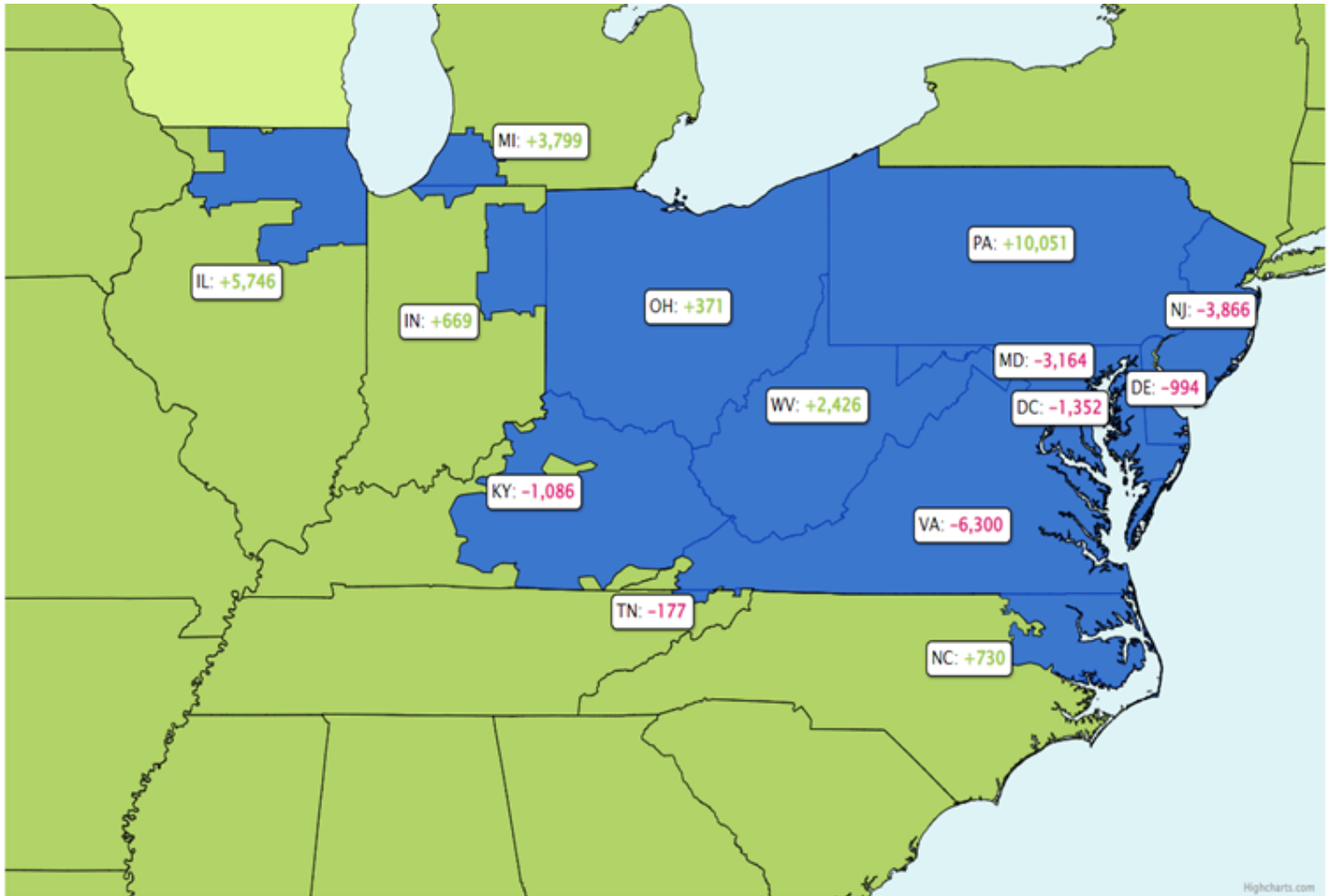


³⁰ [Energy Information Administration. Net Generation by State by Type of Producer by Energy Source](#). Note that Dominion and Appalachian Power are required to retire all natural gas generation by 2045 and 2050, respectively. Traditional source includes electricity sourced from coal, hydroelectric, natural gas, other biomass, petroleum, pumped storage, and wood. Renewables reflects electricity sourced from solar and wind. No wind production was recorded in Virginia by the EIA in 2020.

³¹ <https://www.eia.gov/electricity/data/state/>

With the mandates in VCEA to reduce current baseload production in Virginia, the Commonwealth will have to rely on electricity imports from other PJM states, which are predominantly generated by coal, gas, and nuclear sources as shown in *Figure 13*. Currently, renewable energy represents a much larger percentage of Virginia’s installed capacity in comparison with other PJM states. In 2020, intermittent solar generation represented 4.4% of installed capacity, but only 1.3% of electricity generation, highlighting the distinction between capacity and generation. If Virginia increases its reliance on intermittent generation, the level of electricity imports from other states will increase and expose Virginia to future changes that may occur in net exporting states, such as Illinois, Ohio, Michigan, Pennsylvania and West Virginia.

Figure 14. Sample PJM State Import/Export Map (Hourly)³²



PJM’s forecasting drives transmission infrastructure planning, investment approval, and implementation timing. The PJM forecasts occur annually, and they are an important resource for regulators in their approval processes. However, additional energy demand often requires several years to implement the necessary capacity and transmission upgrades. As energy demand changes with increasing rapidity, this necessitates more frequent localized forecasting to prevent transmission congestion.

This risk is exacerbated by implementation challenges in slow, unpredictable permitting processes and local zoning restrictions that have the potential to delay or block necessary new projects. These bottlenecks can impact ratepayers and limit economic development opportunities.

³² PJM. “State Net Import/Export Map (Hourly).”

The permitting process, in conjunction with litigious special interest groups, has also significantly impacted the ability of natural gas utilities to meet the energy demands of their customers. Most of the natural gas supplied to consumers in Virginia comes from the Gulf Coast and from the Appalachian region by interstate natural gas pipelines, such as Transco (Williams) and the Columbia system (TC Energy). According to the U.S. Chamber of Commerce Global Energy Institute, natural gas opponents have caused the cancellation or delay of three interstate natural gas pipelines in recent years, including Virginia's Atlantic Coast Pipeline (ACP), which was cancelled, and Mountain Valley Pipeline (MVP), which was delayed. These pipeline challenges have caused the loss of \$7.8 billion in GDP, resulting in the loss of over 50,000 jobs and \$1.83 billion in tax revenues.³³

MVP is an interesting case study. The project will provide up to two million dekatherms per day of natural gas transmission capacity to markets in the Mid- and South Atlantic and will include connections to economic development sites in Southwest Virginia. Since the project was first proposed in 2014, it has been subject to numerous legal actions and protests organized by groups such as the Natural Resources Defense Council, the Sierra Club and Appalachian Voices. However, despite these roadblocks, the project is currently 94% complete and has received a deadline extension from the Federal Energy Regulatory Commission (FERC) to become operational by 2026.³⁴ Natural gas serves many end market needs in addition to power generation, including manufacturing processes, heating, and low-emission transportation.

Virginia has historically been supportive of natural gas pipeline projects due to their clear benefits of job creation, economic development and energy reliability. In 2022, the Commonwealth issued statements to FERC in support of the completion of MVP, the Commonwealth Energy Connector, and the Virginia Reliability Project (VRP), which would replace two existing segments of the Columbia Gas transmission pipeline system. VRP will help enhance reliability and energy efficiency along the Columbia Gas system and reduce natural gas shortages that are harming economic development in Hampton Roads.³⁵

Finally, the rapid structural changes taking place in the power sector require enhanced efforts to combat cybersecurity vulnerabilities. Our energy future must ensure reliable, secure, and resilient energy and include energy security planning. The Virginia Energy Security Plan is part of the Commonwealth of Virginia Emergency Operations Plan and includes identification of methods to strengthen the physical and cyber security of Virginia's energy infrastructure and mitigate the risk of energy supply disruptions.

³³ [Interstate Natural Gas Association of America. Pipeline Permitting.](#)

³⁴ [Utility Dive. "FERC gives NextEra, ConEd, Equitrans 4 more years to finish \\$6.6B Mountain Valley gas pipeline."](#)

³⁵ [TC Energy. Virginia Reliability Project.](#)

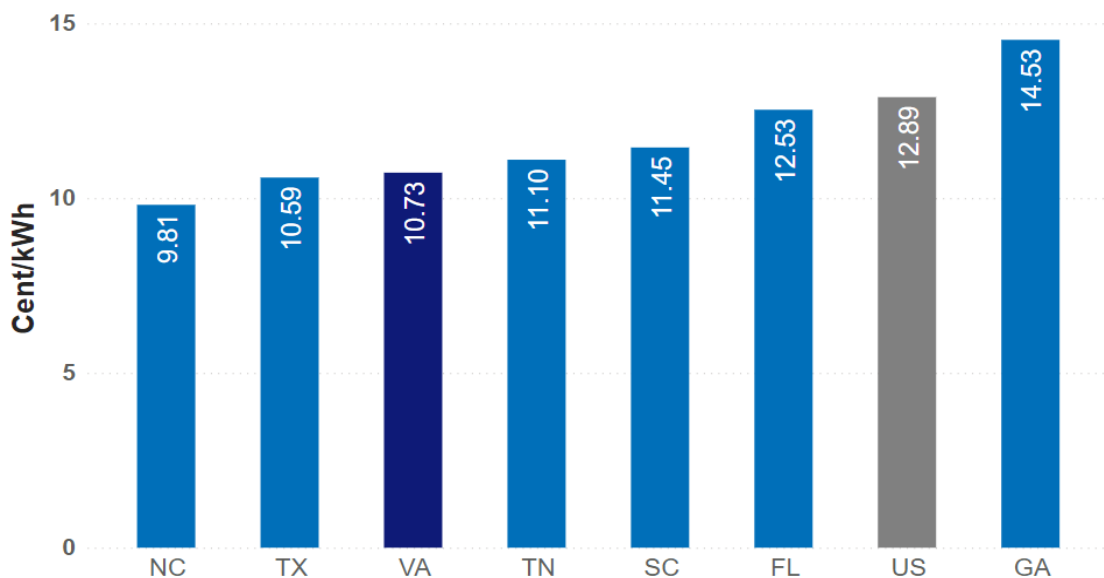
The 2022 Virginia Energy Plan includes several recommendations to preserve Virginia’s grid reliability and ensure Virginia users have access to energy when and where they need it.

- Require the Virginia Clean Economy Act to be reevaluated based on latest technology availability and cost assessments and reauthorized in 2023, and every five years thereafter.
- Restore discretion to the SCC concerning power plant retirement timelines, including proactive authority to defer RPS requirements to ensure reliability, and require periodic reports to be produced to the Governor and General Assembly on the impact of potential retirements on reliability.
- Repeal the legislative mandate tying Virginia to California’s electric vehicle mandate to protect grid reliability.
- Direct the Department of Environmental Quality and the Virginia Department of Transportation to expedite approval of critical infrastructure projects.
- Require the Virginia Department of Energy and the Virginia Economic Development Partnership to study methods to facilitate improved forecasting in collaboration with PJM, utilities and industry stakeholders to improve infrastructure planning for future energy needs.

AFFORDABILITY

The Commonwealth’s has enjoyed competitive energy rates historically, but electricity costs have increased rapidly over the last decade. Legislative changes to the energy framework over the last fifteen years have removed some of the regulatory controls previously in place to safeguard consumers. Today, across energy customer types, Virginia is the 15th most affordable state in the country, but costs are increasing faster than our competitor states, ultimately making Virginia less competitive.

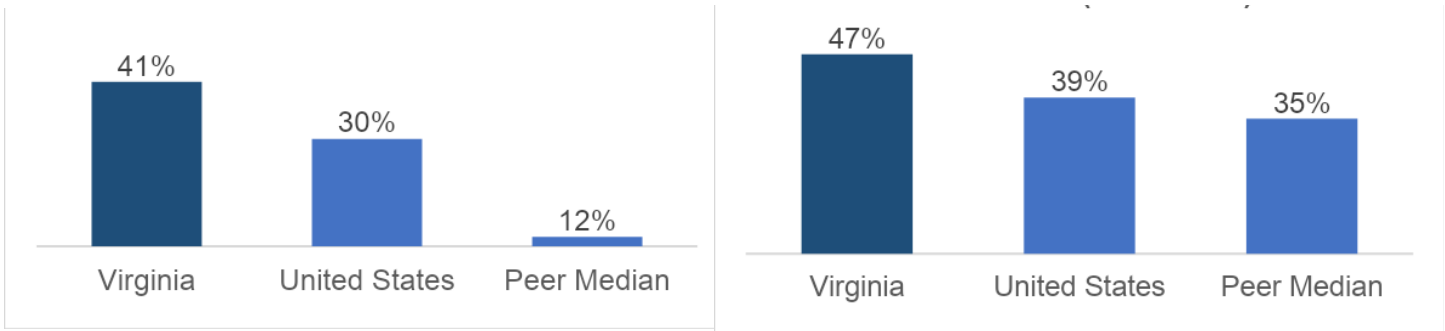
Figure 15. Average Price of Electricity to Customers All Sectors (June 2022)³⁶



³⁶ Energy Information Administration. Electricity Data. Monthly Energy Review. August 2022.

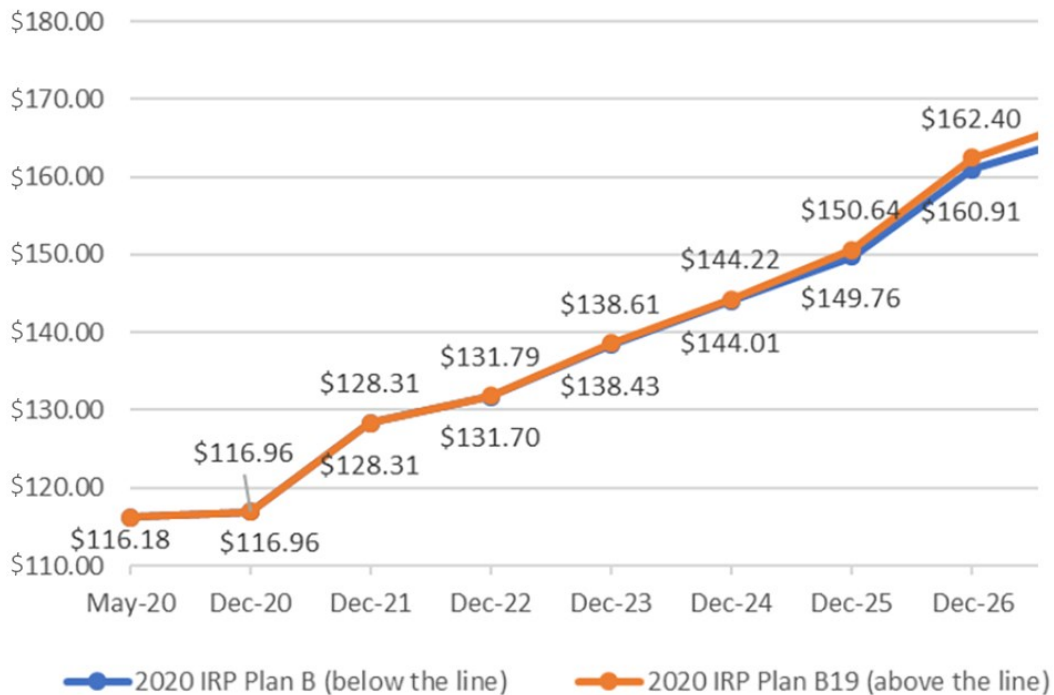
From 2005 to 2020, rates for Virginia residential customers have increased by 47%, compared to 39% nationwide and 35% compared to competitor states.

Figure 16. Growth in Average Price of Electricity (2005-2020)³⁷



On September 1, 2021, the SCC released their annual report on implementation of the Virginia Electric Utility Regulation Act, as required by statute. This report concluded VCEA will increase energy bills for Virginia ratepayers over \$50 per month (almost \$660 annually) between 2020 and 2030 with an expected rate increase of almost 6% annually over the next five years. The report concluded that electricity prices have risen and will rise substantially in Virginia.

Figure 17. Dominion’s Integrated Resource Plan Billing Analysis (2020)³⁸



³⁷ Energy Information Administration. Electricity Data. Monthly Energy Review. August 2022.

³⁸ SCC. "Implementation of the Virginia Electric Utility Regulation Act Pursuant to § 56-596 B of the Code of Virginia." September 1, 2021.

As mentioned previously, RACs are the primary driver of energy bill increases over the last 15 years. With the costs of RACs for average residential customers increasing from \$0.00 a month when they were first authorized in 2007 to over \$30 a month in 2021, the number of RACs have grown significantly and now encompass 24 separate charges. RACs benefit utilities because, compared to base rates, projects recovered through RACs include guaranteed rates of return regardless of project performance. Despite their prominence on bills, several RACs are often bundled within a singular line item and billing explanations included in customer bills offer no explanation of what services RAC charges are going toward.

Figure 18. RACs Paid by an Average Dominion Residential Customer ³⁹

DEV ELECTRIC UTILITY BILLS AS OF JULY 1, 2022					
RECOVERY MECHANISM	DESCRIPTION	CURRENT RESIDENTIAL BILL	PROPOSED INCREASE IF PENDING	PROPOSED BILL	REQUESTED EFFECTIVE DATE
BASE RATES	BASE	\$ 70.63	\$ -	\$ 70.63	-
FUEL FACTOR	FUEL	\$ 35.38	\$ -	\$ 35.38	7/1/22*
RIDER TI	TRANSMISSION	\$ 6.90	\$ (3.69)	\$ 3.21	9/1/22
RIDER R	BEAR GARDEN GAS CC	\$ 1.14	\$ -	\$ 1.14	-
RIDER W	WARREN GAS CC	\$ 2.34	\$ (0.38)	\$ 1.96	4/1/23
RIDER BW	BRUNSWICK GAS CC	\$ 2.10	\$ 0.70	\$ 2.80	9/1/22
RIDER GV	GREENSVILLE GAS CC	\$ 2.75	\$ -	\$ 2.75	-
RIDER S	VCHEC	\$ 3.70	\$ -	\$ 3.70	-
RIDER B	BIOMASS	\$ 0.30	\$ 0.33	\$ 0.63	4/1/23
RIDER US -2	SOLAR	\$ 0.17	\$ 0.05	\$ 0.22	9/1/22
RIDER US -3	SOLAR	\$ 0.96	\$ -	\$ 0.96	-
RIDER US-4	SOLAR	\$ 0.30	\$ -	\$ 0.30	-
RIDER CE	SOLAR	\$ 1.32	\$ 1.13	\$ 2.45	-
RIDER SNA	NUCLEAR RELICENSING	\$ -	\$ 2.11	\$ 2.11	9/1/22
RIDER RPS	RGGI	\$ 0.18	\$ 1.64	\$ 1.82	9/1/22
RIDER RGGI	RGGI	\$ -	\$ -	\$ -	7/1/22**
RIDER OSW	OFFSHORE WIND	\$ -	\$ 1.45	\$ 1.45	9/1/22
RIDER PPA	RENEWABLE PPAs	\$ -	\$ (0.08)	\$ (0.07)	9/1/22
RIDER C1A/C2A/etc.	ENERGY EFFICIENCY	\$ 1.31	\$ 0.29	\$ 1.60	9/1/22
RIDER U	STRATEGIC UNDERGROUNDING	\$ 2.50	\$ (0.51)	\$ 1.99	4/1/23
RIDER GT	GRID TRANSFORMATION	\$ 1.16	\$ -	\$ 1.16	-
RIDER E	COAL ASH	\$ 1.25	\$ 0.70	\$ 1.95	9/1/22
RIDER CCR	COAL ASH	\$ 2.95	\$ 0.01	\$ 2.96	12/1/22
RIDER RBB	RURAL BROADBAND	\$ 0.03	\$ 0.14	\$ 0.17	12/1/22
RIDER USF****	PIPP	\$ 0.03	\$ -	\$ 0.03	-
RIDER VCR****	VOLUNTARY CREDIT RIDER	\$ (0.47)	\$ -	\$ (0.47)	
TOTAL		\$ 136.93	\$ 3.90	\$ 140.83	

The SCC is designed to protect ratepayers from excessive energy costs and exercises regulatory authority over Virginia’s utility monopolies, including the electric cooperatives. These entities must petition the SCC for permission to build new assets and recover costs on their operations and capital expenditures. In determining whether these petitions should be approved, the SCC bases its rulings on three factors: (1) whether these requests would have any material effect on reliability of existing service; (2) whether these requests are required by public convenience and necessity; and (3) whether these requests are contrary to the public interest. Determinations of requests for cost recovery are “reasonable and prudent” if they represent a cost-effective approach to providing ratepayers with a reliable energy supply.

³⁹ [State Corporation Commission. Status Report: Implementation of the Virginia Electric Utility Regulation Act Pursuant to § 56-596 B of the Code of Virginia. September 1, 2022.](#)

The General Assembly has increasingly diluted the SCC's authority by passing legislative "public interest" and "reasonable and prudent" declarations for certain projects and mandating Certificate of Public Convenience and Necessity (CPCN) approval for specific facilities such that a finding from the SCC is not required. These interventions, including those in the Grid Transformation and Security Act (GTSA) and VCEA, have resulted in projects bypassing the SCC's methodology. At the same time, the SCC is mandated to approve them and associated cost recovery because of statutory requirements.

In addition to the SCC, the Office of the Attorney General's Consumer Counsel Section is also an authority designed to protect ratepayers. The Consumer Counsel Section is often a party to rate cases before the SCC and offers testimony in support of fair rates for utility customers. Attorneys with the Consumer Counsel Section have significant technical expertise that make them a valuable asset for ratepayer protection.

Another method to protect ratepayers from excessive costs is the rate of return utilities are allowed to earn as determined by the SCC and based on statutory parameters. For example, under the SCC's most recent review of Dominion's earnings, the utility is allowed to earn a 9.35% rate of return.⁴⁰ If, during triennial base rate reviews, the SCC finds a utility earned a rate of return above this allowable rate, the utility is required to return the overearnings to customers as refunds or rate reductions. However, the General Assembly has periodically passed legislation, such as the GTSA, that allows utilities to keep overearnings that would have ordinarily been returned to ratepayers if utilities spend them on particular projects. Consequently, in recent rate review periods, potential refunds to customers have been significantly reduced.

The 2022 Virginia Energy Plan includes several recommendations to keep costs under control and protect Virginians from rising energy prices.

- Grant proactive authority to the SCC, through legislation, to defer RPS requirements, providing flexibility for substitute technologies and to reflect least-cost resource planning.
- Restore biennial rate reviews for Virginia's Phase One and Phase Two utilities.
- Restore full discretion to the SCC, by reducing or eliminating the use of legislative "public interest" and "prudent and reasonable" mandates.
- Expand resources for the Attorney General's Consumer Counsel Section and establish an office within the Virginia Department of Energy to share analysis and engage more in the SCC rate case process.
- Establish a workgroup to determine how the structure of RACs can be improved to protect ratepayers and increase billing transparency.
- Introduce legislation to require the SCC to conduct comparative cost analysis regarding alternative generation sources versus proposed renewable projects as part of utilities' project applications.
- Direct the Virginia Department of Energy to study reforms regarding cost overruns on major utility projects, including utilities' ability to earn a rate of return on such overruns.
- Direct the Virginia Department of Energy to review utility rates of return with those received by comparable independent power producers and assess the definition of peer states.
- Direct the Virginia Department of Energy to study the allowable overearnings buffer for utility rates of return and allowable overearnings as a result of Grid Transformation and Security Act investments.

⁴⁰ SCC. "SCC Approves Settlement in Financial Review of Dominion Energy Virginia Rates; Customers to Receive Refunds Totaling \$330 Million and Rate Reduction of \$50 Million."

INNOVATION

From hydroelectricity to nuclear energy, the Commonwealth has been home to some of the nation's greatest energy innovations.

Coal mining in the United States began in Virginia over three hundred years ago in Chesterfield County. The Bath County Pumped Hydroelectric Storage Facility is the largest energy storage facility in the world. In 1957, the nation's first commercial nuclear generator went online at Fort Belvoir. Today, the Commonwealth is a welcome home to nuclear energy and its innovations, and two nuclear power stations – the Surry and North Anna Power Stations – produce roughly 95% of the Commonwealth's reliable, clean electricity.

This Plan anticipates innovation and opportunities for lower cost, more reliable and environmentally conscious energy generation technologies to evolve and emerge and advocates for investment in new technologies in addition to solar and wind. This Plan favors an “all of the above” power generation system, and Virginia will need more clean energy technologies that can also support baseload generation.

NUCLEAR

Virginia is home to two of the world's largest nuclear companies, BWXT and Framatome, located in Lynchburg. Huntington Ingalls at the Norfolk Naval Base has the responsibility for upgrades and maintenance on the fleet of nuclear submarines and aircraft carriers. The Virginia Nuclear Energy Consortium coordinates resources and programs, across 82 institutions in the Commonwealth, that participate in the advancement of the nuclear industry in Virginia and the nation.

Virginia is a clear leader in human capital for nuclear technology in the United States with two of the thirty nuclear engineering programs in the United States at Virginia Commonwealth University and Virginia Tech. Six universities in Virginia offer degrees in nuclear engineering and advanced physics, thousands of transitioning service members from the U.S. Navy join Virginia's workforce every year, Virginia Community Colleges include career paths that support the nuclear workforce, and the Virginia Energy Workforce Consortium trains the next generation of energy specialists.

The Commonwealth should take advantage of this incredibly competitive position on the forefront of nuclear energy research and development to become the nation's leader in SMR technology. Accordingly, this Plan advocates for the development of the first commercial SMR in the U.S. in Southwest Virginia and calls for developing spent nuclear fuel recycling technologies that offer the promise of a zero-carbon emission energy system with minimal waste and a closed-loop supply chain.

HYDROGEN

This Plan will promote the active introduction of groundbreaking new hydrogen generator technology. Hydrogen is a once-in-a-lifetime opportunity to reimagine Virginia's future and meet energy needs through an abundant, dispatchable, and zero-emission fuel source where water is the only required input. Hydrogen advocates, including Connected DMV, are currently working to move the Commonwealth forward and advance the zero-emission hydrogen industry.

Promoting innovation in these technologies and making Virginia the hub to invent, test, create and deploy nuclear and hydrogen energy installations is an opportunity to develop the Commonwealth's existing competitive advantages and create new high-paying jobs in research and development, high-tech construction and maintenance and manufacturing.

RENEWABLE ENERGY

The Coastal Virginia Offshore Wind (CVOW) project, the largest offshore wind project of its kind, is planned for completion in February 2027 and will cost \$9.8 billion. CVOW will consist of 176 wind turbines with a nameplate capacity of 2.6 gigawatts and will produce power at a 42% capacity factor to power up to 660,000 homes. Offshore wind also offers Virginia a chance to seize a global competitive advantage in emerging supply chains and technologies. In particular, Virginia should become the market leader in offshore wind technology, development and deployment.

While power generation varies directly with wind fluctuations, wind generation offers significant benefits as one of the least resource intensive energy generation options once construction is complete. Unlike traditional generation, wind generation does not require fuel to generate power. As a coastal state with significant offshore resources, Virginia can benefit from increased wind generation.

Similar to all emerging technologies, new offshore wind projects need guardrails to protect ratepayers. The Plan strongly supports projects that can be built on-time, on budget and deliver power at projected levels.

Solar also offers an opportunity for Virginia to become a leader. On a levelized basis, solar energy is among the cheapest forms of energy available. The solar supply chain is increasingly being onshored into the U.S., and Virginia's existing renewable energy industry in conjunction with our port, highway and rail infrastructure can be a landing ground for the new domestic solar manufacturing industry. Virginia is also home to several solar industry companies who are leading research and development activities to fully integrate solar into Virginia's energy mix.

BATTERY TECHNOLOGY SUPPLY CHAINS

Virginia can lead with new opportunities to access critical mineral resources and bring battery supply chains into the Commonwealth. With an energy innovation plan that encourages multiple clean energy sources and increased choice, Virginia can also improve its economic development opportunities in attracting businesses to the Commonwealth. Many businesses desire to lower their environmental footprint through access to clean energy sources, and Virginia's energy system should deliver on that request without additional cost or reliability tradeoffs to residential customers.

CARBON CAPTURE, UTILIZATION AND STORAGE

To reduce the impact of carbon emissions today, carbon capture, utilization and storage (CCUS) technologies offer a chance for Virginia to lower its emissions and foster innovative new technologies. CCUS is a process that captures carbon dioxide emissions from sources like coal-fired power plants and either reuses or stores it so it will not enter the atmosphere. Storage options include oil and gas reservoirs, unmineable coal seams and saline reservoirs, all of which exist in Virginia. CCUS is in an early stage of development and is very expensive at this time. However, when combined with a meaningful use, CCUS technology can be utilized by other industries, such as plastics, alcohols for use as biofuels, concrete, and reactants for chemical synthesis. With the right technological development, CCUS can become less cost prohibitive and an effective way for Virginia to lower its carbon emissions.

COAL COMBUSTION RESIDUALS AND WASTE COAL UTILIZATION

Virginia is currently considering methods to resolve the problems associated with coal ash and waste coal disposal piles. Coal ash includes several pollutants such as mercury, cadmium, and arsenic that can contaminate waterways, ground water, drinking water and air. In Virginia, the Department of Environmental Quality (DEQ) manages coal ash landfills and has begun a process to begin closing several of these. The EPA also has several regulations that govern the disposal of coal ash, but coal ash can also be recycled to create economic benefits. Companies, such as the SEFA Group, have developed processes to change the chemical nature of coal ash so that it can be used to create concrete. HB 657 and SB 120 from the General Assembly's 2022 Session direct DEQ and the Department of Energy to evaluate and recommend methods to clean up coal ash and waste coal sites, including potential utilization methods that offer a chance to innovate coal disposal in Virginia.

RESEARCH & DEVELOPMENT

Finally, Southwest Virginia's Energy DELTA (Discovery, Education, Learning and Technology Accelerator) Lab initiative is currently transforming Virginia's energy communities through a collaborative effort by the Virginia Department of Energy, the Southwest Virginia Energy Research and Development Authority and its business development partner InvestSWVA. The Energy DELTA Lab utilizes an economic development strategy to drive growth and diversify Southwest Virginia's economy. The work that goes into DELTA Lab projects will bring new opportunities to a region that has been significantly impacted by the downturn of fossil fuel production.

The 2022 Virginia Energy Plan includes several recommendations to encompass new technologies and bring the Commonwealth to the forefront of energy innovation.

- Work with government, industry, and academic partners to develop a plan to deploy a commercial small modular nuclear reactor in Southwest Virginia within 10 years.
- Collaborate with the Virginia Nuclear Energy Consortium and higher education institutions to establish a nuclear hub in Virginia.
- Create a new focus within VEDP that targets businesses developing and implementing emerging energy generation technologies.
- Develop a hydrogen roadmap with state, local, and private sector stakeholders to poise Virginia to capitalize on hydrogen generation opportunities.
- Leverage federal funds and state funds to support energy innovation in multiple areas such as: (1) biogas; (2) carbon capture and storage; (3) critical minerals; (4) hydrogen; (5) grid modernization/resilience; (6) biomass; and (7) spent fuel recycling.
- Study the creation of incentives to encourage energy infrastructure development for business-ready sites.

COMPETITION

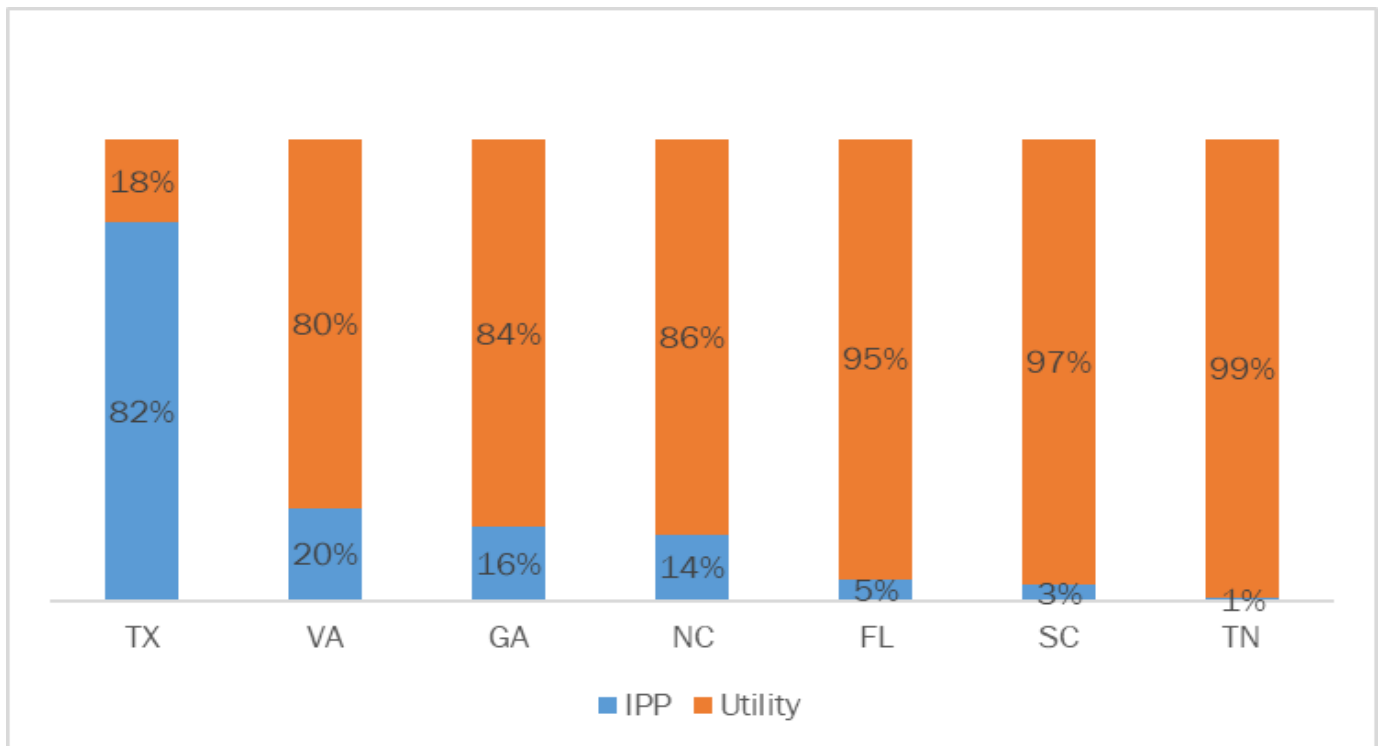
Virginia’s energy consumers receive power through investor-owned utilities granted monopoly territories and regulated by the SCC, which determines if a utility’s investment plans (new facilities, upgrades, etc.) are in the public interest and if the costs associated with the investment are reasonable and prudent. These determinations are critical to protect ratepayers, because utility customers bear the risk of asset performance.

In this regulated system, ratepayers should be protected from excessive capital expenditure risk while also guaranteed “always on” electricity service to businesses and residential customers, including low-income and rural Virginians. In return, utilities are inoculated from competition and provided a fair rate of return on all investments assessed as reasonable and prudent. Utilities are also guaranteed cost recovery from asset retirements and unanticipated events which require additional expenditures.

The Code of Virginia currently contains very limited provisions permitting certain customers to purchase their electricity on a competitive basis, and these provisions include significant barriers to customers who wish to exercise energy choice.

In addition to utilities, independent power producers (IPPs) generate electricity and sell their power to the PJM wholesale market. Virginia utilities then purchase this power to help meet the energy demands of their own customers. Ordinarily, when power is generated by a utility, the rates they charge include cost recovery plus a guaranteed rate of return. Purchased power, as opposed to utility-generated power, can keep electricity rates lower when the price of purchased power is lower than a utility’s costs plus the utility’s prescribed rate of return.

Figure 19. Production Split – Utility to Independent Power Production Across Competitor States (2020)⁴¹



⁴¹ [Energy Information Administration. State Electricity Profiles](#); electric utility production, and IPP, commercial and industrial production as a proportion of all generation in the electric industry;

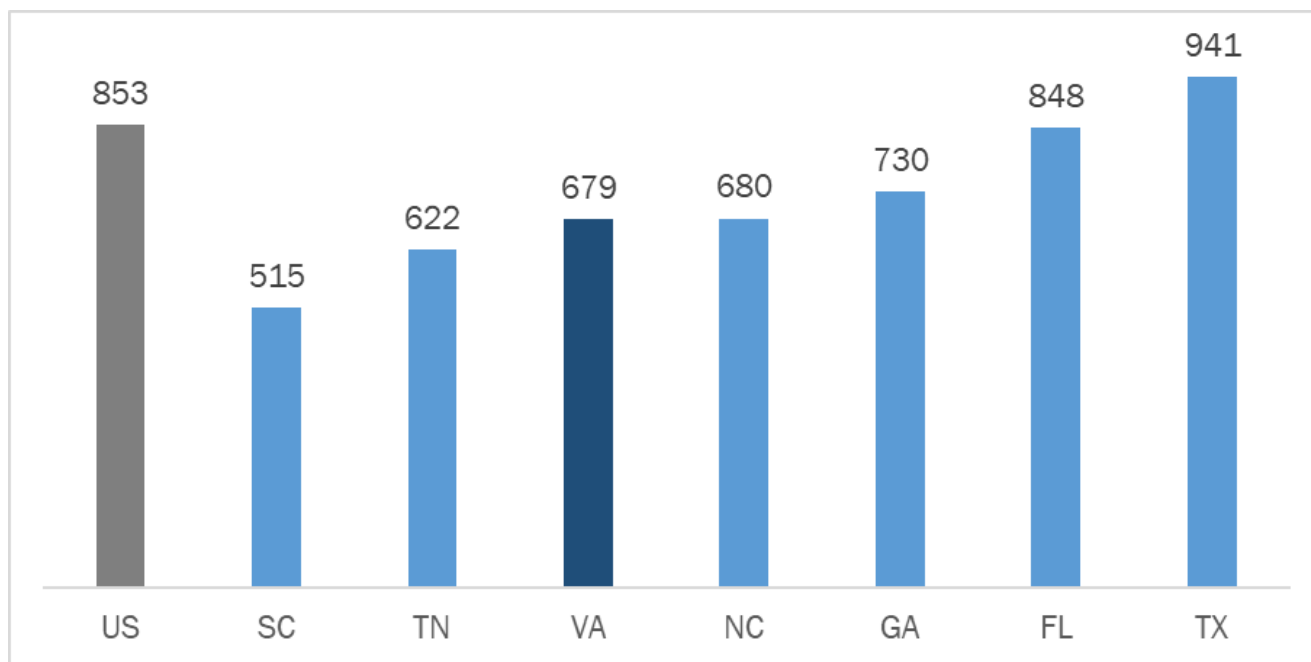
There are several important benefits to Virginia's regulated monopoly model, but current policy unnecessarily restricts certain projects from competition in the energy market. Both businesses and residential customers, enthusiastic about installing their own solar and wind generation units or purchasing electricity from competitive service providers, are overly burdened by regulations that prevent them from exercising even limited energy choice. By exploring ways to offer customers more choice within the regulated electricity market, Virginia may be able to lower consumer rates and attract businesses that wish to directly match generation with their energy portfolio preferences.

The 2022 Virginia Energy Plan includes several recommendations to offer electricity customers more choice in where they source their energy.

- Convene a workgroup to recommend a plan to increase the opportunity for 100% renewable competitive service providers to participate in the marketplace and open Virginia's energy markets to independent power producers while maintaining Virginia's existing utility model.
- Convene a workgroup to recommend plans to remove barriers to industrial and commercial customers being able to aggregate energy loads and purchase power from a competitive service provider.
- Remove barriers to distributed generation, including shared solar, and increase the ability of Virginians to install power resources on their property.
- Open select projects to competitive bids by independent power producers, including new solar and offshore wind projects.

ENVIRONMENTAL STEWARDSHIP

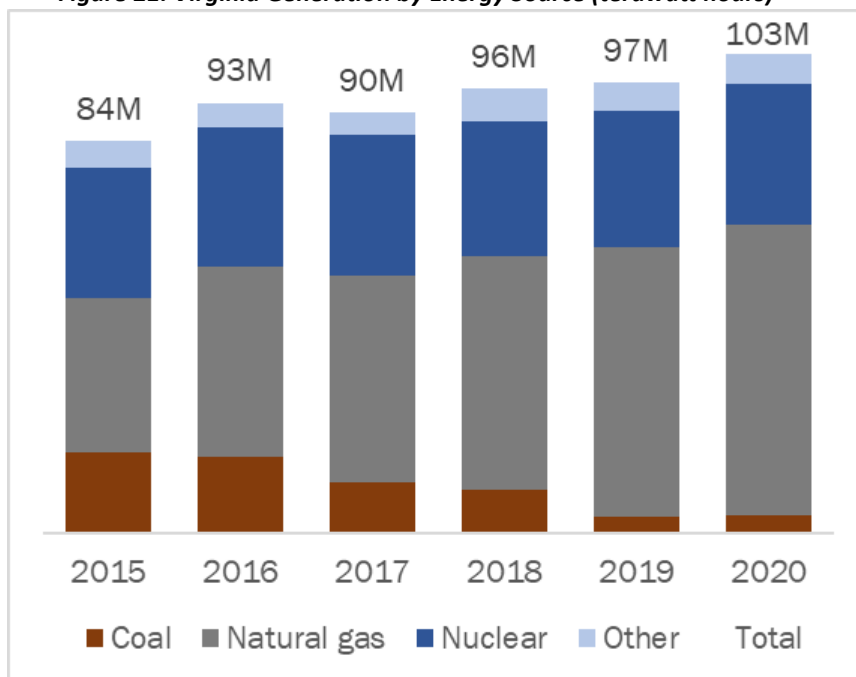
Figure 20. Carbon Dioxide Emission Rates (lbs/MWh) Across Competitor States (2020)⁴²



⁴² [Energy Information Administration. State Electricity Profiles.](#)

Through the transition to natural gas turbines with higher efficiency and the retirement of coal plants, the Commonwealth has been able to satisfy baseload and peak demand while realizing significant carbon emission reductions.

Figure 21. Virginia Generation by Energy Source (terawatt hours)⁴³



This shift from coal to low-emission natural gas generation and the reduction of emissions in the Commonwealth occurred prior to Virginia joining RGGI in 2020. Because utilities can directly pass RGGI costs to consumers through a RAC, any “incentive” for utilities to reduce emissions or costs is eliminated. In Virginia, RGGI is simply a tax on ratepayers that does not alter the behavior of electrical utilities and subjects Virginians to the emissions performance of other states. When the Commonwealth is already achieving significant emissions reduction within RGGI, participation in RGGI is a bad deal for Virginia.

Figure 22. Primary Energy Sources and Carbon Dioxide Emissions Rates of Competitor States⁴⁴

GEOGRAPHY	PRIMARY ENERGY SOURCE	CO2 EMISSIONS RATE (lbs/MWh)
US	NATURAL GAS	853
SC	NUCLEAR	515
TN	NUCLEAR	622
VA	NATURAL GAS	679
NC	NUCLEAR	680
GA	NATURAL GAS	730
FL	NATURAL GAS	848
TX	NATURAL GAS	941

43 and 44 [Energy Information Administration. State Electricity Profiles.](#)

Environmental stewardship extends beyond atmospheric emissions. Negative environmental impacts also occur on certain renewable energy developments. VCEA requirements for significant amounts of solar developments has encouraged deforestation, loss of agricultural land and increased runoff of pollutants and sediment into our watersheds. While renewable energy sources have attractive emission characteristics, wind and solar generation are among the most demanding from a land use perspective. Conventional solar installations require between 12 and 19 times as much land per MWh than natural gas, and between 40 and 60 times as much land per MWh than nuclear.

With VCEA mandates, solar capacity will need to increase to 16,100 MW, which will require the development of roughly 161,000 acres of available land.⁴⁵

This land requirement to comply with the VCEA represents a total footprint approximately four times the size of the District of Columbia.

For all power generation technologies, Virginia does not have any regulations to govern the end-of-life, decommissioning and disposal processes of energy installations. As disposal needs increase with the development and use of new and existing energy sources, Virginia must ensure we have measures in place that will protect our environment from the disposal of all energy technologies.

The 2022 Virginia Energy Plan includes several recommendations to protect Virginia's natural resources and improve the Commonwealth's environmental quality.

- Require through legislation that the SCC consider end-of-life planning for energy developments.
- Invest in developing renewable energy recycling technologies.
- Encourage the reduction of methane emissions from active and abandoned coal mines and encourage methane and biogas capture on public assets.
- Promote energy efficiency by studying smart grid and demand response programs.

CONCLUSION

The 2022 Virginia Energy Plan charts a path forward for Virginia that moves responsibly toward incorporating renewable energy technologies while keeping energy rates affordable, guaranteeing reliable energy delivery, making Virginia's energy economy more competitive, opening the door to innovative technologies and incorporating necessary environmental stewardship.

The Virginia Energy Plan will be a living document that lays the foundation for common sense energy policy, ensuring that the Commonwealth remains the best place to live, work and raise a family.

⁴⁶ [Great Plains Institute. "The True Land Footprint of Solar Energy." September 14, 2021.](#) Solar energy requires roughly 10 acres to produce 1 MW.

2022 ENERGY PLAN



RELIABLE. AFFORDABLE. CLEAN. INNOVATIVE.

VIRGINIA DEPARTMENT OF ENERGY



ACKNOWLEDGEMENTS

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Governor Youngkin would like to thank each organization and individual that provided valuable insight and information as part of the Virginia Energy Plan public outreach.

As part of the stakeholder engagement process, numerous organizations and individuals were able to contribute to the Virginia Energy Plan. Over 750 comments were received from a wide variety of stakeholders that include Academia, State Government, Local Government, Public Commissions, Public Authorities, Advisory Boards, Non-Profits, Private Business, Trade Groups, and other entities. Contributions were also made by over 100 private individuals.

350 Loudoun	Chesapeake Solar & Storage Association
ABM Industries	(CHESSA)
Advanced Energy Economy	Citizens Climate Lobby
AES Clean Energy	Citizens for Responsible Solar
Akamai Technologies Inc.	City of Alexandria
aMaysing Landscapes	City of Charlottesville
American Clean Power Association	City of Fredericksburg
American Council for an Energy-Efficient Economy (ACEEE)	City of Richmond
American Farmland Trust	Clean Energy Advisory Board (CEAB)
American Lung Association	Clean Virginia
American Petroleum Institute	Climate Action Alliance of the Valley
Americans for Prosperity	Climate Changemakers
Appalachian Power	CMA Properties, Inc.
Appalachian Voices	CMTA, Inc.
Arcadia	CO2 Coalition
Archaea Energy	Coalition for Community Solar Access (CCSA)
Arlington County	Columbia Gas
Atlas	Commission on Electric Utility Regulation
AvanGrid	Competitive Power Ventures
Berkshire Hathaway Energy GT&S	Conservatives for Clean Energy - Virginia
Blue Wave	Corliss Technology Solutions
Business Network for Offshore Wind	Coronado Global Resources
Carter Myers Automotive	Covanta Energy
Ceres	Cowboys and Cowgirls of Faith Ministries
Charlotte County	Cville100
Chesapeake Climate Action Network	Danone North America
	Dominion Energy

Dominion Energy Innovation Center
 Drive Electric RVA
 DRS Architecture
 East Point Energy
 Ecogy Energy
 Electrification Coalition
 Energy Right
 Energy Systems Group
 Environmental Justice Council
 F/V Darana R
 Faith Alliance for Climate Solutions
 Farm Bureau
 Fossil Free Fredericksburg
 Friends of Buckingham
 George Mason University
 Ginter Park Presbyterian Church
 Gupton Marris International, Inc.
 Habitat Middlesex
 Hampton Roads Alliance
 Hampton Roads Business Roundtable
 Hampton Roads Solar Group
 Henrico County
 Home Performance Services
 InterChange Group, Inc.
 Invenergy
 James Madison University
 James River Grazing
 James River Solutions
 Jo-Kell Inc.
 Koulomb Fast EV Charging
 L.C. Heating, A/C & Electrical
 Leaders in Energy
 League of Women Voters
 Lightbridge Corporation
 Loudoun Climate Project
 LS Power
 Lunenburg County
 Lutron
 MAREC Action (Mid-Atlantic Renewable Energy Coalition)
 Mars, Inc. Nestlé Siemens USA Virginia
 Martin Family Farm
 McGuireWoods Consulting LLC
 Metallurgical Coal Producers Alliance
 Mid-Atlantic Pipe Trades Association
 MITRE Corp. Moseley Architects
 Moseley Architect
 Mount Fair Vineyard LLC
 Mt. Rogers Trail Coalition
 NAACP - Virginia
 National Rural Electric Cooperative Association (NRECA)
 Natural Resources Defense Council (NRDC)
 Nestlé
 New Energy Equity
 New Virginia Majority
 Norfolk Solar LLC
 Northern Virginia Regional Commission
 NuScale
 Our Children's Trust
 Paramount Greenhouse & Nursery, Inc.
 Piedmont Environmental Council
 PlanRVA
 Power for Tomorrow
 Powhatan Republican Committee
 Preserve Bent Mountain
 Private landowners
 Propane Education and Resource Council
 Quaker Baptist Church
 Rappahannock Rural Electric Coop
 Real Solar Energy Power Generation System
 Recurve
 ReInvent Hampton Roads
 Resilient Virginia

Retail Energy Advancement League	Virginia Chamber of Commerce
Retail Energy Choice	Virginia Civic Engagement Table (VCET)
Roanoke Gas Company	Virginia Clean Cities (VCC)
Savion	Virginia Coal and Energy Commission
Sealing & Maintenance Products	Virginia Commonwealth University (VCU)
Secure Futures	Virginia Community College System (VCCS)
Shenandoah Valley Soil & Water Conservation District	Virginia Conservation Network (VCN)
Shift Sustainability Consulting	Virginia Department of Agricultural and Consumer Services (VDACS)
Shockoe Solar, LLC	Virginia Department of Emergency Management (VDEM)
Siemens Gamesa Renewable Energy	Virginia Department of Energy (Virginia Energy)
Siemens USA	Virginia Department of Environmental Quality (DEQ)
Sierra Club	Virginia Department of Forestry (DOF)
Solar and Energy Storage Authority	Virginia Department of Housing and Community Development (DHCD)
Solar Energy Industries Association (SEIA)	Virginia Department of Transportation (VDOT)
Solar United Neighbors (SUN)	Virginia Economic Development Partnership (VEDP)
Solar Workgroup of Southwest Virginia	Virginia Education Association (VEA)
Southeastern Wind Coalition	Virginia Energy Efficiency Council (VAEEC)
Southwest Virginia Energy R&D Authority	Virginia Energy Workforce Consortium (VEWC)
Southern Environmental Law Center (SELC)	Virginia Council on Environmental Justice
Sparrow Ventures	Virginia Farm Bureau Federation
Spectrum Engineering LLC	Virginia Forest Products Association
St Paul's Memorial Church	Virginia Forestry Association
State Corporation Commission (SCC)	Virginia Interfaith Power and Light
Suburban Virginia Republican Coalition	Virginia Manufacturers Association
Sustainable Design Consulting	Virginia Maritime Association
The Bent Mountain Center	Virginia Natural Gas
The Nature Conservancy	Virginia Nuclear Energy Consortium (VNEC)
Third Act Virginia	Virginia Nuclear Energy Consortium Authority (VNECA)
ThompsonMcMullen	Virginia Offshore Wind Development Authority (VOWDA)
UA Local 5 Plumbers and Gasfitters	Virginia Oil and Gas Association
Unitarian Universalist Church	Virginia Organizing
United Association of Plumbers and Steamfitters	Virginia Petroleum and Convenience Marketers Association (VPCMA)
University of Virginia	
Virginia Agribusiness Council	
Virginia Association of Counties (VACo)	
Virginia Auto Dealers Association	

Virginia Poverty Law Center (VPLC)
Virginia Propane Gas Association (VAPGA)
Virginia Recycles Used/Spent Nuclear Fuel
Virginia Renewable Energy Alliance (VA-REA)
Virginia Small Business Financing Authority
Virginia Tech
Virginia Transit Association
Virginia Wesleyan University
Virginia, Maryland & Delaware Association of
Electric Cooperatives (VMDAEC)
Virginians for High Speed Rail
Viridiant
Washington Gas
Waste to Energy Now
Waynesboro Nurseries
Waynesboro Republican Committee
Wells Fargo
Wesleyan University Worthen Industries
Winthrop Management
Wood Fuel Developers LLC
Worthen Industries