



FLUVANNA COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Morris Room, Fluvanna County Administration Building

132 Main St, Palmyra, VA 22963

August 12, 2025

7:00pm Regular Meeting

REGULAR MEETING

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

2 – ADOPTION OF THE AGENDA

3 – DIRECTOR’S REPORT

4 – APPROVAL OF MINUTES

A Approval of Minutes from June 10, 2025 – Todd Fortune, Director of Planning

B Approval of Minutes from July 14, 2025 – Todd Fortune, Director of Planning

5 – PUBLIC COMMENTS #1 (5 Minutes Each)

6 – PUBLIC HEARING

C ZTA 25:04 – Amend the “Code of the County of Fluvanna, Virginia,” by defining “mobile food unit” and authorizing such activity by-right in all zoning districts – Todd Fortune, Director of Planning

D ZTA 25-07 – Amend the “Code of the County of Fluvanna, Virginia,” to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the Subdivision Agent, and by changing certain review timeframes – Todd Fortune, Director of Planning

E ZMP 25:02 – Fork Union Drive-in rezoning – Jason Overstreet, Senior Planner

7 – RESOLUTIONS

F ZTA 25:08 – Amend the “Code of the County of Fluvanna, Virginia,” by clarifying under what circumstances special events will need a permit – Todd Fortune, Director of Planning

8 – SITE DEVELOPMENT PLANS

G None

9 – SUBDIVISIONS

H None

10 – PRESENTATIONS

I None

11 – UNFINISHED BUSINESS

J Comprehensive Plan Update – Todd Fortune, Director of Planning

12 – NEW BUSINESS

K BZA Process – Jason Overstreet, Senior Planner

L Fluvanna County Address Policy – Todd Fortune, Director of Planning

13 – PUBLIC COMMENTS #2 (5 minutes each)

14 – ADJOURN



Planning Director Review

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

For the Hearing-Impaired – Listening device available in the Morris Room upon request. TTY access number is 711 to make arrangements.

For Persons with Disabilities – If you have special needs, please contact the County Administrator’s Office at 591-1910.

PLEDGE OF ALLEGIANCE

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

ORDER

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

PUBLIC HEARING RULES OF PROCEDURE

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

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FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES
132 Main Street Palmyra, VA 22963,
Tuesday, June 10, 2025
Regular Meeting 7:00 pm

MEMBERS PRESENT:

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

STAFF PRESENT:

Todd Fortune, Director of Planning
Dan Whitten, County Attorney
Eric Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Jason Overstreet, Senior Planner
Alex Porter, Planner/GIS Technician

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

At 7:00 pm Chairman Bibb called the June 10, 2025 regular meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

- **Adoption of the Agenda:**
 - There was one change to the agenda. Mr. Fortune requested that the minutes from the May 13, 2025 Commission meeting be deferred until July due to a change that needs to be made.

MOTION:	To Approve the Adoption of the Agenda of the Planning Commission meeting for June 10, 2025 Meeting				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	4-0 Approved, one absent				

- **Director’s Report:**
 - **Staff Updates:**
 - We are working to fill the Administrative Programs Specialist position, and will keep the Commission posted on the status.
 - **There are three public hearings on the agenda for tonight.**
 - SUP: Fork Union Drive-in
 - ZMP: Fluvanna County/BHL Group
 - ZTA: Amend definitions related to solid waste
 - There is one SDP sidewalk waiver requests that will be presented to the Commission tonight for review.
 - Fork Union Fire Training Center
 - There are two resolutions for proposed Zoning Text Amendments that will be presented to the Commission tonight for approval
 - Solid Waste
 - Sidewalks

• **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	July 8, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Aug. 12, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm

Tuesday	Sept. 9, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
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- **Minutes:**
 - Ms. Johnson-Morgan requested that a change be made to the minutes from the May 13, 2025 meeting; those minutes will be brought to the next meeting for approval.
- **Public Comments:**
 - Mr. Bibb opened the first round of public comments at 7:07pm. No one came forward to speak, and Mr. Bibb closed the first round of public comments at 7:08pm.
- **Resolutions:**
 - **ZMP 25:01 – BHL Group/Fluvanna County – Todd Fortune, Director of Planning**
 - Board of Supervisors requested the rezoning from A-1 to I-L for 36.187 acres of TM 11-9-3.
 - Given the timing of this rezoning, the resolution was presented tonight in advance of the scheduled public hearing.

MOTION:	I move that the Planning Commission approve the Resolution to advertise a public hearing on June 10, 2025 to consider ZMP 25:01 – a request to amend the Fluvanna County zoning map to rezone 36.187 +/- acres of Tax Map 11 Section 9 Parcel 3 from A-1, Agricultural, General to I-1, Industrial, Limited.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Nay	Aye	Aye
RESULT:	5-0 Approved				

- **Public Hearings:**
 - **SUP 25:03 – Fork Union Drive-in, Jason Overstreet, Senior Planner**
 - Mr. Overstreet presented a power point on the proposed SUP for an outdoor entertainment site for TM 51-A-61 and TM 51-A-62 in the Fork Union district.
 - Mr. Ronald Unnerstall, the applicant, spoke about the drive-in reopening project, referencing an online petition for reopening.
 - Mr. Unerstall stated that the petition had more than 1,000 signatures.
 - John Lamb also spoke about the project. This project is a partnership between the property owners and the Lamb family.
 - The move screen will need to be rebuilt.
 - A new ADA-compliant bathroom will be built on site.
 - The proposed hours for movies will be:
 - April, May, September, October: Open Friday and Saturday from 6:00 pm to 1:00 am.
 - June, July, August: Open Wednesday, Thursday, Friday, and Saturday from 6:30 pm to 2:30 am.
 - They hope to have a soft opening later this year, with the drive-in reopening in April 2026.
 - Ms. Johnson Morgan asked that the movie hours be shortened on Wednesdays and Thursdays during June, July, and August.
 - Mr. Dorsey asked for clarification on the proposed use definition, whether it was tight enough for what the applicants want to do. Mr. Overstreet advised that the SUP is for the drive-in. Other proposed uses are by right, but would require a Special Event Permit.
 - Chairman Bibb opened the Public Hearing at 7:31 pm. The following individuals spoke out in favor of the project:
 - Patty Reynard, 3531 Union Mills Road
 - Sandra Turner, 1801 East River Road
 - David Turner, 1801 East River Road
 - Steven Viminimus, 15866 West River Road

- Peggy Donahue, County resident
- Rhonda Griffin, 3474 Cloverdale Road
- Jason Sweeney, 3456 James Madison Highway
- Dave Trost, 2040 Gold Mine Road
- Judith Walker, 31 Northwood Road
- Katherine Kilmon, 13377 West River Road
- With no one else wishing to speak, Chairman Bibb closed the Public Hearing at 7:41 pm.

MOTION:	I move that the Planning Commission recommend approval of SUP 25:03, a Special Use Permit request in the B-1, Commercial, General District for an outdoor entertainment site under Section 22-9-2.2 on two parcels identified as Tax Maps 51-A-61 and 51-A-62, subject to conditions as described in the staff report.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

MOTION:	I move that the Planning Commission approve a request for a variation to the sidewalk regulations required by Sec. 22-23-6 for SUP 25: 03.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

○ **ZMP 25:01 – BHL Group/Fluvanna County, Todd Fortune, Director of Planning**

- Mr. Fortune gave a presentation about a Board-initiated rezoning request for BHL Group to change a 36.18-acre parcel (TM 11-9-3) from A-1, Agricultural to I-1, Industrial use near Zion Crossroads.
- The property owners have agreed to proffer out certain uses, including self-storage facilities, solid waste collection facilities, and solar generation. The Technical Review Committee had no objections, though VDOT noted the need for future site plan reviews.
- Ms. Johnson-Morgan expressed concerns about the possibility of a data center being located on the subject property, and asked why that use was not proffered out. Ms. Schmack responded that a data center at this site is not likely due to the absence of needed utilities in the area. Mr. Whitten stated that County staff could talk to the owners about adding this to the proffer statement.
- Ms. Johnson-Morgan asked about where the actual entrance road for any development on the property will be. Ms. Schmack stated that it is not known at this time, and will be worked out when a development is proposed.
- Ms. Johnson-Morgan aired a concern about the creek on the property. Ms. Kilpatrick stated that she would like a chance to look at that when any development is proposed, but added that federal regulations for streams and waterways are fairly extensive.
- Chairman Bibb opened the Public Hearing at 7:59 pm. The following individuals spoke:
 - Don Reynard, 3531 Union Mills Road, said the County should look at any and all business requests that come in.
 - Patty Reynard, 3531 Union Mills Road, said the County needs more businesses and more jobs for the people in the County. She said once a property is rezoned, taxes need to reflect the new zoning. She suggested looking at what neighboring counties do to attract businesses, and reiterated her support for more businesses in the County.
- With no one else wishing to Speak, Chairman Bibb closed the Public Hearing at 8:05 pm.

MOTION:	I move that the Planning Commission recommends approval of ZMP 25:01, a request to amend the Fluvanna County Zoning map to rezone District 36.187 +/- acres of Tax Map 11 Section 9 Parcel 3 from A-1, Agricultural, General to I-1, Industrial, Limited subject to the revised proffers dated June 5, 2025.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **ZTA 25:02 – Revised definition of “Solid Waste Material Recovery Facility” and “Solid Waste Collection Facility,” Todd Fortune, Director of Planning**
 - Mr. Fortune presented the ZTA to the Commission, reminding them that this ZTA had been deferred in March until staff had time to research how other counties defined solid waste and hazardous waste. Some changes have been made at the request of the Planning Commission; those changes were presented for approval.
 - Chairman Bibb opened the Public Hearing at 8:10 pm.
 - Don Reynard, 3531 Union Mills Road, said he would like to see solid waste processed in the County limited to a geographic area.
 - With no one else wishing to speak, Chairman Bibb closed the Public Hearing at 8:11 pm.

MOTION:	I move that the Planning Commission recommend approval of ZTA 25:02 – an Ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending Section 22-22-1 to add a definition for “Solid Waste” and to amend the definitions of “Solid Waste Material Recovery Facility” and “Solid Waste Collection Facility.”				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Second			Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **SDP 25:06 – Fork Union Fire Training Building, Todd Fortune, Director of Planning**
 - Mr. Fortune presented this sketch for a Site Development Plan to the Commission. This is a County-owned parcel, and the County is requesting acceptance of a sketch plan and approval of a sidewalk waiver for a fire training building on an approximately 9.8-acre parcel, Tax Map 51-A-129. This is an amendment to a previously approved site plan.
 - The sketch was originally presented in 2019. The amended site plan has a slightly different building footprint than the original submittal.
 - The applicant has submitted a sidewalk variation request.
 - During the Technical Review Committee’s review of this sketch, VDOT stated the entrance appeared acceptable; however, they would need to see the plans to know the trip generation.
 - Stephen Morris, Interim Director of Emergency Services, advised that trip generation is expected to be minimal.
 - The Virginia Department of Health (VDH) stated that they have no concerns unless bathrooms are installed.
 - Ms. Johnson-Morgan asked why the sidewalk requirement would be waived, if it is the goal to have the area in question be a walkable business district. Benjamin Powell, representing the firm working with the County on the design for the building, stated that traffic using the building would use the entrance for the Community Center. Ms. Schmack clarified that the sidewalk waiver was just for this building, and that a future industrial park built (separately) on the parcel could be served by sidewalks.

MOTION:	I move that the Planning Commission accept SDP 25:06, a sketch plan request to construct a fire training center on an approximately 9.8-acre parcel identified as Tax Map 51-A-129.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

MOTION:	I move that the Planning Commission approve a request for a variation to the sidewalk regulations required by Sec. 22-23-6 for SDP 25:06.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Second			Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Presentations**
 - None
- **Subdivisions:**
 - None
- **Unfinished Business:**
 - **Comprehensive Plan - Todd Fortune, Director of Planning:**
 - Mr. Fortune presented a PowerPoint on an update of progress on the Plan update. The Advisory Groups have had multiple meetings; and each group has another meeting scheduled within the next month.
 - The Citizen Survey deadline was May 30. A total of 757 surveys were returned (34 paper surveys; 723 online surveys); staff are working to compile the results.
 - **Food Trucks – Todd Fortune, Director of Planning**
 - After previous discussion by the Planning Commission, staff developed a checklist for food unit operators and revised the proposed ZTA. The revised ZTA defines a Mobile Food Unit and lists it as a by-right use in all zoning districts.
 - Underlying regulations were removed from the draft ZTA.
 - Ms. Johnson-Morgan expressed a concern about the definition of Mobile Food Unit, specifically the wording that such a unit be “not permanent fixtures to a specific property.” Staff proposed “not affixed to a foundation” as an alternative.
 - Ms. Johnson-Morgan asked that the second bullet point on the checklist be reworded, starting a concern about requiring a zoning permit since this would be a by-right use. A requirement for written permission from the property owner was discussed as an alternative.
 - The Commission asked staff to send the revised ZTA to known food unit operators in the County for review and input.
 - **Community Meetings – Todd Fortune, Director of Planning**
 - Mr. Fortune reminded the Planning Commission of concerns expressed in May about the way community meetings are handled and how members of the Commission and Board of Supervisors are notified.
 - Staff advised that typically, the applicant is responsible for holding a community meeting; staff can help facilitate the meeting as needed.
 - Ms. Johnson-Morgan mentioned that this was discussed in 2022 and 2023. Mr. Fortune stated that he would see if he can find a record of that discussion.
 - Mr. Goad said that there is a need to clarify responsibilities – applicant and County – when it comes to scheduling and advertising community meetings.
- **New Business:**
 - None.
- **Public Comments #2:**

- Mr. Bibb opened the second round of public comments at 8:50pm.
 - Crystal McIntosh Harris, 1516 Stage Junction Road and representing June's Eats and Sweet Treats, emphasized the need for clear and understandable definitions in food truck regulations to help business owners comply. She urged for transparency and cooperation in developing the new rules, and said the rules should work for everybody.
 - Patty Reynard, 3531 Union Mills Road, spoke against the food tax, saying it was a shame to hassle businesses and tax residents again. She said such taxes will drive vendors to other localities, and stated the County is not welcoming to businesses. She further said that the County suffered from uneven enforcement, and added that the County has not been trying to improve the Columbia area.
 - Carolyn Franklin, 1066 Stage Junction Road, spoke in favor of removing the requirement for the zoning permit on the food truck checklist. She said that Fluvanna County has been too hard on small businesses, heavy-handed with taxes and enforcement on small businesses and giving tax breaks to big businesses. She urged Fluvanna to be more even-handed in taxation and enforcement.
 - Leon Harris, 1516 Stage Junction Road and owner of June's Eats and Sweet Treats, said he was grateful his issues were addressed but said he feels unfairly targeted by county employees. He stressed the need for Fluvanna County to be more welcoming to new businesses and the rules to be fair, and said the County has not been business friendly. He said Columbia has been “left off the agenda.”
- With no one else coming forward, Mr. Bibb closed the second round of Public Comments at 9:04 pm.
- **ADJOURNMENT.**
 - Chair Bibb called for a motion to adjourn the June 10, 2025 Planning Commission regular meeting.

MOTION:	Motion to Adjourn the June 10, 2025 Planning Commission regular meeting at 9:05 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

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

Barry Bibb, Chair

Fluvanna County Planning Commission

FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES
132 Main Street Palmyra, VA 22963,
Tuesday, July 14, 2025
Regular Meeting 7:00 pm

MEMBERS PRESENT:

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

STAFF PRESENT:

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

WORK SESSION:

- **WORK SESSION CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**
At 6:00 pm Chairman Bibb called the July 14, 2025 work session to order, led the Pledge of Allegiance, and conducted a Moment of Silence.
- **Work Session – Village Residential Overlay District:** Mr. Fortune updated the Commission on the potential creation of village residential overlay districts in Columbia and other areas, presenting examples from other localities. The planning commission considered tailored approaches for different village areas, including using former town boundaries as beginning boundaries for such overlay districts.
Follow up: staff are asked to:
 - Reach out to Department of Historic Resources to arrange a speaker for the next work session to educate the commission about overlay districts and implementation processes
 - Develop conceptual images and architectural renderings for the Columbia overlay district to show potential development scenarios
 - Create multiple boundary map options for Columbia, Palmyra and Fort Union overlay districts for community review
- **Work Session – Special Events Permits:** Mr. Fortune presented a draft zoning text amendment to clarify when permits would be needed, focusing on events with admission charges and definitions of musical/entertainment festivals and outdoor gatherings. Ms. Morgan asked about why this issue was being raised again, in the context of Fork Union Day; Ms. Kilpatrick mentioned the need for adequate public safety staff on hand for large events. The Commission agreed to move forward with the proposed language changes, which would exempt events on private property without admission charges, while also considering whether permits should be approved administratively or by the Board of Supervisors.
Follow up: staff are asked to:
 - Add language to draft ordinance requiring that event notification forms be filled out when necessary, to allow the County to plan for extra public safety staff.

REGULAR MEETING:

MEETING CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:
At 7:00 pm Chairman Bibb called the July 14, 2025 regular meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

- **Adoption of the Agenda:**

MOTION:	To Approve the Adoption of the Agenda of the Planning Commission meeting for July 14, 2025 Meeting				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Director’s Report:**
 - **Staff Updates:**
 - We are working to fill the Administrative Programs Specialist position, and will keep the Commission posted on the status.
 - No public hearings on tonight’s agenda
 - There are two resolutions for proposed Zoning Text Amendments that will be presented to the Commission tonight for approval
 - ZTA 25:04 – Food Trucks
 - ZTA 25:07 – Process for Plan Reviews

• **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	Aug. 12, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Sept. 9, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Oct. 7, 2025	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Rm

• **Minutes:**

MOTION:	Approval of Minutes from May 13, 2024				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- Minutes from June 10, 2025 are held over for changes.
- **Public Comments:**
 - Mr. Bibb opened the first round of public comments. No one came forward to speak, and Mr. Bibb closed the first round of public comments.
- **Public Hearings:**
 - None
- **Resolutions:**
 - **ZTA 25:04 – Food Trucks, Todd Fortune, Director of Planning**
 - Takes definition of “mobile food unit” from VA Code; authorizes such activity by-right in all zoning districts.
 - Underlying requirements are in a checklist for vendors

MOTION:	I move that the Planning Commission approve the Resolution to advertise a public hearing on August 12, 2025 to consider ZTA 25:04 – an ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending §§ 22-22-1, 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 and 22-13-2.1 to define “mobile food unit” and to authorize such activity by-right in all zoning districts.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **ZTA 25:07 – Process for Plan Reviews, Todd Fortune, Director of Planning**

- This proposed ZTA would amend the Fluvanna County Code by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, and 22-14-2 to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the Subdivision Agent, and by changing certain review timeframes.
- SB974 changed the statutory review process to eliminate Planning Commission review of plats and plans, and to assign that review authority to a Designated Agent, as defined in the bill.
- HB 2660 shortened the timeframes for various local government approvals of subdivision plats and site plans.
- Both bills were signed by Governor Youngkin on March 19, and the changes to the Virginia Code went into effect on July 1.
- Fluvanna Code uses the term “Subdivision Agent” in lieu of “Designated Agent”

MOTION:	I move that the Planning Commission approve the Resolution to advertise a public hearing on August 12, 2025 to consider ZTA 25:07 – an ordinance to amend and reordain “The Code of the County of Fluvanna, Virginia” by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, and 22-23-8 to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the subdivision agent, and by changing certain review timeframes.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Second	Motion	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

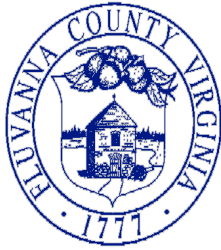
- **Site Development Plans:**
 - None
- **Subdivisions:**
 - None
- **Unfinished Business:**
 - **Comprehensive Plan - Todd Fortune, Director of Planning, and Alex Porter, Planner/GIS Technician:**
 - The Citizen Survey deadline was May 30. A total of 757 surveys were returned (34 paper surveys; 723 online surveys); analysis of survey data was completed using both Google Sheets and Python scripting with Matplotlib.
 - Responses were well-distributed geographically, but more than 68% were older than 50 years.
 - Staff will draft a summary report to present to Planning Commission.
 - **Community Meetings – Todd Fortune, Director of Planning**
 - Mr. Fortune reminded the Planning Commission of concerns expressed in May about the way community meetings are handled.
 - Typically the applicant is responsible for holding a community meeting; staff can help facilitate the meeting as needed.
 - Ms. Johnson-Morgan would like community meeting notifications for Planning Commission and Board members.
- **New Business:**
 - None.
- **Public Comments #2:**
 - Mr. Bibb opened the second round of public comments. Thomas Diggs, 947 Jefferson Drive, spoke asking for Comp Plan Survey data broken out by each of the five districts. Mr. Bibb then closed the second round of public comments.

- **ADJOURNMENT.**
 - Chair Bibb called for a motion to adjourn the July 14, 2025 Planning Commission regular meeting at 8:10 pm.

MOTION:	Motion to Adjourn the June 10, 2025 Planning Commission regular meeting at 9:05 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Second		Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

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

Barry Bibb, Chair
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

132 Main Street
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www.fluvannacounty.org

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Dan Whitten, County Attorney

Case Number: ZTA 25:04

District: Countywide Amendment

General Information: This public hearing is to be held on Tuesday, August 12, 2025 at 7:00 pm by the Fluvanna County Planning Commission in the Morris Room in the County Administration Building, 132 Main Street, Palmyra VA 22963.

Requested Action: Recommend approval of 25:04, an amendment to the Fluvanna County Zoning Ordinance by amending §§ 22-22-1, 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 and 22-13-2.1 to define "mobile food unit" and to authorize such activity by-right in all zoning districts.

Background Information: Our Code currently does not define mobile food unit or identify it as an allowed use. This has led to staff having to interpret the County Code when determining if a mobile food unit can be placed in specific locations when asked by prospective vendors. This amendment is designed to address this. The definition is taken from the Virginia Code § 3.2-6400.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION RECOMMEND (APPROVAL/ DENIAL / DEFERRAL) OF ZTA 25:04 – AN ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING §§ 22-22-1, 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 and 22-13-2.1 TO DEFINE MOBILE FOOD UNIT AND TO AUTHORIZE SUCH ACTIVITY BY-RIGHT IN ALL ZONING DISTRICTS.

ZTA 25:04

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-22-1 TO ADD A DEFINITION FOR MOBILE FOOD UNIT; AND AMENDING §§ 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 AND 22-13-2.1 TO LIST MOBILE FOOD UNIT AS A BY-RIGHT USE.

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

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-22-1, 22-3-2.1, 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1 and 22-13-2.1 as follows:*

CHAPTER 22 ZONING

ARTICLE 22. – DEFINITIONS.

Mobile Food Unit: A restaurant that is mounted on wheels and readily moveable from place to place at all times during operation.

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

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

The following uses shall be permitted by right:

Mobile Food Unit

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

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

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 5. – RESIDENTIAL, LIMITED, DISTRICT R-1

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

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 6. – RESIDENTIAL, GENERAL, DISTRICT R-2

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

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 7. – RESIDENTIAL, PLANNED COMMUNITY, DISTRICT R-3

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

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 8. – RESIDENTIAL, LIMITED, DISTRICT R-4

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

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 9. – BUSINESS, GENERAL, DISTRICT B-1

Sec. 22-9-2.1. - Uses permitted by right.

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 10. – BUSINESS, CONVENIENCE, DISTRICT B-C

Sec. 22-10-2.1. - Uses permitted by right.

The following uses shall be permitted by right:

Mobile Food Unit

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

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

The following uses shall be permitted by right:

Mobile Food Unit

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

Sec. 22-12-2.1. - Uses permitted by right.

The following uses shall be permitted by right:

Mobile Food Unit

ARTICLE 13. – MANUFACTURED HOME PARK, DISTRICT MHP

Sec. 22-13-2.1. – Uses permitted by right.

The following uses shall be permitted by right:

Mobile Food Unit

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



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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Dan Whitten, County Attorney

Case Number: ZTA 25:07

District: Countywide Amendment

General Information: This public hearing is to be held on Tuesday, August 12, 2025 at 7:00 pm to be heard by the Fluvanna County Planning Commission in the Morris Room in the County Administration Building, 132 Main Street, Palmyra VA 22963.

Requested Action: Recommend approval of an amendment to the Fluvanna County Zoning Ordinance by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, and 22-23-8 to conform to the Code of Virginia by removing Planning Commission approval authority for the administrative review process for plats and plans and assigning such authority solely to the Subdivision Agent, and by changing certain review timeframes.

Background Information: SB974 changed the statutory review process to eliminate Planning Commission review of plats and plans, and to assign that review authority to a Designated Agent, as defined in the bill. HB 2660 shortened the timeframes for various local government approvals of subdivision plats and site plans. Both bills were signed by Governor Youngkin on March 19, and the changes to the Virginia Code went into effect on July 1. These amendments conform the Fluvanna Code to the state Code, although the Fluvanna Code uses the term "Subdivision Agent" in lieu of "Designated Agent."

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION RECOMMEND (APPROVAL/ DENIAL / DEFERRAL) OF 25:07 – AN ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, AND 22-23-8 TO CONFORM TO THE CODE OF VIRGINIA BY REMOVING PLANNING COMMISSION APPROVAL AUTHORITY FOR THE ADMINISTRATIVE REVIEW PROCESS FOR PLATS AND PLANS AND ASSIGNING SUCH AUTHORITY SOLELY TO THE SUBDIVISION AGENT, AND BY CHANGING CERTAIN REVIEW TIMEFRAMES.

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, AND 22-23-8 TO CONFORM TO THE CODE OF VIRGINIA BY REMOVING PLANNING COMMISSION APPROVAL AUTHORITY FOR THE ADMINISTRATIVE REVIEW PROCESS FOR PLATS AND PLANS AND ASSIGNING SUCH AUTHORITY SOLELY TO THE SUBDIVISION AGENT, AND BY CHANGING CERTAIN REVIEW TIMEFRAMES

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

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 19-2-1, 19-3-2, 19-3-4, 19-3-5, 19-3-6.2, 19-4-5, 19-5-2, 19-6-2, 22-14-2, and 22-23-8 as follows:*

CHAPTER 19 - SUBDIVISIONS

ARTICLE 2. DEFINITIONS

Sec. 19-2-1. Rules of construction; definitions.

For the purposes of this chapter, the present tense may include the past or future, the singular number may include the plural, the masculine gender may include the feminine or neuter, and the following terms shall have the indicated meaning:

Alley. A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

Central sewerage system. A sewage system consisting of pipelines or conduits, pumping stations, force mains or sewerage treatment plants, or any of them, or an extension of any existing system which is designed to serve three or more (≥ 3) connections and used for conducting or treating sewage, as that term is defined in chapter 3.1 (section 62.1-44.2 et seq.) of title 62.1 of the Code of Virginia*, to serve or to be capable of serving three or more (≥ 3) connections.

Central water system. A water supply consisting of a well, springs, or other source and the necessary pipes, conduits, mains, pumping stations, and other facilities in connection therewith, to serve or to be capable of serving three or more connections.

Code. The Code of Virginia, 1950, as amended.

Commission. The Planning Commission of Fluvanna County, Virginia.

Comprehensive plan. The Fluvanna County Comprehensive Plan.

Cul-de-sac. The turnaround at the end of a dead-end street.

Family subdivision. A single division of a lot or parcel for the purpose of a gift or sale to any natural or legally defined offspring, spouse, sibling, grandchild, grandparent, or parent of the property owner.

Floodplain. Any area defined as such in Chapter 22 of this Code.

Lot. A parcel of land, including a residue, described by metes and bounds or otherwise or shown on a plat, and intended as a unit of real estate for the purpose of ownership, conveyance or development.

Lot of record. A parcel of land recorded by the Clerk of the Circuit Court as an individual unit of real estate for the purpose of ownership or conveyance.

Major subdivision. The division of a parcel of land into six or more (≥ 6) lots, and not a family subdivision. A subdivision shall be deemed to be a major subdivision if the parcel from which such subdivision is divided was, within the five (5) years next preceding the application, divided into an aggregate of five or more (≥ 5) lots or divided in such a way as to create a new public or central water or sewer system or one or more (≥ 1) public streets.

Minor subdivision. Any division of a parcel of land creating fewer than six (< 6) lots, and not a family subdivision.

Plat. A schematic representation of a parcel or subdivision.

Plat, preliminary. A plat showing the existing boundaries and certain existing features of a parcel to be subdivided, together with the property lines of proposed lots and certain proposed features and improvements.

Plat, final. A plat showing the new property lines and certain features and improvements installed pursuant to the preliminary plat, showing their location as built, and prepared for recordation. Final plat approval gives the subdivider the right to record such plat with the Clerk of the Circuit Court and to convey the individual lots shown thereon.

Property owners' association. An entity established, pursuant to section 55-508 et seq. of the Code of Virginia, or otherwise, for the purpose of maintaining land or property owned in common by the owners of property in a subdivision.

Public water or sewer system. A water or sewer system owned and operated by a municipality, county, or other political subdivision of the Commonwealth.

Residue. The remainder of a lot after a subdivision has detached one or more (≥ 1) lots, which residue shall be deemed, for purposes of this chapter, to be a new lot.

Right-of-way. A strip or other portion of a parcel of land conveyed to a person, a partnership, a property owners' association, a corporation, or a government agency for the purpose of constructing and maintaining a road or utility facility, or a similar use.

Sketch plan. A conceptual, informal map of a proposed subdivision and the surrounding area, of sufficient accuracy to be used for the purpose of discussion.

Street. A thoroughfare for vehicular traffic, interchangeable with the terms avenue, boulevard, court, drive, highway, lane, road, or any similar term.

Subdivider. Any individual, partnership, corporation or group thereof owning or having an interest in land, or representing the owners of any land and proposing to subdivide such land.

Subdivision. The division of any lot, parcel or tract of record into two or more (≥ 2) lots, parcels or tracts, including residue, for the purpose of recordation, transfer of ownership, lease, or building development any one of which lots, parcels or tracts is less than sixty (60) acres in area or has less than 1,500 feet of frontage on a highway maintained by the Virginia Department of Transportation. As the context requires, the term "subdivision" may mean the land divided, the process of division, or both.

Subdivision Agent. The individual appointed and authorized by the Fluvanna County Board of Supervisors to administer and enforce this chapter. **"Subdivision agent" does not include the Planning Commission.**

ARTICLE 3. PROCESS

Sec. 19-3-2. Sketch plan.

(A) For any minor or major subdivision, the subdivider shall submit a sketch plan that satisfies the requirements of Article 4 of this chapter to the Subdivision Agent, who shall comment in writing and provide such comments to the subdivider within thirty (30) days of submission. The Subdivision Agent shall also provide a determination whether the proposed subdivision, as presented, would be classified as a family subdivision, minor subdivision, or major subdivision under this chapter.

(B) If the Subdivision Agent determines the proposed subdivision is a major subdivision, the subdivider shall provide ~~twenty (20)~~ **three (3)** copies of the sketch plan and any revisions to the Subdivision Agent. ~~The Subdivision Agent shall then place this item on the agenda of the Planning Commission within sixty (60) days of receiving the sketch plans. The Subdivision Agent shall also forward any staff comments to the Planning Commission.~~

(C) ~~The Planning Commission~~ **Subdivision Agent** shall review and provide comments within forty-five (45) days of the date of the meeting the sketch plan was ~~presented~~ **submitted**. If no comments are ~~presented to~~ **provided by** the Subdivision Agent, the sketch plan is deemed reviewed and the subdivider may submit a preliminary plat.

(D) Thereafter, no preliminary or final plat shall be approved by the Subdivision Agent unless the same shall substantially conform to the approved sketch plan, including all required modifications thereto, which may be required as a result of comments by the ~~Planning Commission~~ **Subdivision Agent**.

Sec. 19-3-4. Preliminary plat.

For any minor or major subdivision, after receiving the Subdivision Agent's comments on a sketch plan, the subdivider shall submit a preliminary plat that satisfies the requirements of Article 4 of this chapter to the Subdivision Agent.

(A) If approval of a feature or features of a plat by a state agency or public authority authorized by state law is necessary, the Subdivision Agent shall forward the plat to the appropriate agencies for review within five (5) business days of receipt of such plat, retaining sufficient copies for his own review. Upon receipt of the approvals from all state

agencies, the Subdivision Agent shall act upon a preliminary subdivision plat within 20 days.

(B)(A) For every minor or major subdivision, the subdivider shall submit, to the Subdivision Agent, copies of a preliminary plat in a number sufficient to allow review by all appropriate agencies as applicable and as determined by the Subdivision Agent. Within ten (10) days **of submission**, the Agent shall review the preliminary plat application for completeness, and if it is incomplete, so notify the subdivider, specifying instructions for its completion. No preliminary plat shall be deemed to be officially submitted for approval unless and until the Subdivision Agent finds it to be complete. ~~Upon his determination that such preliminary plat application is complete, the Subdivision Agent shall retain copies for his review, forward copies to all agencies whose comments are necessary for consideration of the plat.~~

(C)(B) For any minor subdivision, the Subdivision Agent shall approve or disapprove a complete preliminary plat **in writing** within thirty (30) days of its submission. In the case of disapproval, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval.

(D)(C) For any major subdivision, the Subdivision Agent shall review the preliminary plat and approve or disapprove the preliminary plat **in writing** within forty-five (45) days of its submission. In the case of disapproval, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval.

Sec. 19-3-5. Authority to construct improvements.

The subdivider may install the monuments, roads and other improvements proposed on the plat only after approval of a preliminary plat. Preliminary plat approval shall be effective for five (5) years provided the subdivider submits a final subdivision plat for all or a portion of the property within one year of such approval and thereafter diligently pursues approval of the final subdivision plat.

Diligent pursuit of approval means that the subdivider has incurred extensive obligations or substantial expenses relating to the submitted final subdivision plat or modifications thereto. However, no sooner than three (3) years following such preliminary subdivision plat approval, and upon ninety (90) days' written notice by certified mail to the subdivider, the ~~commission or other~~ **Subdivision Agent** ~~agent~~ may revoke such approval upon a specific finding of fact that the subdivider has not diligently pursued approval of the final subdivision plat.

After five (5) years from the date of the last recorded plat, unless the preliminary plat indicates phased implementation consisted with Section 19-7-6 of this chapter, the preliminary plat shall become null and void. The foregoing notwithstanding, the installation of any improvements after the approval of a preliminary plat shall be at the sole risk of the subdivider and shall not entitle the subdivider to the approval of any final plat which is not otherwise approvable.

Sec. 19-3-6.2. Administrative review.

(A) The Subdivision Agent shall act on ~~review the~~ any final plat within forty (40) ~~sixty (60)~~ days of acceptance for conformity to the approved preliminary plat and this chapter, and approval by all appropriate agencies. The Subdivision Agent shall forward any legal documents submitted pursuant to Section 19-6-4 of this chapter to the County Attorney for review and approval, and the County Attorney shall review such documents for compliance with applicable law. If the final plat and associated legal documents meet these criteria, the Subdivision Agent shall approve the final plat and return it to the subdivider. If they do not meet these criteria, the Subdivision Agent shall inform the subdivider in writing of the reasons for disapproval and the changes required to obtain approval. Any resubmission of the plat shall be reviewed within forty (40) ~~forty-five (45)~~ days.

ARTICLE 4. SKETCH PLANS

Sec. 19-4-5. Yield plan required for cluster subdivision.

The applicant for approval of any cluster subdivision shall submit a yield plan to determine the number of lots which could be practicably developed on the subject property as a conventional subdivision, in accordance with all applicable law, including, in particular, the density, lot size, setback, frontage and yard requirements of Chapter 22 of this Code; the design requirements of this chapter; and all other applicable law. Consideration shall be given, among other things, to the area of land which would be occupied by roads and other areas not usable for building or individual sale, including, but not limited to, steep slopes, flood plain, land usually covered by water and land not suitable for building and/or installation of utilities due to soil type, topography or other physical or legal condition. Such yield plan shall be submitted contemporaneously with the sketch plan required by Article 3 of this chapter and shall be in similar detail to such sketch plan, together with such additional data as may be necessary to show the information required hereinabove. The yield plan so submitted shall be considered by the ~~Planning Commission~~ Subdivision Agent in ~~its~~ his review of the sketch plan for the proposed subdivision. In no case shall any cluster subdivision be approved which shows a greater number of lots than could be practicably developed as a conventional subdivision of the subject property.

ARTICLE 5. PRELIMINARY PLATS

Sec. 19-5-2. Form.

Preliminary plats shall consist of black or blue lines on white paper. Each page shall be no more than forty-two (42) inches wide ~~or~~ and thirty (30) inches high. Plats shall be drawn to a scale of one inch equals 50, 100 or 200 feet, whichever is most convenient for the subject parcel. If the plat is drawn on more than one sheet, match lines shall clearly indicate where the several sheets join. Each sheet shall be numbered and the plat shall provide an adequate legend indicating clearly which features are existing and which are proposed.

ARTICLE 6. FINAL PLATS

Sec. 19-6-2. Form.

Final plats shall consist of black or blue lines on white paper. Each page shall be no more than forty-two (42) inches wide ~~or~~ **and** thirty (30) inches high. Final plats shall be drawn to a scale of one inch equals 50, 100 or 200 feet, whichever is most convenient for the subject parcel. If the plat is drawn on more than one sheet, match lines shall clearly indicate where the several sheets join. All straight lines shall be described with distance to the nearest hundredth of a foot and bearing to the nearest second. All curves shall be described with central angle to the nearest minute, radius to the nearest foot, and tangent to the nearest hundredth of a foot.

CHAPTER 22 - ZONING

Sec. 22-14-2. - Procedure for rezoning.

(3) The PUD application package shall not be scheduled for consideration by the Planning Commission until the Planning Director has determined that the package is complete. Except as the Planning Director may determine otherwise in a particular case, for reasons beyond the control of the applicant, any application package which is not complete within 30 days after its submission shall be deemed to have been withdrawn and shall not be further processed. Once the Planning Director has determined the application package to be complete, the following process shall commence:

- (i) The Planning Commission shall receive a public presentation on the proposed development at a regularly scheduled meeting, prior to advertising for a public hearing;
- (ii) The Planning Commission may schedule one or more work sessions to discuss the proposed development;
- (iii) Once a public hearing has been conducted by the Planning Commission, a recommendation shall be forwarded to the Board of Supervisors for their consideration;
- (iv) The Board of Supervisors may schedule one or more work sessions to discuss the proposed development and the Planning Commission recommendation, prior to conducting their public hearing;
- (v) The plan approved by the Board of Supervisors shall constitute the final master plan for the PUD district.

(4) All conditions and elements of the plan as submitted, including amendments and revisions thereto, shall be deemed to be proffers once the Board of Supervisors has approved the final master plan. All such conditions and elements shall be enforceable by the County pursuant to Section 22-17-9 of this Code.

(5) The approved final master plan shall serve as the sketch plans for the subdivision and site plan process.

(6) Prior to development of the site, a final site development plan pursuant to Article 23 of the zoning ordinance, shall be submitted for administrative review and approval for any business, limited industrial, or multi-family development.

(7) Additionally, if any land within the district is to be subdivided, preliminary and final subdivision plats pursuant to the subdivision regulations of Chapter 19 of the Fluvanna County Code shall be submitted for administrative review and approval prior to development of the site. Staff will determine if the submitted Any such preliminary plats and final subdivision plats are must be in accordance with the approved final master plan, or a master plan amendment shall be applied for, in which case the amendment procedure set out in the zoning ordinance shall be followed.

~~(8) If staff determines that the preliminary or final subdivision plats or final site plan are not in accord with the approved final master plan, such plans will be sent to the Planning Commission for review. If the Planning Commission determines that such plans are not in accord with approved final master plan, the applicant shall then submit sketch plans for review and approval by the Planning Commission. The sketch plans shall either be in accord with the approved final master plan, or a master plan amendment shall be applied for, in which case the amendment procedure set out in the zoning ordinance shall be followed.~~

Sec. 22-23-8. Procedure.

Generally:

~~(1) Sufficient copies of the proposed site plan, as required by the Director of Planning of the proposed site plan shall be submitted to the Director of Planning .~~

~~(2) An applicant may appeal any decision by the Planning Director within thirty (30) days in writing to the Planning Commission.~~

(3) All fees for site plans shall be as established by the Board of Supervisors and shall be paid in full before any site plan is accepted for review.

(4) An applicant must submit a sketch plan for review and comment prior to filing a preliminary site plan.

(5) No site plan shall be fully and finally approved unless it has sufficiently accurate dimensions and construction specifications to support the issuance of construction permits.

(A) Sketch Plan Required:

(1) Prior to incurring significant cost to prepare a Minor or Major Site Plan, the applicant shall prepare a sketch plan as set forth below.

(2) The applicant shall meet with the Director of Planning to review the sketch plan and receive comments from the County. ~~If the sketch plan is a prelude to a Major Site Plan, the Planning Commission shall also review the proposed sketch plan. The applicant shall submit twenty (20) additional copies of the proposed sketch plan to the Director of Planning and it shall be placed on the Planning Commission agenda within sixty (60) days. The Planning Commission shall have~~

~~forty-five (45) days to review the sketch plan and provide comments to the applicant.~~

(3) **Sketch Plans can serve as** Site Plans for developments involving expansion of an existing building or use, in which: 1) building expansion is less than 500 square feet; 2) the area of disturbance is less than 2,500 square feet; 3) the development has no additional external lighting; and 4) no more than four (4) additional parking spaces are constructed. ~~then "Sketch Plans" can be reviewed for final approval.~~

(4) Associated with the review of this sketch plan, the Director of Planning may also require an on-site field inspection with the applicant or a representative at the applicant's choosing.

(5) The sketch plan will convey the general concept of the proposed site development and shall only include the following:

(a) A general analysis of the site, showing existing slopes, drainageways, tree stands, site features and amenities to be preserved, conservation areas, historic features, and the like.

(b) Approximate location and size of the buildings.

(c) General points of access.

(d) General street, roadway, and parking layouts.

(e) Any exterior lighting.

(6) Thereafter, no preliminary or final site development plan shall be approved by the Director of Planning unless the same shall substantially conform to the approved sketch plan, including all required modifications thereto which may be required as a result of comments by the planning commission.

(B) Minor Site Plans:

(1) Site Plans for developments involving expansion of an existing building or use, in which the building expansion is less than 2,500 square feet and greater than 500 square feet and the area of disturbance is less than 10,000 but greater than 2,500 square feet are considered "Minor Site Plans".

(2) The plan approval authority for Minor Site Plans is the Director of Planning.

(3) If approval of a feature or features of a site plan by a state agency or public authority authorized by state law is necessary, the Director of Planning shall forward the site plan to the appropriate agencies for review

within five (5) business days of receipt of such plan, retaining sufficient copies for his own review.

~~(3)~~**(4)** After the Director of Planning has deemed the application to be complete, he shall have thirty (30) days to circulate the plan to the relevant county departments ~~and state agencies~~ for written comments. At the end of the thirty (30) day period, the site plan may be approved or returned to the applicant with a written report on why the site plan cannot be approved. If the Director of Planning takes no action by the end of the thirty (30) day period, the site plan shall be deemed approved.

~~(4)~~**(5)** Minor site plans shall contain all the elements in Section 22-23-6 of this chapter.

(C) Major Site Plans:

(1) All site plans except those considered "Minor Site Plans" are considered "Major Site Plans."

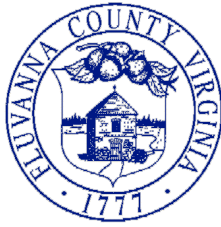
(2) The Planning Director is the plan approving authority for Major Site Plans.

(3) If approval of a feature or features of a site plan by a state agency or public authority authorized by state law is necessary, the Subdivision Agent shall forward the site plan to the appropriate agencies for review within five (5) business days of receipt of such plan, retaining sufficient copies for his own review.

~~(3)~~**(4)** After the Director of Planning Subdivision Agent has deemed the application to be complete, he shall have **forty (40)** ~~forty five (45)~~ days to circulate the plan to the relevant County departments ~~and State agencies~~ for written comments. At the end of the **forty (40)** ~~forty five (45)~~ day period, the site plan may be approved or returned to the applicant with a written report on why the site plan cannot be approved. If the Director of Planning takes no action by the end of the **forty (40)** ~~forty five (45)~~ day period, the site plan shall be deemed approved.

~~(4)~~**(5)** Major site plans shall contain all the elements in Section 22-23-6 and Section 22-23-7 of this chapter.

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



COUNTY OF FLUVANNA

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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission
Case: ZMP 25:02 Fork Union Drive-in
Date: August 12, 2025

From: Jason Overstreet
District: Fork Union Election District

General Information: This rezoning request is to be heard by the Planning Commission on Tuesday, August 12, 2025 at 7:00 pm at the County Administration Building, Morris Room.

Applicant: Ronald Unnerstall

Owner: Frayser F White II Revocable Trust

Requested Action: **ZMP 25:02 Fork Union Drive-in** – A request to rezone from A-1, Agricultural, General to the B-1, Business, General, Zoning District 2.74 +/- acres of 14 acres of Tax Map 51 Section A Parcel 60. The subject property is generally located on the west side of Winnsville Drive (SR 612) approximately 0.2 miles from its intersection with US 15 at Weber City. The parcel is located in the Fork Union Community Planning Area and the Fork Union Election District.

Existing Zoning: A-1, Agricultural, General

Existing Land Use: Vacant

Planning Area: Fork Union Planning Area

Adjacent Land Use: The surrounding parcels are zoned A-1, Agricultural, General and B-1, Business, General

Zoning History: None

Summary:

The applicant is requesting this rezoning in order to allow a Boundary Line Adjustment (BLA) with the adjacent property that contains the Fork Union Drive-in. BLAs are not permitted between properties in different zoning districts. The entire area subject to the rezoning will be added to the Drive-in parcel.

An updated survey of the Drive-in property indicates that its fencing is located on the adjacent property. Additionally, the Drive-in's proposed new septic drainfield will be located on a part of the adjacent parcel to be included in the BLA. There is also a storage building on the adjacent parcel that is included in the area to be added to the Drive-in by the BLA.

Comprehensive Plan:

The 2015 Comprehensive Plan's Land Use and Community Design chapter states that the Fork Union Community Planning Area, "should remain a village, and surrounding growth should be a mixture of uses". It further recommends that development should be encouraged in the existing commercial areas, and that prioritization of renovation over new construction should be prioritized to preserve the rural nature of the community. The reopening of the drive-in meets both of these goals.

Technical Review Committee:

The Technical Review Committee has reviewed the proposed ZMP and had no comments.

Suggested Motion:

I move that the Planning Commission recommend (approval / denial / deferral) of ZMP 25:02, a request to rezone from A-1, Agricultural, General to the B-1, Business, General, Zoning District 2.74 +/- acres of 14 acres of Tax Map 51 Section A Parcel 60.

Attachments:

- A – Application
- B – Aerial Vicinity Map
- C – Plats

OWNERS CONSENT AND DEDICATION

THE PLATTING AND BOUNDARY LINE ADJUSTMENT OF TMP 51-A-60 & TMP 51-A-61, LOCATED IN THE FORK UNION MAGISTERIAL DISTRICT, OBTAINED AT WILL BOOK 56-374, AND CONTAINING 18.441 ACRES [TOTAL], IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY;

KAY WHITE JEFFERIES
PO BOX 28
NEW CANTON VA 23123

DATE

COMMONWEALTH OF VIRGINIA -
CITY/COUNTY OF:
TO WIT: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED
BEFORE ME THIS DAY OF 20

SIGNATURE OF NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF FLUVANNA COUNTY, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY, HAVE BEEN COMPLIED WITH.

WILLIAM W. WHITE, LS NO 3508

DATE

APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN REVIEWED AND APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING REGULATIONS, AND MAY BE COMMITTED TO RECORD.

SUBDIVISION AGENT

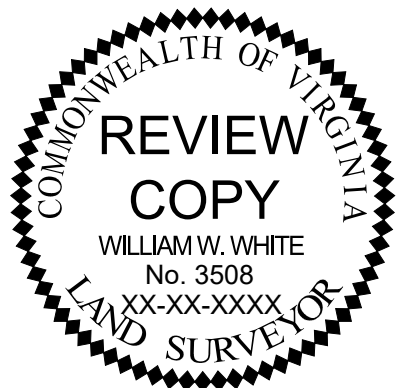
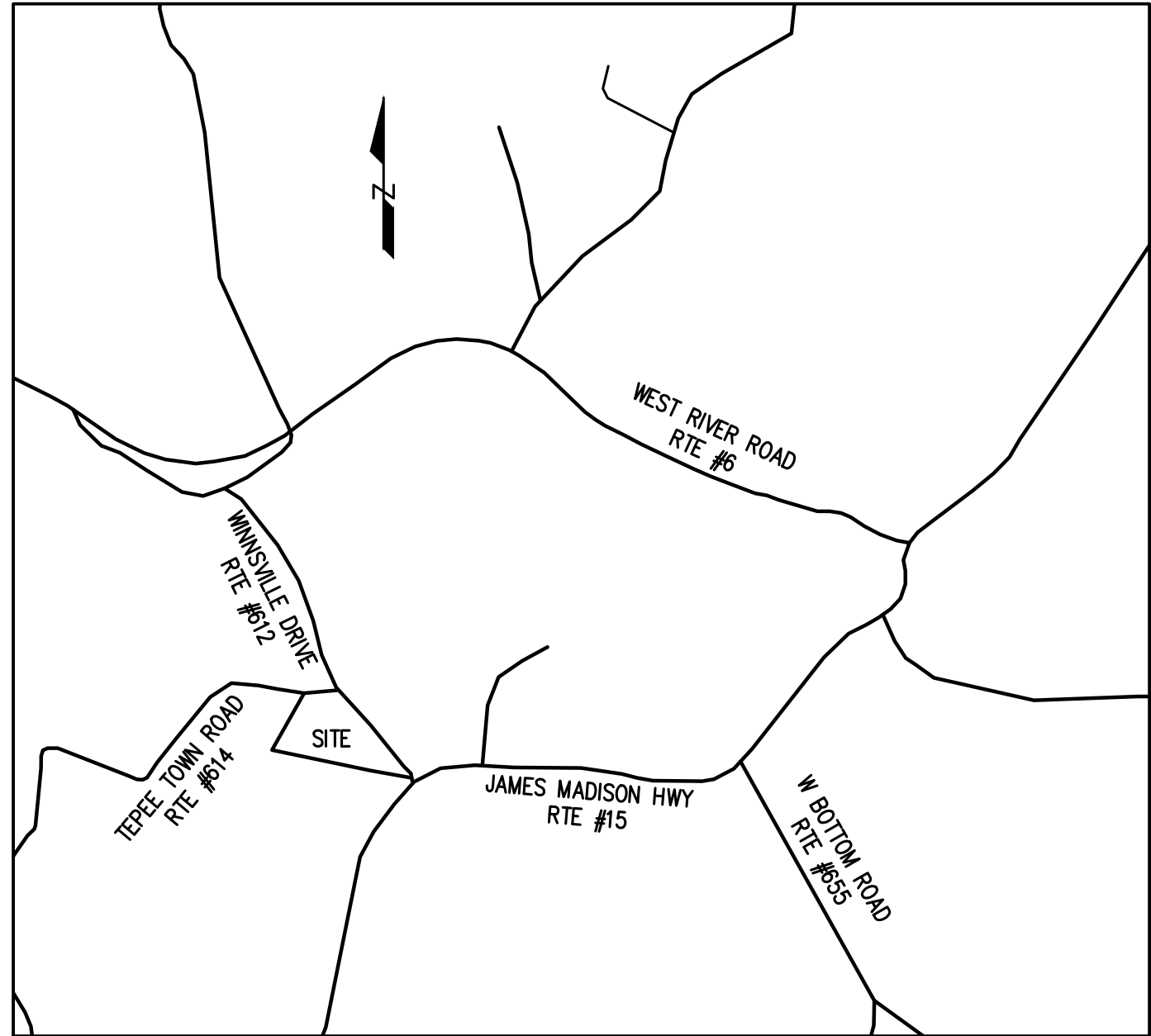
DATE

NOTES:

- THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
- THIS PLAT HAS BEEN PREPARED FROM A SURVEY COMPLETED ON APRIL 28, 2025.
- SUBJECT PARCELS ARE LOCATED IN ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN AS SHOWN ON FEMA MAP NO 51065C0175C, EFFECTIVE DATE MAY 16, 2008. THIS DETERMINATION HAS BEEN MADE BY GRAPHIC METHODS, AN ELEVATION STUDY WAS NOT PERFORMED FOR THIS SURVEY.
- TMP 51-A-60 IS ZONED A-1 AGRICULTURAL, GENERAL. SETBACKS PER FLUVANNA COUNTY CODE CHAPTER 22, ARTICLE 4, SECTION 22-4-9. TMP 51-A-61, 51-A-62, AND TMP 51-A-70B ARE ZONED B-1, BUSINESS, GENERAL. SETBACKS PER FLUVANNA COUNTY CODE, CHAPTER 22, ARTICLE 9, SECTION 22-9-5.
- DISTANCE TIES SHOWN ARE MEASURED FROM THE BUILDING TO THE PROPERTY LINE.
- SOURCE OF TITLE: WILL BOOK 56 PG 374
- OWNER OF RECORD: KAY WHITE JEFFERIES, TRUSTEE OF THE FRAYSER F. WHITE II REVOCABLE TRUST.
- THERE WAS NO OBSERVED PLACE OF BURIAL, HOWEVER A CEMETERY IS DESCRIBED IN DB 46 PG 17, ALONG THE NORTH WEST PROPERTY LINE OF TMP 51-A-61

VICINITY MAP

SCALE: 1" = 2000'



BOUNDARY LINE ADJUSTMENT OF
TAX MAP 51-A
PARCELS 60 & 61 &
ACCESS EASEMENT PLAT FOR
PARCEL 60 OF
VILLAGE OF FORK UNION
FORK UNION MAG DISTRICT
FLUVANNA COUNTY, VIRGINIA

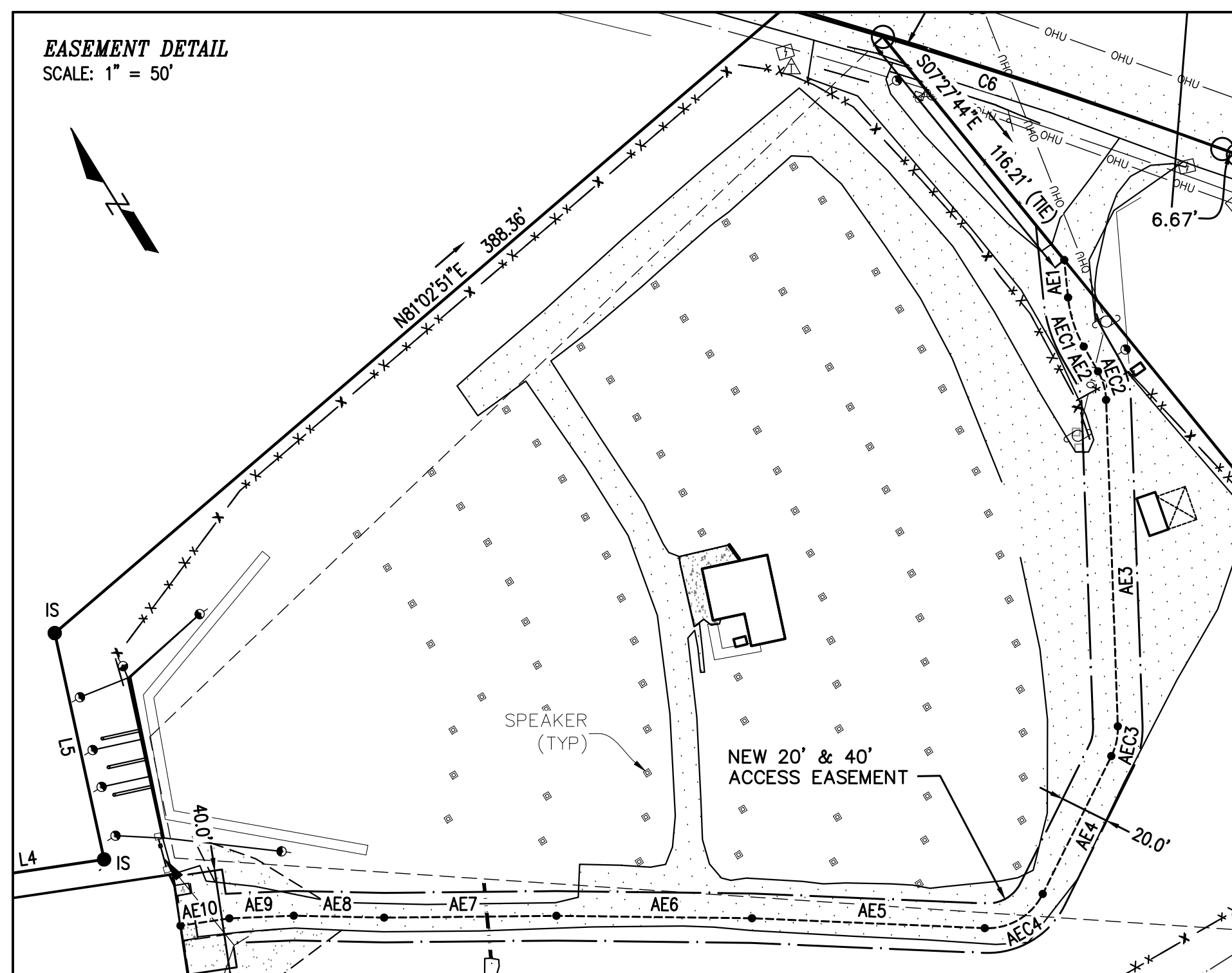
LEGEND

CMP CORRUGATED METAL PIPE
CS CONCRETE SIDEWALK
ET ELECTRIC TRANSFORMER
FH FIRE HYDRANT
FO FIBER OPTIC
FP FENCE POST
GW GUY WIRE
IF IRON ROD FOUND
IS IRON SET
PD PEDESTAL
PF PIPE FOUND
RCP REINFORCED CONCRETE PIPE
SN SIGN
UBX UTILITY BOX
UP UTILITY POLE
WV WATER VALVE
WPF WOODEN PRIVACY FENCE

-OHU- OVERHEAD UTILITY

ASPHALT
GRAVEL
CONCRETE

EASEMENT DETAIL
SCALE: 1" = 50'



BOUNDARY LINE TABLE		
Line	Direction	Length
L1	N 13°03'03" W	35.27'
L2	N 66°37'11" W	93.54'
L3	N 23°31'47" E	61.77'
L4	S 66°48'52" E	65.06'
L5	N 19°20'06" E	93.67'

EASEMENT LINE TABLE		
Line	Direction	Length
AE1	S 25°51'42" W	15.24'
AE2	S 01°50'04" W	11.60'
AE3	S 29°35'27" W	132.07'
AE4	S 58°06'16" W	62.27'
AE5	N 55°55'03" W	94.25'
AE6	N 57°40'01" W	79.12'
AE7	N 58°57'21" W	69.70'
AE8	N 57°08'10" W	36.55'
AE9	N 60°43'37" W	26.10'
AE10	N 66°53'48" W	20.00'

BOUNDARY CURVE TABLE						
Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing
C1	112.92'	900.00'	71°1'20"	56.54'	112.85'	S 86°54'55" W
C2	120.49'	2000.00'	3°27'06"	60.26'	120.47'	N 81°35'42" E
C3	232.98'	1400.00'	9°32'05"	116.76'	232.71'	S 39°48'53" E
C4 (T)	268.66'	2500.00'	6°09'26"	134.46'	268.53'	N 41°30'13" W
C5	124.07'	2500.00'	2°50'37"	62.05'	124.06'	S 43°09'38" E

EASEMENT CURVE TABLE						
Curve	Length	Radius	Delta	Tangent	Chord	Chord Bearing
AEC1	20.97'	50.00'	24°01'38"	10.64'	20.81'	N 13°50'53" E
AEC2	12.11'	25.00'	27°45'23"	6.18'	11.99'	N 15°42'46" E
AEC3	12.44'	25.00'	28°30'49"	6.35'	12.31'	N 43°50'52" E
AEC4	28.79'	25.00'	65°58'41"	16.23'	27.22'	S 88°54'23" E

BOUNDARY LINE ADJUSTMENT OF
TAX MAP 51-A
PARCELS 60 & 61 &
ACCESS EASEMENT PLAT FOR
PARCEL 60 OF
VILLAGE OF FORK UNION
FORK UNION MAG DISTRICT
FLUVANNA COUNTY, VIRGINIA

JULY 21, 2025
SCALE: 1" = 100'
FILE: 25.151

SHEET
2 OF 2



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

Owner of Record: Frayser F White Revocable Trust

Address: PO Box 28, New Canton, VA 23123

Phone: (434) 581-3892

Fax:

Email: 2kaysgarden@gmail.com, alironusa@aol.com

Representative: Ron Unnerstall - Manager

Address: 578 Middle Farms Trace, Bremono Bluff, VA 23022

Phone: (419) 340-6279

Fax:

Email: unnersr@yahoo.com

Tax Map and Parcel(s) 51-A-60, part

Acreage 15.8 acres, 2.6 acres **Current Zoning** A-1

Location of Parcel: Winnsville Road, Bremono Bluff, VA 23022

Requested Zoning B-1 **Proposed Use of Property** Outdoor Drive In Theater

Applicant of Record: Fork Union Drive In LLC (Ron Unnerstall - Manager)

Address: 578 Middle Farms Trace, Bremono Bluff, VA 23022

Phone: (419) 340-6279

Fax:

Email: unnersr@yahoo.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: DB 70 Pg 522, DB 46, Pg 17-18

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: 6-24-25

Signature of Owner/Applicant:

Subscribed and sworn to before me this

24

day of

June

, 20

My commission expires:

10/31/2028

Notary Public:



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: Pre-Application Meeting: PH Sign Deposit Received: Application #: ZMP :

\$1,000 fee paid:

Proffer or Master Plan Amendment: \$750.00 Paid:

Election District:

Planning Area:

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates:

Advertisement Dates:

APO Notification:

APO Notification:

Date of Hearing:

Date of Hearing

Decision:

Decision:

Revisions to 51-A-61

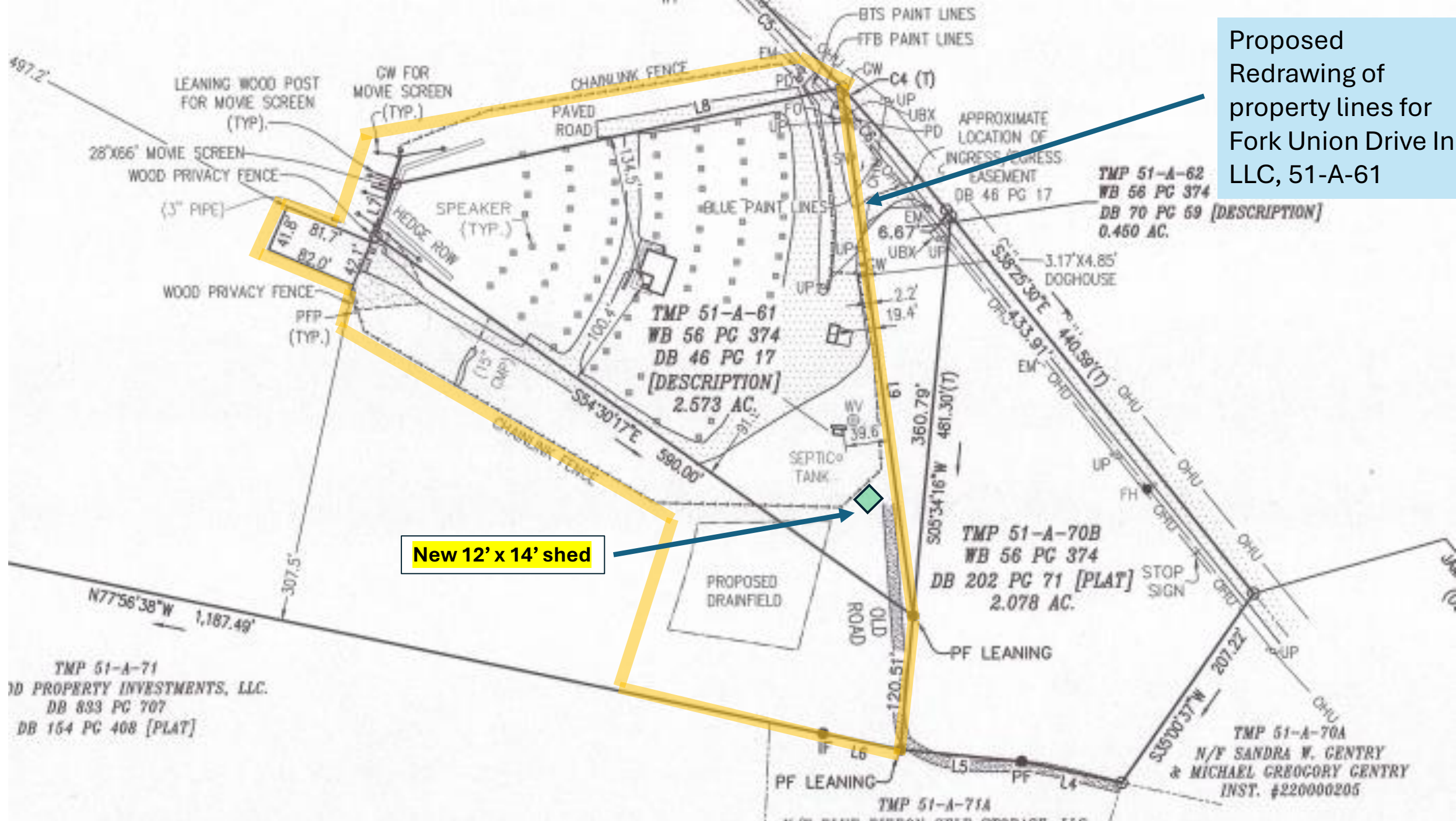
1. RHS Fenceline- Redraw property line on 51-A-61 to include the entire fence-line on the RHS of the Drive-In. This represents approximately 30,000 sq ft (0.7 acres) shift from 51-A-60.
2. Drive In Screen- Redraw property line on 51-A-61 to include an additional 25 ft extension to allow the full Drive In screen structure to remain within the Drive In property. This represents approximately 1750 sq ft (0.04 acres) shift from 51-A-60.
3. LHS Fenceline- Redraw property line on 51-A-61 to include the entire fence-line on the LHS of the Drive-In. This represents approximately 60,000 sq ft (1.5 acres) shift from 51-A-60.
4. Easement for Tabernacle Access Grant the FF White Trust an easement to cross the Drive in land to access the Tabernacle storage building. This easement will be noted on the revised survey Plat.
5. Septic Drain Field – Redraw property line on 51-A-61 to include the septic drain-field. This represents approximately 22,500 sq ft (0.5 acres) shift from 51-A-60.
6. 12 ft x 14 ft shed – 12' shed face will be located right where current 12' gate is on fence-line. Shed to be located on the outside edge of the fencing.

Revisions to 51-A-60

- **NEW** Large storage building will be moved into 51-A-61 and rezoned B-1. This represents approximately 3440 sq ft (0.08 acres).

Other

- Three parcels (51-A-61, 51-A-62, 51-A-70B, all zoned B-1) will be transferred from the FF White Trust, to Fork Union Drive In LLC. The Trust will retain 100% ownership.



Proposed Redrawing of property lines for Fork Union Drive In LLC, 51-A-61

New 12' x 14' shed



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Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: July 24, 2025
From: Jason Overstreet
To: Todd Fortune
Subject: APO Notification

Please be advised that the attached letter was mailed to the following list of Adjacent Property Owners for the August 12, 2025 Planning Commission meeting.



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planning@fluvannacounty.org
www.fluvannacounty.org

PUBLIC HEARING NOTICE

July 24, 2025

ATTN: Adjoining Property Owner

RE: ZMP 25:02 Fork Union Drive-in

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

Meeting: Planning Commission Regular Meeting

Date: Tuesday, August 12, 2025 at 7:00 pm

Location: Morris Room in County Administration Building
132 Main Street, Palmyra, VA 22963

ZMP 25:02 Fork Union Drive-in – A request to rezone from A-1, Agricultural, General to the B-1, Business, General, Zoning District 2.74 +/- acres of 14 acres of Tax Map 51 Section A Parcel 60. The subject property is generally located on the west side of Winnsville Drive (SR 612) approximately 0.2 miles from its intersection with US 15 at Weber City. The parcel is located in the Fork Union Community Planning Area and the Fork Union Election District.

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

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

Sincerely,

Todd Fortune
Director of Planning & Zoning

ADJACENT PROPERTY OWNERS ZMP 25:02

TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
51 A 63	Michael and Norma Godlewski	232 Wood Fork Rd	Charlotte CH, VA 23923
51 A 64	Sheila Benns Living Trust	79 Pine Valley Rd	Dover DE 19904
51 A 65	Catherine Hamilton	196 Forest Ridge Dr	Scottsville Va 24590
51 A 66	Mary Ann Cook	116 Winnsville Dr	Bremo Bluff Va 23022
51 A 67	Frank White	647 Winnsville Dr	Fork Union Va 23055
51 A 70A	Sandra and Michael Gentry	PO Box 581	Fork Union Va 23055
51 A 71B	David Hall	3199 James Madison Hwy	Bremo Bluff Va 23022
51 A 71	Wood Property Investments LLC	216 Highview Ln	Charlottesville Va 22901
50 A 109	Haney Farm Trust	20 Apache Trail	Palmyra Va 22963
51 A 59	Ella Adams Et Al	115 Haden Martin Rd	Palmyra Va 22963
51 A 58	Edna Marie Smith	PO Box 379	Dillwyn Va 23936
50 A 113	Jo Stallard Wooling Hodges Trust	827 Winnsville Dr	Bremo Bluff Va 23022



PLANNING COMMISSION

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 2025-08

A RESOLUTION OF INTENTION TO AMEND THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA BY AMENDING § 22-22-1 TO AMEND THE DEFINITION OF OUTDOOR ENTERTAINMENT AND OUTDOOR GATHERING

WHEREAS, the regulations established in the Fluvanna County Zoning Code (“Zoning Code”) may from time to time be amended, supplemented, changed, modified or repealed by the governing body pursuant to section 15.2-2285 of the Code of Virginia; and

WHEREAS, in accordance with section 22-20-1 of the Zoning Code, the Fluvanna County Planning Commission (“Planning Commission”) can adopt a resolution of intention to propose an amendment to the Zoning Code; and

WHEREAS, the Planning Commission desires to propose an amendment to § 22-22-1 to amend the definition of Outdoor Entertainment and Outdoor Gathering, and

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

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission proposes amendments to the Fluvanna County Zoning Ordinance by amending § 22-22-1 to amend the definition of Outdoor Entertainment and Outdoor Gathering, and

WHEREAS, the Planning Commission finds that this proposed amendment in a matter of public necessity, convenience, general welfare or good zoning practice; and

BE IT FURTHER RESOLVED, the Planning Commission authorizes the Director of Planning to advertise the proposed amendment for a public hearing on September 9, 2025; and

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Planning Commission at a meeting of the Commission held on the 12th day of August, 2025:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Barry Bibb, Cunningham District						
Lorretta Johnson-Morgan, Columbia District						
Kathleen Kilpatrick, Fork Union District						
Howard Lagomarsino, Palmyra District						
Robert Dorsey, Rivanna District						

Attest:

Barry Bibb, Chair
Fluvanna County Planning Commission

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-22-1 TO AMEND THE DEFINITIONS OF “OUTDOOR ENTERTAINMENT” AND “OUTDOOR GATHERING”

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

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

CHAPTER 22 ZONING

ARTICLE 22. – DEFINITIONS

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

Outdoor entertainment: Predominantly spectator uses conducted in open or partially enclosed or screened facilities, but not including public facilities. Typical uses include, but are not limited to, sports arenas, **entertainment and music festivals**, motor vehicle or animal racing facilities, and outdoor amusement parks **for which a charge is imposed for admission. If the use is expected to attract a 1000 or more people at one time, a special entertainment permit shall be required in accordance with County Code § 7-1-3.**

Outdoor gathering: Any temporary organized gathering expected to attract 200 or more people at one time in open spaces outside an enclosed structure **for which a charge is imposed for admission to the activity**. Included in this use type would be entertainment and music festivals, church revivals, carnivals and fairs, and similar transient amusement and recreational activities not otherwise listed in this section. ~~Such activities held in public parks or on public school property shall not be included within this use type.~~ **County sponsored events and public school sponsored events shall not be included within this definition.**

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



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Fax (434) 591-1911

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Todd Fortune

Case Number: BZA 25:05

District: Columbia

General Information:

This public hearing to be held on Tuesday, August 19, 2025 at 7:00 pm by the Fluvanna County Board of Zoning Appeals in the Morris Room in the County Administration Building, 132 Main Street, Palmyra VA 22963.

Requested Action:

Variance for size requirements for directional signs as defined under section 22-22-1 of the Fluvanna County Code for a property located in the Columbia Election District and identified as Tax Map 11-9-2

Background Information:

This request is for directional signs as defined in the Fluvanna County Code, Section 22-22-1. Typically, per County Code Section 22-15-3, directional signs are exempt from County sign regulations. However, the definition of a Directional Sign in 22-22-1 stipulates a maximum size of four (4) square feet. The applicant has submitted sign plans that include directional signs exceeding that size; therefore, they are requesting a variance.

Per Section 22-18-4 of the Fluvanna County Code, the Planning Commission has the option to send a recommendation on this request to the Board of Zoning Appeals.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL/ DENIAL / DEFERRAL) OF A VARIANCE REQUEST TO BE CONSIDERED BY THE BOARD OF ZONING APPEALS FOR DIRECTIONAL SIGNS AS DEFINED UNDER SECTION 22-22-1 OF THE FLUVANNA COUNTY CODE TO AUTHORIZE A LARGER MAXIMUM SIGN AREA FOR DIRECTIONAL SIGNS FOR A PROPERTY LOCATED IN THE COLUMBIA ELECTION DISTRICT AND IDENTIFIED AS TAX MAP 11-9-2.



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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Todd Fortune

Case Number: BZA 25:06

District: Fork Union

General Information:

This public hearing to be held on Tuesday, August 19, 2025 at 7:00 pm by the Fluvanna County Board of Zoning Appeals in the Morris Room in the County Administration Building, 132 Main Street, Palmyra VA 22963.

Requested Action:

Variance to maximum sign height requirements under section 22-15-3 of the Fluvanna County Code for the Ash Market located in the Fork Union Election District and identified as Tax Map 51-A-103.

Background Information:

This request is for a business sign. The property in question is zoned B-1, Business, General. Per 22-15-3 of the Fluvanna County Code, freestanding business signs in B-1 are limited to a maximum height of 10 feet. The applicant has requested a variance to allow them to place a sign with a height of 20 feet for safety reasons.

Per Section 22-18-4 of the Fluvanna County Code, the Planning Commission has the option to send a recommendation on this request to the Board of Zoning Appeals.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION RECOMMEND (APPROVAL/ DENIAL / DEFERRAL) OF A VARIANCE REQUEST TO BE CONSIDERED BY THE BOARD OF ZONING APPEALS FOR MAXIMUM SIGN HEIGHT AS DEFINED UNDER SECTION 22-15-3 OF THE FLUVANNA COUNTY CODE TO AUTHORIZE A MAXIMUM SIGN HEIGHT FOR A FREESTANDING SIGN OF 20 FEET FOR A PROPERTY LOCATED IN THE FORK UNION ELECTION DISTRICT AND IDENTIFIED AS TAX MAP 51-A-103.

Current 9-1-1 Addressing Procedure 9/22/2023

1. Citizen applies for a building permit or address only.
2. A 911 fee of \$90.00 is collected by the building department.
(fee covers the cost of the sign, installation, and multiple GIS services)
3. Building department collects (2) GPS points at each address (named public road and driveway intersection and front entrance to building)
4. Address is entered in building Inspections database and uploaded to ArcGIS online. H&P accesses the data and assigns an address based on access location to the street network.
5. H&P sends a notification email to an address list including USPS .

Provided to: Owner, Director of Communications, Post office (Palmyra).

E911 Address signs installed by Sheriff's Office contractor

Green sign - Stake \$13

Blue Sign (Public)

Green Plate \$12.95

Installation \$28

Total \$53.95

GIS Consultant Hurt and Proffit (H&P)



COUNTY OF FLUVANNA

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

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

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

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

(from the Draft Minutes)

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

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

Absent: Gene F. Ott

* * * * *

Road Naming Policy

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

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

MOTION:

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

* * * * *

A COPY, teste

Shelly H. Wright
Assistant County Administrator

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

AGENDA

BOARD OF SUPERVISORS

June 21, 2006

SUBJECT: Road Naming Policy Adoption

RECOMMENDATION: Approval

TIMING: Routine

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

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

Staff: Shelly Wright, Assistant County Administrator

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

For County Administrator's Use Only:

Comments:

Reviewed



G. Cabell Lawton, IV, County Administrator

3. GENERAL POLICIES

3-6. Road Naming Policy

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

3-6.1. Purpose

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

3-6.2. Definitions

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

3-6.3. Authority

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

3-6.4. Qualifications for a Road Name

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

3-6.5. Street Naming Guidelines

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

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

3-6.6. Road Naming Process

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

FLUVANNA COUNTY CODE

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

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

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

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

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

**SAMPLE NOTIFICATION LETTER REQUESTING
ROAD NAME SUGGESTIONS**

Date

Dear resident:

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

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

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

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

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

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

Sincerely,

Shelly Wright
swright@co.fluvanna.va.us

PRIVATE ROAD NAME REQUEST

NAME: _____

ADDRESS: _____

PHONE #: _____

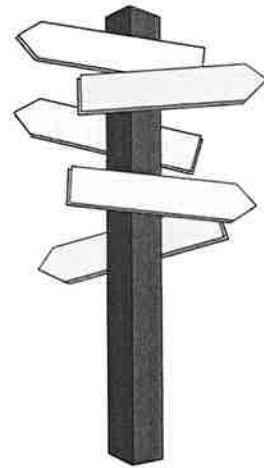
DATE: _____

ROAD NAME CHOICES:

1. _____

2. _____

3. _____



SAMPLE ROAD NAME ACCEPTANCE LETTER

Date

Dear resident:

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

Sincerely,

Shelly Wright