



## FLUVANNA COUNTY PLANNING COMMISSION

### MEETING AGENDA

Fluvanna County Circuit Court

72 Main Street, Palmyra, Virginia 22963

February 10, 2026

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

#### WORK SESSION

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

**2 – SUBDIVISION ACCESS**

**3 – DISCUSSION OF NOISE ORDINANCE**

#### 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 January 6, 2026 – Jenny Cassell Faulknier, Admin. Prog. Specialist

B Approval of Minutes from January 13, 2026 – Jenny Cassell Faulknier, Admin. Prog. Specialist

**5 – PUBLIC COMMENTS #1 (5 Minutes Each)**

**6 – PUBLIC HEARING**

C SUP 25:07 Saddle Creek Lane – Todd Fortune, Director of Planning; Jason Overstreet, Senior Planner

D SUP 25:06 Prater – Jason Overstreet, Senior Planner

E SUP 25:05 Memory Lane Property, LLC – Todd Fortune, Director of Planning; Jason Overstreet, Senior Planner

**12 – RESOLUTIONS**

F None

**13 – PRESENTATIONS**

G None

**14 – UNFINISHED BUSINESS**

H Comprehensive Plan Update – Todd Fortune, Director of Planning

I Planning Commission Bylaws – Todd Fortune, Director of Planning; and Dan Whitten, County Attorney

**15 – NEW BUSINESS**

J BZA Cases – Jason Overstreet, Senior Planner

**16 – PUBLIC COMMENTS #2 (5 minutes each)**

**17 – ADJOURN**

A handwritten signature in black ink, appearing to read "Todd Fortune".

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.*

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## 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.

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## ORDER

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

## PUBLIC HEARING RULES OF PROCEDURE

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

*Fluvanna County...The heart of 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.*

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### **Sec. 19-3-3. Family subdivisions.**

Any family subdivision shall comply with the following standards:

- (A) All lots created shall comply with Chapter 22 of this Code.
- (B) All lots must have a permanent access easement to a public road, not less than ~~fifty (50)~~<sup>t</sup>wenty (20) feet in width. Where practicable, all lots must use the same easement for access, and shall not have separate driveway entrances on the public road.
- (C) Only one (1) lot shall be created and conveyed to each eligible family member, as defined in Section 19-2-1. Prior to approval of the final plat, the subdivider shall provide to the Subdivision Agent an executed deed of conveyance to an eligible family member for each lot created. Included in such deed shall be a restriction preventing sale of such lot after dedication for a period of not less than three (3) years. The lot may be transferred prior to the conclusion of the three (3) year period, if the Subdivision Agent shall determine that there is a compelling need to convey such parcel and that the conveyance of such parcel shall not be for purposes of circumventing the review provisions of this chapter.  
*Compelling need* shall include, but shall not necessarily be limited to, (1) removal of the residence of the owner of such lot from the County when such lot is the residence of such owner; (2) sale by or at the request of a bona fide creditor pursuant to a deed of trust, action of trustee in bankruptcy or the order of a court of competent jurisdiction; and (3) death or physical or mental disability of the owner.
- (D) No lot created under this section shall be for the purpose of circumventing the minor or major subdivision provisions of this chapter.

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## Sec. 19-8-1. Streets.

An adequate system of streets shall be constructed to provide access from all lots to the state highway system.

- (A) In any major subdivision, as defined herein, all streets shall be designed and constructed in conformance with the Virginia Department of Transportation's subdivision street requirements. Preliminary plans for all such streets shall have been approved by the Virginia Department of Transportation prior to approval of the preliminary plat.
- (B) Proposed street names shall be shown on the preliminary plat, and may be changed by the Subdivision Agent. Names of new streets shall not duplicate names of existing streets, irrespective of suffixes. Any street that is a continuation of an existing street shall bear the name of the existing street. The governing body may institute a fee in order to acquire and install all street identification signs. Where a street is planned for future extension, and a stub street serving three or more ( $\geq 3$ ) lots is proposed for construction as part of a subdivision, a temporary turnaround shall be provided on such stub street. Such turnaround shall be of adequate location, size and design as determined by the Subdivision Agent. All stub streets shall be marked with a metal sign clearly providing public notice that the street is subject to future extension.
- (C) Any private road in a subdivision which will not be constructed to Virginia Department of Transportation standards, including a family subdivision, shall be located in a right-of-way or easement at least fifty (50) feet in width and shall be so designed and built as to provide adequate access by ordinary passenger vehicles in all weather, in accordance with the provisions of this section as set forth hereinafter. All lots that are within a subdivision which is served by any private road shall be prohibited from direct vehicular access from an existing public road by deed restriction or other means. Except in the case of lots intended, designed and used for attached single-family, two-family or multi-family dwellings or for commercial or industrial uses, ~~no lot served by a private road may be less than ten acres in area, and (1) no such private road shall serve more than five lots; (2) within rural preservation areas, no lot served by a private road may be less than ten acres in area; and (3) within community planning and rural residential areas, lots served by a private road may be less than ten acres in area, provided that the minimum zoned lot size is met and a residue lot of at least ten acres remains from the new subdivision.~~ The plat, and each deed, shall clearly state that the County and Commonwealth are not responsible for the maintenance of the roads. For any newly established subdivision, a road maintenance agreement, approved by the County Attorney and the Subdivision Agent, shall be filed with the deeds of all lots to be served by such private road. Such agreement shall require the landowners, jointly and severally, to cooperate in and pay for the maintenance of the road such that emergency vehicles and other necessary traffic can reach all of the lots with reasonable ease. Each plat showing any such private road shall contain a certification from a registered surveyor or engineer in substantially the following form: "The private road shown on this plat will provide reasonable access to all lots served by such road by emergency vehicles and ordinary passenger vehicles as required by Section 19-8-1 of the Fluvanna County Code." Private roads shall conform to the following minimum specific construction standards:

Number of Lots	Right-of-Way Width	Minimum Width of Travelway	Surface Treatment	Minimum Ditchline	Maximum Grade
1-5	50 feet	<u>2014</u> feet	Gravel (#25 or #26), 3 inches in depth over suitable base	4 feet in width, with a minimum of 4% slope from the travelway and	9%

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				ditches a minimum of 18 inches in depth	
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(Ord. 11-17-04; Ord. 8-1-12; Ord. 12-16-15; Ord. of 11-20-2024(2), § 1)

State law reference(s)—Streets in subdivisions, see Code of Va., § 15.2-2241.A.

**FLUVANNA COUNTY PLANNING COMMISSION**  
**MEETING MINUTES**  
**The Morris Room**  
**132 Main St., Palmyra, VA 22963,**  
**Tuesday, January 6, 2026**  
**Organizational and Regular Meeting 7:00 pm**

**MEMBERS PRESENT:**

Barry Bibb, Chair  
Howard Lagomarsino, Vice-Chair  
Kathleen Kilpatrick, Commissioner  
Loretta Johnson-Morgan, Commissioner  
Bob Dorsey, Commissioner\*  
Mike Goad, Board of Supervisors Representative  
\*(Participated by phone)

**STAFF PRESENT:**

Todd Fortune, Director of Planning  
Dan Whitten, County Attorney  
Jason Overstreet, Senior Planner  
Victoria Melton, Director of Finance  
Eric Dahl, County Administrator  
Kelly Harris, Assistant County Administrator  
Noble Pearson, Assistant County Attorney  
Alex Porter, Planner/GIS Technician  
Jenny Cassell Faulknier, Administrative Programs Specialist

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

At 7:00 pm Todd Fortune, Director of Planning called the January 6, 2026 meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

- **Vote to allow Commissioner Bob Dorsey join by phone from Liberia:**

<b>MOTION:</b>	I move that the Planning Commission allow Commissioner Bob Dorsey to join and participate in the meeting by phone from Liberia.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>4-0 Approved, 1 Absent</b>				

- **Election of Chair:**

<b>MOTION:</b>	I nominate Commissioner Barry Bibb to serve as the 2026 Chair of the Planning Commission.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Election of Vice-Chair:**

<b>MOTION:</b>	I nominate Commissioner Howard Lagomarsino to serve as the 2026 Vice-Chair of the Planning Commission.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Presentation of the Organizational Meeting Resolution:**

Todd Fortune, Director of Planning, presented a draft of the 2026 Planning Commission Organizational Meeting Resolution for approval.

- **Adoption of the Organizational Meeting Resolution:**

<b>MOTION:</b>	To approve the adoption of the Resolution of the Planning Commission meeting for January 6, 2026 Meeting as presented.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>		<b>Second</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Presentation of the Organizational Meeting Resolution:**

Todd Fortune, Director of Planning, presented proposed dates for the 2026 Planning Commission Meetings for approval.

- Tuesday, January 13, 2026
- Tuesday, February 10, 2026
- Tuesday, March 10, 2026
- Tuesday, April 7, 2026
- Tuesday, May 12, 2026
- Tuesday, June 9, 2026
- Tuesday, July 7, 2026
- Tuesday, August 11, 2026
- Tuesday, September 8, 2026
- Tuesday, October 13, 2026
- Tuesday, November 10, 2026
- Tuesday, December 8, 2026

**\* Planning Commission meetings will be held in the Morris Room \***

**\* (other locations to be considered if larger crowds anticipated) \***

- **Selection of dates for the 2026 Planning Commission Meetings:**

<b>MOTION:</b>	To approve the selection of dates for Planning Commission meetings for 2026 as presented.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Motion</b>	<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Adoption of the Agenda:**

<b>MOTION:</b>	To approve the adoption of the Agenda of the Planning Commission meeting for January 6, 2026 Meeting as presented.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Second</b>	<b>Motion</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Director's Report:**

- **Announcements and Updates:**

- **Wawa**

- Construction has begun on the VDOT ROW.
- Next phase will be utility extensions.

- **Village Residential Zoning**

- Staff have been in conversation with representatives from the VCU Grace E. Harris Leadership Institute and the Virginia Chapter of the American Planning Association (APA) about possible assistance with development of concepts for Village Residential Overlays to present to the Planning Commission and the public.
- In mid-December, staff had a Zoom meeting with APA representatives and a student representative about the process and possibly putting a team of UVA students together to assist with this. The student representative is reaching out to UVA faculty.

▪ **Upcoming cases**

- There are two public hearings on the agenda for tonight.
  - a. Capital Improvements Plan
  - b. ZMP 25:05: Tax Map 50-A-129

• **Minutes:**

<b>MOTION:</b>	Approval of Minutes from October 7, 2025				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

<b>MOTION:</b>	Approval of Minutes from November 18, 2025				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>		<b>Second</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

• **Public Comments:**

- Mr. Bibb opened the first round of public comments.
  - Raymond Bassi, 50 Smokewood Dr., Palmyra, VA 22963, spoke in opposition of the proposed Expedition Gas Power Plant.
- No one else came forward to speak, and Mr. Bibb closed the first round of public comments.

• **Public Hearings:**

○ **Capital Improvements Plan, Todd Fortune, Director of Planning:**

- Every year, the Planning Commission holds a public hearing and makes a recommendation on the Capital Improvements Plan (CIP).
- The CIP is a five-year plan to provide funding for capital projects that cost \$50,000 or more and would NOT be added to a department's operating budget.
- The Board then makes a final decision on approval of the CIP.

<b>MOTION:</b>	I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE FY2027-FY2031 CAPITAL IMPROVEMENT PLAN AS PRESENTED, WITH A LIST OF FUNDING PRIORITIES PREPARED BY THE PLANNING COMMISSION.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Second</b>	<b>Motion</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

○ **ZMP 25:05 – Wright, Tax Map 50-A-129D, Jason Overstreet, Senior Planner**

- A request to rezone from A-1, Agricultural, General, to R-1, Residential, Limited 7 +/- acres of Tax Map 50-A-129D.
- Parcel located on the west side of Gold Mine Road ~ 0.1 miles north of Rt. 6.
- Rural Residential Planning Area and Fork Union Election district.
- The parcel does not have enough frontage to allow a division on Gold Mine Road under A-1 zoning.
- The applicant plans to create two two-acre lots if the request is approved.
- The parcel could be divided through the family subdivision process to yield two two-acre lots.
- The intent of the R-1 District is to limit development to residential uses in order to protect the essential characteristics of the district which is composed of low-density residential areas and open spaces. The parcel is in the Rural Residential Planning Area and is adjacent to multiple R-1 zoned lots. These lots were designated R-1 when the County established the zoning map.
- Public water is available through the Fork Union Sanitary District and any use requiring water would require connection to this public utility.
- Potential impacts to the surrounding community would be minimal and could include increased traffic and demand for additional services.
- No proffered conditions offered and all by-right uses permitted in R-1 would be allowed if the rezoning request is approved.

- The goal of the Rural Residential Planning Area is to conserve open space while allowing “some mixed-use development at a very small, rural neighborhood scale, but most development is single-family or two-family residential projects with limited commercial uses.”
- The intended residential use in this particular location appears to be compatible with the goals of the Comprehensive Plan.

<b>MOTION:</b>	I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF ZMP 25:05, – A REQUEST TO REZONE FROM A-1, AGRICULTURAL, GENERAL, TO R-1, RESIDENTIAL, LIMITED 7 +/- ACRES OF TAX MAP 50-A-129D.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

- **Resolutions:**
  - None
- **Site Development Plans:**
  - None
- **Subdivisions:**
  - None
- **Unfinished Business:**
  - **Comprehensive Plan Update - Todd Fortune, Director of Planning**
    - Work is proceeding on individual sections of the Plan update.
    - A new section is being added to address Rural Preservation.
    - The advisory groups have been meeting regularly to review documents related to the Comp Plan.
    - The Historic Preservation Advisory Group is resuming meetings this month.
    - Going forward, the other groups will meet as needed.
    - Next meetings for each group:
      - Economic Development – TBD
      - Rural Preservation – TBD
      - Housing – TBD
      - Historic Preservation – January 12 at 4:30
    - Among the issues left to resolve is whether to keep three Planning Areas or reduce it to two.
      - This arose due to the recent change in the County Code regarding Rural Cluster Subdivisions.
    - A revised schedule for Plan completion will be disseminated later this month or in early February.
  - **Alex Porter, Planner/GIS Technician, has been working on maps for the Plan.**
    - He presented maps for the transportation section, which included:
      - Crash data
      - Average Annual Daily Traffic Volumes
      - Roadway Classification
      - Capacity Analysis
- **New Business:**
  - None
- **Public Comments #2:**
  - Mr. Bibb opened the second round of public comments.
    - Raymond Bassi, 50 Smokewood Dr., Palmyra, VA 22963, spoke in opposition of the proposed Expedition Gas Power Plant.
  - No one else came forward to speak, and Mr. Bibb closed the second public comment period.
- **ADJOURNMENT:**
  - Chair Bibb called for a motion to adjourn the January 6, 2026 Planning Commission meeting at 7:56 pm.

<b>MOTION:</b>	Motion to adjourn the January 6, 2026 Planning Commission meeting at 7:56 pm.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Second</b>		<b>Motion</b>	
<b>VOTE:</b>	Aye	Aye	Aye	Aye	Aye
<b>RESULT:</b>	<b>5-0 Approved</b>				

Minutes were recorded by Jenny Cassell Faulkner, Administrative Programs Specialist.

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

DRAFT

**FLUVANNA COUNTY PLANNING COMMISSION  
MEETING MINUTES**  
**Carysbrook Performing Arts Center**  
**8880 James Madison Hwy, Fork Union, VA 23055**  
**Tuesday, January 13, 2026**  
**Work Session 6:00 pm and Regular Meeting 7:00 pm**

**MEMBERS PRESENT:**

Barry Bibb, Chair, Cunningham District  
Howard Lagomarsino, Vice-Chair, Palmyra District  
Kathleen Kilpatrick, Fork Union District  
Loretta Johnson-Morgan, Columbia District  
Mike Goad, Board of Supervisors Representative

**STAFF PRESENT:**

Todd Fortune, Director of Planning  
Dan Whitten, County Attorney  
Jason Overstreet, Senior Planner  
Eric Dahl, County Administrator  
Kelly Harris, Assistant County Administrator  
Noble Pearson, Assistant County Attorney  
Jenny Cassell Faulkner, Administrative Programs Specialist

**MEMBERS ABSENT:**

Robert Dorsey, Rivanna District

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

At 6:00 pm Barry Bibb, Chair called the January 13, 2026 Work Session to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

**• Private Subdivisions, Family Subdivisions**

- Currently, the Fluvanna County Code restricts lot access for private roads NOT built to VDOT standards.
- As a result, for private lot subdivisions, lots fronting public roads must use private road access. That restricts such lots to the minimum acreage requirements in this section of the Code.
  - Typically, A-1 allows for a minimum lot size of two acres. However, if it is served by a private road, the lot must be at least 10 acres.
- This forces a developer to either:
  - Create a single subdivision using the limits on number of lots and minimum lot size restrictions; or
  - Create multiple subdivisions on the same parent tract, with the initial subdivision consisting of lots with public road access and a later subdivision with lots served by the private road.
- The Code allows the Subdivision Agent to grant exceptions under special circumstances.
- Some exceptions have been granted recently due to unique circumstances.
  - Examples were given.
- Staff have researched how ordinances in neighboring counties regulate private road subdivisions compared with Fluvanna County.
  - That information was presented for Planning Commission consideration.
- Subdivisions are defined in Sections 19-2-1 and 22-22-1 of the County Code. Family subdivisions are regulated in Section 19-3-3 of the Code.
- A few concerns have been noted:
  - The current subdivision definitions, specifically regarding whether family subdivisions are limited to five lots, is subject to interpretation.
  - The code language does not stipulate whether a road maintenance agreement is required for family subdivisions.
  - For the family subdivisions, the current access requirement is a 20-foot access easement.
- Should the Subdivision Ordinance be amended to allow flexibility for subdivision lots with public road frontage?
  - Under current criteria, private road subdivision lots with public road frontage are required to abide by the private road subdivision standard (10 acres or more). Amending the standard would allow for lots with public road frontage (that meet all other criteria for lot size in A-1) to be smaller than the 10-acre minimum.
- Should the Subdivision Ordinance be amended to clarify lot requirements for family subdivisions?
  - The current code language is subject to interpretation.

- Should the Subdivision Ordinance be amended to clarify whether a Road Maintenance Agreement is required for family subdivisions?
  - Section 19-3-3 does not address this.
- Should the Subdivision Ordinance be amended to require a greater ROW in family subdivisions?
  - The current standard, 20 feet, is a concern for fire/rescue access.

**WORK SESSION RECESS/ADJOURNMENT CALLED:**

At 6:45 pm Barry Bibb, Chair called a recess/adjournment of the January 13, 2026 Work Session.

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

At 7:00 pm Barry Bibb, Chair called the January 13, 2026 Regular Meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

• **Adoption of Agenda:**

<b>MOTION:</b>	TO APPROVE THE ADOPTION OF THE AGENDA OF THE PLANNING COMMISSION MEETING FOR JANUARY 13, 2026 MEETING AS PRESENTED.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Motion</b>	<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>4-0 Approved, 1 Absent</b>				

• **Director's Report:**

- **Upcoming cases - Tenaska**
  - There are three cases on the agenda related to Tenaska under Unfinished Business:
    - ZTA 25:09 – Height regulations for power production plants
    - SUP 25:04 – Expedition Generation Holdings
    - SA 25:01 – Substantial Accord Review, Expedition Generation Holdings
  - The applicant has requested deferral of ZTA 25:09 and SUP 25:04 until February 24, 2026.
  - Per State Code requirements, the Commission must make a decision on SA 25:01 at this meeting.
    - Code of Virginia Section 15.2-2232 (B) "The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval."
    - The Board of Supervisors authorized an extension until this meeting.
- **Upcoming cases - SUPs**
  - There was originally a SUP request advertised for this meeting – SUP 25:05 (Memory Lane Properties). Given the items on the agenda, and as agreed to by the applicant, this public hearing will be held at the regular monthly meeting on February 10, 2026.
  - Consequently, there will be three public hearings for SUPs at the February 10, 2026 meeting.
    - SUP 25:05 (Memory Lane Properties)
    - SUP 25:06 (Prater)
    - SUP 25:07 (Saddle Creek Lane)

• **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	Feb. 10, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Fluvanna County Circuit Court
Tuesday	Feb. 24, 2026*	6pm 7pm	Work Session (TDB) Regular Meeting	Carysbrook Performing Arts Center
Tuesday	Mar. 10, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Room
Tuesday	Apr. 7, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Room

\* Planning Commission meetings will be held in the Morris Room \*

\* (other locations to be considered if larger crowds anticipated) \*

- **Approval of Minutes:**

- None

- **Public Comments:**

- Mr. Bibb opened the first round of public comments.
    - Tracey Smith, 2 Sandy Beach Ct., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Jennifer Kingrea-Ruffner, 11 Zephyr Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Raymond Bassi, 50 Smokewood Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Mario Kuhar, 3247 West River Rd., Scottsville, VA 24590, spoke in **support** of the proposed Expedition Gas Power Plant.
    - Jessica Melton, 222 Pine Ln., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Jim Crocker-Lakness, 221 Palmer Country Ln., Palmyra, Va 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Ashleigh Crocker, 442 Justin Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Bonnie Redding, 18 Lafayette Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Larry Edgington, 581 Country Creek Way, Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Judy Spellman, 13 Amethyst Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Ron Barche, 204 Panorama Ct., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
    - Millie Fife, 889 Jefferson Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Sara Hernandez, 3872 Branch Rd., Scottsville, VA 24590, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Brian Faulkner, 4021 Ruritan Lake Rd., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
    - Amber Kidd, 76 Bell Farms Ln., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
    - Josephus Allmond, 42 Partridge Berry Ln., Troy, VA 22974, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Carol Bruskin, 251 Jefferson Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Nancy Kidd, 4629 Rolling Rd., Scottsville, VA 24590, spoke in **support** of the proposed Expedition Gas Power Plant.
    - Mary Jane Swift, 1028 Hidden Valleys Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Louis Cable, 651 West River Rd., Scottsville, VA 24590, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Angus Murdock, 417 Laughton Ln., Kents Store, VA 23084, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Rebecca Logan Fay, 28 Stonewall Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Suzy Morris, 6840 Thomas Jefferson Pkwy, Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Lauren Banning, 79 Ross Ln., Columbia, VA 23038, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Georgianna Joslin, 5 White Bluff Ct., Palmyra, VA 22963, voiced concerns about how certain aspects of the meeting were handled, and spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Ben Gathright, 2064 Cedar Lane Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
    - Fletcher Gore, 3774 Bleak House Rd., Earlysville, VA 22936, spoke in **opposition** of the proposed Expedition Gas Power Plant.
  - No one else came forward to speak, and Mr. Bibb closed the first round of public comments.

- **Public Hearings:**
  - None
- **Resolutions:**
  - None
- **Site Development Plans:**
  - None
- **Subdivisions:**
  - None
- **Unfinished Business:**
  - **ZTA 25:09 – Height Regulations for Power Plants**
    - **ZTA 25:09** – A request to amend § 22-17-16 of the County Code to give the Board of Supervisors the authority, when issuing a special use permit for a power production plant, to grant a waiver or modification of the maximum height allowances for chimneys and stacks on power production plants.
    - The Planning Commission held a public hearing on this request at its October 7, 2025 monthly meeting and deferred the request until January 13, 2026.
    - Per Section 22-20-1 of the Fluvanna County Code, in conjunction with Section 15.2-2285 of the Code of Virginia, the Planning Commission has 100 days from the date when the Commission first considers the application to make a recommendation.
    - The Planning Commission does not have the ability to further defer this unilaterally. However, it could be deferred upon request by the applicant.
    - The applicant has requested a further deferral of this proposed ZTA until February 24, 2026 (request included in this packet). If the deferral is granted, a special called meeting of the Planning Commission would be held on February 24 to consider this proposed ZTA.

<b>MOTION:</b>	I MOVE THAT THE PLANNING COMMISSION DEFER ZTA 25:09 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-17-16 TO ALLOW THE BOARD OF SUPERVISORS TO GRANT A WAIVER OR MODIFICATION FOR MAXIMUM HEIGHT ALLOWANCES FOR CHIMNEYS AND STACKS ON POWER PRODUCTION PLANTS – UNTIL FEBRUARY 24, 2026.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>				<b>Second</b>	<b>Motion</b>
<b>VOTE:</b>	Aye	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>4-0 Approved, 1 Absent</b>				

- **SUP 25:04 - Special Use Permit, Expedition Generation Holdings**
  - **SUP 25:04 Tenaska Project Expedition** – A Special Use Permit request in the A-1, Agricultural, General District to construct a gas-fired electric generation facility on approximately 414.05 +/- acres and known as Tax Map 27-A-1 (165 acres) and Tax Map 27-A-4 (249.05 acres), which are located along Branch Road (Route 761) and Rock Lane. Tax Map 27-A-1 is located in the Rural Residential Planning Area, and Tax Map 27-A-4 is located within the Rural Preservation Planning Area. Both parcels are located within the Cunningham Election District.
  - The Planning Commission held a public hearing on this request at its monthly meeting on October 7, 2025 and deferred this request until January 13, 2026.
  - The Planning Commission considered this request at its monthly meeting on October 7, 2025 and voted 5-0 to defer this request until January 13, 2026.
  - The applicant has requested a further deferral on this SUP request until February 24, 2026.
  - **SUP Conditions:**
    - The applicant and the County have been discussing conditions for the SUP. Subsequently, the County has retained the Berkley Group and Sands Anderson to review and comment on the proposed conditions. The Board of Supervisors and Planning Commission held a joint work session on January 7, 2026 to review the conditions and comments from each firm. A revised set of conditions will be available for the Planning Commission’s review at the February 24, 2026 special meeting.

<b>MOTION:</b>	I MOVE THAT THE PLANNING COMMISSION DEFER SUP 25:04 – A SPECIAL USE PERMIT REQUEST IN THE A-1, AGRICULTURAL, GENERAL DISTRICT TO CONSTRUCT A GAS-FIRED ELECTRIC GENERATION FACILITY ON APPROXIMATELY 414.05 +/- ACRES AND KNOWN AS TAX MAP 27-A-1 AND TAX MAP 27-A-4 – UNTIL FEBRUARY 24, 2026.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Second</b>		<b>Motion</b>	
<b>VOTE:</b>	Aye	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>4-0 Approved, 1 Absent</b>				

- **SA 25:01 - Substantial Accord Review Expedition Generation Holdings**
  - **SA 25:01 Substantial Accord Review and Determination for Expedition Generation Holdings per Virginia Code Section 15.2-2232** – A request to review the proposed Tenaska Project Expedition to determine whether the general or approximate location, character, and extent of the proposed facility is substantially in accord with the County's Comprehensive Plan per Section 15.2-2223 of the Code of Virginia.
    - The proposed project is located on two parcels – Tax Map 27-A-1 (165 acres) and Tax Map 27-A-4 (249.05 acres) – totaling approximately 414.05 acres and located along Branch Road (Route 761) and Rock Lane. Tax Map 27-A-1 is located in the Rural Residential Planning Area, and Tax Map 27-A-4 is located within the Rural Preservation Planning Area. Both parcels are located within the Cunningham Election District.
  - Per the Code of Virginia, Section 15.2-2232 (A):
    - “Whenever a local planning commission recommends a comprehensive plan or part thereof for the locality and such plan has been approved and adopted by the governing body, it shall control the general or approximate location, character and extent of each feature shown on the plan. Thereafter, unless a feature is already shown on the adopted master plan or part thereof or is deemed so under subsection D, no street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility or an underground natural gas or underground electric distribution facility of a public utility as defined in subdivision (b) of §56-265.1 within its certificated service territory, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof.”
  - Per the Code of Virginia, Section 15.2-2232 (B):
    - “The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, unless the time is extended by the governing body, shall be deemed approval.”
  - The Commission held a public hearing on this substantial accord request at its October 7, 2025 meeting and deferred the request until the November 18, 2025 meeting.
  - In early November 2025, Tenaska requested a further deferral until January 13, 2026.
  - Subsequently, at its regular meeting on November 5, 2025, the Board of Supervisors approved a resolution authorizing the Planning Commission to further defer this matter until January 13, 2026 to align the date of the decision with the recommendations for ZTA 25:09 and SUP 25:04.
  - Consequently, at its regular meeting on November 18, 2025, the Commission further deferred this request until January 13, 2026.
    - Since the Board has not authorized any further deferrals, a decision on this request will need to be made at this meeting.
  - The Applicant has requested that the Planning Commission review this proposed electric generation facility as a “public utility facility” under Code of Virginia Section 15.2-2232(A), to determine whether the general or approximate location, character, and extent of the proposed facility is substantially in accord with the County's Comprehensive Plan.

- This review is related to a separate request for a Special Use Permit (SUP) submitted by the applicant to construct a gas-fired electric generating station.
- The applicant is proposing a natural gas-fired power plant with a capacity of up to 1,540 MW. The SUP request covers two parcels totaling approximately 414.05 acres – Tax Map 27-A-1 (owned by Tenaska) and Tax Map 27-A-4 (owned by Pardee Virginia Timber, Tenaska has an option to purchase from the current owner). The parcels are zoned A-1, Agricultural, General. The proposed use qualifies as “Utility, major” under the County Code, which requires a SUP in A-1.
- Considerations from the current Comprehensive Plan:
  - In the Implementation Goals and Strategies section of the Plan, One of the County’s goals is to promote energy efficiency. Under this goal, one strategy is to “Promote energy efficiency in developments and throughout the community including the use of solar, geothermal, wind, and other decentralized energy technologies and support renewable energy generation by allowing such uses in the zoning ordinance.”
  - Conservation easements are stressed as an important tool for land preservation and conservation in Chapter 1, Chapter 2, Chapter 6, and Implementation Goals and Strategies.
  - Rural Preservation is identified as a desire of the County in Chapter 2, Chapter 5, and Implementation Goals and Strategies.
- Implementation Goals and Strategies also include strategies to preserve the natural environment. They include protecting farm and forest landowners from conflicting adjacent land uses with utilization of buffers, screening, and contiguous tracts of open space; and continuing to promote land-use taxation, conservation easements, ag-forestal districts, and other programs to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes.
- Chapter 5, cites preservation of open space as “an important value in Fluvanna County.” Additionally, Chapter 5 notes that Fluvanna County’s vision is to see at least one-third of its tax revenue come from the business sector. One of the goals cited in Section 5 of the Plan is to diversify and strengthen the County’s tax base.
- To the question of whether the location is in accord with the Comprehensive Plan, staff have not been able to find anything in the Plan that addresses the location of energy generation facilities. That having been said, the proposed use is a *major utility* under the Fluvanna County Code. This use is allowed by-right in I-2 but requires a SUP in A-1, B-1, B-C, I-1, MHP, R-1, R-2, R-3, R-4 and S-1 zoned districts. This request is for a SUP as the parcels in question are zoned A-1.
- **Staff reviewed the proposal against the following components of the Comprehensive Plan:**
  - **Strategy: Promote energy efficiency in developments and throughout the community including the use of solar, geothermal, wind, and other decentralized energy technologies and support renewable energy generation by allowing such uses in the zoning ordinance.**
    - The Comprehensive Plan says little about energy generation other than the strategy stated above. That been said, this project uses gas as its generation source. As such, this project does not meet that strategy.
  - **Goal: To preserve and enhance Fluvanna's unique identity and rural character.**
    - This proposal seeks to use about 50 acres out of a total of approximately 414.05 acres at the project site for the planned facility, which the rest being preserved as forested/open space. Additionally, related to this project, the applicant seeks to acquire two additional parcels south of the project site totaling approximately 354.82 acres and place conservation easements on those parcels. Accordingly, this project meets this goal as it would preserve more than 700 acres in the Rural Residential and Rural Preservation Planning Areas.
  - **Goal: To protect rural areas through economic development.**
  - **Goal: To diversify and strengthen the county's tax base.**
    - According to 2023 data from the Fluvanna County Commissioner of Revenue, Tenaska contributed 4.18 percent of the County’s tax base from the existing facility. It should be expected that the addition of a second facility would make an additional contribution to the County’s tax base.

**▪ Staff recommendation:**

- Based on the analysis, staff finds that the Project **partially** aligns with the County's goals and objectives per the Comprehensive Plan for the following key reasons:
  - The Project would further the County's goals to preserve open space. The project, when completed, would use only 50 acers of an approximately 414.05-acre site. Additionally, the two parcels the Applicant propose to acquire south of the project site would be placed into conservation easements – preserving additional open space.
  - The Project would allow the County to diversify its tax base and increase the portion of the County's revenue stream that comes from the business sector, which could provide an opportunity to reduce the burden on real estate and personal property taxes for supporting local revenues.
- **Accordingly, staff finds that the proposed facility is substantially in accord with the Fluvanna County Comprehensive Plan, or "part thereof."**
- The Planning Commission should consider all relevant portions of the Comprehensive Plan in its analysis. Additionally, the Commission should carefully and thoroughly document its reasons for whatever conclusion it reaches.
- To reiterate, based on State Code requirements and previous action by the Board of Supervisors, the Commission needs to make a decision on this request at this meeting.
  - Code of Virginia Section 2-2232 (B) states:
    - "The commission shall communicate its findings to the governing body, indicating its approval or disapproval with written reasons therefor. The governing body may overrule the action of the commission by a vote of a majority of its membership. Failure of the commission to act within 60 days of a submission, **unless the time is extended by the governing body**, shall be deemed approval."
  - Consequently, the Commission has the following options:
    - Determine that the application **IS** substantially in accord with the Comprehensive Plan with written reasons for its decision.
    - Determine that the application **IS NOT** substantially in accord with the Comprehensive Plan with written reasons for its decision.
    - Option 3, to defer, **is no longer available** since the Board has not authorized a further extension of the time period for the Commission to act on this request.
- If the Planning Commission chooses Option 2, that the application **IS NOT** substantially in accord with the Comprehensive Plan, then the applicant has the right to appeal that decision to the Board of Supervisors.
- Code of Virginia Section 15-2-2232 (B) further states:
  - "The owner or owners or their agents may appeal the decision of the commission to the governing body **within 10 days** after the decision of the commission. The appeal shall be by written petition to the governing body setting forth the reasons for the appeal. **The appeal shall be heard and determined within 60 days from its filing**. A majority vote of the governing body shall overrule the commission."

**○ Applicant Comments:**

- Expedition Generating Station Key Project Updates by Jarrod Pitts, Lori Schweller, and Dr. David Paylor.
  - At the Oct. 7 meeting, decisions were deferred as the Planning Commission wanted to see the following concerns addressed:
    - Sound
    - Traffic
    - Health and environmental impacts
    - Need for grid reliability
    - Community engagement
    - More data and independent studies
    - Improved Conditions of Approval
  - Over the last 3 months, we have been working diligently to address these areas
    - Sound
      - i. Third-party study that examines sound from both facilities made available to the public
      - ii. Prior commitment to use of "best in class" sound mitigation

- technology added as a condition
- iii. Commitment to pre- and post-construction baseline sound studies to demonstrate compliance and will work with county staff to update the SUP conditions
- iv. Good Neighbor Fund that accounts for sound and other impacts
- Traffic
  - i. County commissioned independent traffic study, which is being paid for by Tenaska
  - ii. Commitment to work with county on solutions to traffic issues exacerbated by construction
  - iii. Day-to-day operation of the plant would have limited impact on traffic
- Environmental, Health and Safety
  - i. Environmental Summary Memo (November 14, 2025)
  - ii. Significant data and information on the existing plant and Expedition relating to air and water
  - iii. Meet or be better than state and federal requirements
- Supplemental Environmental Information (January 8, 2026)
  - i. Preliminary air modeling that meets all state and federal requirements
  - ii. Refute recent "health reports" that are inaccurate and dismiss robust regulatory standards
- Independent Environmental Memo from Potesta (David Paylor, former Director of VDEQ)
  - i. "National and state regulatory programs can be trusted to protect the public"
  - ii. With respect to the existing plant, "there have been no Notices of Violation" and "the facility is in compliance with all air requirements"
- Required Post-Zoning Environmental and Related Permits
  - i. Site development plan approval
  - ii. Virginia Certificate of Public Convenience and Necessity (State Corporation Commission)
  - iii. Prevention of Significant Deterioration (PSD) Air Quality Permit (VDEQ)
  - iv. Title V Operating Permit (VDEQ)
  - v. Virginia Pollutant Discharge Elimination System (VPDES) Wastewater Discharge Permit (VDEQ)
  - vi. Virginia Water Protection Permit (VDEQ) / Clean Water Act Section 404 Permit (USACE) for wetlands, T&E species, cultural and historical resources
  - vii. Various oil tank installation, registration and financial assurance demonstration
  - viii. Potable water well installation and operation approval
  - ix. Construction stormwater permit(s) with post-construction stormwater requirements (VDEQ, Fluvanna County)
- Grid Reliability
  - i. Latest capacity auction report from PJM (regional grid operator) shows 6,625 MW shortfall to ensure grid reliability
  - ii. Risk of blackouts in Virginia are increasing and electricity bills are expected to increase unless new generation is brought online
  - iii. Expedition among 51 projects deemed critical by PJM for grid reliability
- Community Engagement
  - i. Tenaska has been engaging with residents about Expedition since June 2025
  - ii. Briefings for closest neighbors and stakeholders
  - iii. Community open house
  - iv. Project website and dedicated project email account
  - v. Various direct mail letters and email blasts
  - vi. Neighbor surveys and home visits with neighbors
  - vii. County-wide mailing
  - viii. Ads in Fluvanna Review

- ix. All application materials on the county's website
- x. Commitment to establish Community Advisory Board
- xi. As demonstrated by the SUP conditions, we are committed to additional benefits for the county – beyond the estimated \$250 million in tax revenue that this will generate and the 29 new local jobs
  - Good Neighbor Fund
  - Funding for first responders
- xii. We are working with county staff on the appropriate mechanism to memorialize these commitments
  - i. We are committed to working with the county to further revise conditions

- **Expedition Generating Station Substantial Accord with Comprehensive Plan**
  - **Substantial Accord with Comprehensive Plan ("2232 Review")**
    - Before a public utility facility may be "constructed, established, or authorized," the "general location or approximate location, character, and extent" must be approved by the Planning Commission as being "substantially in accord with the adopted comprehensive plan or part thereof." (emphasis added)
    - Va. Code § 15.2-2232.
  - **Approximate Location**
    - The County's Zoning Ordinance allows power production plants only in the A-1 General Agricultural zoning district. Building the plant contiguous to the existing Tenaska plant minimizes impacts to the rural areas by using existing utility infrastructure.
    - Development of the plant on commercial timber parcels sets stage for forest preservation and conversion over time.
  - **Relevant Goals and Objectives of Fluvanna County Comprehensive Plan Update 2024**
    - Accord with Important Comprehensive Plan Goals
      - i. Economic Development and Financial Sustainability
      - ii. Rural Area Preservation
      - iii. Environment Protection
    - **Chapter 5 – Economic Development:** GOAL: To diversify and strengthen the county's tax base, and **Chapter 12 – Financial Sustainability:** GOAL: Seek to maximize revenue streams from new development.  
The Expedition Generating Station is expected to generate approximately \$247.7 million in tax revenue for Fluvanna County over 30 years of operation. This would make Expedition the highest taxpayer in the county, paying 30% of real property taxes.  
This benefit helps to fulfill the County objective of shifting from heavy reliance on residential property taxes (70% of revenues) by expanding commercial and industrial contributions.  
Construction and operation will also result in additional jobs, contractor opportunities and other economic activity within the county.
    - **Chapter 1 – Natural Environment:** GOAL: To manage and protect surface water and groundwater resources.  
Per the federal and state environmental framework, Expedition will:
      - i. Comply with the stringent federal permitting requirements of the Clean Air Act and State Air Pollution Control Law and attendant regulations, including Prevention of Significant Deterioration and major source (or Title V) air permits from DEQ
      - ii. Employ Best Available Control Technology to minimize emissions and operate as one of the cleanest forms of dispatchable energy
      - iii. Obtain process water from an existing permitted public water system that must curtail water withdrawals during drought conditions
      - iv. Obtain a Virginia Water Protection Permit from DEQ for water withdrawal, which will limit the amount of withdrawal and set other conditions to ensure sufficient flow preserved for aquatic life, recreational uses and "off-stream" uses
      - v. Obtain a Virginia Pollutant Discharge Elimination System

permit, which will ensure discharged water is compliant with water quality standards that protect human health and the environment

- vi. Continue Tenaska's commitment to the environment, as reflected in DEQ records finding the existing plant in compliance with established standards

➤ **Chapter 1 – Natural Environment: GOAL: To develop land-use policies and regulations that will preserve and enhance the county's natural environment, and Chapter 5 – Economic Development: GOAL: To protect rural areas through economic development**

- i. Expedition will maintain at least 87% of the two project parcels (425 acres) in open space
- i. Forest Management Plan will preserve and convert forest to hardwood on the southern project parcel
- ii. Minimum 300' wide buffers surrounding the plant
- iii. Construction activities will be sequenced to minimize impacts to threatened and endangered wildlife

➤ **Chapter 1 – Natural Environment: GOAL: To protect environmental resources.**

- i. Tenaska will put two additional off-site parcels totaling 350 acres into conservation easement
- ii. A Forest Management Plan will be developed for these two parcels for slow conversion from loblolly pine to native hardwood

- **Summary**
  - **Staff finds the project is substantially in accord**
    - i. "Staff finds that the proposed facility is substantially in accord with the Fluvanna County Comprehensive Plan, or 'part thereof.'"
  - **Project meets key objectives of the comprehensive plan**
    - i. Preserving rural character
    - ii. Economic development
    - iii. Diversifying and strengthening the tax base
  - **Expedition will meet or be better than state and federal environmental regulations**
- **Planning Commission Members Discussion:**  
Commission Members and Board Representative discussed the nuance of this Substantial Accord concept and the "part thereof" language used in the particular code section.

<b>MOTION:</b>	I MOVE THAT THE PROPOSED TENASKA PROJECT EXPEDITION ELECTRIC GENERATION STATION, AS DESCRIBED IN THE RELATED SPECIAL USE PERMIT APPLICATION, BE FOUND NOT TO BE SUBSTANTIALLY IN ACCORD WITH THE FLUVANNA COUNTY COMPREHENSIVE PLAN OR PARTS THEREOF FOR THE FOLLOWING REASONS: IT DOES NOT APPEAR TO MEET THE THRESHOLD OF SUBSTANTIAL ACCORD OR PART THEREOF, AND INDEED CONTRADICTS PARTS THEREOF.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Nay	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>3-1 Approved, 1 Absent</b>				

- **Recess:**
  - Mr. Bibb called for a recess at 10:16 pm.
  - The Planning Commission returned from recess at 10:29 pm.
- **New Business:**
  - **Amendment to Planning Commission Bylaws**
    - The Planning Commission Bylaws were last amended in April 2025.
    - The Planning Commission Bylaws changes are being proposed to bring the Planning Commission Bylaws more in line with the Bylaws for the Board of Supervisors.
    - Changes are being presented to the Commission at this meeting for review. The changes will need to be voted on at the February Commission meeting.

- **Public Comments #2:**

- Mr. Bibb opened the second round of public comments.
  - Raymond Bassi, 50 Smokewood Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
  - Tracey Smith, 2 Sandy Beach Ct., Palmyra, VA 22963, voiced concerns about how certain aspects of the meeting were handled.
  - Ron Barche, 204 Panorama Ct., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
  - Angus Murdock, 417 Laughton Ln., Kents Store, VA 23084, spoke about the Comprehensive Plan and possible inputs for the future.
  - Sara Hernandez, 3872 Branch Rd., Scottsville, VA 24590, spoke in **opposition** of the proposed Expedition Gas Power Plant.
  - Jessica Melton, 222 Pine Ln., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.

- No one else came forward to speak, and Mr. Bibb closed the second public comment period.

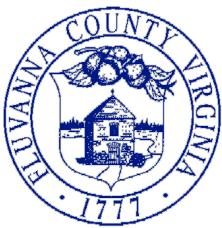
- **ADJOURNMENT:**

- Chair Bibb called for a motion to adjourn the January 13, 2026 Planning Commission meeting at 10:56 pm.

<b>MOTION:</b>	MOTION TO ADJOURN THE JANUARY 13, 2026 PLANNING COMMISSION MEETING AT 10:56 PM.				
<b>MEMBER:</b>	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
<b>ACTION:</b>		<b>Motion</b>			<b>Second</b>
<b>VOTE:</b>	Aye	Aye	Absent	Aye	Aye
<b>RESULT:</b>	<b>4-0 Approved, 1 Absent</b>				

Minutes were recorded by Jenny Cassell Faulkner, Administrative Programs Specialist.

Barry Bibb, Chair  
Fluvanna County Planning Commission



# COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

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## PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission  
Case: SUP 25:07 Saddle Creek Lane  
Tax Map: 28-A-33G

From: Jason Overstreet/Todd Fortune  
District: Fork Union Election District

**General Information:** This Special Use Permit (SUP) request is to be heard by the Planning Commission on Tuesday, February 10, 2026 at 7:00 pm at the Fluvanna County Circuit Court

**Applicant:** Birchwood Glamp Camp LLC

**Representatives:** Stacy Bass, Jennifer Kalinoski

**Requested Action:** **SUP 25:07 Saddle Creek Lane** – A Special Use Permit request in the A-1, Agricultural, General District to construct and operate a seasonal summer camp under §22-4-2.2 on a parcel totaling approximately 23.71 acres, Tax Map 28-A-33G. The subject property is located on Saddle Creek Lane just north of Long Acre Road (Route 639) in the Rural Preservation Planning Area and Fork Union Election District.

**Existing Zoning:** A-1, Agricultural, General

**Existing Land Use:** Vacant

**Planning Area:** Rural Preservation Planning Area

**Adjacent Land Use:** The surrounding area is zoned A-1, Agricultural, General

### **Applicant Summary:**

The applicant is requesting a Special Use Permit (SUP) for a seasonal summer camp under §22-4-2.2 on a parcel totaling approximately 23.71 acres on Saddle Creek Lane, Tax Map 28-A-33G. The subject property is zoned A-1, Agricultural. The proposed commercial use is allowed in A-1 with a SUP.

The applicant is proposing to construct a camp, For Fox Sake, which would be a hybrid glamping-summer camp and boutique eco camp for women. The facility will offer traditional summer camp activities including arts and crafts, scavenger hunts, and campfires as well as luxury wellness activities such as massages and therapeutic services. The applicant proposes to operate the camp for 22 weeks per year, from April to October. They would offer 10-week camps from June to August and 10 weekend retreats during April/May and September/October. The applicant has committed to working within the existing landscape to minimize the removal of

existing trees and minimize the disruption to the creeks and areas immediately surrounding waterways. The applicant proposes to add butterfly-attracting plants on site.

The proposed facility would include 10 safari-style tents to accommodate up to 40 guests, starting with five tents accommodating up to 20 guests in year one then expanding to 10 tents accommodating up to 40 guests in year two. Accessory structures proposed for the facility are: an outdoor lagoon-style pool; a wellness hut (offering massages and associated services); a dining hall with an onsite kitchen and laundry; a camp general store and office; a fire pit; an arts hut; three tiny houses for staff; a home for the property owner; a maintenance barn; walking paths; parking for registered guests and staff (maximum 30 spots); an open hillside/meadow; and well, sewer, and solar systems.

### **Comprehensive Plan:**

The Comprehensive Plan designates this property as within the Rural Preservation Planning Area. According to this chapter, “The rural preservation areas are intended to be the least developed areas of the county” along with rural land uses that support the rural quality of life.

The Comprehensive Plan recommends that development within Rural Preservation areas preserve the character of the area and promote economic development. Accordingly, “Landholders in these planning areas should be given the opportunity to pursue options that will supplement their income. This is particularly the case for landowners who may need to supplement their income in order to maintain rural land uses. Although these areas do not have the population base or location attributes to attract much commercial development, other types of development may be appropriate and should be reviewed on an individual basis.” Additionally, landowners in and around these planning areas should be given the opportunity to pursue options that will supplement or provide income and may provide additional employment opportunities to the surrounding community. The campground will attract visitors from outside the County who could patronize local businesses, providing increased revenue for those businesses and, consequently, providing employment opportunities to those who reside in Fluvanna County.

### **Technical Review Committee:**

The Technical Review Committee has reviewed the proposed SUP and offered the following comments:

1. All structures will need individual permits and engineer-designed plans, while also addressing erosion control requirements for the site. An Erosion & Sediment Control plan is required if disturbance is over 10,000 square feet, and plans may need to be reviewed by the Department of Environmental Quality to determine if stormwater facilities are required.
2. Virginia Department of Health (VDH) staff outlined requirements including permits for restaurants, campgrounds, and water systems. The wastewater system would need to be reviewed by VDH, and swimming pools would require annual safety inspections and daily water quality testing. Wells would need to be permitted with one requiring commercial permitting through the VDH Office of Drinking Water.
3. Fire Department officials emphasized the need for 18-foot roadways, proper fire pit screening, and sufficient water access for firefighting. Officials also requested a cul-de-sac diameter of 75 to 100 feet at the end of the access roads. Fire officials noted that there should be 25 feet of separation between tents/modular units, and proper fire suppression in the commercial kitchen.

4. Department of Forestry staff urged the applicant to be aware of outdoor burning regulations and noted that open-air burning is restricted in April. They further advised the applicant to be very cognizant of ash disposal from the fire pit and that any open-air fires are required to be monitored. They also recommended using local fire wood to avoid introducing invasive insects.
5. At Official Site Plan Submission for VDOT review, the applicant will need to provide turn lane warrants and trip generation data.
6. The existing entrance at Route 639 will need to be a commercial entrance that meets VDOT design standards.

### **Planning Analysis:**

Birchwood Glamp Camp LLC is requesting a SUP to construct and operate a seasonal summer camp on Tax Map 28-A-33G (on Saddle Creek Lane). The applicant is proposing a hybrid glamping-summer camp and boutique eco camp for women. The facility will offer traditional summer camp activities including arts and crafts, scavenger hunts, and campfires as well as luxury wellness activities such as massages and therapeutic services. The applicant proposes to operate the camp for 22 weeks per year, from April to October.

The proposed development will consist of 10 safari-style tents (starting with five tents in year one then expanding to 10 year two) plus accessory structures including: an outdoor lagoon-style pool; a wellness hut (offering massages and associated services); a dining hall with an onsite kitchen and laundry; a camp general store and office; a fire pit; an arts hut; three tiny houses for staff; a home for the property owner; a maintenance barn; walking paths; parking for registered guests and staff (maximum 30 spots); an open hillside/meadow; and well, sewer, and solar systems.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

**1) The proposed use should not tend to change the character and established pattern of the area or community.**

Given the number of campsites on the property, the lack of festival events to be held on the property, and the seasonal nature of the business, the increase to local traffic is expected to be negligible and any additional noise generated is expected to be minimal; therefore, it does not appear that the established rural pattern of the community would be altered or changed. Additionally, the applicant has committed to working within the existing landscape to minimize the removal of existing trees and minimize the disruption to the creeks and areas immediately surrounding waterways.

**2) The proposed use should be compatible with the uses permitted in that zoning district and shall not adversely affect the use/or value of neighboring property.**

The campground is an allowed use with a SUP. The surrounding land use is low density residential and agricultural uses, which should not be adversely affected by the proposed use.

**Recommendation:**

The Planning Commission should consider any potential adverse impacts to the surrounding community, such as traffic entering and exiting the property, noise, or potential visual impacts to adjacent properties. The proposed camp will attract visitors to the area, which in turn will provide potential customers for local businesses (providing a boost to the local economy and avoiding additional residential development in a rural area of the County). Aside from a potential for a modest increased need for fire and rescue services, the effect on local infrastructure is expected to be minimal.

It is the opinion of staff that the location and intended use of the property is consistent with the recommendations of the Comprehensive Plan and Zoning Ordinance.

If approved, staff recommend the following conditions:

1. The applicant would submit a site plan for approval that addresses the concerns stated by the Technical Review Committee. They include:
  - i. Emergency access and sufficient water access for firefighting.
  - ii. VDOT requirements for turn lane warrants and trip generation data.
  - iii. Erosion and sediment control and stormwater measures as required.
2. The applicant will obtain all required permits from the Virginia Department of Health prior to opening the facility for business.
3. The applicant will abide by all Virginia Department of Forestry burning regulations, and will use local fire wood when possible.
4. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and adjacent properties is acceptable to County officials.
5. The applicant shall ensure compliance with the Noise Ordinance of the Code of the County of Fluvanna, as adopted and as enforced by the Fluvanna County Sheriff's Office.
6. The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.
7. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

**Suggested Motion:**

I move that the Planning Commission recommends (approval / denial / deferral) of SUP 25:07, a request to operate a seasonal summer and accessory uses with respect to 23.71 ± acres of Tax Map 28 Section A Parcel 33G with the conditions as described in the staff report.



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Miller, Ronald J. and Shannon L.

Applicant of Record: Bass, Stacy

Address: 752 Steeplechase Rd., Landisville PA

Address: 5603 Broadmoor St., Alexandria VA

Phone: 707-515-4280

Fax:

Phone: 703-282-5741

Fax:

Email: [Shannon.L.Miller@forsakecamp.com](mailto:Shannon.L.Miller@forsakecamp.com)

Email: [Stacy.Bass@forsakecamp.com](mailto:Stacy.Bass@forsakecamp.com)

Representative:

Address:

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Tax Map and Parcel(s) 28/A/33/G

Acreage 23.71

Zoning A-1

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:

Deed Book and Page: 788/983

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: Build a seasonal summer camp for women.

\*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 12/29/25

Signature of Owner/Applicant: *Stacy Bass*

Subscribed and sworn to before me this

29<sup>th</sup>

day of

December, 2025

Notary Public: *Debra*

Register #

My commission expires:

1/31/2028

Certification: Date: 366712



Office Use Only

Date Received: 12/29/25 Pre-Application Meeting: PH Sign Deposit Received: \$50 Application #: SUP 25 0007

\$800.00 fee paid: 12/29/25 Tmp 28 A 33G

Amendment of Condition: \$400.00 fee paid:

Telecommunications Tower fee plus mailing costs paid:

Telecom Consultant Review fee paid:

Election District: Fork Union

Planning Area: Rural Preservation

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates:

Advertisement Dates:

APO Notification:

APO Notification:

Date of Hearing:

Date of Hearing

Decision:

Decision:

Shannon L. Miller  
752 Steeplechase Rd.  
Landisville, PA 17538  
(717) 615-4282  
shannon@forfoxsake.camp

December 27, 2025

Fluvanna County Planning Department  
132 Main Street  
P.O. Box 540

Palmyra, VA 22963

Re: Authorization for Stacy Bass to Act as Authorized Agent for Special Use Permit Application  
Property: Tax Map # 28/A/33/G

To Whom It May Concern:

I, Shannon Miller, am the owner of record of the property located at 24-792 Saddle Creek Lane, Fluvanna County, Virginia, identified as Tax Map/Parcel Number #28/A/33/G.

I hereby authorize Stacy Bass to act as my authorized agent for all matters concerning the Special Use Permit (SUP) application for the above-referenced property. This authorization includes, but is not limited to, submitting the SUP application, providing any required information or documents, attending meetings or hearings, communicating with County staff, and representing me in all aspects related to the processing and review of this request.

This written authorization is provided in accordance with the requirements of the Fluvanna County Special Use Permit application, which states: "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."

I declare under penalty of perjury that the foregoing is true and correct.

Sincerely,

Signed by:

*Shannon Miller*  
846502B526494F2...  
Shannon L. Miller

**Special Use Permit Application: January 2026**  
**Fluvanna County Planning Department**

Birchwood Glamp Camp LLC requests the approval of a Special Use Permit for Tax Map Parcel 24-792, comprising 23.71 acres in Palmyra, VA, to allow a Camp and accessory uses, as described in this application.

Birchwood LLC seeks to utilize the Special Use Permit to open and operate For Fox Sake Camp, a hybrid glamping-summer camp that reinvents women's wellness as a boutique eco camp to reconnect women to play. The Camp will elevate traditional summer camp activities including arts and crafts, scavenger hunts, and campfires combined with luxury wellness activities such as massages, therapeutic services, and relaxation by the lagoon pool to create the ultimate fun-first women-only wellness experience. The proposed Camp seeks to operate a 22-week season from April to October consisting of 10 week-long camps from June to August and 10 weekend retreats during April/May and September/October.

We intend to preserve and celebrate the natural beauty and rural character of the land and its surroundings by working within the landscape to ensure minimal removal of trees and avoiding disruption to the creeks and area immediately surrounding the waterways. We also plan to expand the size and density of the area filled with butterfly-attracting plants to enhance the camp experience for our guests.

**Included Attachments:**

- For Fox Sake Camp Master Site Plan
- Certificate of Business Registration
- Tax Map
- General Location Map
- Waste Water On Site Dispersal Feasibility Study Letter
- Supporting Graphics and Floorplans

**Describe briefly the improvements proposed. State whether new buildings are to be constructed, existed buildings are to be used, or additions made to existing buildings.**

**Existing Uses:** The property is zoned General Agriculture (A-1) and contains open hillside fields, woodlands, and streams. The property has no current agricultural, residential, or business uses. There are no current utilities, infrastructure, or structures on the property.

**Proposed Uses:** We intend to build For Fox Sake Camp into a luxury women's (18 yo+) wellness glamp camp featuring 10 safari-style tents to accommodate up to 40 guests (5 tents/20 guests year one; 10 tents/40 guests years 2 and onward). In addition to accommodations, the camp will have the following accessory structures, which will be for use by registered guests (and staff) of the camp only. All construction will be new builds.

- Outdoor Lagoon Style Pool

- Wellness Hut (offering massages and associated services)
- Dining Hall with Onsite Kitchen & Laundry
- Camp General Store / Office
- Fire Pit
- Arts Hut
- Staff Housing (3 tiny houses)
- Property Owner's Home\*
- Maintenance Barn\*
- Walking Paths (to create a walkable camp setting and to allow exploration of wooded areas on the property)
- Parking for registered guests and staff (maximum 30 vehicle capacity)
- Open Hillside/Meadow (non-developed area open to registered camp guests and which may house outdoor teambuilding and other group activities)
- Well, sewer, and solar systems (and their required housing to support camp operations)

*\*Property owner's home and the maintenance barn will be submitted for building approval as right of use for agricultural land*

**Necessity of Use.** Describe the reason for the requested change.

Fluvanna County is uniquely positioned to host a boutique sanctuary retreat within a 2.5 hour drive of some of the highest concentrations of female wealth and professional burnout in the US. Women are looking for an escape, a place of meaningful connection, and a return to childhood joy. For Fox Sake Camp seeks to capitalize on this opportunity while preserving the natural and rural character of the area to offer a much needed wellness experience tailored to the region. Through responsible tourism and outdoor recreation, we will create a unique experience which will bolster the local economy and provide a meaningful respite for some of the region's key and underserved clientele. The Camp will host exclusive women's summer camps as well as weekend retreats for women-focused organizations, milestone celebrations (such as bridal parties), and wellness experiences. Camp activity offerings will follow two tracks: play and wellness. Play activities will include traditional summer camp activities such as arts & crafts, scavenger hunts, movies in the pool, and campfires. Wellness activities will include psycho-social therapy sessions, relaxation services such as massage, and personal development classes. The proposed structures will provide for accommodations, programming, and general operations of the Camp.

**Protection of Adjoining Property:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

The property is primarily surrounded by Saddle Creek Farm and privately held vacant properties. As shown on the Master Site Plan, preservation of natural space along the property lines (> 25') will serve to buffer impacts to adjacent lots. The property will be surrounded by hog wire fencing on all sides with the exception of the side that borders the road (refer to the attached "Boundary Fencing Map"). Boundaries will be clearly marked and signage posted to ensure Camp guests are made aware of Camp boundaries and therefore do not travel onto adjoining properties. Additionally, to ensure protection for surrounding property owners, the

Camp will prohibit overnight stays of non-registered guests, including no overnight stays in recreational vehicles or transient dwellings (tents, etc.), and all staff will undergo background checks prior to employment with the Camp. We will implement best practices for forest health, maintenance of streams, management of human/wildlife interaction, sustainability of soil integrity, water conservation, and energy efficiency, and we will seek to minimize impact on the natural environment.

**Enhancement of County:** Why does the applicant believe this requested change would be advantageous to the County of Fluvanna?

For Fox Sake Camp intends to foster partnerships with area farms, orchards, wineries, etc. to support these businesses and boost the local economy through direct purchases by the Camp (sourcing food and beverage for onsite meal service) and by promoting local goods to our guests for display and purchase in our Camp General Store. We also intend to contract with local artisans to teach specialty activities (painting, mosaics, etc.), as well as create gallery spaces within our facilities where local artisans' work is prominently displayed and available for purchase by guests. Towards this effort, we foresee hosting tasting events both on-site and as "field trips" to local wineries and farms to further engage our guests with the charm of Fluvanna County community businesses and drive tourism and spending in the area. We envision additional partnerships with local musicians, storytellers, wellness practitioners, and other creatives to enhance the experience guests receive at For Fox Sake Camp and showcase the character of Fluvanna County. We believe this aligns well with the rural values of the region and the economic benefit of responsible and respectful tourism.

Additionally, For Fox Sake Camp intends to hire locally for seasonal positions, adding up to 25 positions within the first two years of operation. This is in addition to the above mentioned contracts with wellness facilitators and artisans.

**Plan:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application. **Remarks:**

**Road Infrastructure & Emergency Access:**

For Fox Sake Camp plans to operate a 22-week season to accommodate up to 40 guests per session and up to 10 staff and contractors. We anticipate the additional traffic impact to be minimal as guests will come into camp and will remain onsite throughout their stay and any field trips will take place via shuttle bus owned by the Camp or in partnership with local tour operators. Deliveries of food and other provisions will be coordinated to minimize disruptions to roadways for surrounding properties.

1. The main entry as shown on the Master Site Plan will be accessed via Hayden Marten Road to Saddle Creek Lane. This will be the primary access point for guest entrance and staff accommodation.

2. The secondary entry/service delivery road on the northern end of the property will be the most direct for emergency vehicles to access guest accommodations and activity areas. This will also be the service road used for vendor deliveries.

Both entry drives will be designed for 20' wide one-way traffic to accommodate emergency vehicles per the National Fire Protection Association guidelines and local Fluvanna County fire marshal standards. Walking pathways to accommodations and major structures, including the pool and dining hall, will be designed to accommodate stretcher access for emergency personnel.

Utilities: The property is not located within the jurisdictional area for County water and sewer service, therefore, drilling of a well along with onsite wastewater treatment and disposal are required for the Camp. Mike Clark of Enviro-Klean has been contracted to conduct the required testing and build plans for the water and sewer systems. Initial drain field sites have been marked and soil samples conducted to ensure viability. Refer to the attached *Waste Water On Site Dispersal Feasibility Study Letter*.

Fire Pits: Fire pits will comply with the department of forestry standards for open burning fire pits. Wood burning fire pits less than 36" in diameter and 24" in height will be setback a minimum 25' setback from any structure and any wood burning fire pit larger than that will be setback 50' from any structure.

Environmental Features: We intend to minimize disruption to the natural environment as much as feasible, instead working within the surroundings to preserve the integrity of the land as we believe this adds to the camp experience. Our goal is to minimize clearing and grading to only what is required to facilitate development. Structures will be placed in such a way to preserve old tree growth. There are no proposed development impacts to the existing streams on the property and all buildings will comply with the 100' buffer required by the County's Water Protection Ordinance. Additionally, stormwater and erosion control measures will be utilized in compliance with the County's Water Protection Ordinance.



For *Fox* Sake Summer Camp

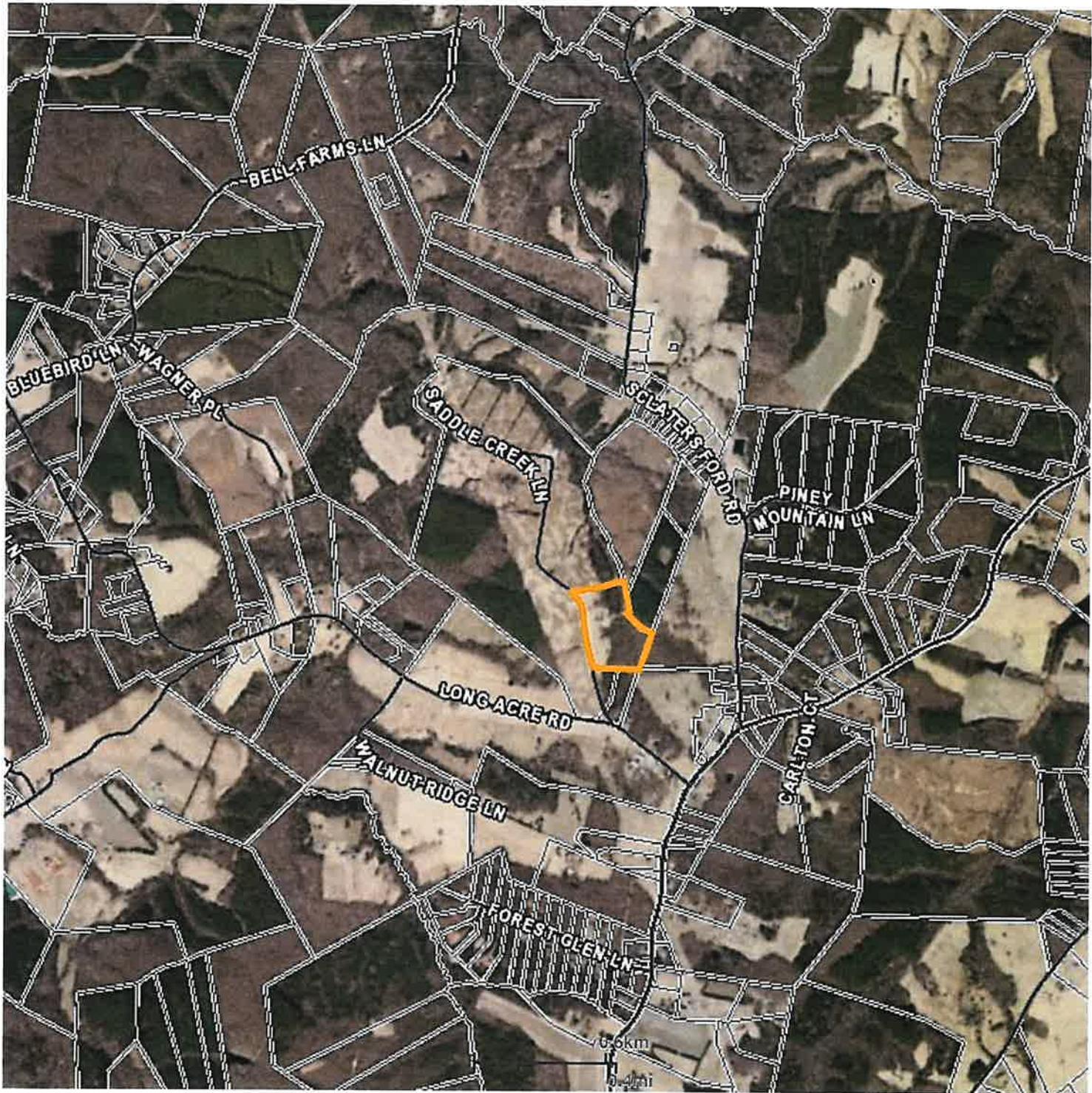
## **Special Use Permit Application**

January 2026

Fluvanna County Planning Department

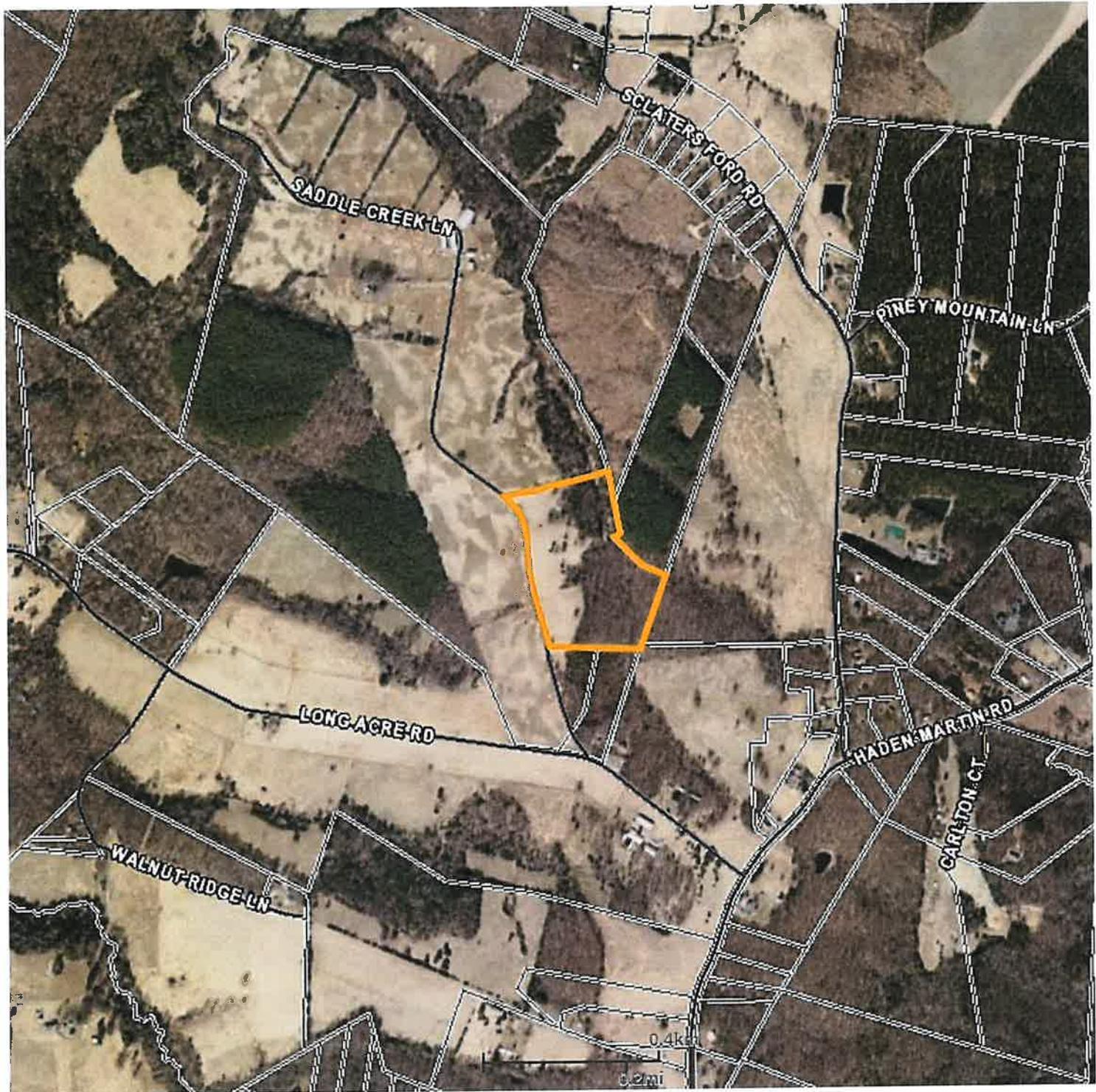
# General Location Map

## 1 of 2



# General Location Map

## 2 of 2



# Boundary Fencing Map

TPP 28-A-33  
N/P LORI C BROWN,  
TRUSTEE OF THE  
LORI C BROWN  
REVOCABLE TRUST  
DB 926 PG 2

**TMP 28-4-33C**  
**RONALD J &**  
**SHANNON L MILLER**  
**DB 788 PC 983**  
**PB 3 PC 41 [PLAT]**  
**28.709 AC**

✓ TMP 29-A-50  
N/Y WILLIAM M &  
MARGARET F KLEINOT  
INST 8180003712

TMP 22-A-50B  
N/P WALLACE STEPHEN &  
SUSAN C BROWNING  
DB 714 PG 861

IF ON LINE  
AT 154.51

\*FENCE FOLLOWS  
PROPERTY LINE FROM  
POINT A TO B

F 25.02' N 88°08'28" W 695.70'

TMP 29-A-37  
N/P STEPHANIE  
SCHEIDT  
INST #210003329

TNP 28-A-33H  
S/F LORI C BROWN

Green highlighted area indicates areas where hog wire fencing will be present.

# Camp Activities

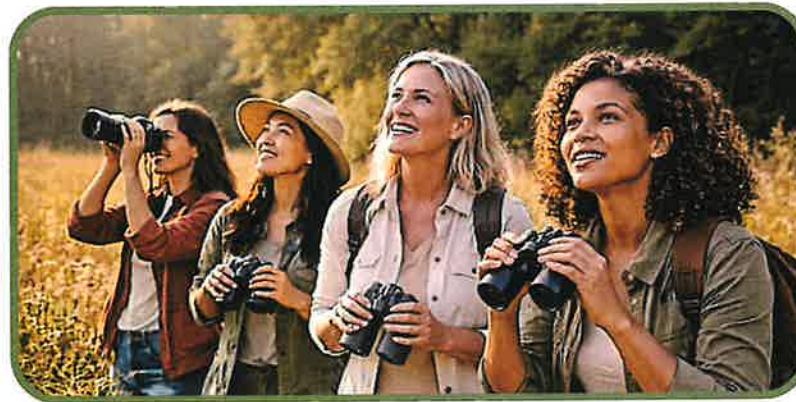
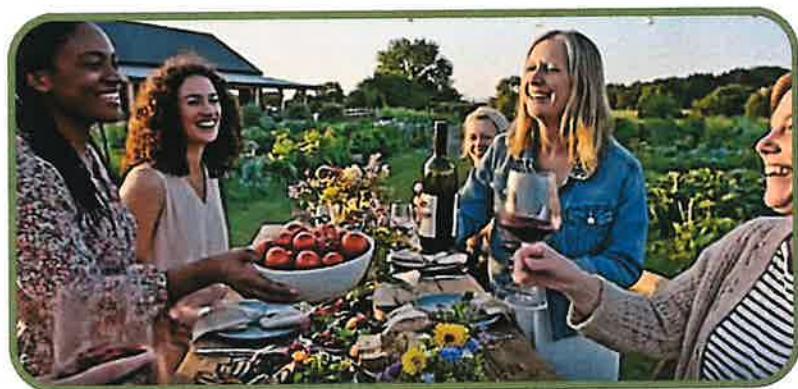


## Arts & Crafts

Taught by Local Artistans

## Gourmet Food & Beverage

Sourced from Local Farms and Wineries



## Nature Immersion

Birdwatching and Hiking



## Curated Social Experiences

To Foster Connection & Community

# Wellness Services

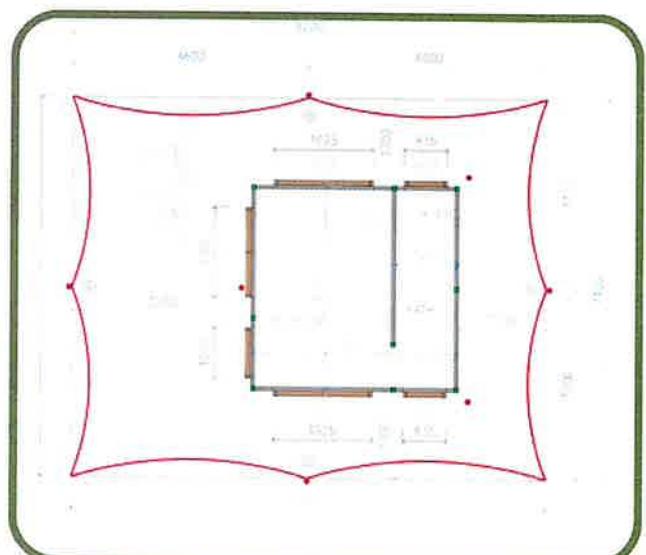
## Therapeutic Offerings



## Massage & Spa



## Wellness Hut



# Luxury Safari Tent Accommodations

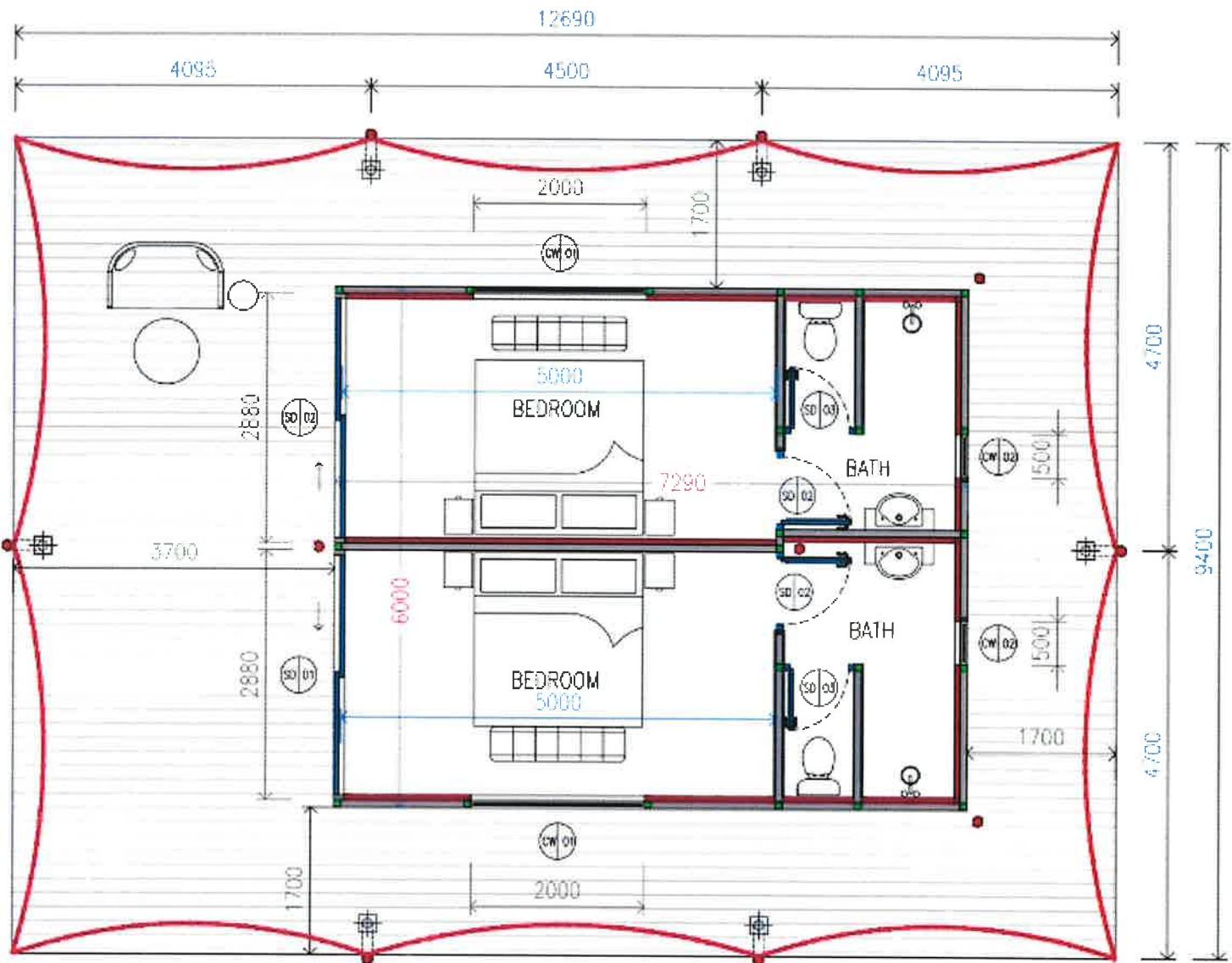
Each tent will house 4 women with two ensuite bathrooms and climate control.



# Luxury Safari Tent Accommodations

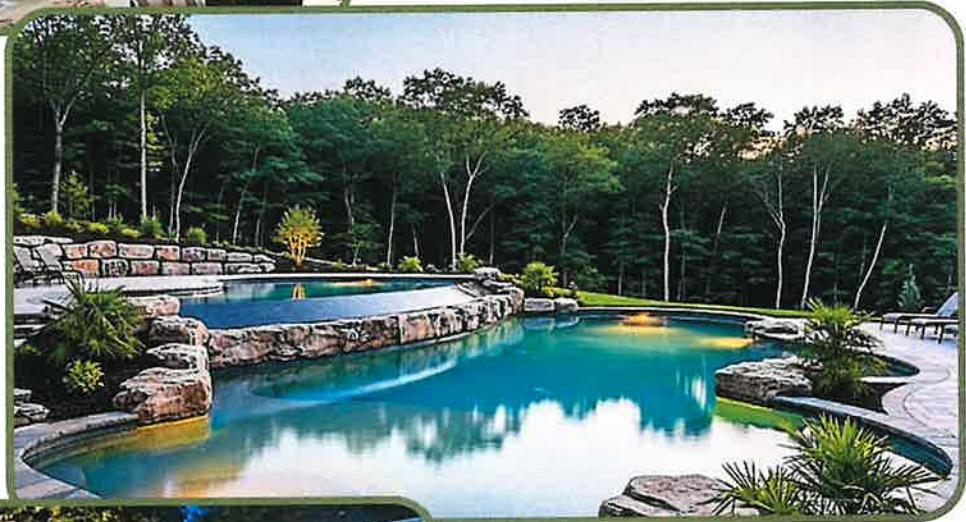
Sourced from Tentickles Luxury Tents in Cape Town, South Africa.

Note: floorplan depicts one king bed, but will be 2 full beds.

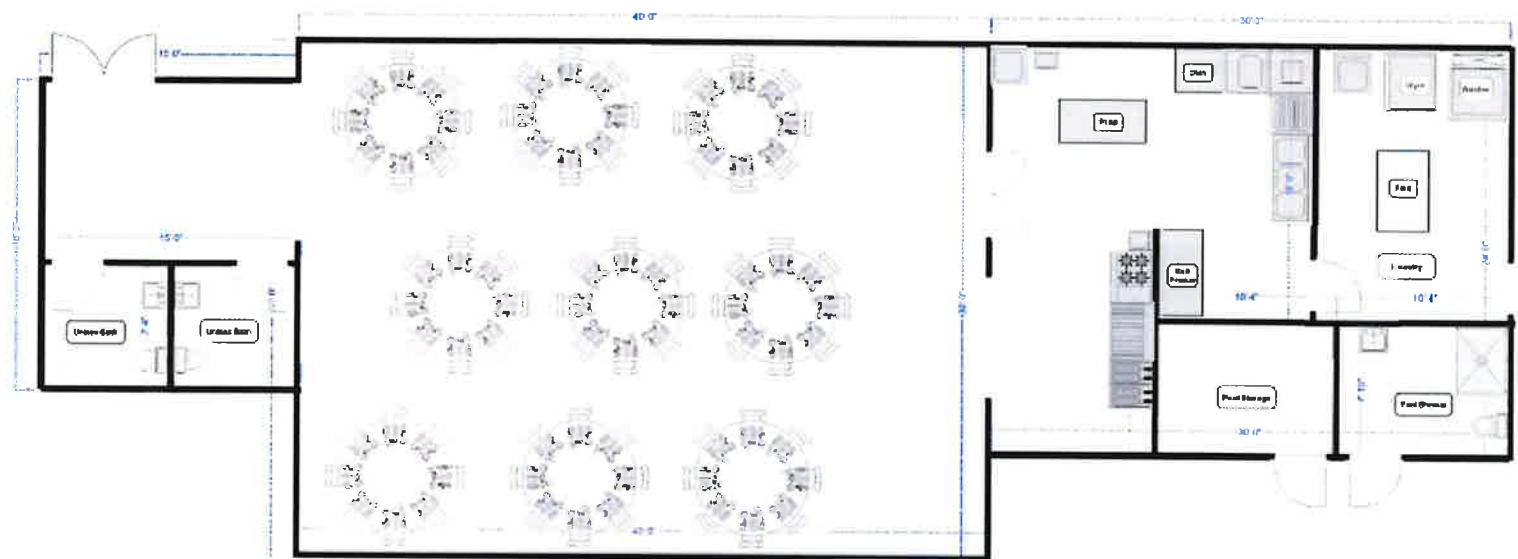


# Lagoon Pool

Design and build with Hinson Pools of North Carolina



# Dining Pavilion



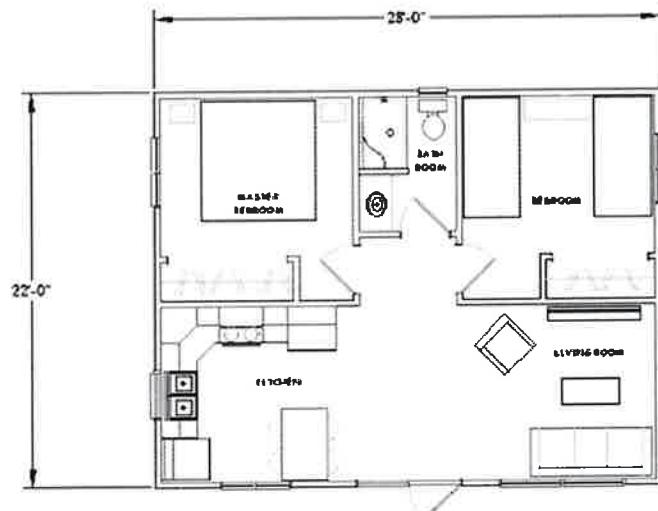
# Accessory Structures

## Property Owner's Home



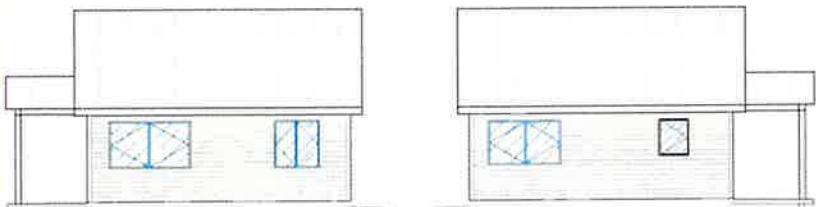
FRONT ELEVATION - MILLER HOUSE

SCALE: 3/16" = 1' 0"



FLOOR PLAN - MILLER HOUSE

SCALE: 1/8" = 1' 0"

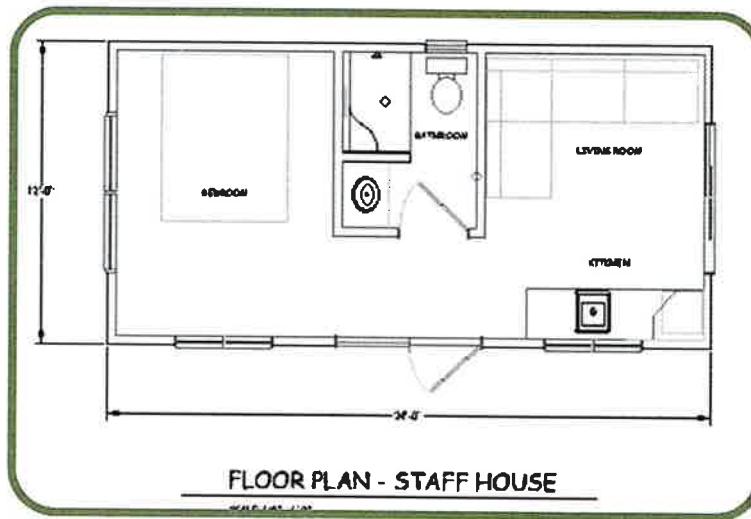
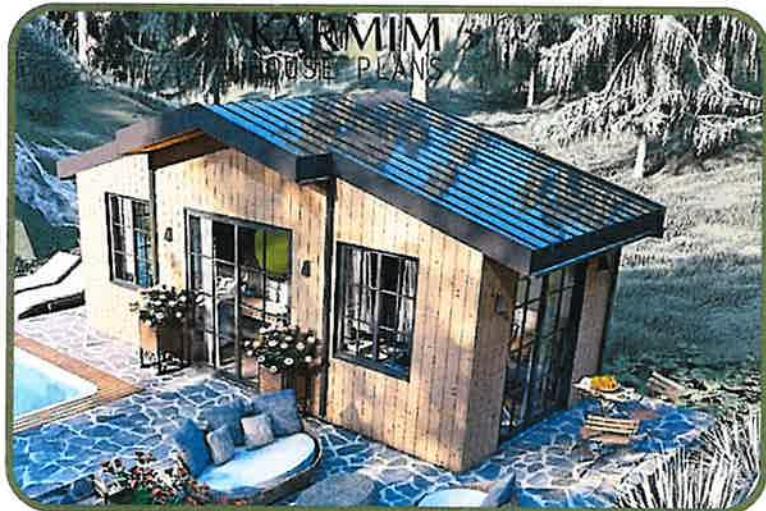


SIDE ELEVATIONS - MILLER HOUSE

SCALE 1/8" = 1' 0"

# Accessory Structures

## Staff Housing

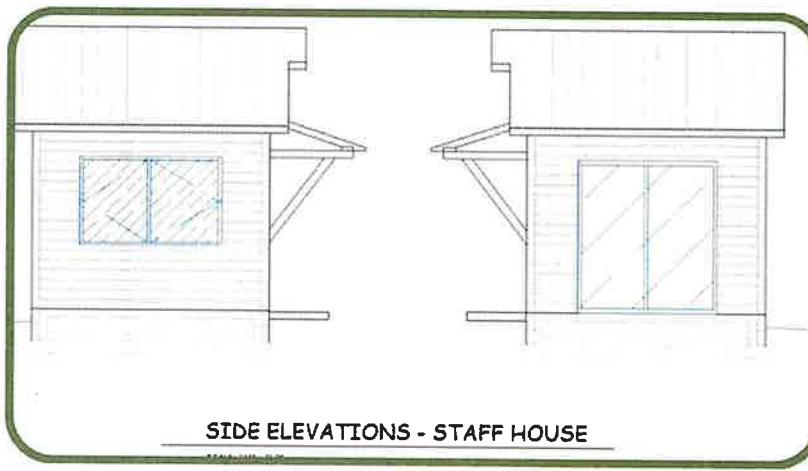


FRONT ELEVATION - STAFF HOUSE

SCALE 1/4" = 1'-0"

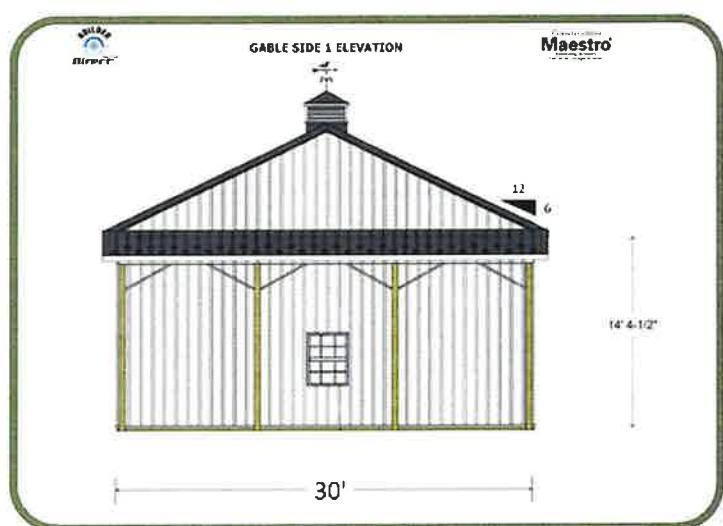
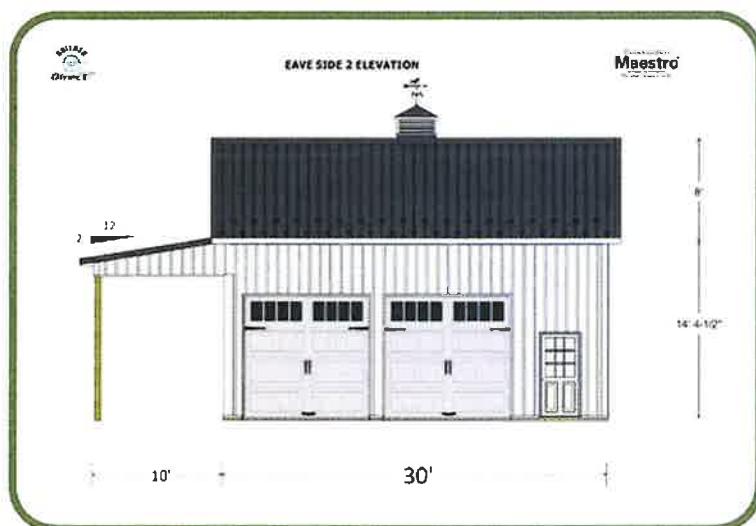
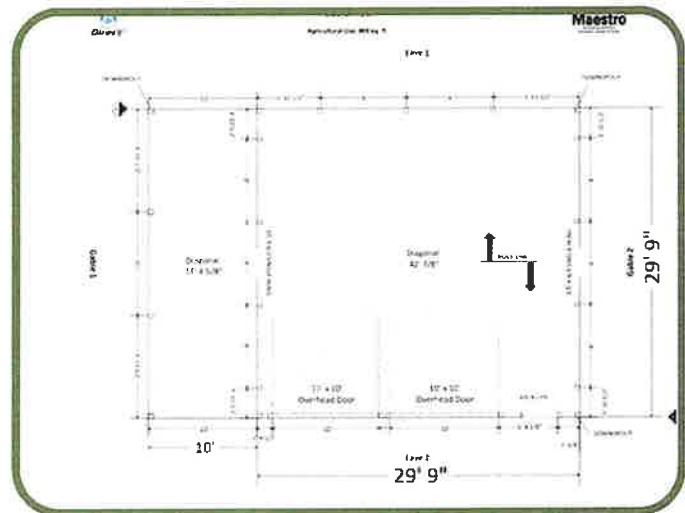
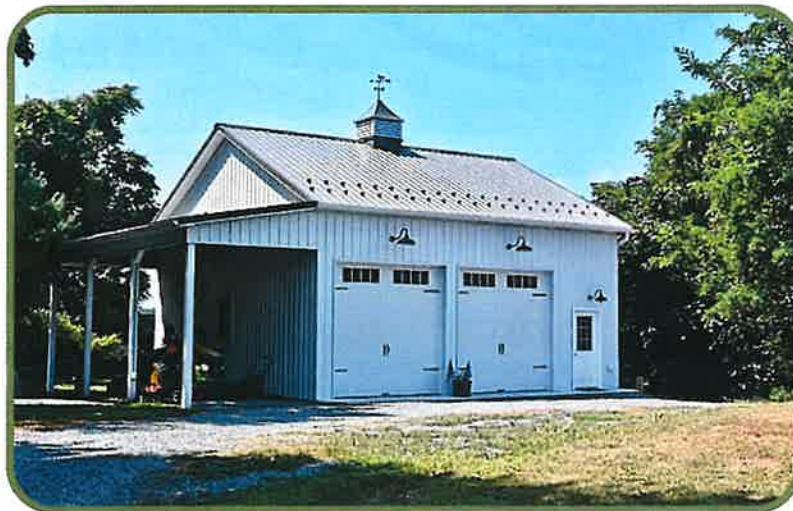


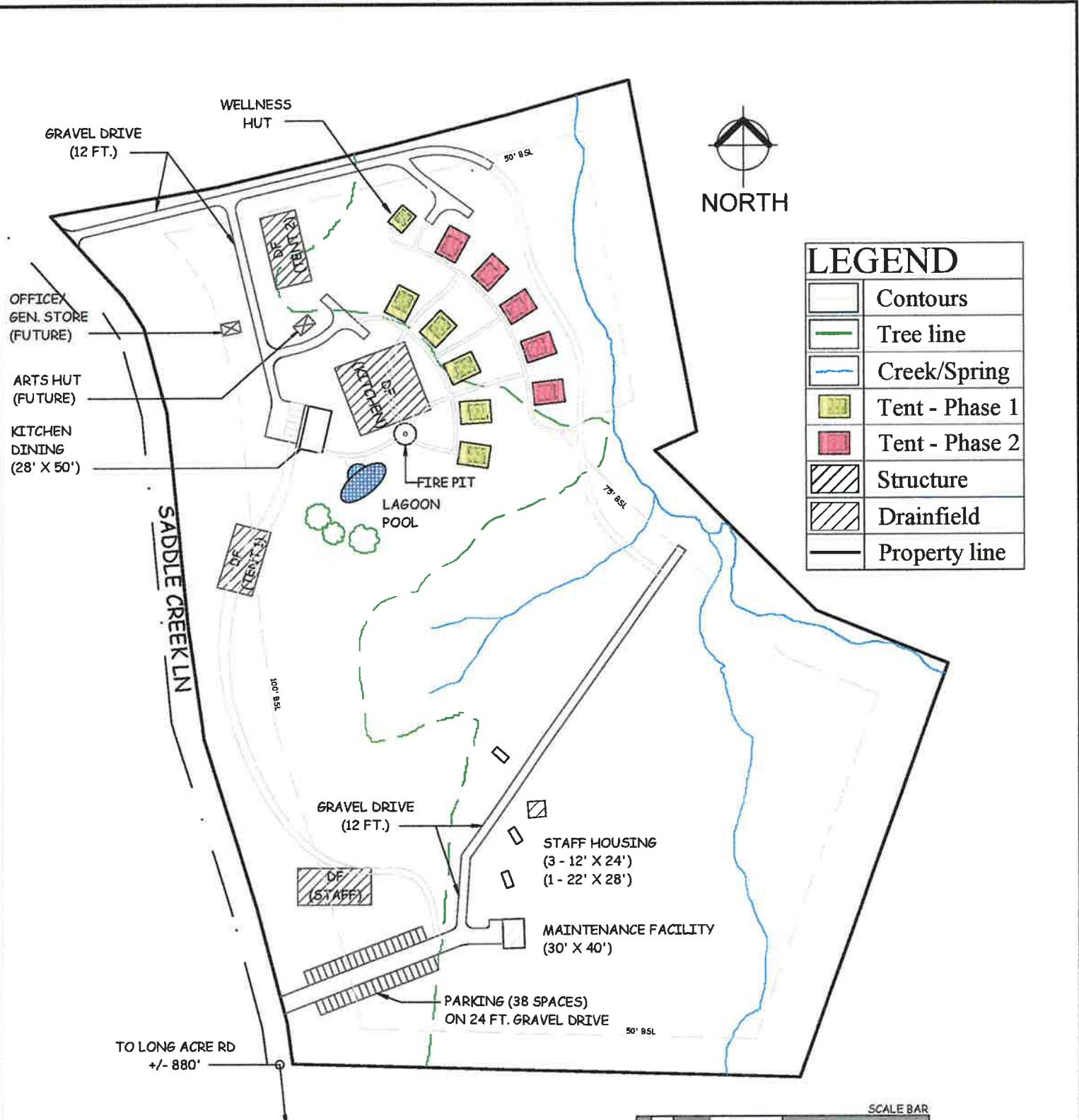
SIDE ELEVATIONS - STAFF HOUSE



# Accessory Structures

## Maintenance Barn





## SITE PLAN

SCALE: N.T.S. (23.71 ACRES)

GPIN: 28-A-33G

<h1>FOR FOX SAKE GLAMP CAMP</h1> <h2>SADDLE CREEK LN. PALMYRA, VA</h2>		
SCALE: N.T.S.	DRAWN BY: DSD	
DATE: NOV. 4, 2025	REVISION NO:	
DWG NO.	C1	PLAN NAME: PROPERTY MAP



BOUNDARY COMPOSITE  
SURVEY EXHIBIT  
**TAX MAP PARCEL 28-A-33G**  
CUNNINGHAM MAGISTERIAL DISTRICT  
FLUVANNA COUNTY, VIRGINIA

NAD 83  
VA SOUTH ZONE

TMP 28-A-33  
N/F LORI C BROWN,  
TRUSTEE OF THE  
LORI C BROWN  
REVOCABLE TRUST  
DB 926 PG 2

**LEGEND**

BSL BUILDING SETBACK LINE  
IF IRON FOUND  
NF NAIL FOUND

**NOTES**

1. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
2. THIS PLAT HAS BEEN PREPARED BASED ON THE PLAT OF RECORD BY TIM STANLEY JR. L.S. RECORDED ON NOVEMBER 24, 2008, AND RECORDED AT PLAT BOOK 3 PAGE 41. FIELD WORK WAS PERFORMED ON DECEMBER 03, 2025 TO VERIFY MONUMENTATION.
3. SUBJECT PARCELS ARE LOCATED IN ZONE "X" AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN 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.
4. PROPERTY IS ZONED A-1 AGRICULTURAL SETBACKS:  
FRONT - 125 FEET  
ALONG EASEMENT - 100 FEET  
SIDE - 50 FEET  
REAR - 75 FEET

**BOUNDARY LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 07°21'53" W	56.11'
L2	N 05°11'46" W	82.92'
L3	N 15°08'20" W	120.43'
L4	N 32°13'00" W	49.96'
L5	N 41°30'36" W	150.03'
L6	N 80°51'58" E	126.62'
L7	N 80°12'46" E	108.36'
L8	N 76°38'07" E	75.15'
L9	N 77°13'05" E	97.98'
L10	N 76°18'30" E	126.48'
L11	N 75°32'32" E	105.74'
L12	N 74°22'20" E	175.04'
L13	S 65°53'40" W	62.27'

50' EASEMENT  
PB 3 PG 41

LONG ACRE  
ROAD  
RTE #639  
40' R/W  
DB 138 PG 386

±1500' TO  
HADEN MARTIN ROAD

TMP 28-A-33H  
N/F LORI C BROWN,  
TRUSTEE OF THE  
LORI C BROWN  
REVOCABLE TRUST  
DB 926 PG 2

TMP 29-A-45  
N/F HALEY, SHERRON J  
LE ET AL C/O  
SYLVIA MARIE JOHNSON  
WB 62 PG 213



DECEMBER 15, 2025  
SCALE: 1" = 150'  
FILE: 25.440  
SHEET 1 OF 1

**ENVIRO-KLEAN CO.**  
225 B Four Winds Ln  
Kents Store, VA 23084  
(434) 531-0671 – (434) 589-4302  
[enviromjc@earthlink.net](mailto:enviromjc@earthlink.net)

December 27, 2025

**WASTEWATER ONSITE DISPERSAL  
FEASIBILITY STUDY**

Fluvanna County – TM 28-A-33G 23.71 Acre  
Saddle Creek Ln, Palmyra  
Proposed Use: FOR FOX SAKE GLAMP CAMP

To Whom it May Concern;

Enviro-Klean Co. has conducted soils analysis at above proposed camp site location. Based upon soils structure, site topography and area available, we have determined that this parcel can accommodate onsite sewage dispersal for the proposed camp site use.

The proposed For Fox Sake Glamp Camp will include: 10 Tent Camp Sites, Dining Building, Maintenance Building and 4 Staff Housing Units.

Enviro-Klean will submit engineered septic and water well design package to Fluvanna County Health Department upon Special Use Permit being issued by Fluvanna County.

Sincerely,

  
Michael J Clark

# Commonwealth of Virginia



## STATE CORPORATION COMMISSION

Richmond, July 9, 2025

This is to certify that the certificate of organization of

### **Birchwood Glamp Camp LLC**

was this day issued and admitted to record in this office and that the said limited liability company is authorized to transact its business subject to all Virginia laws applicable to the company and its business.

Effective date: July 9, 2025

STATE CORPORATION COMMISSION

Attest:

A handwritten signature in black ink, appearing to read "Bernard J. O'Dell".

Clerk of the Commission



Limited Liability Company - Articles of Organization

<b>Entity Information</b>		
Entity Name:	Birchwood Glamp Camp LLC	
Entity Type:	Limited Liability Company	
<b>Business Type</b>		
Industry Code:	0 - General	
<b>Duration</b>		
Perpetual(forever)		
<b>Registered Agent Information</b>		
RA Type:	Entity	
RA Qualification:	BUSINESS ENTITY THAT IS AUTHORIZED TO TRANSACT BUSINESS IN VIRGINIA	
Name:	Northwest Registered Agent LLC	
The company's registered office address, including the street and number, if any, which is identical to the business office of the registered agent, is:		
Registered Office	8401 Mayland Dr Ste A,	
Address:	Richmond, VA, 23294 - 4648,	
Address:	USA	
<b>Principal Office Address</b>		
Address: 8401 MAYLAND DR STE A, Richmond, VA, 23294, USA		
<b>Principal Information</b>		
Management Structure: Member-Managed		
<b>Signature Information</b>		
Date Signed: 07/09/2025		
Executed in the name of the limited liability company by:		
Printed Name	Signature	Title
Nat Smith	Nat Smith	Organizer

COMMONWEALTH OF VIRGINIA  
STATE CORPORATION COMMISSION

AT RICHMOND, JULY 9, 2025

The State Corporation Commission has found the accompanying articles of organization submitted on behalf of

**Birchwood Glamp Camp LLC**

to comply with the requirements of law, and confirms payment of all required fees. Therefore, it is ORDERED that this

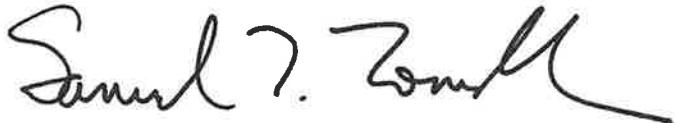
**CERTIFICATE OF ORGANIZATION**

be issued and admitted to record with the articles of organization in the Office of the Clerk of the Commission, effective July 9, 2025.

The limited liability company is granted the authority conferred on it by law in accordance with the articles of organization, subject to the conditions and restrictions imposed by law.

STATE CORPORATION COMMISSION

By



Samuel T. Towell  
Commissioner



## COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

### MEMORANDUM

**Date:** January 21, 2026  
**From:** Jenny C. Faulkner  
**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 February 10, 2026 Planning Commission meeting.

# ADJACENT PROPERTY OWNERS SUP25:0005



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## COUNTY OF FLUVANNA

---

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planning@fluvannacounty.org  
www.fluvannacounty.org

### PUBLIC HEARING NOTICE

**January 20, 2026**

**ATTN: Adjoining Property Owner**

**RE: SUP 25:07 Saddle Creek Lane**

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

**Meeting:** Planning Commission Regular Meeting

**Date:** **Tuesday, February 10, 2026 at 7:00 pm**

**Location:** Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963

**SUP 25:07 Saddle Creek Lane – A special Use Permit request in the A-1, Agricultural, General district to construct a seasonal summer camp on a parcel totaling approximately 23.71 acres, Tax Map 28-A-33G. The parcel is located in the Rural Residential area and the Cunningham 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](mailto: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,

A handwritten signature in black ink, appearing to read "Todd Fortune".

Todd Fortune  
Director of Planning & Zoning



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Fax (434) 591-1911  
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### PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning  
Commission Case: SUP 25:06 Prater  
Date: February 10, 2026

From: Jason Overstreet  
District: Cunningham Election

**General Information:** This Special Use Permit (SUP) request is to be heard by the Planning Commission on Tuesday, February 10, 2026 at 7:00 pm at the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

**Applicant:** Burlin Prater, Jr.

**Owner:** Burlin Prater, Jr.

**Requested Action:** **SUP 25:06 Prater** – A Special Use Permit request in the A-1, Agricultural, General District to authorize a landscape materials supply use on approximately 8.193 acres of Tax Map 17-A-72.

**Existing Zoning:** A-1, Agricultural, Limited

**Existing Land Use:** Residential, single-family dwelling

**Planning Area:** Rural Residential Planning Area

**Adjacent Zoning:** The surrounding parcels are zoned A-1, Agricultural, General.

**Zoning History:** None

#### **Summary:**

The applicant is requesting a Special Use Permit (SUP) in order to establish a landscape materials supply business for the sale and storage of landscaping materials. This commercial use is permitted by special use permit only in the A-1 zoning district.

**Landscaping materials supply:** A business used primarily for the bulk storage and sale of landscaping supplies, such as soil, gravel, potting mix, mulch, sand, stone, and the like, either wholesale or at retail, necessitating the frequent use of heavy equipment. Plants and

supplemental items used in planting and landscaping, such as plant containers, yard ornaments, hand tools, and the like, may be sold on-site as secondary or incidental items.

### **Comprehensive Plan:**

Chapter 2 Land Use and Community Design:

The Comprehensive Plan designates this property as being within the Rural Residential Planning Area. This land-use designation seeks to limit growth and preserve the rural character of the county. However, “Some additional commercial services for the convenience of those living out in the country are appropriate and may be considered if these uses are designed and arranged to complement the rural character of the area and its surrounding uses”. This proposed use can help sustain the rural character of the county as well as strengthen and expand the tax base.

### **Technical Review Committee:**

The Technical Review Committee has reviewed the proposed SUP and offered the following comments:

- Fluvanna Building Official – the building as proposed on the sketch plan would require bathrooms.
- VDOT – require trip generations and turn lane warrants for Branch and Ruritan Lake Roads as part of the site plan submittal. Entrances will need to meet VDOT design standards and the existing entrance onto Rte. 761/Branch Rd will need to be closed, if proposed Rte. 761 entrance is approved. Only allow for 2 entrances on site.
- VDH - suggested engaging a soil scientist for sighting a sanitary sewer if required and that the Virginia Department of Health’s Office of Drinking Water regulates commercial wells if one is installed. Permits would be required for both.
- Department of Forestry - stated that it would be highly beneficial to consider the use of native plant and tree species for any required buffering.
- Fire Department - advised leaving defensible space around any buildings and any flammable materials such as mulch or fertilizers. Advised to store mulch and other flammable material fifty feet away from buildings.

### **Analysis:**

The applicant is requesting a special use permit in order to establish a landscaping materials supply business on his property located at the intersection of Branch Road and Ruritan Lake Road. The business would offer landscaping materials such as dirt, sand, and stone to residents and contractors. Several dwellings and a commercial vineyard are adjacent to the property.

The applicant’s sketch plan indicates that there will be an office and retail building with a small parking lot. Additionally, the plan indicates that there will be a covered storage area, a laydown yard, and two open areas for stockpiling materials and for screening both fill dirt and topsoil.

Cunningham Creek Winery and Brewery is adjacent to the subject parcel and considered a commercial use in the A-1 district. Screening will be required along both state roads as required by the site development plan regulations. This will help preserve the rural nature of the area.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance. When permitted, special use permits may be authorized by the governing body upon the governing body's finding that the proposed use will not be detrimental to the character and development of the adjacent area.

- 1) The proposed use should not tend to change the character and established pattern of the area or community.

Screening along both public roads will help preserve the rural nature of the area.

- 2) The proposed use should be compatible with the uses permitted in that zoning district and shall not adversely affect the use/or value of neighboring property.

The proposed use appears to be compatible with permitted uses in the A-1 district and should have little impact on the adjacent and surrounding properties.

### **Recommendation:**

This Special Use Permit request appears to meet the intent of the Comprehensive Plan in that the proposed use is compatible with existing uses in the area and meets the intent of the Rural Residential Community Planning Area to permit smaller scale commercial uses.

The Planning Commission should consider any potential adverse impacts to the surrounding community, such as the increase in traffic entering and exiting the property, noise, or potential visual impacts to adjacent properties.

### **Conditions**

- 1) Prior to proposed development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval;
- 2) Meeting all VDOT and Health Department requirements;
- 3) Any lighting will not be directed toward adjacent properties and will be limited in nature.
- 4) All screening shall be maintained in a condition acceptable to the County;
- 5) Outside storage of materials and machinery shall be screened from the public rights-of-way with either architectural or vegetative screening as approved by the County;
- 6) Retail business hours of operation shall be limited to: 7AM-6PM, Monday-Sunday. Staff hours of operation may vary beyond this (including setup, cleanup, work on site).
- 7) The Board of Supervisors, or representative, reserves the right to inspect the business for compliance with these conditions at any time.

- 8) The use of a greenhouse for commercial purposes shall not be allowed, except if a Special Use Permit for such use is granted. Non-commercial greenhouses are currently allowed by-right in A-1 Zoning.

**Suggested Motions:**

I move that the Planning Commission recommend (approval / denial / deferral) of SUP 25:06, a Special Use Permit request in the A-1, Agricultural, General District to authorize a landscape materials supply use on approximately 8.193 acres of Tax Map 17-A-72. subject to the eight (8) conditions listed in this staff report.

**Attachments:**

A – Application  
B – Site Sketch Plan



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Application for Special Use Permit (SUP)

Owner of Record: BURLIN PRATER JR

Applicant of Record: BURLIN PRATER JR

Address: 3899 BRANCH RD SCOTTSVILLE, VA 24590 Address: 141 FAIR OAKS DRIVE SCOTTSVILLE VA 24590

Phone: 434-591-1910 Fax: 434-591-1910 Phone: 434-591-1910 Fax: 434-591-1910

Email: burlin.praterjr@gmail.com

Email: burlin.praterjr@gmail.com

Representative: BURLIN PRATER JR

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.

Address: 141 FAIR OAKS DRIVE SCOTTSVILLE, VA 24590

Phone: 434-591-1910 Fax: 434-591-1910

Email: burlin.praterjr@gmail.com

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

Tax Map and Parcel(s) 17A 72

Acreage 8.193 Zoning A-1

Deed Book and Page: 809

Location of Parcel: ON THE CORNER OF LAKERD + BRANCH RD.

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: BUYING AND SELLING LANDSCAPE MATERIALS & SUPPLIES & SCREEN TOPSOIL

\*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 12/10/25

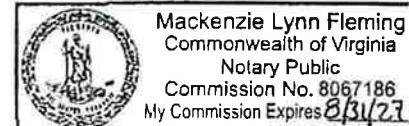
Signature of Owner/Applicant: Burlin Prater Jr.

Subscribed and sworn to before me this 10<sup>th</sup> day of December, 2025

Notary Public: Mackenzie Lynn Fleming

My commission expires: 08/31/2027

Certification: Date: 12/10/2025



Office Use Only

Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: SUP _____:
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\$800.00 fee paid:

Amendment of Condition: \$400.00 fee paid:

Telecommunications Tower fee plus mailing costs paid:

Telecom Consultant Review fee 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:



**Commonwealth of Virginia  
County of Fluvanna  
Public Hearing Sign Deposit**

Name:

BURKE PRINTER JR

Address:

141 FAIR OAKS DR

City:

SCOTTSVILLE, VA 24590

State:

VIRGINIA

Zip Code:

24590

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

Applicant Signature

Date

12/7/25

\*Number of signs depends on number of roadways property adjoins. 2

**OFFICE USE ONLY**

Application #: BZA : CPA : SUP : ZMP : ZTA :

\$50 deposit paid per sign\*:

Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

OFFICE & RETAIL BUILDING  
SMALL PARKING AREA  
LOADOUT YARD FOR MATERIALS  
AREA TO STOCKPILE & SALE MATERIALS  
AREA TO STOCKPILE & SCREEN TOPSOIL FOR SALE

**NECESSITY OF USE:** Describe the reason for the requested change.

TO BUY & SELL LANDSCAPE MATERIALS & SUPPLIES  
AND SCREEN TOPSOIL FOR SALE  
BUY & SELL DECORATIVE STONES  
SCREEN FILL DIRT FOR SALE  
CHIP BRUSH FOR RE-SALE  
SALE OF FIREWOOD

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

(TREE)  
WOOD BUFFER WILL BE LEFT IN PLACE AND A 40' GRASS BUFFER  
AND ITS ON THE CORNER OF 2 ROADS. RURITAN LAKE RD & BRANCH ROAD  
WHICH WILL ALSO HAVE A 40' GRASS BUFFER

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

- LOCAL BUSINESS ADDED EMPLOYMENT
- TAX REVENUE
- MORE OPTIONS FOR LOCAL RESIDENTS
- FAMILY RUN BUSINESS. LIVED IN THE COUNTY OVER 40 YEARS

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.

Remarks:

**Commonwealth of Virginia****County of Fluvanna****Special Use Permit Checklist**

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

Applicant must supply	Staff Checklist
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction. Include: <ul style="list-style-type: none"> <li>• Plot plan or survey plat at an appropriate scale</li> <li>• Location and dimension of existing conditions and proposed development</li> <li>• <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening</li> <li>• Copy of the Tax Map showing the site (preferred)</li> <li>• General Location Map (preferred)</li> </ul>	
Supporting graphics are not required, but suggested for site illustration & visualization	

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

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

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

**Meetings for the processing of the application**

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

**Process:**

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

**Applicant or a representative must appear at the scheduled hearings.**

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

**Board Actions**

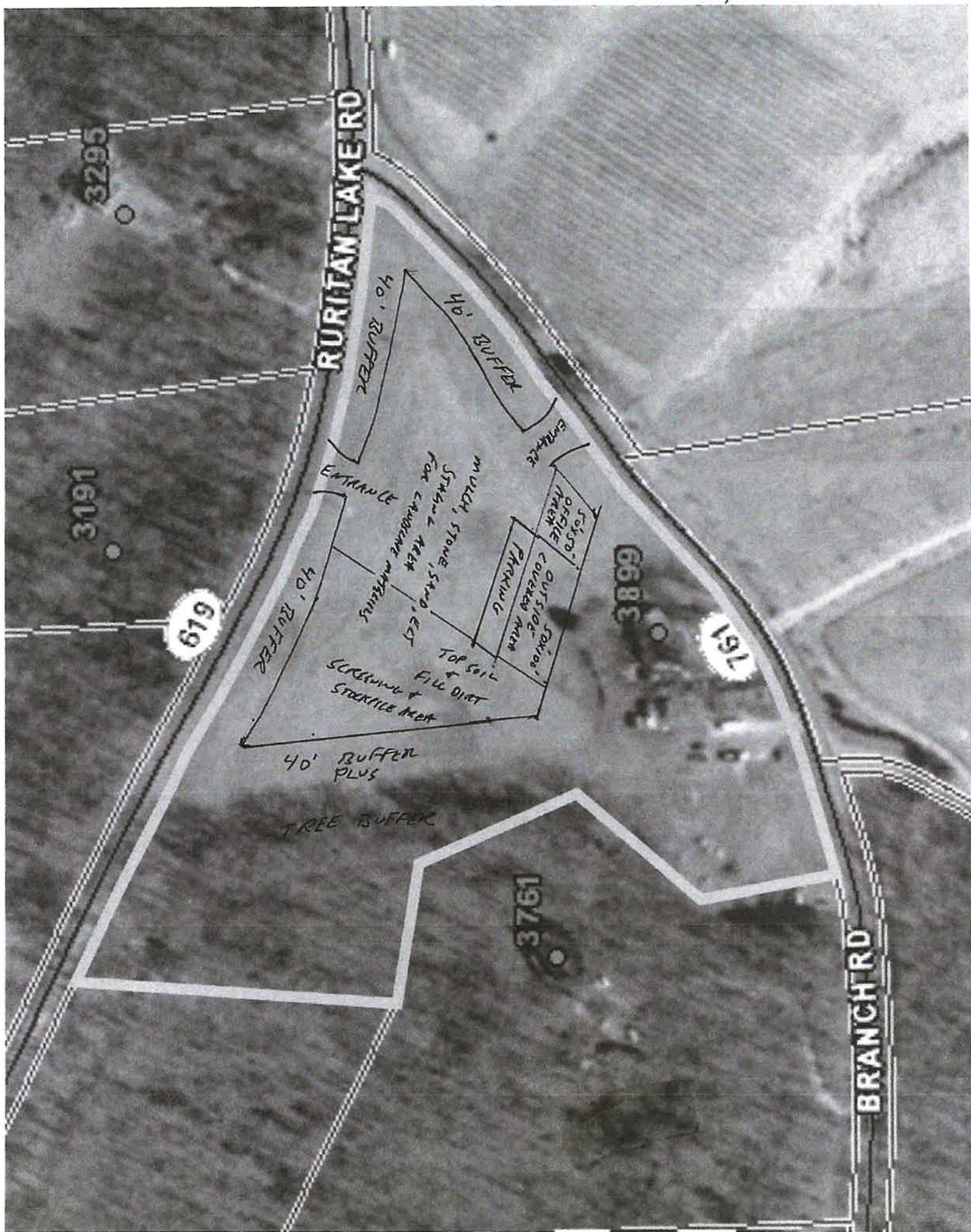
After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

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

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

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

*No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.*





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## COUNTY OF FLUVANNA

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### MEMORANDUM

**Date:** January 21, 2026  
**From:** Jenny C. Faulkner  
**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 February 10, 2026 Planning Commission meeting.

## ADJACENT PROPERTY OWNERS SUP25:0005

TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
17 A 51	BIRCKHEAD, JAMES A & ASHLEY	3089 RURITAN LAKE RD	SCOTTSVILLE, VA 24590
17 A 50A	PULLINGER, JAMES R JR & JANET	3067 RURITAN LAKE RD	SCOTTSVILLE, VA 24590
17 A 72C	BHL GROUP LLC	977 SEMINOLE TRL #292	CHARLOTTESVILLE, VA 22901
17 A 71A	ALLEN, JOHN MICHAEL & CATHY	3295 RURITAN LAKE RD	SCOTTSVILLE, VA 24590
17 A 71B	ALLEN, TRAVIS	3191 RURITAN LAKE RD	SCOTTSVILLE, VA 24590
17 A 72A	PACE, SHELBY BLACK	3761 BRANCH RD	SCOTTSVILLE, VA 24590
17 A 72B	PACE, HUNTER M & MARIE W	3818 BRANCH RD	SCOTTSVILLE, VA 24590
28 A 2A	HERNANDEZ, ENRIQUE & SARA	3872 BRANCH RD	SCOTTSVILLE, VA 24590
17 A 74	DEAL, ILYSIA DEBRA REVOCABLE TRUST	3840 BRANCH RD	SCOTTSVILLE, VA 24590



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www.fluvannacounty.org

### PUBLIC HEARING NOTICE

**January 20, 2026**

**ATTN: Adjoining Property Owner**

**RE: SUP 25:06 Prater**

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

**Meeting:** Planning Commission Regular Meeting

**Date:** **Tuesday, February 10, 2026 at 7:00 pm**

**Location:** Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963

**SUP 25:06 Prater – A Special Use Permit request in the A-1, Agricultural, General District to construct a landscape materials storage and sales facility on a parcel totaling approximately 8.193 acres, Tax Map 17-A-72. The parcel is located in the Rural Residential area and the Cunningham 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](mailto: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,

A handwritten signature in black ink, appearing to read "Todd Fortune".

Todd Fortune  
Director of Planning & Zoning



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### PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission  
Project: SUP 25:05  
Tax Maps: 4-A-18A, 4-A-19, 4-A-20, 4-26-2

From: Jason Overstreet  
District: Palmyra Election District

**General Information:** This Special Use Permit (SUP) request is to be heard by the Planning Commission on Tuesday, February 10, 2026 at 7:00 pm at the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

**Applicant:** Shimp Engineering

**Owner:** Memory Lane Property, LLC

**Requested Action:** **SUP 25:05 Memory Lane Property, LLC** – A request for a Special Use Permit in the I-1, Industrial, Limited District to construct a solid waste material recovery facility on four parcels totaling approximately 13.868 acres: Tax Map 4-26-2; 4-A-18A; 4-A-19; and 4-A-20. The parcels are located in the Zion Crossroads Community Planning Area and the Palmyra Election District.

**Existing Zoning:** I-1, Industrial, Limited

**Existing Land Use:** Vacant land and residential

**Planning Area:** Zion Crossroads Community Planning Area

**Adjacent Zoning:** The surrounding parcels are zoned A-1, Agricultural, General and I-1, Industrial, Limited, and I-2, Industrial, General.

**Zoning History:** ZMP 06:04 to rezone Tax Map 4-A-19, 4-A-20, and 4-26-2 from A-1 to I-1 was approved by the BOS on September 20, 2006. ZMP 07:02 to rezone Tax Map 4-A-18A from A-1 to I-1 was approved by the BOS on April 18, 2007.

## **Applicant Summary:**

The applicant is requesting a Special Use Permit (SUP) in order to establish a solid waste material recovery facility for the recycling of ferrous and nonferrous metals on four parcels located on the east side of Memory Lane, SR698. The center will collect, sort, and process metals from the general public, tradesmen, and surrounding industry. Electronic waste (e-waste) and appliances will also be recycled. The processed metals will be sold to end users in the United States as well as overseas via export containers. The majority of the processing and sorting will be conducted inside. Five to seven full-time jobs are expected to be created.

**Solid Waste Material Recovery Facility:** A solid waste management facility, as defined Code of Va., § 10.1-1400, as amended, which may receive solid waste and recyclables from off premises for processing and consolidation and shipment out of the County for further processing or disposal. The facility shall be so located, designed and operated so that it does not pose a substantial present or potential hazard to public health or the environment, including pollution of air, land, surface water or groundwater.

## **Comprehensive Plan:**

### Chapter 2 - Land Use and Community Design:

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

### Chapter 3 - Infrastructure:

Chapter 3 of the Comprehensive Plan identifies a goal of maintaining a comprehensive, long-range solid waste management program, and it lists recycling as a key strategy for achieving this goal.

## **Technical Review Committee:**

The Technical Review Committee has reviewed the proposed SUP and offered the following comments:

- VDOT will require trip generation and turn lane warrants for Memory Lane as part of the site plan submittal.
- Virginia Department of Health staff noted that if the facility is connected to public water, then any wells on site need to be abandoned.
- Building Officials stated that the site will need stormwater discharge/retention management.
- If any of the existing concrete is used on site, it will need to be noted in the site plan.

### **Analysis:**

The applicant is requesting a special use permit in order to allow for construction of a solid waste material recovery facility for recycling ferrous and nonferrous metals, including those found in appliances and electronic appliances. Current I-1 zoning allows for the collection of recyclable materials by-right, but a SUP is required in order to process the recyclable materials.

Two buildings are proposed to be constructed for this facility: a 6,000 sf (50' x 120') building for processing, consolidation and shipment, and an 8,000 sf (60' x 120') building for storage. Access to the site will be provided by improving the existing driveway off of the east side of Memory Lane to a 30 ft x 600 ft gravel road. The proposed recycling facility will be located at the east end of this road. VDOT will require turn lane warrants and trip generation statistics for site plan approval.

The four parcels subject to this request will be combined into one parcel before final site plan approval. There are approximately ten existing residential buildings located on Memory Lane that will be further impacted by increased industrial activity from this proposed use. It appears that four of these houses are located on lot 4-A-20 which is one of the parcels proposed for the recovery facility. The existing zoning of the adjacent parcels is A-1, I-1 and I-2. Additionally, all four of the lots subject to this request were rezoned from A-1 to I-1 with the adjacent residential land use already existing. There are no by-right residential land uses in I-1 or I-2, nor are there any residential land uses by special use permit allowed. Therefore, the existing residential uses along Memory Lane should eventually be discontinued.

The applicant has stated the intention to connect to public water utilities which are located along the west side of Memory Lane. The Public Utilities department has confirmed the availability of water along Memory Lane.

The intended use requested is in accord with the goals of the Comprehensive Plan for solid waste management. Fluvanna recycling rates should increase with the addition of the proposed recycling facility.

The location and use of the proposed facility should not pose a substantial present or potential hazard to public health or the environment, including pollution of air, land, surface water or groundwater.

A community meeting was conducted on December 15th that was attended by one citizen, one member of the Planning Commission, and planning staff.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

- 1) The proposed use should not tend to change the character and established pattern of the area or community.**

The parcels subject to this SUP are zoned I-1 as are several adjacent and nearby parcels. A rezoning of a large parcel at the southern end of Memory Lane, initiated and approved by the County in 2017, has established a pattern of industrial use along this road. The proposed use will not change this established pattern and will further establish this area's industrial land use.

**2) The proposed use should be compatible with the uses permitted in that zoning district and shall not adversely affect the use/or value of neighboring property.**

This proposed industrial use is compatible with existing industrial uses on Memory Lane including an additional solid waste material recovery facility previously authorized by special use permit. The intended industrial use could potentially impact the use and value of the adjacent residential properties, particularly those in the adjacent A-1 zoning district, due to increased truck traffic and noise generated by facility operations.

**Recommendation:**

The Planning Commission should consider any potential adverse impacts to the surrounding community, such as the increase in traffic entering and exiting the property, noise, or potential visual impacts to adjacent properties.

If this request is approved, staff recommend the following conditions:

- 1) Prior to proposed development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be approved;
- 2) The material recovery facility will comply with all VDOT, VDH, VDEQ, and any additional state and federal regulatory requirements;
- 3) The applicant will only accept metals, including those from appliances, and electronic waste, e-waste with the sole intent to be recycled and all other solid waste will be transported outside of Fluvanna County to an approved sanitary landfill location;
- 4) No tires, lithium batteries, or other hazardous waste will be collected, recycled, or stored at the facility;
- 5) No automobiles or automobile parts will be collected, recycled, or stored at the facility
- 6) The applicant will operate the materials recovery facility Monday through Friday, from 6:00 am to 6:00 pm and on Saturday from 6:00 am to 12:00 Noon; with no Sunday operations;
- 7) The Board of Supervisors, or its representative, reserves the right to inspect the business for compliance with these conditions at any time, upon reasonable notice;
- 8) Under Section 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.

**Suggested Motions:**

I move that the Planning Commission recommend (approval / denial / deferral) of SUP 25:05, a Special Use Permit request in the I-1, Industrial, Limited District to authorize a solid waste

material recovery facility on four parcels totaling 13.868 +/- acres and known as Tax Map 4-26-2; 4-A-18A; 4-A-19; and 4-A-20 subject to the conditions as described in this staff report.

**Attachments:**

A – Application

B – Site Sketch Plan



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Application for Special Use Permit (SUP)

**Owner of Record:** Memory Lane Property, LLC

Address: 720 Bothwell Lane, Keswick VA 22947

Phone: (434) 320-2025 Fax: \_\_\_\_\_

Email: ~~memorylaneproerty.com~~

**Representative:** Rick Mast

Address: 1553 Sycamore Ave, Buena Vista VA 24416

Phone: ~~(540) 320-2025~~ Fax: \_\_\_\_\_

Email: ~~memorylaneproerty.com~~

**Tax Map and Parcel(s)** 4-26-2;4-A-18A;4-A-19;4-A-20

**Acreage** 13.868 AC **Zoning** I-1

**Location of Parcel:** On Memory Lane south of Route 250

**Applicant of Record:** Julia Moore

Address: 912 E. High St., Charlottesville VA 22902

Phone: ~~(434) 320-2025~~ Fax: \_\_\_\_\_

Email: ~~fluvannacountyva.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:

**Deed Book and Page:** DB 777 P.461

**If any Deed Restrictions, please attach a copy**

Request for an SUP for the purpose of: Solid waste material recovery facilities (recycling)

\*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 12/1/2025 Signature of Owner/Applicant: *Julia Moore*

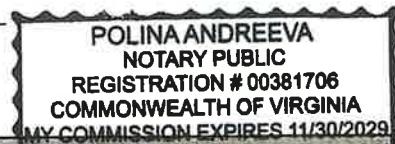
Subscribed and sworn to before me this 1st day of December ,20 25

Notary Public: *Polina Andreeva*

Register # 00381706

My commission expires: 11/30/2029

Certification: Date: 12/01/2025



Office Use Only

Date Received:	Pre-Application Meeting:	PH Sign Deposit Received:	Application #: SUP _____ :
\$800.00 fee paid:			
Amendment of Condition: \$400.00 fee paid:			
Telecommunications Tower fee plus mailing costs paid:		Telecom Consultant Review fee 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:		

December 1, 2025

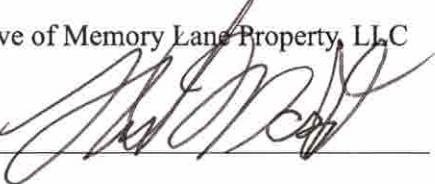
Fluvanna County Department of Planning and Zoning  
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963

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

Memory Lane Property LLC (the "Owner"), is the owner of Fluvanna County tax parcels 4-26-2, 4-A-18A, 4-A-19, and 4-A-20 (collectively "the Property"). The Owner desires to submit land use applications affecting the Property, such as, but not limited to, Special Use Permits, Zoning Map Amendments, Sketch Plan Applications, and other similar land use applications affecting the Property (collectively, the "Land Use Applications"). The Owner hereby authorizes the following individuals and entities to submit Land Use Applications on behalf of the Owner in connection with the Property: Justin M. Shimp, Julia Moore and Connie Liou of Shimp Engineering, P.C. This authorization includes the authority to take any other steps, and submit any other documentation to Fluvanna County necessary to effectuate the Land Use Applications on behalf of the Owner.

Rick Mast

Representative of Memory Lane Property, LLC

By: 

Date: 12/1/2025



**Commonwealth of Virginia  
County of Fluvanna  
Public Hearing Sign Deposit**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

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

  
\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

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

**OFFICE USE ONLY**

Application #: **BZA** \_\_\_\_\_ : **CPA** \_\_\_\_\_ : **SUP** \_\_\_\_\_ : **ZMP** \_\_\_\_\_ : **ZTA** \_\_\_\_\_ :

\$50 deposit paid per sign\*:

Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

**NECESSITY OF USE:** Describe the reason for the requested change.

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.

Remarks:

**Commonwealth of Virginia****County of Fluvanna****Special Use Permit Checklist**

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

<b>Applicant must supply</b>	<b>Staff Checklist</b>
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> <li>• Plot plan or survey plat at an appropriate scale</li> <li>• Location and dimension of existing conditions and proposed development</li> <li>• <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening</li> <li>• Copy of the Tax Map showing the site (preferred)</li> <li>• General Location Map (preferred)</li> </ul>	
Supporting graphics are not required, but suggested for site illustration & visualization	

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

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

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

### **Meetings for the processing of the application**

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

#### **Process:**

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

#### **Applicant or a representative must appear at the scheduled hearings.**

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

### **Board Actions**

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

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

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

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

*No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.*

## Recycling Center

The proposed recycling center located on Memory Lane will accept ferrous and nonferrous metals from the general public, tradesmen, and surrounding industry. Nonferrous metals include copper, aluminum, brass, lead, and stainless steel. Ferrous metals such as steel, cast iron, and light tin would be accepted. E-Scrap which includes computers and associated peripheral equipment, would also be collected and recycled. The proposed recycling center will collect, sort, and process metals into marketable grades for sale to brokers, mills, smelters, and end users located here in the United States as well as overseas via export containers. Most of the processing and sorting operations will be conducted inside.

Initial employment is estimated to consist of five to seven full-time employees. It is important to note that even though this type of business will never support many employees, each customer that brings in recyclables will receive payment and that will number in the thousands per year.

Benefits to the local jurisdiction include raising the local recycling rate and the ability for the County to secure recycling grants, cleanup of unsightly eyesores throughout the County by offering citizens a convenient way to recycle and receive payment for their efforts.

Additional benefits to the County will be increased revenue derived from developing the real estate, personal property taxes on business fixtures and equipment, and revenue collected from the yearly business license taxable sales.

## MEMORY LANE RECYCLING CENTER

TAX MAP 4: PARCEL 4-26-2; PARCEL 4-A-18A; PARCEL 4-A-19; PARCEL 4-A-20

FLUVANNA COUNTY, VIRGINIA

## LEGEND

EXISTING	NEW	DESCRIPTION
—	—	BENCHMARK
—	—	SITE PROPERTY LINE
—	—	BOUNDARY TO BE VACATED (TBV)
—	—	ZONING LINE
—	—	ADJACENT PROPERTY LINE
—	—	BUILDING SETBACK
—	—	PARKING COUNT
—	—	INDEX CONTOUR
—	—	INTERVAL CONTOUR
—	—	SPOT ELEVATION
—	—	TOP OF CURB/BOTTOM OF CURB ELEVATION
—	—	TOP/BOTTOM OF WALL ELEVATION
—	—	EDGE OF PAVEMENT/CONCRETE ELEVATION
—	—	STREAM
—	—	STREAM BUFFER
—	—	100 YEAR FLOODPLAIN
—	—	BUILDING
—	—	RETAINING WALL
—	—	RETAINING WALL HATCH
—	—	RAILING
—	—	STAIRS
—	—	EDGE OF PAVEMENT
—	—	ROAD CENTERLINE
—	—	FRONT OF CURB
—	—	BACK OF CURB
—	—	CG-12 TRUNCATED DOME
—	—	SIDEWALK
—	—	BIKE PARKING
—	—	HANDICAP ACCESSIBLE AISLE
—	—	HANDICAP PARKING
—	—	CROSSWALK
—	—	CONCRETE
—	—	ASPHALT
—	—	RIPRAP
—	—	EC-2 MATTING
—	—	EC-3 MATTING
—	—	WETLAND
—	—	TREELINE
—	—	FENCE
—	—	UTILITY POLE
—	—	GUY WIRE
—	—	OVERHEAD UTILITY
—	—	UNDERGROUND UTILITY
—	—	OVERHEAD ELECTRIC
—	—	UNDERGROUND ELECTRIC
—	—	FIBER OPTIC
—	—	STORM STRUCTURE NOMENCLATURE
—	—	STORM MANHOLE
—	—	DROP INLET (CAST INPLACE/PRECAST)
—	—	STORM SEWER PIPES
—	—	ROOF DRAIN
—	—	YARD DRAIN
—	—	UNDERDRAIN
—	—	SANITARY STRUCTURE NOMENCLATURE
—	—	SANITARY MANHOLE
—	—	SANITARY SEWER MAIN
—	—	SANITARY SEWER LATERAL
—	—	FORCEMAIN
—	—	WATER LINE
—	—	WATER SERVICE LINE
—	—	FIRE LINE
—	—	WATER METER (WM>1",WM<1")
—	—	WATER VALVE
—	—	FIRE HYDRANT ASSEMBLY
—	—	FIRE DEPARTMENT CONNECTION
—	—	GAS LINE
—	—	EASEMENTS
—	—	CONSTRUCTION/GRADING
—	—	ACCESS
—	—	SIGHT DISTANCE
—	—	UTILITY
—	—	STORMWATER
—	—	DRAINAGE
—	—	SANITARY
—	—	WATERLINE
—	—	GASLINE

## OWNER

Memory Lane Property, LLC  
720 Bothwell Lane  
Keswick, VA 22947  
rick@rickmast.com

## PLAN PREPARER

Shimp Engineering, P.C.  
912 E. High Street  
Charlottesville, VA 22902

## ZONING

I-1 Limited Industrial Zoning District

## SETBACKS

Per County of Fluvanna code of ordinance, Sec. 22-11-5  
Front: 100ft  
Side & rear: 50 ft

## MAGISTERIAL DISTRICT

Palmyra

## SOURCE OF TITLE

Deed Book 777, Page Number 461  
SOURCE OF BOUNDARY AND TOPOGRAPHY

Boundary survey shown prepared by Roudabush, Gale & Associates  
Topographic 4' contours sourced from Fluvanna County GIS

## BENCHMARK

Datum for topography is NAVD 88  
FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective May 16, 2008 (Community Panel 51065C0060C) this property does not lie in a floodplain.

## RESERVOIR WATERSHED

This site is within the Mechunk Creek Watershed. HUC12: 020802040405  
This site is not within a watershed of a public water supply.

## WATER &amp; SANITARY SERVICES

Water and Sewer will be provided by onsite private septic and public water.

## EXISTING USE

Mixed use: Storage yard and residential

## PROPOSED USE

Solid waste collection facilities; Solid waste material recovery facilities (recycling center)

## BUILDING HEIGHTS &amp; FINISH FLOOR ELEVATIONS

Maximum Allowable Height: 35 ft

## VICINITY MAP

SCALE: 1"=1000'



## SHEET INDEX

C1 COVER SHEET

C2 EXISTING CONDITIONS

C3 SITE LAYOUT



DESIGNED BY  
C.L.

CHECKED BY  
Justin Shimp, P.E.

## SKETCH PLAN

MEMORY LANE  
RECYCLING CENTER

FLUVANNA COUNTY, VIRGINIA  
SUBMISSION:  
2025.12.01

FILE NO.

25.111

## COVER SHEET

C1



**SHIMP**  
ENGINEERING PC  
LAND PLANNING - PROJECT MANAGEMENT



E. HIGH ST. 434.227.5140  
ARLOTTESVILLE VA, 22902 JUSTIN@SHIMP-ENGINEERING.COM

**DESIGNED BY**  
C.L.

**CHECKED BY**  
Justin Shimp, P.E.

## SKETCH PLAN

# MEMORY LANE RECYCLING CENTER

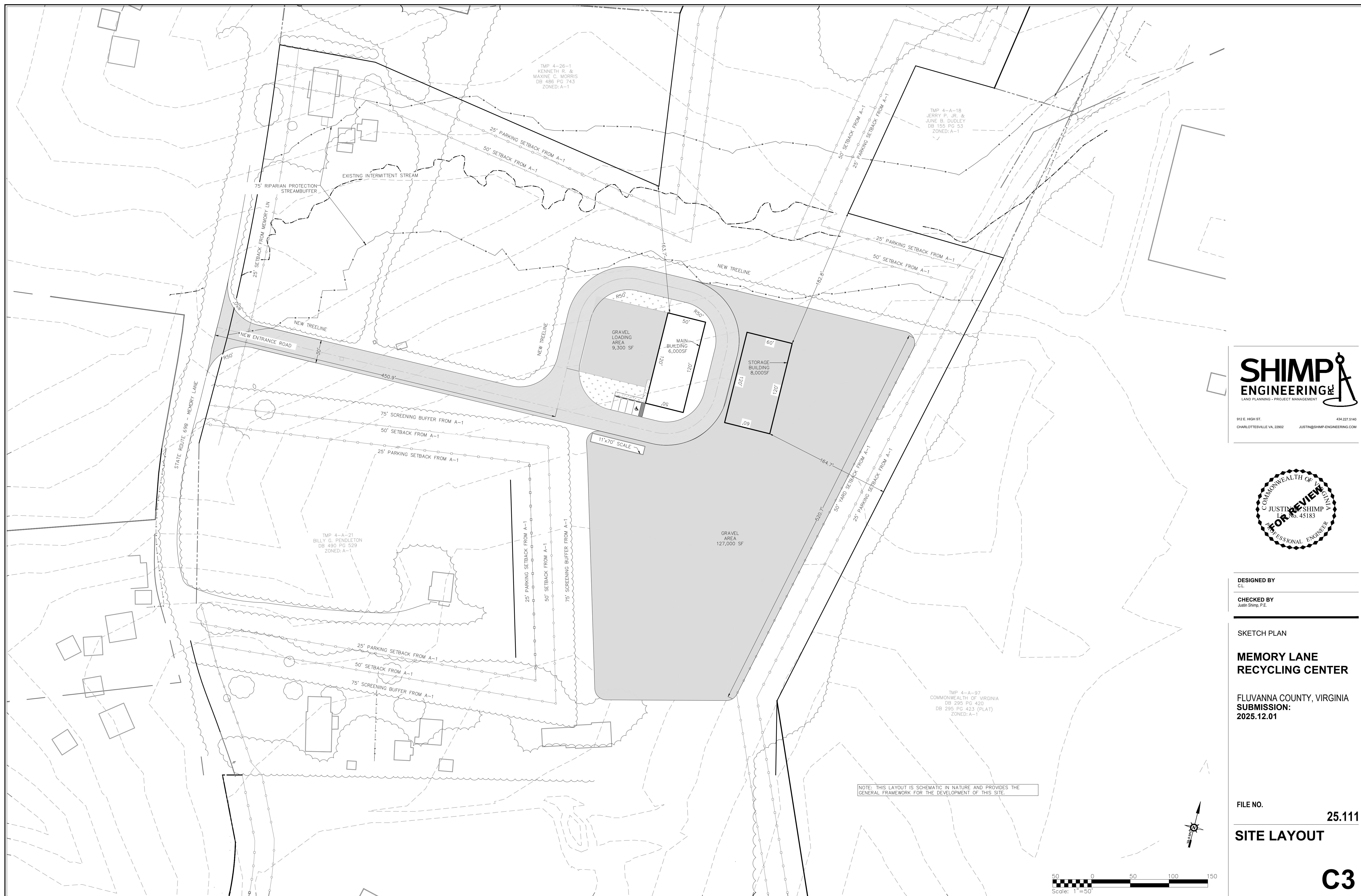
**FLUVANNA COUNTY, VIRGINIA  
SUBMISSION:  
2025 12 01**

**FILE NO.**

25.111

# EXISTING CONDITIONS

C2



C3



## COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

### MEMORANDUM

**Date:** January 21, 2026  
**From:** Jenny C. Faulkner  
**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 February 10, 2026 Planning Commission meeting.

## ADJACENT PROPERTY OWNERS SUP25:0005

TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
4 A 14	BROWN, ROBERT W.	2694 RICHMOND RD	TROY, VA 22974
4 A 12	COLLINS, WAYNE WILLIAM	2642 RICHMOND RD	TROY, VA 22974
4 A 97	COMMONWEALTH OF VA, DEPT OF CORR. ATTN: BUSINESS OFFICE	6900 ATMORE DR	RICHMOND, VA 23225
4 A 98F & 4 A 18	DUDLEY, JUNE B.	2830 RICHOND RD	TROY, VA 22974
4 A 20A	FISHERSVILLE REALTY LLC	PO BOX 97000	LYNCHBURG, VA 24505
4 A 98E, 4 A 11, 4 A 98A, 4 A 16, 4 A 15, 4 A18B, & 4 A 11A	FLUVANNA AUTO LLC	1950 FOX HUNT DR	TROY, VA 22974
4 A 24A	GARDNER, NELLIE MAE & HENRY R. C/O THOMAS & CHARLES GARDNER	104 MEMORY LN	TROY, VA 22974
4 3 1 & 4 26 1	MORRIS, KENNETH R. & MAXINE C.	91 MEMORY LN	TROY, VA 22974
4 A 21	PENDLETON, BILLY GLENN	251 MEMORY LN	TROY, VA 22974
4 A 24, 4 A 25, & 4 A 26	MICHEAL & BETHENY PUOPOLO, TRUSTEES OF THE PUOPOLO LIVING TRUST	3103 ROLLING RD	SCOTTSVILLE, VA 24590
4 A 27	RICHMOND MEMORY PROPERTY LLC	218 W MARKET ST, SUITE 4	CHARLOTTESVILLE, VA 22902
4 A 17	RIVERA, JOSE MANUEL GAITAN, SR. & CARMEN	2810 RICHMOND RD	TROY, VA 22974
4 A 27A	SB COX INCORPORATED	901 POTOMIC ST	RICHMOND, VA 23231



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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
planning@fluvannacounty.org  
www.fluvannacounty.org

### PUBLIC HEARING NOTICE

**January 20, 2026**

**ATTN: Adjoining Property Owner**

**RE: SUP 25:05 Memory Lane Property, LLC**

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

**Meeting:** Planning Commission Regular Meeting

**Date:** **Tuesday, February 10, 2026 at 7:00 pm**

**Location:** Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963

**SUP 25:05 Memory Lane Property, LLC – A Special Use Permit request in the I-1, Industrial, Limited District to construct a solid waste material recovery facility on four parcels totaling approximately 13.868 acres: Tax Map 4-26-2; 4-A-18A; 4-A-19; and 4-A-20. The parcels are located in the Zion Crossroads Community Planning Area and the Palmyra 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](mailto: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.

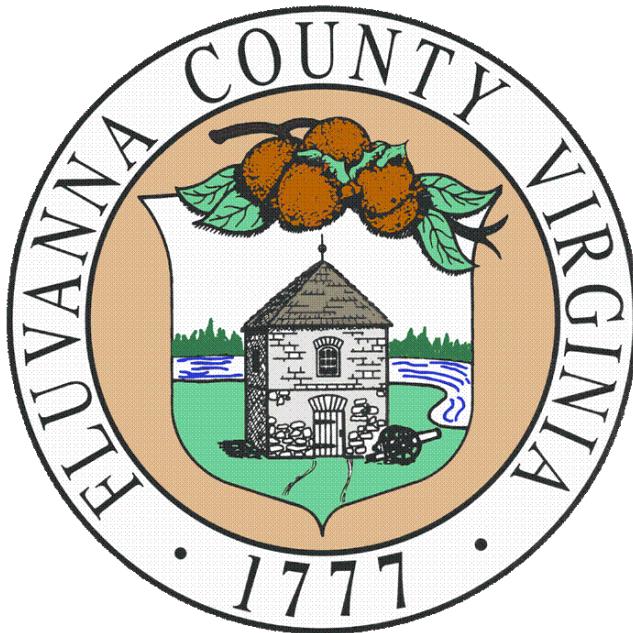
Sincerely,

A handwritten signature in black ink, appearing to read "Todd Fortune".

Todd Fortune  
Director of Planning & Zoning

# **FLUVANNA COUNTY**

# **PLANNING COMMISSION**



## **2026 BYLAWS AND RULES OF**

## **PRACTICE & PROCEDURES**

Adopted  
XXXX X, 202X

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# Fluvanna County Planning Commission

## BYLAWS AND RULES OF PRACTICE AND PROCEDURES

Adopted: April 8, 2025

**I. CREATION.** The Fluvanna County Planning Commission, hereinafter called the "Commission", is an appointed body provided by the Code of Virginia, Section 15.2-2210, or as amended. The Commission consists of five (5) members, one (1) appointed from each election district and one (1) representative of the Board of Supervisors. The Board of Supervisors representative does not vote by directive of the Board of Supervisors.

**II. PRINCIPAL ADDRESS.** 132 Main Street, Palmyra, Virginia 22963; Mailing Address: Post Office P.O. Box 540, Palmyra, Virginia 22963.

### **III. RULES**

A. These Bylaws and Rules of Practice and Procedures ("Rules") are adopted and shall apply to the Planning Commission of Fluvanna County. These Rules are intended to expedite transaction of the business of the Commission in an orderly fashion. The Bylaws and Rules are deemed to be procedural only. The failure strictly to observe application of the Rules shall not affect the jurisdiction of the Commission or invalidate any action taken at a meeting that is otherwise held in conformity with law.

B. All meetings and business shall be conducted in accordance with these Rules, Robert's Rules of Order Newly Revised (12<sup>th</sup> Edition), and the law of Virginia. In the event of conflict, the law of Virginia shall govern. A decision of the Chair with respect to the interpretation, applicability, or enforcement of these Rules may be overruled by a majority vote of the members present and voting.

C. Except as otherwise provided by law, any rule of the Commission may be suspended temporarily, upon approval of the majority of the Commission members present and voting. The temporary suspension shall apply only to the matter under immediate consideration and, in no case, shall it extend beyond an adjournment.

D. No rule of the Commission shall be adopted or amended except by majority vote of the Commission.

**IV. CONSTRUCTION.** As used in these Rules, the masculine shall include the feminine and the singular the plural unless otherwise specified herein. The word "shall" is mandatory and not discretionary; the word "may" is permissive and discretionary. The word "approve" shall be considered to be followed by the words "or disapprove".

**V. DEFINITIONS.** As used in these Rules, the following terms are defined:

A. Action of Record. An action taken or decision made by the Commission recorded in the Minutes of the Meetings. Except as otherwise required by law, an Action of Record may take the following forms:

1. Motions and seconds with the recorded votes of the members.
2. Consensus agreement of the Commission without vote by the Commission.
3. Directive of the Chair in the exercise of that office during the conduct of an official meeting of the Commission.

B. Commission. The Fluvanna County Planning Commission.

C. County Code. The Code of Fluvanna County.

D. Directive. An exercise of discretionary authority granted to the Chair from the Commission empowering the Chair as follows:

1. To enforce the protocols of these Rules for the conduct of business and discourse before the Commission to ensure proper decorum, civility, fairness, and order.
2. To cause the removal of any person or persons without charge of civil or criminal offense for misconduct, disruption, or disturbance of a meeting of the Planning Commission consistent with adopted policies and procedures of the Commission.
3. To charge any person or persons with civil or criminal offenses pursuant to federal, state, or local laws for the misconduct, disruption, or disturbance of a meeting of the Commission.

E. Item of Business. A matter to be presented before the Commission at an official meeting, specified on the Meeting Agenda or modification thereof, and which may be subject to an Action of Record.

F. Meeting or Official Meeting. Any Annual Organizational, Regular, or Special Meeting of the Planning Commission. The following terms may also be used to further define and specify purposes for meetings. Meetings as defined herein are not exclusive of each other and may be concurrently conducted.

1. Joint Meeting: A Joint Meeting may be conducted simultaneously with one or more public bodies for the purpose of review, inquiry, and discussion of matters of mutual interest or in the interest of expedient disposition of public business matters. Action of record may be taken at said meeting, and a quorum of both the Commission and other body(ies) is required to Call to Order and conduct a Joint Special Meeting.

23. Public Hearing: A public hearing shall be conducted at said meeting and the Commission may take Action of Record on such matters as may arise from the Public Hearing. A quorum of the Commission is required to Call to Order and conduct a Public Hearing.

34. Recessed Meeting: A meeting conducted at a date, place and time set by the Planning Commission as a continuation of a previously held meeting. A Recessed Meeting shall be scheduled no later than the date of the next Regular Meeting.

45. Rescheduled Meeting: A Rescheduled Meeting shall be for the purpose of conducting a meeting of the Commission where, by virtue of necessity or at the discretion of the Commission, the originally scheduled meeting cannot be conducted on its prescribed date or time or at its prescribed location pursuant to these Rules. Action of Record may be taken on any Item of Business presented at a Rescheduled Meeting, and a quorum of the Planning Commission is required to Call to Order and conduct a Rescheduled Meeting.

56. Work Session Meeting: A Work Session Meeting shall be for the purpose of in-depth review, inquiry, and discussion of specified Items of Business where Action of Record may be taken by the Commission. A quorum of the Commission is required to Call to Order and conduct said meeting. Work Session Meetings may also be called and scheduled for the purposes of presentations to the Planning Commission for educational and informational purposes.

G. Primary Motion. The first motion presented following informal discussion of any Item of Business at a Commission meeting.

H. Substitute Motion. A motion presented succeeding and in lieu of a primary motion on any Item of Business at a Commission meeting.

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

## IV. COMMISSION CHAIR

A. At the first regular meeting of the year, the Commission selects one of its members to serve as Chair. The Chair is a voting member and serves for one (1) year, or until his successor shall be elected and qualify as such.

B. The Chair, when present, shall preside at all meetings of the Commission and shall take the Chair at the hour appointed for every Commission meeting and shall immediately call the members to order and, except in the absence of a quorum, shall proceed with the business of the Commission in the manner prescribed by these Rules. The Chair shall preserve order and decorum and shall decide all questions of order.

A.C. Upon the death, resignation, or other permanent disability of the Chair to fulfill the duties of his office, the Commission shall elect a new Chair at its next regularly scheduled meeting or as soon thereafter as possible.

**IV. COMMISSION VICE CHAIR**

A. At the first regular meeting of the year, the Commission selects one of its members to serve as Vice Chair. The Vice Chair is a voting member and serves for one (1) year, or until his successor shall be elected and qualify as such.

A.B. In the absence, or inability to act, of the Chair, the Vice Chair shall have and exercise all the powers and duties of the Chair.

**VIII. COMMISSION MEMBERS**

A. Notification of Absence. If any Commission member is unable to attend a meeting, all reasonable effort shall be made to notify the Chair and the Director of Planning as soon as possible to ensure there are sufficient members present and voting to consider all agenda items. The Director of Planning shall continue an agenda item if there will not be a sufficient number of Commission members present and voting at the meeting to approve the item.

B. Conflicts of Interest. At such times a Commission member may find himself with a conflict of interest as set forth in the Code of Virginia, Section 2.2-3100 et seq., the Commission member shall state the nature of the conflict of interest prior to an issue being heard and shall remove himself from the meeting. The member shall not vote or in any manner act on behalf of the Commission with respect to the issue for which a conflict has been declared, until such time as the issue has been decided. The member shall not attend any portion of a closed meeting authorized by the Virginia Freedom of Information Act when the issue is discussed; and will not discuss the issue with other governmental officers or employees in their official capacity at any time.

C. By resolution adopted by the Fluvanna County Board of Supervisors on April 19, 1995, the Board of Supervisors requires all Fluvanna County Planning Commission members to attend at least one or more of the training courses provided by the Virginia Cooperative Extension, the Virginia Department of Housing and Community Development, the Virginia Citizens Planning Association, or Virginia Tech's Public Service Program within two years of their appointment.

**IX. DIRECTOR OF PLANNING.** The Director of Planning shall be Clerk to the Commission and his or her general duty is set forth in the Code of Virginia, Section 15.2-2217. He or she shall maintain an office at the same address as the Commission. The Director of Planning, or a designated representative, shall attend each meeting of the Commission and shall provide such information to the Commission as necessary to assist Commission members in their deliberations and decision making.

**VIX. COUNTY ATTORNEY.** The County Attorney shall perform the duties set forth in Code Section 15.2-1542. The County Attorney or designated representative shall attend each meeting of the Commission and shall serve as adviser to the Commission on issues of law relating to the Commission's business. The County Attorney assists the Commission in analyzing the facts; provides advice and action in legal matters and represents the Commission in civil actions.

**VIXI. PARLIAMENTARY PROCEDURE.** The County Attorney or designated representative shall serve as the Parliamentarian for the purpose of interpreting these Bylaws and Rules of Practice and Procedures and Robert's Rules of Order as may be directed by the Chair, or as required as a result of a point of order raised by any one or more Commission members. If the County Attorney or designated representative is unavailable, the Director of Planning shall serve as the Parliamentarian.

**VIXII. QUORUM FOR THE EXERCISE OF COMMISSION BUSINESS.** A majority of the Commission shall constitute a quorum in order to conduct Commission business. A vote of the majority of those present is necessary to take action on an issue.

### **XIII. MEETINGS**

#### **A. Regular Meeting Schedule**

1. Meetings are held on the first Tuesday after the first Wednesday of the month at 7:00 p.m. in the Morris Room of the County Administration Building, located at 132 Main Street, Palmyra, VA 22963, unless another location is announced.

2. Meetings will adjourn/recess no later than 11:00 p.m.

3. The Commission, at its pleasure, may continue its meeting beyond the normal adjournment/recess time, by majority vote of the Commission members present and voting.

4. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside.

5. If neither the Chair nor the Vice Chair is present, the Director of Planning shall call the meeting to order and preside for the election of a temporary Chair.

B. Work Sessions Schedule. When needed, Work Sessions are held each month at 6:00 pm, prior to the 7:00 pm Regular Meeting, in the Morris Room of the County Administration Building, located at 132 Main Street, Palmyra, VA 22963, unless another location is announced. Other days/times may be scheduled by majority consent of the Commission.

#### **C. Closed Meetings**

1. Closed Meetings will be held as needed, but may only be convened in conformance with Section 2.2-3711 of the Code of Virginia (1950), as amended.

2. No resolution, ordinance, rule, contract, regulation, or motion agreed to in a Closed Meeting shall become effective until the Commission reconvenes in an Open Session and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation, or motion which shall have its substance reasonably identified in the open meeting.

3. At the conclusion of a Closed Meeting, the Commission shall reconvene in Open Session immediately thereafter and shall take a roll call vote certifying that to the best of each member's knowledge:

a. Only public business matters lawfully exempted from Open Session requirements were discussed; and

b. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

Any member who believes that there was a departure from the above requirements shall so state prior to the vote, indicating the substance of the departure that, in his judgment, has taken place.

4. The failure of the certification to receive the affirmative vote of a majority of the members present and voting during the Closed Meeting shall not affect the validity or confidentiality of the Closed Meeting with respect to matters considered therein in compliance with the Freedom of Information Act.

5. The Commission may permit non-members to attend a Closed Meeting if their presence will reasonably aid the Commission in its consideration of an issue. Except as otherwise directed by the Commission, the County Attorney or designated representative and the Director of Planning shall attend all Closed Meetings.

D. Special Meetings. The Commission may hold Special Meetings as it deems necessary, at such times and places as it finds convenient, and may adjourn such special meetings from time to time as it finds convenient and necessary. Special Meetings shall be called and scheduled per § 15.2-2214.

#### XIV. AGENDA ITEM SUBMISSION

A. All agenda items are due to the Director of Planning for the Commission by COB Tuesday the week before the Commission meeting, with the exception of presentations which are due by COB Monday the week of the meeting.

B. Any person making a written or electronic presentation or demonstrating a matter by way of a picture, slides, or a similar document for inclusion in the record of the hearing shall provide

the Director of Planning a copy of such item three (3) days prior to the meeting at which such person wishes to make a presentation.

C. Copy all files into the “Library/03-Planning/04- Planning Commission” folder (if you do not have access to the county’s shared drive, email the materials to planning@fluvannacounty.org).

D. Items can be in any file format (e.g., doc, docx, pdf, ppt, ppx, xls, xlsx)

E. NO paper copies of requested Agenda Items are required.

## **XV. AGENDA PREPARATION**

A. The Director of Planning shall prepare the agenda for meetings.

B. The Director of Planning may at his discretion, and individual Commission members may by request to the Director of Planning, place matters of business on the Agenda according to the schedule in paragraph XIV(-A) above for discussion, information and/or action by the Commission as are germane to the affairs and interests of the Commission and County. However, this does not prevent the Director of Planning or Commission members, at their discretion, from having items included which are received after the regular cutoff date.

CD. The Director of Planning shall allocate time to items on the agenda to suit the convenience of the Commission.

DE. If the Director of Planning considers a requested agenda item not appropriate for consideration by the Commission, he shall inform the Commission for a decision. This does not prevent retaining the item on the agenda by majority consent of the Commission.

F. The Director of Planning shall submit the draft agenda to the Chair on the ~~Thursday~~Wednesday in the week before a regularly scheduled meeting for the Chair’s review and approval. Agendas for special or other meetings may have the preparation and approval timeline modified to accommodate the available timeframe.

G. Issues for which actions will be required shall normally have all materials in the Agenda package for advance study.

H. The Commission Agenda and related materials shall be received by each member of the Commission and the County Attorney not later than the ~~Friday~~Thursday before the scheduled regular meeting. The Director of Planning may request an adjustment to the delivery schedule due to special circumstances.

I. The Director of Planning shall prepare extra copies of the Agenda and shall make the same available to the public and the press in the Office of the County Administrator, the Public Library, and on the County website. The Director of Planning shall also have at least one hard copy available at each regular meeting.

**XVI. ORDER OF BUSINESS.** The Order of Business shall be as follows unless the Director of Planning in drawing up the Agenda shall find good cause to change it:

<u>1 – Call to Order</u>
<u>2 – Pledge of Allegiance and Moment of Silence</u>
<u>3 – Adoption of Meeting Agenda</u>
<u>4 – Director of Planning’s Report</u>
<u>5 – Approval of Minutes</u>
<u>6 – Public Comments #1</u>
<u>7 – Public Hearing</u>
<u>8 – Resolutions</u>
<u>9 – Presentations</u>
<u>10 – Unfinished Business</u>
<u>12 – New Business</u>
<u>13 – Public Comments #2</u>
<u>14 – Closed Meeting (as needed)</u>
<u>15 – Adjourn</u>

**XVII. CONDUCT OF BUSINESS**

A. Basic Principles: The following principles should be observed at all times in the transaction of public business before the Commission.

1. Only one subject may claim the attention of the Commission at one time.
2. Each item presented for consideration is entitled to full and free discussion.
3. Every member has rights equal to every other member except as to procedural matters within the competence of the Chair.
4. The will of the majority must be carried out, and the rights of the minority must be preserved.
5. The personality and desires of each member should be merged into the larger unit of the Fluvanna Planning Commission.

B. The Commission shall adopt an agenda for each meeting by recorded vote of a majority of the Commission members present and voting. The adoption of the agenda shall be the first item for action following the Call to Order, Pledge of Allegiance, and Moment of Silence.

C. Items shall be heard in order of the Agenda, except as the Commission decides when adopting the Agenda and that the Commission may vote to call up any matter at any time.

D. Except as provided in subsection F. of this Section XIX, the Commission shall take no Action of Record on any matter that is not on the Meeting Agenda unless a modification to the Meeting Agenda is requested at the time of Approval of the Agenda. Modification of the Meeting Agenda requires a majority vote of Commission members present and voting.

E. The Commission shall consider all items on the Agenda before taking any other items, unless an unlisted item is brought by majority consent of the Commission members present and voting.

F. Items not on the Agenda shall be heard as the final items of the Commission's business, time permitting, or shall be carried over to the next regular meeting or a special meeting as determined by majority consent of the Commission.

G. Exhibits before the Commission shall become the property of the Commission and shall be filed with the Director of Planning and shall be deemed a part of the record of the meeting at which submitted.

H. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chair" or "Madam Chair" (as appropriate), stating their name, their address, and awaiting acknowledgment by the Chair. The Chair may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expeditious conduct of business.

I. Should it be desired by the Chair, any member, or by the Director of Planning, the member making a resolution shall reduce the same to writing and deliver it to the Director of Planning's Office. The Director of Planning shall take down verbal resolutions as accurately as possible to reflect the intent of the Commission.

J. Prior to initiating a public hearing, the Chair shall recount, either verbatim or by reference, the rules under which the hearing shall be operated, but the Commission may amend the rules during the hearing by giving notice of the change to those gathered (e.g., a change to the time limitation for individual speakers).

K. At the beginning of the public hearing, the Chair shall call upon the Director of Planning or the other staff member handling the matter at hand to present a description of the issue placed before the hearing, or the Chair may do so himself.

L. Subject to revocation or extension by the majority of the Commission assembled, the Chair may in all matters establish a maximum time for consideration of any matter, and/or limit the amount of time available to each speaker, including Commission members, on a matter and/or limit the number of times each speaker may address the Commission on a matter. Regardless, every Commission member is entitled to speak on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so at least once.

M. All members or citizens shall limit their comments before and to the Commission. The Chair may prohibit questions from citizens until a speaker has finished his presentation.

N. The Planning Commission has set forth the following rules for time limits for various agenda items or comments from the public, unless modified by majority consent of the Commission:

1. Individual presentations placed on the Commission's agenda shall be limited to ten (10) minutes in duration.

2. Individual presentations listed under the agenda item "Public Comments" shall be limited to five (5) minutes in duration.

3. Statements from the public during the "Public Hearing" on individual agenda items shall be limited to five (5) minutes.

4. Complete presentations on Commission action items shall be limited to not more than ten (10) minutes.

O. Once a notice for Public Hearing has been advertised (regardless of the nature), the Public Hearing will be conducted, unless the Commission formally defers the matter to a future meeting. The postponement or cancellation of a public hearing shall be as follows:

1. Any public hearing scheduled for a Commission meeting that has been publicly advertised shall not be postponed based on a request from a non-County government entity or person absent extreme mitigating circumstances. The Chair, with concurrence of the Director of Planning, will determine when such circumstances exist. If mitigating circumstances exist, the petitioner will bear any cost incurred by the County in providing public notification of the change and for the cost of advertising the new date of the hearing.

2. The Chair, with the concurrence of the Director of Planning shall have the authority to postpone a public hearing based on the weather or other extraordinary circumstances.

3. In all cases, County staff will ensure all Commission members are provided timely notification of schedule changes. Further, staff will ensure the public and general news media

are notified of changes to schedules which have been announced in public. The public hearing shall be rescheduled, if appropriate, and advertised as required by law.

## **XVIII. ORDER AND DECORUM**<sup>[NP1]</sup>

A. It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.

B. In maintaining decorum and propriety of conduct, the Chair shall not be challenged and no debate shall be allowed until after the Chair 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 majority vote of the Commission members present and voting.

C. All comments by members of the public during any Public Hearing must be germane to the purpose of that Public Hearing. All comments by members of the public during any Public Comment period must be germane to the services or policies of the County. When providing comments, members of the public are not permitted to campaign for public office and shall not promote private businesses or address pending litigation.

D. No member or citizen shall be allowed to use of any profane, vulgar, obscene, abusive, defamatory, disruptive, or threatening speech, and doing so may result in removal from the meeting. No member or citizen shall use language of a personal nature which insults or demeans any person or which, when directed at a public official or County staff, is not related to his or her official duties.

E. All speakers shall be respectful of other opinions and viewpoints expressed at the meeting, and the audience shall not make audible expressions of support (i.e. applause) or of opposition (i.e. booing) during meetings.

F. Speakers should strive to avoid repetitive comments. Simple statements of endorsement of previous speakers are appropriate.

G. Speakers should address all comments to the Planning Commission and not the audience.

H. The Chair shall be the judge of all breaches of order and decorum; however, the Commission may by majority vote of the Commission members present and voting opt to overrule the judgement of the Chair. When any person engages in such breaches, the Chair may order that person to stand silent, to be removed from the building, or to be removed from County property.

## **XIX. MOTIONS**

A. Motions by Commission members shall require a second.

Exceptions. The following do not require a second:

- To Raise a Question of Privilege
- Questions of Order
- Objection to the Consideration of a Question
- Call up Motion to Reconsider
- Nominations
- Leave to Withdraw a Motion
- Inquiries of any kind

B. Motions shall not be formally discussed prior to being duly seconded.

C. After a motion is properly made and seconded, the Chair shall restate the motion and open the floor to discussion.

D. The Chair shall routinely refrain from making or seconding motions in order to fairly and impartially preside over the Commission deliberations and discussion. In any case, the Chair shall not make or second a motion without first temporarily surrendering the chair to the Vice Chair, if present and willing to temporarily accept the gavel, or to another member present and willing to temporarily accept the gavel. In such event, he should not resume the chair until the motion is decided.

E. A maker of a motion may not speak against his motion.

F. The Chair shall call for and cause the vote to be recorded after the motion is properly made before the Commission, has been seconded, and has been duly discussed. Any member believing a motion has been duly discussed may move or call for the previous question. Such motion shall not be debatable. However, if any member objects, the Chair shall call for a vote on the motion calling for the previous question. If that motion carries, the Chair shall proceed to call for the vote on the motion before the Commission. If the motion calling for the previous question is defeated, the debate on the main motion shall continue.

G. A substitute motion may be made by any member to any motion properly on the floor. Once seconded, the substitute motion shall take precedence and all debate or action on the existing motion shall cease until the substitute motion is decided. Debate on a substitute motion is permissible. If the substitute motion is passed by a majority vote of the members then present and voting, the original motion is supplanted by the substitute motion. A second substitute motion can be made only after the first substitute motion is decided by vote of the Commission.

H. When a motion is made and then cannot obtain a second, the motion will die for lack of a second and does not require a vote. However, in the event that a motion which is not seconded is nevertheless voted on by the Commission and passes by a majority of the members present and voting, the failure of a second shall not invalidate the adoption of such motion.

## I. Defeated Motions

1. Same Meeting: A defeated motion can be brought back for consideration at the same meeting if the members present agree to do so by a majority vote. Only a member who voted on the prevailing side may make the motion to reconsider the issue. The rule restricting renewal of a motion in the same session does not apply to a motion that died for lack of a second.

2. Subsequent Meeting: Except as otherwise provided by law, a defeated motion that is still applicable can be re-introduced at a subsequent meeting as new business (under the normal process for new business).

## XX. VOTING

A. All Actions of Record must be approved by vote unless there is unanimous consent.

B. When the question is called and there is no dispute, the Chair shall call for the vote.

C. Whenever any member wishes to abstain from voting on any question, he shall so state and, if because of a conflict, shall indicate in accordance with the Virginia Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., and his abstention shall be announced by the Chair and recorded by the Director of Planning.

D. The Chair's vote on all issues before the Commission shall be recorded with the prevailing side, unless the Chair clearly votes otherwise.

E. The Director of Planning shall record the name of each member voting and how he voted.

F. A tie vote fails. The Commission does not designate a tiebreaker.

G. Except as otherwise provided by law, motions shall be carried by a majority of the members present and voting in the affirmative.

**XXI. RECORDING OF MEETINGS.** The Clerk of the Commission or another person acting in that capacity shall electronically record each regular meeting. These recordings are the property of Fluvanna County and are public records as provided by the Virginia Freedom of Information Act. Interested persons may listen to the recordings on the County website or may obtain copies of the recording by making appropriate arrangements with the Director of Planning's office. Costs will be borne by the person making the request.

**XXII. AD HOC COMMITTEES.** There will be no standing committees. Ad hoc committees will be appointed by the Chair, as needed. Constitutional Officers may be appointed to committees.

## **IX. PUBLIC SESSIONS.**

~~A. Except as otherwise directed the regular public meeting of the Commission shall be held on the 1st Tuesday after the 1st Wednesday of the month at 7:00 p.m. The meetings shall generally be held in the Morris Room, of the County Administration Building, located at 132 Main Street, Palmyra, VA 22963.~~

~~B. A special meeting may be held at the call of the Chair or by the application of three members given to the Director of Planning. There shall be at least seventy two (72) hours written notice for a special meeting.~~

## X. PUBLIC HEARINGS

~~B. Once a notice for Public Hearing has been advertised, the Public Hearing will be conducted, unless the Planning Commission formally defers the matter to a future meeting. The postponement or cancellation of a public hearing shall be as follows:~~

~~1. The Chair, with concurrence of the Planning Director, shall have the authority to postpone a public hearing based on the weather or other extraordinary circumstances. The public hearing shall be rescheduled, if appropriate, and advertised as required by law.~~

~~2. Any public hearing that has been publicly advertised shall not be postponed based on a request from a non-County government entity or person absent extreme mitigating circumstances. The Chair, with concurrence of the Planning Director, will determine when such circumstances exist. If mitigating circumstances exist, the petitioner will bear any cost incurred by the County in providing public notification of the change and for the cost of advertising the new date of the hearing.~~

~~3. In all cases, County staff will ensure all Planning Commission members are provided timely notification of schedule changes. Further, staff will ensure the public and general news media are notified of changes to schedules which have been announced in public.~~

~~4.~~

~~5. XI. MEETING AND ATTENDANCE.~~

~~6.~~

~~7. A. All meetings and business shall be conducted in accordance with these Rules, Robert's Rules of Order Newly Revised, 12th Edition, and the law of Virginia. In the event of conflict, the law of Virginia shall govern.~~

~~8.~~

~~9. B. Meetings will be held on the 1st Tuesday after the 1st Wednesday of the month. If the meeting date falls on a holiday, a new meeting date will be scheduled by the Chair. Meetings shall start at the appointed time, and if the Chair is not present, the Vice Chair shall preside. If neither the Chair nor the Vice Chair~~

~~is present, the Director of Planning shall call the meeting to order and preside for the election of a Temporary Chair.~~

~~10.~~

~~11. C. Any person making a written or electronic presentation or demonstrating a matter by way of a picture, slides or a similar document for inclusion in the record of the hearing shall provide the Director of Planning a copy of such item three (3) days prior to the meeting at which such person wishes to make a presentation.~~

~~12.~~

~~13. D. The Director of Planning shall list all items requested on the agenda. If, in the opinion of the Director of Planning, an agenda item is not appropriate for consideration by the Commission, he shall inform the Chair, and if the Chair is in agreement, the Commission shall first discuss whether to entertain the agenda item.~~

~~14.~~

~~15. E. The Director of Planning and Chair shall allocate time to items on the agenda, as is necessary, for appropriate consideration by the Commission.~~

~~16.~~

~~17. F. The Commission shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Commission.~~

~~18.~~

~~19. G. Time permitting, items not on the agenda shall be heard as the final items of the Commission's business. If time does not, in the opinion of the Chair, permit hearing items on the agenda, they shall be carried over to the next regular or special meeting.~~

~~20.~~

~~21. H. The Chair's vote on all issues before the Commission shall be recorded as being given with the prevailing side, unless the Chair clearly votes otherwise.~~

~~22.~~

~~23. I. Meetings shall be adjourned no later than 11:00 pm unless continued by unanimous vote of the Commission members.~~

## **XXIII. POLICY FOR REMOTE PARTICIPATION OF MEMBERS OF THE FLUVANNA COUNTY PLANNING COMMISSION AT MEETINGS OF THE COMMISSION**

### **A. AUTHORITY AND SCOPE**

1. This policy shall govern participation by an individual member of the Planning Commission of Fluvanna County, Virginia, by electronic communication means in public meetings of the Planning Commission of Fluvanna County, Virginia, and any closed session of the Commission held in accordance with applicable law, from and after the date of adoption of this policy.

2. This policy is adopted pursuant to the authorization of Va. Code § 2.2-3708.3 and is to be strictly construed in conformance with the Virginia Freedom of Information Act (VFOIA), Va. Code § 2.2-3700 et seq.

3. Any reference to a specific provision of federal, state, or local law referenced in this policy shall mean such provision of law, as amended from time to time, or as set forth in any successor provision dealing with substantially the same subject.

## B. DEFINITIONS

1. "Caregiver" means a caregiver as defined by Va. Code § 2.2-3701.

2. "Member" means any member of the Planning Commission.

3. "Remote participation" means participation by an individual member of the Commission by electronic communication means in a public meeting where a quorum of the Commission is physically assembled, as defined by Va. Code § 2.2-3701. For purposes of determining whether a quorum is physically assembled, an individual member who is a person with a disability as defined in Va. Code § 51.5-40.1 or is a caregiver as defined in Va. Code § 2.2-3701 and uses remote participation counts toward the quorum as if the individual was physically present.

4. "Meeting" means a meeting as defined by Va. Code § 2.2-3701.

5. "Notify" or "notifies," for purposes of this policy, means verbal or written notice that is reasonable under the circumstances, with written notice, such as by email or letter, being the preferred means of notice. Notwithstanding the foregoing, notice does not include text messages or communications via social media.

6. "VFOIA" means the Virginia Freedom of Information Act, Va. Code § 2.2-3700, et seq.

## C. MANDATORY REQUIREMENTS

Regardless of the reasons why the member is participating in a meeting from a remote location by electronic communication means, the following conditions must be met for the member to participate remotely:

1. A quorum of the Commission must be physically assembled at the primary or central meeting location; and

2. Arrangements have been made for the voice of the remotely participating member to be heard by all persons at the primary or central meeting location. If at any point during the meeting the voice of the remotely participating member is no longer able to be heard by all

persons at the meeting location, the remotely participating member shall no longer be permitted to participate remotely.

3. For purposes of determining whether a quorum is physically assembled, an individual member who is a person with a disability as defined in Va. Code § 51.5-40.1 or is a caregiver and uses remote participation counts toward the quorum as if the individual was physically present.

#### D. PROCESS TO REQUEST REMOTE PARTICIPATION

1. On or before the day of the meeting, and at any point before the meeting begins, the requesting member must notify the Commission Chair (or the Vice-Chair if the requesting member is the Chair) that such member is physically unable to attend a meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance, (ii) a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance, or the member is a caregiver who must provide care for a person with a disability at the time the public meeting is being held thereby preventing the member's physical attendance, (iii) such member's principal residence location more than 60 miles from the meeting location, or (iv) a personal matter and identifies with specificity the nature of the personal matter.

2. If the requesting member is unable physically to attend the meeting due to a personal matter, the requesting member must state with specificity the nature of the personal matter and that such matter renders the requesting member unable physically to attend. Remote participation due to a personal matter is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. There is no limit to the number of times that a member may participate remotely for the other authorized purposes listed in (i) - (iii) above.

3. The requesting member is not obligated to provide independent verification regarding the reason for such member's nonattendance, including the temporary or permanent disability or other medical condition or the family member's medical condition that prevents the member's physical attendance at the meeting.

4. The Chair (or the Vice-Chair if the requesting member is the Chair) shall promptly notify the requesting member whether the request is in conformance with this policy, and therefore approved or disapproved.

#### E. PROCESS TO CONFIRM APPROVAL OR DISAPPROVAL OF PARTICIPATION FROM A REMOTE LOCATION

When a quorum of the Commission has assembled for the meeting, the Commission shall vote to determine whether:

1. The Chair's decision to approve or disapprove the requesting member's request to participate from a remote location was in conformance with this policy; and

2. The voice of the remotely participating member can be heard by all persons at the primary or central meeting location.

#### F. RECORDING IN MINUTES

1. If the member is allowed to participate remotely due to a temporary or permanent disability or other medical condition, a family member's medical condition that requires the member to provide care to the family member, or the member is a caregiver who must provide care for a person with a disability, or because the member's principal residence is located more than 60 miles from the meeting location the Commission shall record in its minutes (1) the foregoing circumstance due to which the member is participating remotely; (2) the Commission's approval of the member's remote participation; and (3) a general description of the remote location from which the member participated.

2. If the member is allowed to participate remotely due to a personal matter, the Commission shall record in its minutes (1) the specific nature of such personal matter that renders the requesting member unable to attend stated by the requesting member; (2) how many times the member has attended remotely due to a personal matter; (3) the Commission's approval of the member's remote participation; and (4) a general description of the remote location from which the member participated.

3. If a member's request to participate remotely is disapproved, the disapproval, including the grounds upon which the requested participation violates this policy or VFOIA, shall be recorded in the minutes with specificity.

#### G. CLOSED SESSION

If the Commission goes into closed session, the member may continue to participate remotely in the closed session, and shall ensure that no third party is able to hear or otherwise observe the closed meeting.

#### H. STRICT AND UNIFORM APPLICATION OF THIS POLICY

This Policy shall be applied strictly and uniformly, without exception, to the entire membership, and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting. Unless independently received by County staff, the Chair (or Vice-Chair) shall provide County staff with copies of the member's written request to participate remotely and the written response, as applicable, if the request or response is in writing, to be retained by County staff for a period of one year, or other such time required by records retention laws, regulations, and policies.

## I. MEETINGS HELD THROUGH ELECTRONIC COMMUNICATION MEANS DURING DECLARED STATES OF EMERGENCY

1. In addition to the foregoing, pursuant to the Code of Virginia Section 2.2-3708.2(A)(2) the Planning Commission may meet by electronic communication means without a quorum of the public body physically assembled at one location when the Governor has declared a state of emergency in accordance with the Code of Virginia Section 44-146.17, or Fluvanna County has declared a local state of emergency pursuant to Code of Virginia Section 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency provide for the continuity of operations of the Commission or the discharge of its lawful purposes, duties, and responsibilities. The Planning Commission when convening a meeting in accordance with this subdivision (I) shall:

- a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Planning Commission conducting the meeting;
- b. Make arrangements for public access to such meeting through electronic communication means;
- c. Provide the public with the opportunity to comment at those meetings of the Commission when public comment is customarily received;
- d. Otherwise comply with the provisions of the Code of VFOIA; and
- e. State in its minutes the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held.

J. Nothing in this Section XXIV shall be construed to prohibit the use of interactive audio or -video means to expand public participation.

## XXIV. RULES

A. The bylaws may be suspended at anytime by a majority vote of the Commission.

B. The bylaws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.

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## XIII. CONDUCT OF BUSINESS

A. When the question is called and there is no dispute, the Chair shall call for the vote.

B. Whenever any member wishes to abstain from voting on any question, he or she shall so state and, if because of a conflict, shall indicate in accordance with the Virginia Conflict of Interests Act, Virginia Code § 2.2-3100 et seq., or as amended, and his or her abstention shall be announced by the Chair and recorded by the Clerk.

C. Exhibits or electronic slides before the Commission shall become the property of the Commission and shall be filed with the Director of Planning.

D. Citizens shall not speak at a meeting until they are recognized by the Chair. Citizens shall request recognition by addressing the Chair and then await acknowledgement. At his or her discretion, the Chair may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Such discussion will be discouraged.

E. Prior to opening a meeting at which one or more public hearings will be held, the Chair shall recount the rules under which the hearing shall be operated, but he or she may amend the rules during the hearing by giving notice of the change to the Commission.

F. At the beginning of the public hearing, the Chair shall call upon the Director of Planning or the Chair of the committee handling the matter at hand or shall recount a description of the issue placed before the hearing.

G. Subject to revocation or extension by the majority of the commission assembled, the Chair may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Commission on a matter. Notwithstanding the foregoing statement, every Commission member shall be entitled to make a statement on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so.

H. All members or citizens shall limit their comments before the Commission. The Chair has the option of requiring speakers to sign up before being authorized to address the Planning Commission.

I. The Commission has set forth the following rules for presentation time limits:

1. Individual presentations placed on the Commission's agenda shall be limited to ten (10) minutes in duration.
2. Individual presentations listed under the agenda item "Public Comments" shall be limited to five (5) minutes in duration.

3. ~~Statements from the public during the "Public Hearing" on individual agenda items shall be limited to five (5) minutes.~~
4. ~~Complete presentations on Commission action items shall be limited to not more than ten (10) minutes.~~
5. ~~The above limitations may be extended only by majority consent of the Commission.~~

#### **XIV. ORDER**

- A. ~~It shall be the duty of the Chair to maintain order and decorum at meetings. The Chair shall speak to points of order in preference to all other members.~~
- B. ~~In maintaining decorum and propriety of conduct, the Chair shall not be challenged and no debate shall be allowed until after the Chair 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.~~
- C. ~~No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches.~~
- D. ~~When a person engages in such a breach, the Chair may:~~
  1. ~~Order the person to stand silent,~~
  2. ~~Order the person's removal from the building, or,~~
  3. ~~Order the person removed from the County Property.~~

**XV. COMMITTEES.** ~~There will be no standing committees. Ad hoc committees will be appointed by the Chair, as needed. Constitutional Officers may be appointed to committees.~~

#### **XVI. RULES**

- A. ~~The bylaws may be suspended at anytime by a majority vote of the Commission.~~
- B. ~~The bylaws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.~~

XVII. RECORD OF THE MEETING. The Clerk of the Commission or another person acting in the capacity shall electronically record each regular meeting. Recordings are the property of Fluvanna County. A stenographic record shall not be admissible as evidence of what transpired at a meeting, unless the person taking the record has been sworn prior to making the record.

Audio recordings are available on the county website at [www.fluvannacounty.org/meetings](http://www.fluvannacounty.org/meetings)



## COUNTY OF FLUVANNA

*"Responsive & Responsible Government"*

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911

### PLANNING COMMISSION VARIANCE REQUEST SUMMARY

**To:** Fluvanna County Planning Commissioners

**Case Number:** BZA 26:08

**Planning District:** Rivanna Community Planning Area

**From:** Jason Overstreet, Senior Planner

**Voting District:** Cunningham

**General Information:**

This public hearing to be held on Tuesday, February 17, 2026 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:**

**BZA 26:08** – Giacomo Cracchiolo: A request for a one hundred (100) foot variance to section 22-4-3 (D) of the Fluvanna County Code to allow a reduction of the required lot width at setback, and for a fifty (50) foot variance to section 22-4-3 (E) (2) of the Fluvanna County Code to allow a reduction of the required front setback for the parcel identified as Tax Map 17, Section 29, Parcel 1. The subject property is zoned A-1, Agricultural, General.

**Background Information:**

This parcel was created as part of the Fox Hollow Phase IV subdivision. The parcel is accessed through Taylor Ridge Estates subdivision using Taylor Ridge Way (SR 1074). This lot's frontage is on a cul-de-sac which affects the setback due to the requirement that the lot width at setback equal three hundred feet. Additionally, the west side of the lot slopes down to an intermittent creek which effectively further limits the location available for a dwelling.

**Planning Commission Action:**

Per Section 22-18-4(A) of the Fluvanna County Code, applications for variances are to be transmitted to the Planning Commission. The Commission has three options:

1. Take no action
2. Attend as a party to the public hearing
3. Make a recommendation to the BZA

**Suggested Motion:**

I move that the Planning Commission recommend (approval/ denial / deferral) of a variance request considered by the board of zoning appeals for a reduction of the required lot width at setback for a reduction of the required setback for a property located in the Cunningham Election District and identified as tax map 17-29-1.



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Variance Application (BZA)

Owner of Record: GIACOMO CRACCHIOCO Applicant of Record: SAME

E911 Address: 2 CLUB LANE PALMYRA VA E911 Address: \_\_\_\_\_

Phone: 434-591-1910 Fax: \_\_\_\_\_

Email: GIACOMO@FLUVANNA.ORG \_\_\_\_\_

Representative: SAME

E911 Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Tax Map and Parcel(s): \_\_\_\_\_

Acreage: 2.44 Zoning: A-1 Deed Book Reference: \_\_\_\_\_

Deed Restrictions?  No  Yes (Attach copy)

E911 Address of Parcel: Unassigned

Description of Property: Fox Hollow IV or Taylor Ridge

Request for a variance from Section 22-4-3(D)(e)(2) of the Fluvanna County Code in respect to the requirement for  
in order to build Single-Family Dwelling

Fill in only the line(s) that apply to your request(s)	Applicant has	Code requires or permits	Variance requested
Total Area			
Lot Width	<u>~150ft</u>	<u>300ft</u>	<u>160ft</u> <u>100ft</u>
Front yard setback			<u>12.5ft</u>
Minimum side yard setback			
Total side yard setback			
Rear yard setback			
Public road frontage			
Other (write in)			

Two copies of a plan must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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

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

GIACOMO CRACCHIOCO 1-15-26 Signature

Owner/Applicant Name (Please Print)

Date

Owner/Applicant Signature

OFFICE USE ONLY

Date Received:	PH Sign Deposit Received:	Application #: BZA _____
\$550 Fee Paid		
Election District:	Planning Area:	
Approved	Denied	Date: _____ Zoning Administrator:

Fluvanna County Department of Planning & Community Development \* Box 540 \* Palmyra, VA 22963 \* (434)591-1910 \* Fax (434)591-1911

This form is available on the Fluvanna County website: [www.fluvannacounty.org](http://www.fluvannacounty.org)



**COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Public Hearing Sign Deposit**

Name: GIACOMO CRACCHIOCO  
Address: Z CLVB LANE  
City: PALMYRA  
State: VA Zip Code: 22963

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

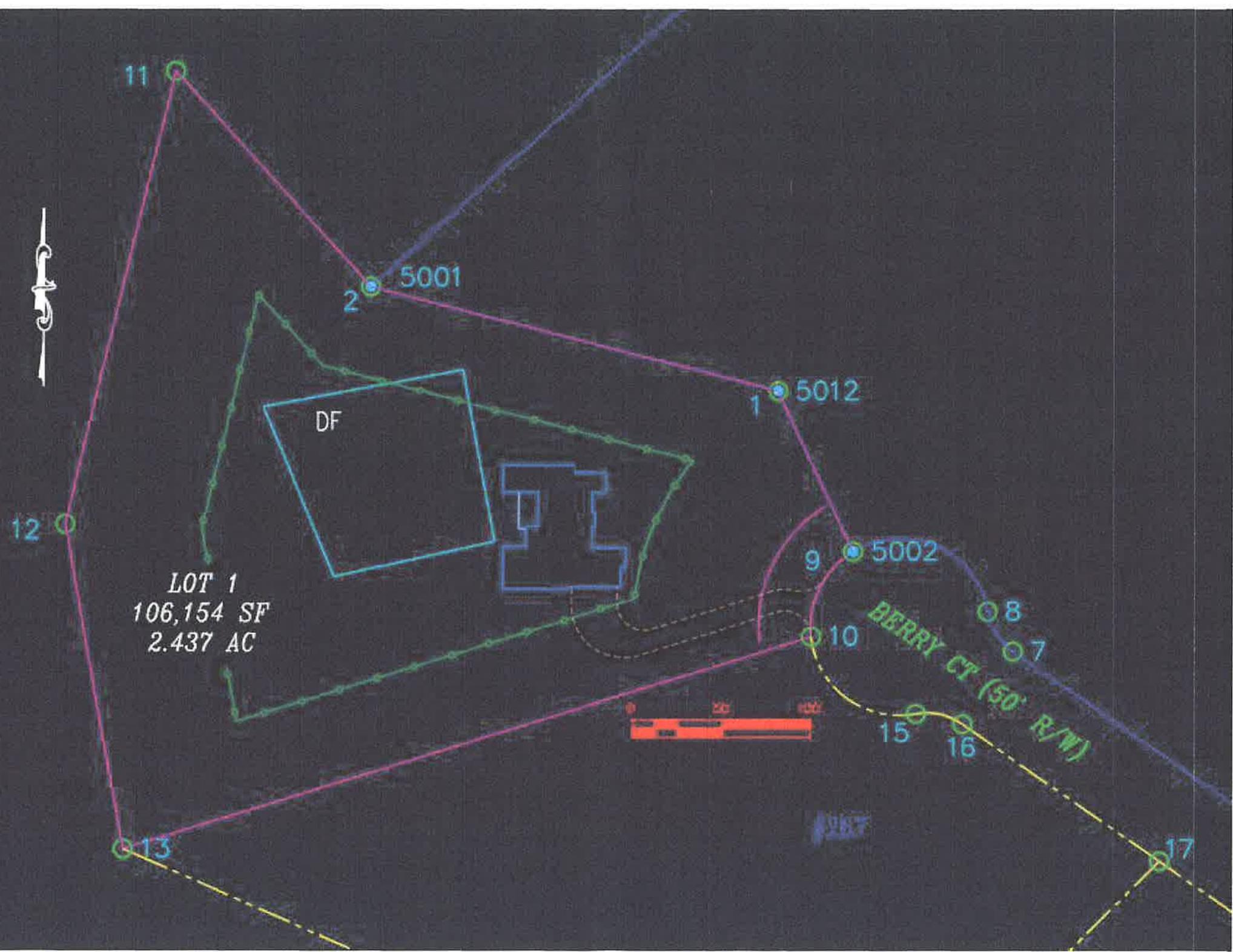
01-15-2026

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

<b>OFFICE USE ONLY</b>					
Application #: <b>BZA</b> _____ : <b>CPA</b> _____ : <b>SUP</b> _____ : <b>ZMP</b> _____ : <b>ZTA</b> _____					
\$50 deposit paid per sign*:			Approximate date to be returned:		

17-29-1







LOT 1  
106,154 SF  
2.437 AC

DF

5001

5012

5002

570

257

8

7

6

5

4

3

2

1

50

50

50

267

17