



FLUVANNA COUNTY PLANNING COMMISSION

MEETING AGENDA

The Morris Room, Administration Bldg.

132 Main Street, Palmyra, VA 22963

September 8, 2026

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

WORK SESSION

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

- A Campgrounds
- B Comprehensive Plan (time permitting)

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 August 11, 2026 – Jenny Cassell Faulknier, Admin. Prog. Specialist

5 – PUBLIC COMMENTS #1 (5 Minutes Each)

6 – PUBLIC HEARING

- B None

7 – RESOLUTIONS

- C Entrance Corridor Overlays
- D Data Centers
- E Home-Based Child Care

8 – PRESENTATIONS

- F None

9 – UNFINISHED BUSINESS

- G Comprehensive Plan – Todd Fortune, Planning Director

10 – NEW BUSINESS

- H None

11 – PUBLIC COMMENTS #2 (5 minutes each)

12 – ADJOURN

Planning Director Review

PLEDGE OF ALLEGIANCE

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

ORDER

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

PUBLIC HEARING RULES OF PROCEDURE

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

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ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-4-2.1 AND 22-22-1 AND ENACTING § 22-17-22 TO UPDATE DEFINITIONS AND STANDARDS REGARDING CAMPSITES, CAMPGROUNDS, AND RECREATIONAL VEHICLES

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

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-4-2.1 and 22-22-1 and enacting § 22-17-22 as follows:*

Chapter 22 – ZONING

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

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

The following uses shall be permitted by right:

Commercial Uses

Campsites

ARTICLE 17. – GENERAL PROVISIONS

Sec. 22-17-22. Recreational vehicle standards.

(A) A recreational vehicle may not be used as a dwelling and may only be used as a temporary living quarters for a maximum of thirty (30) days, unless a special exception has been approved by the Zoning Administrator.

(B) The Zoning Administrator may approve extended lodging in a recreational vehicle as a special exception in the event that an applicant’s residence is destroyed or made unlivable by fire, flood, wind, or other natural causes, provided that such lodging in a recreational vehicle shall be for a period not longer than twelve (12) months from the date of occurrence of the event, and also provided that written approval is obtained from the respective property owners association, if any.

(C) No recreational vehicle may be used for any short-term rental, unless the recreational vehicle is located in a campground approved by special use permit.

(D) These standards shall not apply to a hunt club or hunting preserve.

ARTICLE 22. – DEFINITIONS

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

Campground: **An area used for transient occupancy including tourist camps, travel trailer camps, recreation camps, family campgrounds, camping resorts, camping**

communities, hipcamps, dry camps, or any other area, place, parcel, or tract of land, by whatever name called, on which three (3) or more campsites are occupied or intended for transient occupancy, or facilities are established or maintained, wholly or in part, for the accommodation of camping units for periods of overnight or longer, whether the use of the campsites or facilities is granted gratuitously, by a rental fee, by lease, by conditional sale, or by covenants, restrictions, and easements. Such definition does not include summer camps, hunt clubs, or hunting preserves. ~~An area to be used for transient occupancy by camping in tents, camp trailers, travel trailers, motor homes, or similar transportable or temporary sleeping quarters of any kind.~~ For purposes of this definition, transient **occupancy** shall be for no more than ~~120~~ **thirty (30)** days.

Camping unit: Tents, tent trailers, travel trailers, recreational vehicles, camping trailers, pick-up campers, motor homes, yurts, cabins, or any other device or vehicular-type structure as may be developed, marketed, and used by the camping trade for use as temporary living quarters or shelter during periods of recreation, vacation, leisure time, or travel.

Campsite: Any plot of ground within a campground used or intended for the exclusive occupation by a camping unit. Any area, place, parcel, or tract of land with three (3) or more campsites shall be considered a campground. Such definition does not include hunt clubs or hunting preserves.

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

INTRODUCTION

A. Background, legal authority

The Comprehensive Plan is a guide to the future growth and development of Fluvanna County. It assesses current conditions and reflects the community's vision for its future. It describes, in general terms, proposed land uses, locations of utilities and public facilities, and potential investments. The Comprehensive Plan forms the basis on which ordinances, transportation plans, and the capital improvement program are based.

The Comprehensive Plan guides recommendations by the Planning Commission regarding land use and zoning changes. While it cannot bind the policies of the Board of Supervisors or the recommendations of the Planning Commission, as a public policy document it reflects public input and serves as a guide to county policies and fiscal decisions for Fluvanna County. It should be noted that since Virginia is a Dillon Rule state, localities are limited in their powers by what the General Assembly allows per the Code of Virginia. As such, a close eye should be kept on legislation that is passed and how such legislation might change powers available to localities.

- The Dillon Rule holds that a locality only has powers that are: 1) expressly granted to them by the state through the state constitution, statutes, or [local charters](#); 2) necessarily or fairly implied by the powers specifically granted to them by the state; and 3) essential and indispensable to the local government's existence and its primary purposes. The Dillon Rule was named after John Forrest Dillon, Chief Justice of the Iowa Supreme Court, who authored the rule as part of the opinion in the Court's City of Clinton versus Cedar Rapids and Missouri River Railroad case (1868). In Virginia, the Dillon Rule was established by case law including, but not limited to, City of Winchester versus Redmond (1896) and Strong versus Orange County Board of Supervisors (2012).

The Code of Virginia mandates that localities prepare and regularly revise a Comprehensive Plan to guide the physical development of their communities (Section 15.2-2223). A Comprehensive Plan is used for community assessment, identifying current concerns, forecasting future needs, developing policies, and implementing problem solving strategies.

The Plan is developed by the Planning Commission and adopted by the governing body – in this case, the Fluvanna County Board of Supervisors. Section 15.2-2230 of the State Code requires localities to review and update their Comprehensive Plans every five (5) years at a minimum.

As stated in the Code of Virginia:

§ 15.2-2223

Comprehensive Plan to be prepared and adopted; scope and purpose.

The local planning commission shall prepare and recommend a comprehensive plan for the physical development of the territory within its jurisdiction and every

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governing body shall adopt a comprehensive plan for the territory under its jurisdiction.

In the preparation of a comprehensive plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the territory that will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity, and general welfare of the inhabitants, including the elderly and persons with disabilities.

Section 15.2-2223 further states that the Comprehensive Plan shall be general in nature in that it shall:

- Designate the general or approximate location, character, and extent of features shown on the plan, including where existing lands or facilities are proposed to be extended, removed or changed;
- Show the long-range recommendations for the general development of the territory and may include such items as the designation of areas for different kinds of public and private land use, a system of transportation facilities, a system of community service facilities, historic areas, and areas for the implementation of groundwater protection measures.

Relevant sections of the Code of Virginia are in the Appendices. They can be accessed digitally by going to the following links:

- [§ 15.2-2223. Comprehensive plan to be prepared and adopted; scope and purpose](#)
- [§ 15.2-2223.1. Comprehensive plan to include urban development areas](#)
- [§ 15.2-2222.1. Coordination of state and local transportation planning](#)
- [§ 15.2-2230. Plan to be reviewed at least once every five years](#)

The Comprehensive Plan, when supported by strong ordinances, can help minimize conflicts and promote harmony within a community as it faces future growth and development.

B. Why the Comprehensive Plan is important

In Virginia, the local Comprehensive Plan is a guide for the governing body to follow in making both long-range and day-to-day decisions regarding all aspects of community development. The governing body can exercise discretion in how strictly it interprets and follows the plan. However,

the Code provides that the construction, extension or change in use of streets or other public facilities be subject to review and approval by the Planning Commission as to whether the general location, character and extent of the proposed facility is in substantial accord with the adopted Comprehensive Plan. The Plan, therefore, has great control over the construction of public facilities and utilities, as well as private land uses.

A Comprehensive Plan is an important document to a local government since it serves as a guide for community preservation and development. This Plan reflects the interests of citizens, residents, and property owners with the assurance that the community's needs are identified and met accordingly. As a community's character evolves, the Comprehensive Plan adapts through the integration of corresponding public input and assessments accompanied with other data sources.

A Comprehensive Plan is important because every community faces challenges when it comes to planning for the future. While the physical, social, and other manifestations of change vary from time to time and place to place, perhaps the most reliable constant in life is that change – whether we like it or not – occurs and things will not remain as they are. Fluvanna County is no different. It faces its own unique set of challenges, given its proximity to the Richmond and (especially) Charlottesville metropolitan areas and the Interstate 64 Corridor, plus related development in areas of the County including (and especially) Lake Monticello and Zion Crossroads. The Lake Monticello Community Planning Area (CPA) is approaching full buildout, and the Zion Crossroads CPA has started to see an increase in the pace of development. The desire of county residents to live in less congested areas, along with a need for housing that is affordable, has placed pressures on Fluvanna County and its rural and scenic character.

This plan aims to balance the need for economic development with the public benefits of preserving the County's rich historic and scenic character and its rural setting, which can provide opportunities for revenue with well-placed economic development but without significant residential development.

C. Developing a new plan

Fluvanna County's most recent plan was written in 2015, and updated in 2024 with changes to selected sections. The most recent update was started in 2020 but was disrupted by the COVID-19 pandemic; therefore, what was created was a "quick update" to keep the County in compliance with Code of Virginia requirements. This was done with the understanding that the next update of the Comprehensive Plan will be a full, comprehensive update to address changes and trends that have occurred over the last few years as well as expected changes. Accordingly, the County's focus going forward will still need to include (but not be limited to):

- Maintaining Fluvanna County's rural, scenic, and historic character;
- Diversifying the tax base through economic development; and
- Investing wisely in infrastructure which can facilitate desirable growth, safety and resilience.

In 2022, during the last Plan Update, the Planning Commission appointed members of the community to two advisory groups: The Historic Preservation Advisory Group and the Rural Preservation Advisory Group. These groups met throughout 2022, and presented recommendations to the Planning Commission in the Fall of 2022. For the new Plan update, the Planning Commission decided to keep those groups and create two additional advisory groups to aid in the development of a new Plan: An Economic Development Advisory Group, and a Housing Advisory Group.

Based on a review of past materials and correspondence as well as recent trends, some major issues have emerged. These are not the only issues facing the County, but bear mention here due to the attention they have gotten:

- Residents of Fluvanna County have a deep and abiding desire to maintain the rural and scenic character, charm, and agricultural vitality that has long been a hallmark of life in the County. It was equally obvious that balanced development and growth is necessary.
- The benefits of historic assets need to be more fully recognized. In addition to providing valuable information about the County's proud history, preservation of historic sites can create recreational and tourism opportunities for the County which can further spur economic opportunities and support education.
- The heightened focus on solar energy development has placed additional pressures on the County. The Virginia Clean Economy Act (VCEA – previously the Virginia Clean Energy Act) was adopted by the General Assembly in 2020 and requires a transition to clean energy by 2050. This has in turn spurred a demand for more solar generated power. Fluvanna County went through a process in 2024 to amend its Zoning Ordinance as it relates to solar energy development. The current Plan only partially covers what has become a topic of much importance and urgency to the residents of Fluvanna County.
- Another issue that has grown in prominence over the last few years is the emergence of data centers. According to data from the Piedmont Environmental Council (PEC), Virginia is home to the largest and fastest growing data center market in the world. PEC estimates that nearly half of all data centers in the U.S. are based in Virginia. While localities in Northern Virginia house a large portion of such facilities, the trend is moving southward. Growth in data centers is creating a surge in energy demand, leading to a need for increased power generation and higher bills for ratepayers, increased demand for water usage, and other issues. Per the County Code, data centers are only allowed in I-1 and I-2 industrial zoned areas. The use was previously allowed by right in I-1 and I-2. However, the Fluvanna County Code was amended in late 2025 to remove data centers as a by-right use and require a Special Use Permit for data centers in I-1 and I-2.

These issues, and others, will need to be examined in depth by the Planning Commission and the committees listed above as a new Plan is developed. It is important to keep in mind that the Comprehensive Plan can be viewed as a living document that can and should respond when new pressures are felt in the County.

D. Process for Plan update, methods for identifying issues

This will be a full update of the Comprehensive Plan. The sections from the existing Plan will be updated, with additional discussion of solar energy development included in Section 3 (Infrastructure). As such, the new Plan includes a Vision Statement and the following sections:

- 1) Location and Natural Environment
- 2) Land Use and Community Design
- 3) Rural Preservation
- 4) Infrastructure
- 5) Transportation
- 6) Economic Development
- 7) Historic Preservation
- 8) Parks and Recreation
- 9) Housing
- 10) Human Services
- 11) Education
- 12) Public Safety
- 13) Financial Sustainability
- 14) Community Resiliency
- 15) Implementation Goals and Strategies
- 16) Implementation Plan
- 17) Supplemental Data

Review and analysis of identified issues by the public, the appointed advisory groups, the Planning Commission and Board of Supervisors will provide the basis for establishing the goals and strategies for this Comprehensive Plan.

The major issues outlined in this Plan were identified through the following methods:

- 1. Comprehensive Plan Community Meetings:** Fluvanna County staff conducted a series of community meetings in February and March 2025 to give residents the opportunity to offer input. Meetings were held on the following dates and at the following locations:

- a. February 25, 2025 – Fork Union Community Center
- b. February 27, 2025 – Lake Monticello Volunteer Fire and Rescue, Maple Room
- c. March 4, 2025 – Antioch Baptist Church
- d. March 8, 2025 – Columbia Baptist Church

That input proved useful in developing the survey instrument and updating the Plan. Notices for these meetings ran in the *Fluvanna Review*, in Fluvanna Fan Mail, and on the County's web site. Future meetings will allow residents to offer additional input on issues facing the County.

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Major common themes surfaced from the meetings that are important to note. Preserving Fluvanna's rural nature which includes wildlife, livestock, agriculture, forestry, and other natural resources were regarded as vital. Historic character, scenic beauty, along with low tax rates and Land Use taxation were highlighted as well to be protected. There was much value placed on core services like schools and social services, law enforcement, EMS, fire and rescue, with an appreciation for the same, recreation and resources for all ages, and friendliness along with a continued even heightened sense of community.

Discussions about what is valued here in Fluvanna County were not only about preserving what already exists but also adding to what makes us Fluvanna. Expansion of public utilities, sewer and water resources especially in growth areas along with high-speed internet, work force housing and increased transportation options were cited as topics of need. There was also a plea for stronger and clearer ordinances with stricter enforcement thereof repeatedly mentioned. More businesses and medical professionals (with expanded hours of operation) were also desired.

2. **Citizen Opinion Survey:** Fluvanna County staff assisted the Planning Commission with the development and distribution of the survey instrument. Surveys were made available at government offices and businesses throughout the County, and an online survey instrument was made available on the County's web site and Facebook page. Additionally, flyers were posted through the County with a QR code for citizens to complete the survey using cell phones. Surveys were distributed in April 2025, and residents were given six weeks to complete and return surveys.
3. **Research and Analysis of Available Data:** Fluvanna County staff collected and analyzed data on a range of aspects on the County. These elements included land use patterns, environmental features, transportation conditions, population growth trends and capital facility needs. Much of the information is contained in this Plan and has helped to further enhance the understanding of many of the issues identified by local citizens and by other efforts as outlined in this section.
4. **Meetings with the Planning Commission:** Fluvanna County staff worked with the Planning Commission to develop the new Plan. Staff presented draft documents for the Commission to review during work sessions and regular Commission meetings. The Commission reviewed the materials along with citizen input, and contributed its own analysis of the issues presented.
5. **Advisory groups:** As referenced above, the Planning Commission appointed four advisory groups to provide recommendations on selected issues – Historic Preservation, Rural Preservation, Economic Development, and Housing. These

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groups provided valuable input and guidance to help the Planning Commission address these specific issues.

For a more detailed review of all the input received from the issue identification methods, please refer to the Appendix materials.

CHAPTER 1

Natural Environment

A. Regional Setting

Fluvanna County is located in the Piedmont Region of Virginia, known for the rolling foothills that comprise the picturesque landscape of the region. The James River forms the southern border of the County. Other major rivers that run through the County are the Hardware and Rivanna Rivers. A small portion of Scottsville is located in Fluvanna County (the rest of the Town is in Albemarle County), but there are no other incorporated towns located in Fluvanna. The County is largely rural, with two main areas having experienced substantial growth – Lake Monticello and Zion Crossroads. Other villages and rural crossroads communities in the County include Columbia, Fork Union, Kent’s Store, Cunningham, Nahor, Kidd’s Store, Palmyra, Wilmington, Bremo Bluff, Wildwood(?), and Zion Crossroads.

The Village of Palmyra, the County Seat, is located less than 25 miles east of Charlottesville and less than 60 miles west of Richmond. Palmyra is also located less than 25 miles southwest of Louisa, approximately 30 miles due south of Orange, less than 50 miles due south of Culpeper, and less than 50 miles due north of Farmville. The County’s proximity to other urban areas and regional hubs, the Richmond and Charlottesville areas in particular, help make the County an ideal community for rural economic development and revitalization.

Figure NE-1 – Location of Fluvanna County

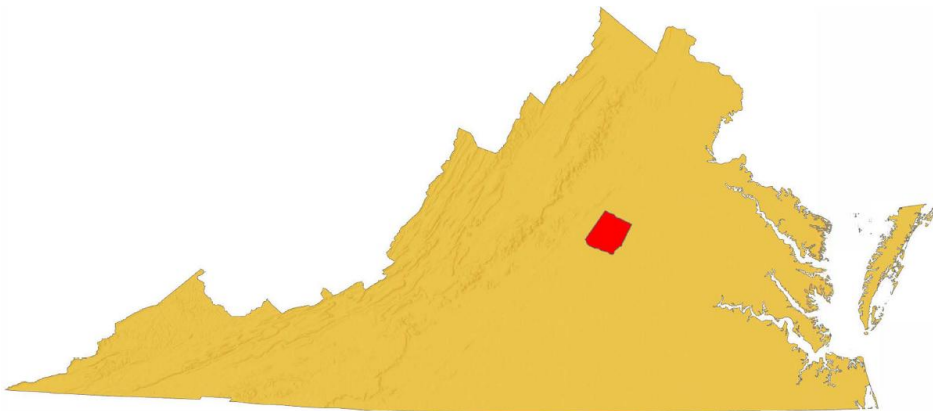


Figure NE-2 – Fluvanna County



B. Natural Resources

Fluvanna conserves its natural resources and manages growth by directing development into specified growth areas called community planning areas, and by specifying how compatible development can have a positive impact on the County. **Well-managed forests and farms are still a primary land use, and a key component of the County's historic and rural character and economic viability.**

The James, Rivanna, and Hardware rivers are critical to the history and ecology of the County. They are healthy, viable rivers with a diversity of aquatic life. Vegetative buffers along floodplains,

sensitive development within the watersheds, and other development and preservation techniques protect these natural resources. Groundwater should be protected, as it serves as the primary water source for the rural areas of the county.

Well-planned, compact development that efficiently utilizes green infrastructure to create interconnected, walkable, and fiscally sustainable communities that employ the latest in environmental controls is desirable. Fluvanna County's government strives for energy efficiency and the use of renewable technologies.

Conservation easements(including historic easements), Agricultural/forestal districts, and lower land-use assessment taxes continue to be valuable tools for land preservation and conservation. Agricultural/forestal ("ag/forestal") districts are abundant in rural areas, and permanent open spaces including greenways, parks, and buffer areas should be preserved as part of the development process, as codified in the County ordinances. The growth areas and surrounding rural areas are connected through this open-space network.

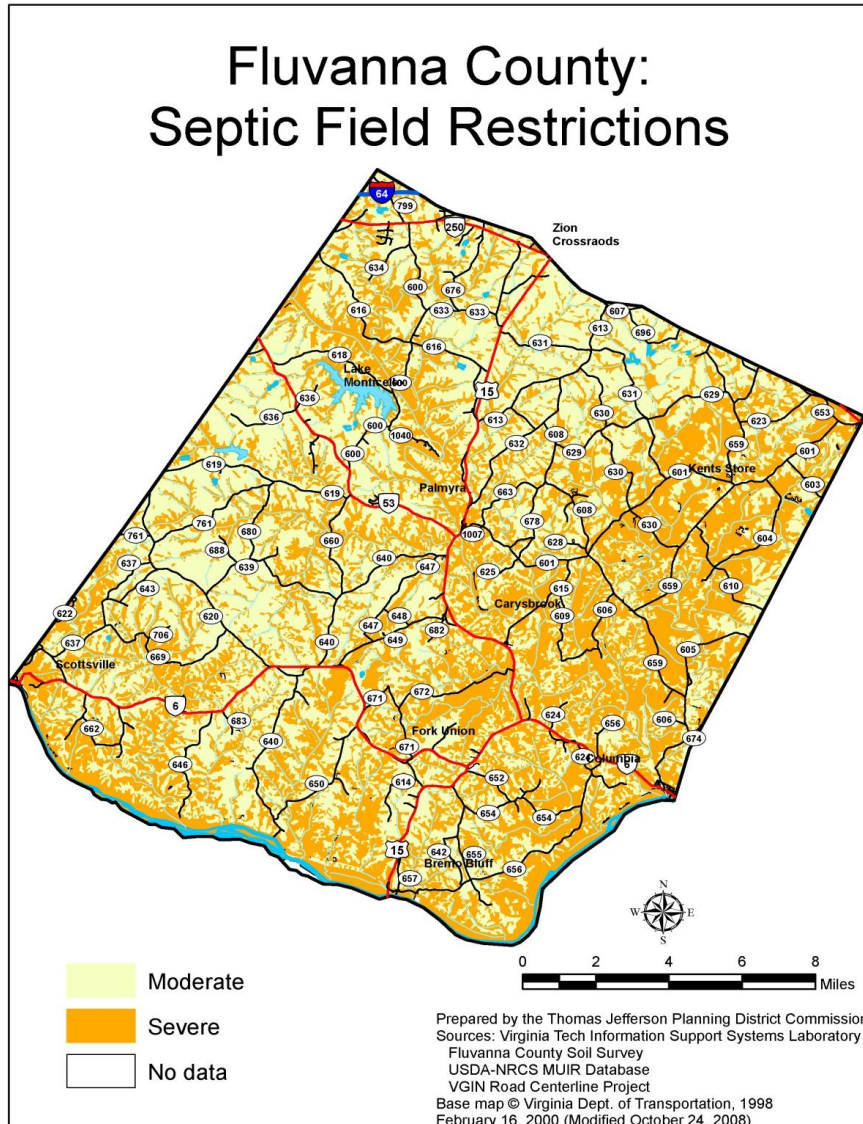
C. Existing Conditions

Geology

Fluvanna County lies entirely within the Piedmont region, between the Blue Ridge to the west and Coastal Plain (Tidewater) to the east. Some of the bedrock of Fluvanna was formed locally, while some was transported here by natural events over time. As it broke down, this diverse bedrock left the numerous soil types found in the county. Approximately 8,500 acres of soil in Fluvanna are underlain by subsoils with clays that become plastic to very plastic when wet, and are indicators of "shrink/swell" soils (USDA Soil Survey, ca. 1950). These soils should be evaluated by professionals to determine site-specific conditions if the construction of buildings or roads is contemplated. These soil types can also restrict the installation of traditional septic fields, which historically has limited development. Fluvanna County is researching options to encourage development in Columbia and Fork Union while respecting community character.

Septic field restrictions in the County are denoted in Figure NE-3. The data comes from Virginia Tech, the Fluvanna County Soil Survey, and USDA-Natural Resource Conservation Service.

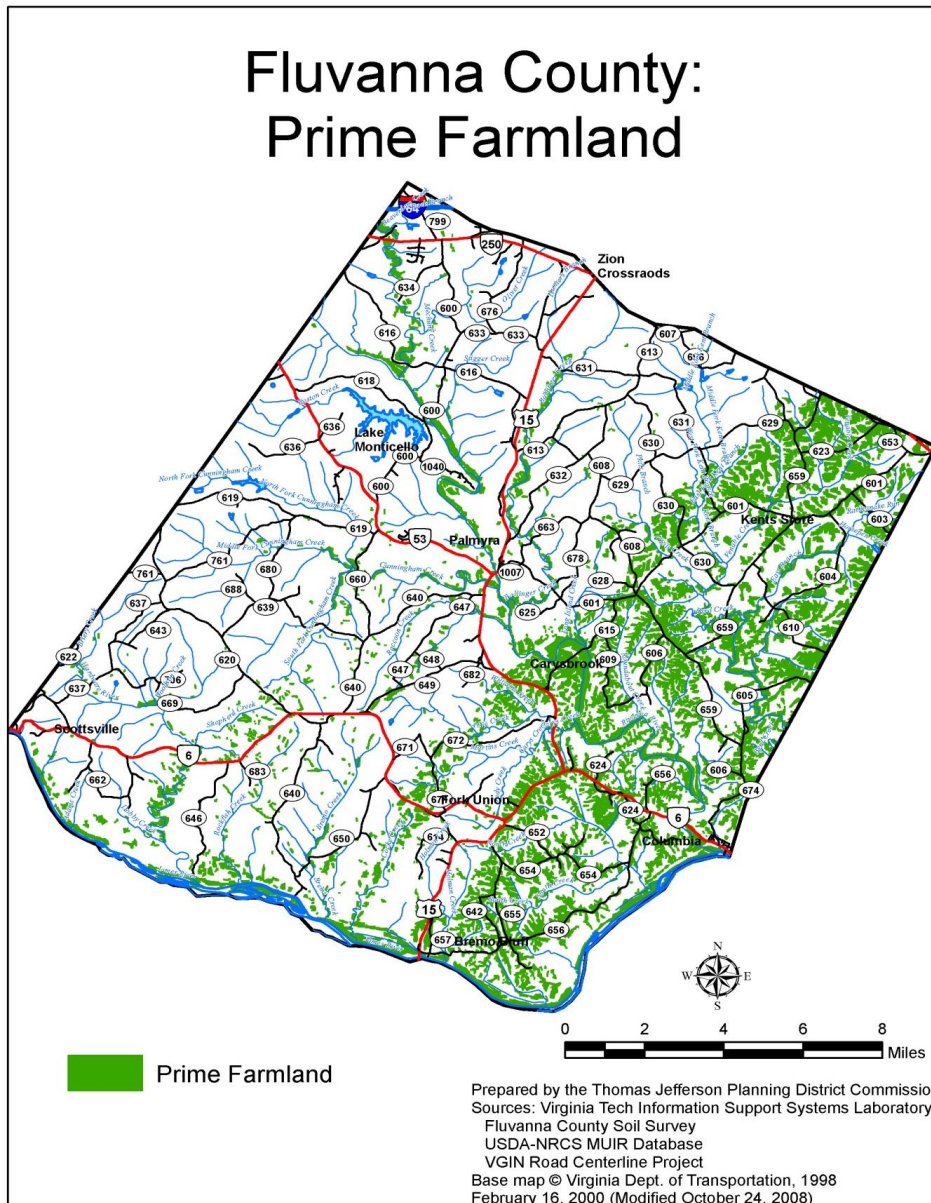
Figure NE-3 – Septic Field Restrictions



Prime farmland in the County is denoted in Figure NE-4. This data is also from Virginia Tech, the Fluvanna County Soil Survey, and USDA-Natural Resource Conservation Service. The federal definition of Prime Farmland is “land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops, and is also available for these uses (the land could be cropland, pastureland, rangeland, forest land, or other land, but not urban built-up land or water). It has the soil quality, growing season, and moisture supply needed to economically produce sustained high yields of crops when treated and managed, including water management, according to acceptable farming methods. In general, prime farmlands have an adequate and dependable water supply from precipitation or irrigation, a favorable temperature and growing season, acceptable acidity or alkalinity, acceptable salt and sodium content, and few or no rocks. They are permeable to water and air. Prime farmlands are not excessively erodible or saturated with water for a long period of time, and they either do not flood frequently or are protected from flooding. Examples of soils that qualify as prime farmland are Palouse silt loam, 0 to 7 percent slopes; Brookston silty clay loam, drained; and Tama silty clay loam, 0 to 5 percent slopes.”

Prime farmland meets specific criteria as outline in federal regulations, Section 7 CFR, Subpart A, Section 657.5(2).

Figure NE-4 – Prime Farmland



Present Conditions

Fluvanna contains 180,480 acres, or 282 square miles, of land. The upland areas of the County are no higher than 548 feet above sea level and slope gently toward the James and Rivanna rivers,



Figure NE-5, Native Vegetation

which are approximately 200–275 feet above sea level. There are no mountains in Fluvanna County; the terrain is rolling Piedmont.

The average rainfall for the county is roughly 45 inches, and the average growing season is 160 days. The growing season usually begins around April 18 and extends to October 18. Average high temperatures range from 46°F in January to 86°F in July.

Figure NE-6 - Climate Data (Averages), **Palmyra**, 1991-2020

Criteria	Data
Annual Average Rainfall	43.7 inches
Annual Average Snowfall	12.3 inches
Annual Average Temperature	55.3 F
January Average High Temperature	45.5 F
January Average Low Temperature	24.6 F
July Average High Temperature	86.2 F
July Average Low Temperature	65.3 F
Month with Highest Average Rainfall	September , 4.3 inches
Month with Lowest Average Rainfall	February , 2.8 inches
Month with Highest Average Snowfall	February , 4.7 inches

Source: **National Weather Service**

Forest Resources

The predominant land cover in the county is forest, with 113,336 acres, averaging about 62.79%. The income from timber sales provides the incentive for landowners to grow timber. According to a 2022 study by the University of Virginia Weldon Cooper Center, *The Economic Impact of Agriculture and Forest Industries in Virginia*, Fluvanna County's annual forest harvests are currently averaging \$1,500,000 (stumpage paid to landowners). Cleaner air and water, and other ecoservices, are no-cost byproducts of responsible forest management. **Aside from direct economic and aesthetic benefits, forests contribute services like stormwater management, wildlife habitat protection, reduced erosion, groundwater recharge, carbon sequestration, and insect pollination.**

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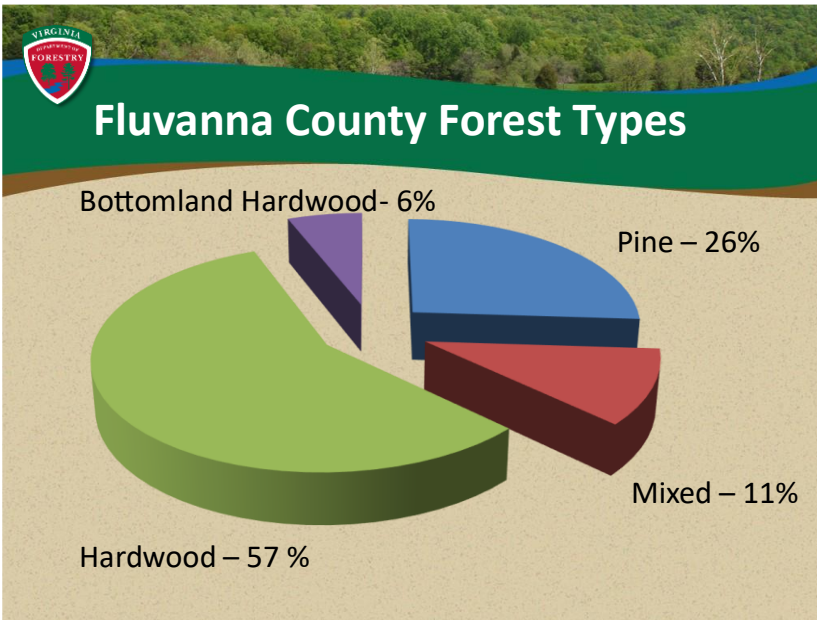
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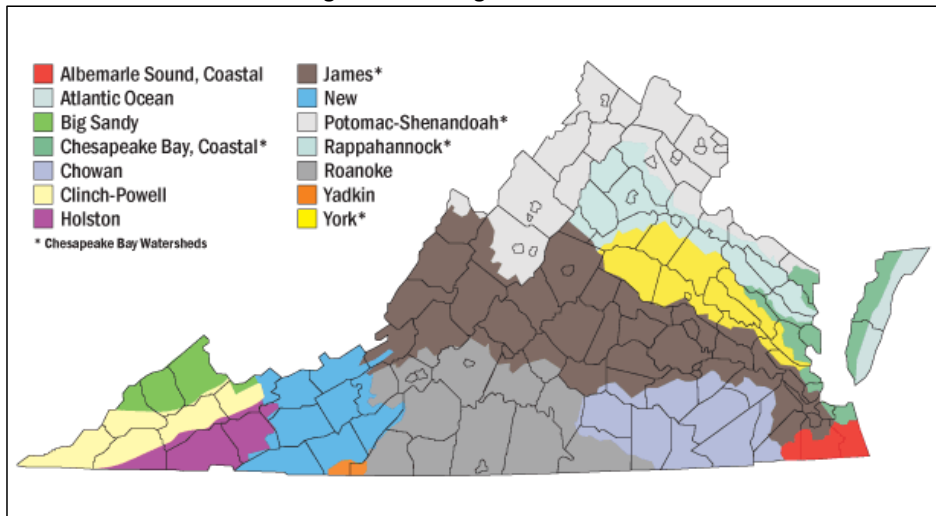


Timber Harvesting			
Year	# of harvests	# of Inspections	Harvest acres
2023	33	136	2,088
2022	45	174	3,192
2021	40	190	2,959
2020	47	166	3,221
2019	51	238	2,944



Fluvanna's stream corridors are an important part of its overall environmental health. The Rivanna River bisects the County and is the Commonwealth's first designated scenic river. The James River is Fluvanna's southern border. Other significant rivers and streams are the Hardware River, Cunningham Creek, Byrd Creek, and Mechunk Creek.

Figure NE-7 – Virginia Watersheds



Source: Virginia Department of Conservation and Recreation

The Rivanna River

The Rivanna River, which stretches over 42 miles long, drains an approximately 769-square-mile watershed that is home to approximately 155,000 residents in 2024. The basin's rivers and streams offer indispensable services in the form of water supply and waste treatment capability. About 72% of the basin is forested, and much of the aquatic system retains its exceptional natural assets. ,.

These waterways provide habitat to wildlife including river otters, bald eagles, and over 80 species of fish. For some organisms, such as the globally threatened James River spiny mussel, the Rivanna basin is one of few places in the world suitable for survival and reproduction. The streams of the Rivanna also provide recreational opportunities to hikers, canoeists, kayakers, and fishermen.

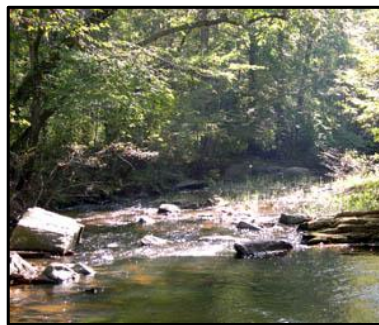


Figure NE-8, Rivanna River

The James River

The 340-mile James River is Virginia's longest river, flowing across the entire state to its mouth at the Chesapeake Bay. The James is Virginia's largest tributary to the Chesapeake Bay.

The James River watershed encompasses approximately 10,000 square miles, or almost 25% of the state. Home to one-third of all Virginians in 39 counties, and 19 cities and towns, it touches the lives of more Virginians than any other feature on the landscape. (Source: James River Association).



Figure NE-9, James River

Open Space

Open space in Fluvanna can be categorized in three primary ways:

1. Privately owned open space is associated with a farm or a home and is usually not open to public access.
2. Common open space is reserved for open space in a development and is intended solely for use by that development's residents.
3. Publicly owned open space is intended for use by the entire community.



All three types of open space contribute to quality of life in the community. Open spaces also help to preserve and protect natural features such as groundwater recharge areas, steep slopes, and wildlife habitats. **The protection of open spaces will play an important role in the county's future, including the preservation of its unique identity and rural character.**

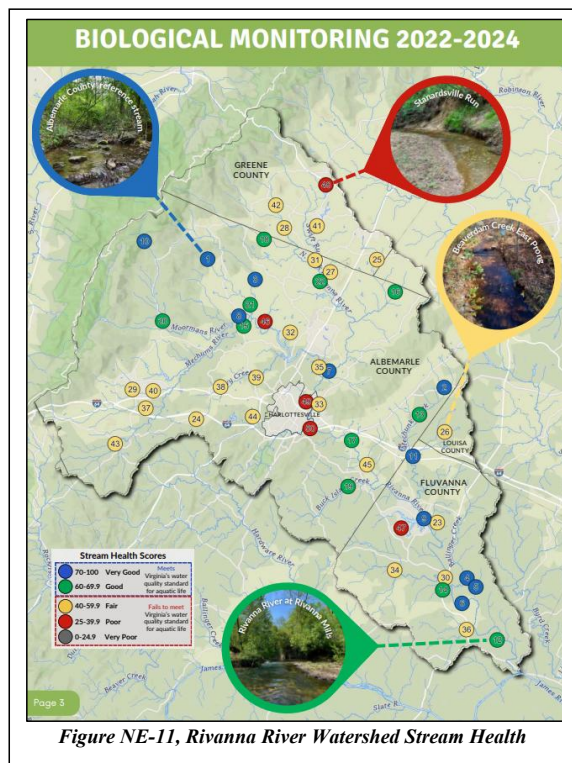
D. Challenges

Water Quality and Quantity

Surface Water

Surface water is tested by the Virginia Department of Environmental Quality (DEQ). The DEQ has tried to increase its monitoring capacity by encouraging local monitoring programs. The Rivanna Conservation Alliance was created by the merging of the Rivanna Conservation Society and Streamwatch, which now engages the community to develop useful data. The organization is guided and funded by a formal partnership of local governments, resource management agencies, and nongovernmental organizations. It coordinates volunteer water quality monitoring and continues to support environmental sustainability along the Rivanna.

In 2017-2022, the Rivanna Conservation Alliance summarized the biological health of the Rivanna River Watershed at fifty long-term monitoring sites. Of the eleven sites in Fluvanna, nine sites received a rating of B, with an average score of 62. Streams that score 60.0 or higher meet Virginia's water quality standard. The remaining two sites received a C and D. Fluvanna's stream quality appears to generally outperform the watershed as a whole.



The Rivanna River Basin Commission, an independent local entity representing Fluvanna, Albemarle, and Green Counties and the city of Charlottesville, also works to resolve issues affecting the basin's water quality and quantity, and provides guidance for the stewardship of the Rivanna River Basin. The figure to your left shows the stream health scores from the 2022-2024 Rivanna River Watershed Stream Health Report (<https://www.rivannariver.org/wp-content/uploads/2025/10/2025-Stream-Health-Report.pdf>)

In good weather, water quality in Fluvanna's streams is generally fair-to-good. In high flows from storms, phosphorus, suspended solids, and fecal coliform reduce water quality. Nitrogen, phosphorus, and sediment threaten aquatic life and fecal coliform is a health hazard. The Hardware River, Byrd Creek,

Cunningham Creek, Carys Creek, Roundabout Creek, Stigger Creek, Boston Creek, Mechunk Creek, Venable Creek, North Creek, South Creek, and portions of the Rivanna River are listed as impaired by DEQ.

Flooding, drainage problems, erosion and sedimentation, groundwater pollution, failed septic systems, and construction problems are all possible if soil characteristics are not considered when developing land. Fluvanna's topography includes slopes greater than 7 percent, which are susceptible to soil erosion. These areas of high erosion potential are interspersed throughout the County. Groundwater availability and vulnerability to contamination is determined by factors related to soils, saprolite (weathered rock), and bedrock geology.

Groundwater

Fluvanna citizens have major concerns about groundwater availability. **Development should be required to show its projected impact on surrounding groundwater supplies, particularly within the context of the diminishing and limited supply of available water. Mitigating this impact, along with others such as stormwater and traffic on surrounding property owners is of utmost importance in any discretionary zoning action.**

Hydrogeological Testing

Hydrogeologic investigation and testing is an evaluation of groundwater quantity and quality and the potential effects that a proposed land development may have on water resources in Fluvanna County. The evaluation consists of on-site hydrogeologic investigation and testing, as well as compilation of existing and readily available information.

Hydrogeologic investigations, testing and reports should be required and specifically defined for the two basic types of residential subdivisions:

- **Residential subdivisions not served by a central water system (i.e. served by individual wells); and**
- **Residential subdivisions served by a newly proposed or expanded central water system not owned and/or operated by Fluvanna County, the Fork Union Sanitary District, or other public entity.**

Stormwater

As of April 2014, the county has elected to “opt out” of administering new stormwater regulations. This does not mean that stormwater will not be regulated; for the near-future, DEQ will administer stormwater management for the County. As the regulatory process becomes more established and county staff becomes more familiar with the new stormwater requirements, responsibility will shift to the county. **Stormwater ordinances address quality and quantity of stormwater runoff and outline the use of low-impact development practices.**

Riparian buffers, the forested areas along stream banks, are the best use of land near streams; however, many of the County’s rivers and streams do not have adequate riparian buffers, or the buffers are threatened by development. Riparian buffers filter nutrients, sediments, and other pollutants before they can enter a waterway. **The U.S. Department of Agriculture (USDA) and Virginia Department of Forestry encourage a deep forest buffer to capture**



Figure NE-12, Riparian Wildlife Habitat

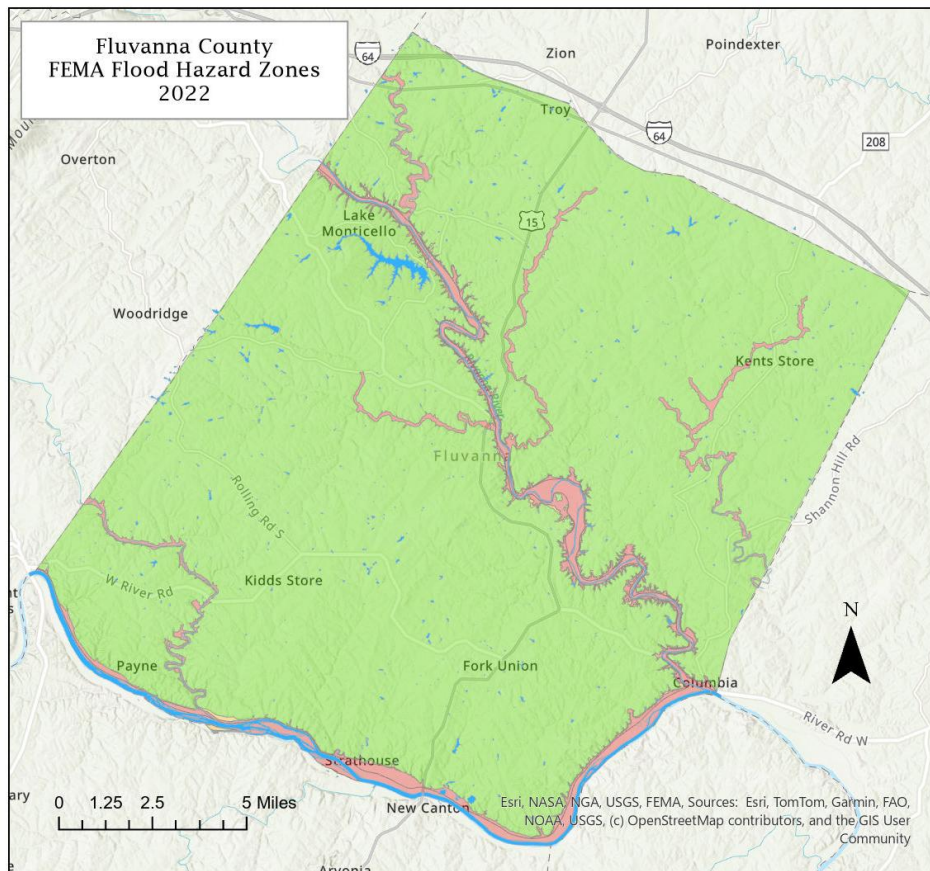
nutrients and sediments. Additionally, riparian buffers offer vital habitats for plants and wildlife.

Flood Protection

Fluvanna County has added a flood protection ordinance to its zoning code in Chapter 22, Article 17. Additionally, updated flood maps will be posted to the county website once they are updated by the Federal Emergency Management Agency (FEMA). The purpose of these provisions is to prevent the loss of life and property, health and safety hazards, the disruption of commerce and expenditures of public funds for flood protection and relief, and the impairment of the tax base.

The ordinance regulates uses, activities, and development that will increase flood heights, velocities, and frequencies; restricting certain uses, activities, and development within districts subject to flooding; requiring all those uses, activities, and developments in flood-prone districts to be protected and/or flood-proofed; and discouraging individuals from buying land and structures that are unsuitable because of flood hazards. These provisions apply to all lands within Fluvanna County identified as being in the hundred-year floodplain by FEMA's Federal Insurance & Mitigation Administration. The current flood map for Fluvanna County is on the next page. An update of the map is underway and expected to be completed in 2026.

Deleted: below



Legend

- Water bodies
- Low Flood Risk
- Low Flood Risk due to Levee
- Moderate Flood Risk - 0.2% Annual Chance
- High Flood Risk - 1% Annual Chance

Figure NE13: County Flood Map

Erosion and Sedimentation

The predominant soils in Fluvanna County are silt loams, many of which have high clay content. These soils support significant areas of marginal farmland, with some prime land in river bottoms, predominantly in the southern part of the county.

Fluvanna County has adopted an erosion and sediment control ordinance in compliance with state regulations. This ordinance promotes the health and welfare of the people of Fluvanna by establishing requirements and enforcement procedures for the control of erosion and sedimentation.

Air Quality and Energy

Fluvanna's air quality is a major asset to the County. The Environmental Protection Agency (EPA) establishes standards monitored by DEQ, which determine whether a region is an "air quality attainment area" or not. Fluvanna County lies within a region that achieves this designation.

Air pollutants come primarily from the combustion of fossil fuels from stationary and mobile sources, not only locally but also from other areas. Motor vehicle emissions are the major local source. **Preserving or planting appropriate tree species throughout vehicular corridors (following VDOT guidelines) is a good way to mitigate the effects of automobile emissions.**

The best way to support air quality and conserve resources is to reduce energy use, thus decreasing fossil fuel combustion and air pollutant emissions. Transportation accounts for most of the energy consumed in the county. The county can improve its energy efficiency and reduce emissions with a compact development pattern, and by developing a greenway, bikeway, and walkway system. Infill and mixed-use development reduce residents' transportation energy needs, while alternatives to driving reduce energy use and improve community health.

Energy consumed by buildings accounts for another portion of the county's energy consumption. Improving the efficiency of buildings is essential to increased energy efficiency, and resulting energy savings often translate into financial savings.

Conservation

Efforts to conserve land are ongoing throughout the county. Some examples are Virginia's land-use taxation program, agricultural and forestal districts (AFDs), and conservation easements.

Deleted: (including historical)

Land-Use Taxation

In Virginia, localities may elect to reduce the real estate tax burden on land used for agriculture, horticulture, silviculture, viticulture, aquaculture, improved pasturage, and open space. The Commissioner of the Revenue determines if the land is suitable for such land-use valuation. When the locality accepts the application for the land-use valuation, the property tax reflects productivity rather than fair market value, resulting in lower real property taxes on the land. During years of general reassessments, the Commissioner of the Revenue reviews the recommendations of the State Land Evaluation Advisory Council (SLEAC) and then establishes rates for the productive value of the land when calculating the real property tax obligation of the landowner. Land-use values are determined for agriculture, horticulture, forestry, and open space.

In a recent study for the adjoining County of Albemarle (“Albemarle County Cost of Community Services Study, December 2023) conducted by Terance J. Rephann, Ph.D for the Weldon Cooper Center for Public Services at the University of Virginia, a comparative study of the costs of community services (COCS) of various land uses was examined. The ratios for different land uses were calculated and acknowledged that residential costs the county considerably more than others (quadruple and double). The obvious conclusion is residential land use costs the County money whereas commercial/industrial and ag/forestry save the County money.

Similar studies with corresponding results have been conducted in Fauquier County, Clarke County, Culpeper County, Bedford County, Northhampton County and Frederick County. Providing Fluvanna landowners with a land use valuation reduction allows preservation of rural land which saves the taxpayers money.

The locality may take an individual property out of land-use assessment when a landowner changes the use.. Landowners may elect at any time to remove the property from land use to take advantage of demand for development property. Although this taxation program does not offer long-term conservation, it removes some of the financial pressure for sale and development of land. The open-space class of lands, such as scenic rivers and Virginia byways, makes properties automatically eligible for the special land-use tax program (*Virginia Outdoors Plan*, 2007, Ch. 3).

Ag/Forestal Districts

Agricultural and forestal lands provide economic value and contribute to the unique character of the county. A challenge in preserving this valuable land use is the fact that land suitable for agricultural use is also suitable for development.

Agricultural and forestal districts (AFDs) were established to conserve, protect, and encourage the development of agricultural and forestal lands for food and other agricultural and forestal products. **The districts conserve and protect agricultural and forestal lands as valued natural and ecological resources that provide open space for watershed protection, wildlife habitat, and aesthetic purposes.** As of 2024, 105,000 acres of land were within Fluvanna’s AFDs. The majority of these districts are roughly located throughout the midsection of the county (see figure NE-10).

Election District	Number of Parcels	Ag Acres	Horticultural	Forest Acres	Open Space Acres	Total Land Use (Acres)
Palmyra	519	5,055.89	8.52	15,533.26	474.36	21,072.03
Columbia	535	4,667.71	4.55	20,160.75	531.02	25,364.03
Cunningham	792	9,260.91	80.63	24,924.78	707.20	34,973.52
Fork Union	393	4,727.24	27.25	13,839.26	291.60	18,885.35
Rivanna	0	0	0	0	0	0
Total	2,395	25,086	120.95	79,569.49	2,199.70	106,976.14

Figure NE-15, Fluvanna County Land Use District Totals as of January 1, 2025 provided by the Commissioner of the Revenue

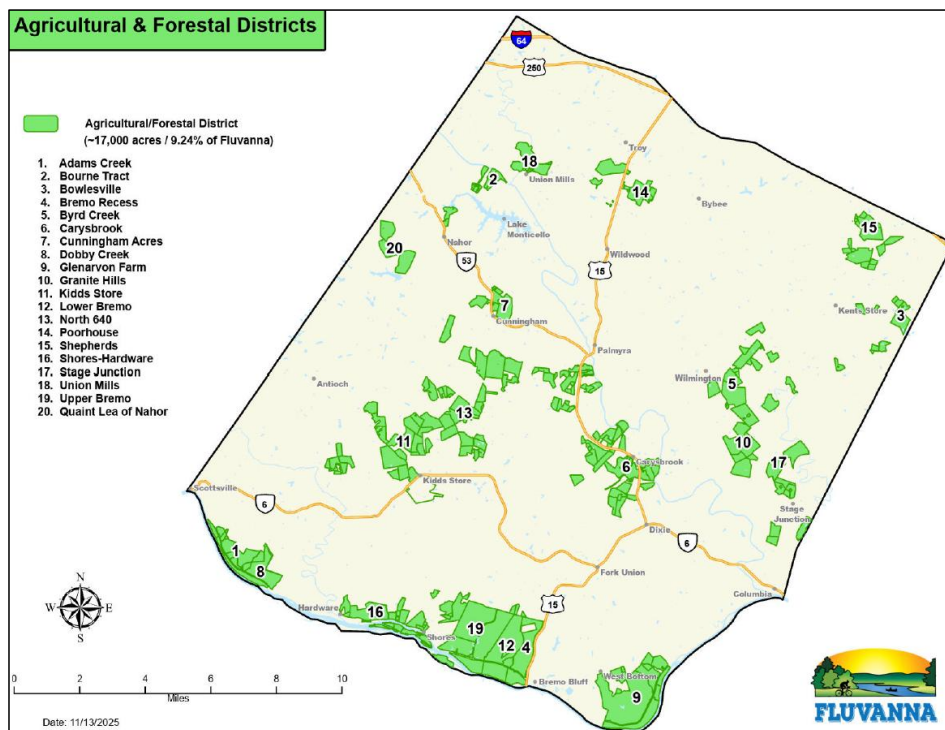


Figure NE-16, Ag/Forestal Districts

Conservation Easements

The Board of Supervisors created an easement program whereby the jurisdiction may hold and protect easements and, in 2007, Fluvanna County accepted the first easement under its

conservation easement program. As of November , 2025, there were 53 conservation and historic easements in the county, totaling approximately 21,078 acres. Most of the easements are held by the Virginia Outdoors Foundation and the Virginia Department of Forestry.

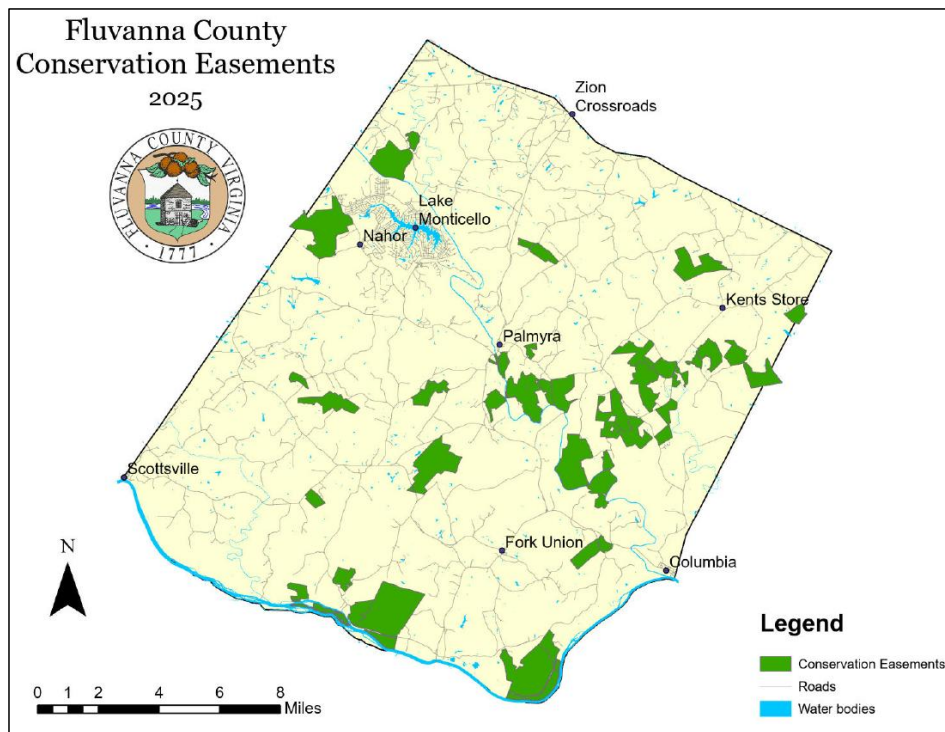


Figure NE-17, Conservation Easements

Cluster Development

The county adopted cluster development zoning in 2004 to help conserve open space. Cluster developments in the residential (R-1, R-2, and R-4) zoning district require 50 percent open space. R-3 Residential developments require 25 percent open space. Until 2024, cluster developments were allowed by right in the agricultural (A-1) zoning district with a requirement of 75 percent open space. An ordinance change in late 2024 removed clusters as an allowed use in A-1. Environmentally, this development scenario will help to reduce the impacts of erosion, sedimentation, and quantity of stormwater runoff.

Low-Impact Development (LID)

LID is an approach to site development and stormwater management designed to mitigate development impacts to land, water, and air. The approach emphasizes site design and planning techniques that conserve natural systems and hydrologic functions on a site. The practice has been integrated into municipal development codes and stormwater management

ordinances throughout the country. LID begins with the site planning process, and is more sustainable than traditional development practices.

LID:

- Preserves open space and minimizes land disturbance;
- Protects natural systems (drainage ways, vegetation, soils, sensitive areas);
- Reexamines the use and sizing of traditional site infrastructure (lots, streets, curbs, gutters, sidewalks);
- Customizes site design to each site;
- Incorporates natural site elements (wetlands, stream corridors, mature forests) as design elements; and
- Decentralizes and manages stormwater at its source.

Economic Development

The county's natural and historic resources deserve consideration as economic development tools – forestry and agriculture are essential parts of the local economy, and Fluvanna's parks, trails, rivers, and wildlife attract people from other communities for recreation. At the same time, preserving the county's natural resources depends on the continuing health of the local economy. The more economic activity our natural resources can support, the safer those resources will remain. **Future discussions about economic development should include natural resources, and economic development efforts should include protecting, enhancing, and promoting these resources.**

E. Community Input

During the process to update this Comprehensive Plan, a series of community meetings was held and a citizen survey was distributed. Common themes that emerged regarding rural preservation include:

Community Meetings

Preserve

- Rural nature
- Rural nature: farms, forests, livestock, wildlife, waterways (clean), gravel roads, orchards, vineyards
- Historic character
- Historic sites
- Historic homes
- Scenic beauty, scenic vistas/entry corridors
- Natural resources, environmental resources
- Agriculture/forestry, Ag/forestall districts, farms
- Land use (encourage people to keep their land), ways to preserve open space
- Land use, (staying intact) – forests, pastures, open spaces
- Native habitats

- Starry nights (enforcement of lighting ordinance)

Add

- Strong/clear ordinances that are enforced – reinforce vision
- Stricter enforcement of ordinances (proffers, etc.) to reduce conflicts

Citizen Surveys

On the question of the pace of development:

- 25.3 percent of respondents felt the County is growing too much, too quickly.
- 46.8% said more development is needed.

On the question of resident priorities:

- Overall, Open Spaces ranked as the second highest priority.
- Respondents aged 50 and older ranked it as their highest priority.
- Respondents aged 49 and under ranked it as their third highest priority.

GOALS/STRATEGIES

GOAL A: Develop land-use policies and regulations that will preserve and enhance the county's natural environment.

Strategy 1: Protect farm and forest landowners from conflicting adjacent land uses with utilization of buffers, screening, and contiguous tracts of open space.

Strategy 2: Review zoning and subdivision regulations to maximize environmental benefits through best planning and zoning practices and ensure that the subdivision of land does not adversely affect open-space features and established communities.

Strategy 3: Continue to promote land-use valuation taxation, conservation easements, agricultural-forestal districts, and other programs to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes.

GOAL B: Protect environmental resources.

Strategy 1: Promote development projects that minimize environmental impact through the effective utilization of green infrastructure, low-impact development practices, and other sustainable development policies.

GOAL C: Manage and protect surface water and groundwater resources.

Strategy 1: Work with the Virginia Dept. of Health to evaluate and develop local regulations for alternative waste treatment systems (e.g., Wisconsin mounds or other systems that alter the natural topography or hydrology).

Strategy 2: Participate in, and cooperate with, federal and state groundwater protection programs, including sole-source aquifer designation for important drinking water supplies.

Strategy 3: Research the viability of incorporating the well-drilling logs provided by the Fluvanna Dept. of Health into the county's geographic information system (GIS).

Strategy 4: Require riparian buffers adjacent to waterways to protect local and regional water resources such as perennial streams, floodplains, wetlands, steep slopes, and highly erodible soils. **NOTE: Riparian protection areas are regulated in Section 22-24-5 of the County Code.**

Strategy 5: Proactively educate the public on the values and benefits of preserving river and stream corridors.

Strategy 6: Pursue the state designation of the Hardware River as a Tier 3 stream, classifying it as exceptional surface water not subject to degradation.

Strategy 7: Promote BMPs and recognize landowners who protect streams from nonpoint-source pollution using BMPs.

GOAL D: Promote energy efficiency throughout the county to improve air quality and reduce the country's dependence on fossil fuels.

Strategy 1: Encourage energy efficiency in developments and throughout the community including emerging technologies keeping with the County's rural character.

Strategy 2: Build new and remodeled county buildings to an established energy efficiency standard such as Energy Star, Green Globes, or LEED.

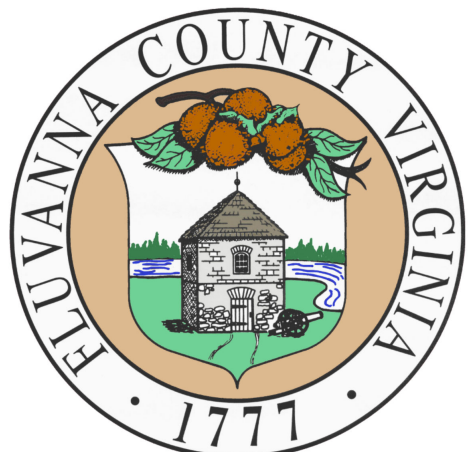
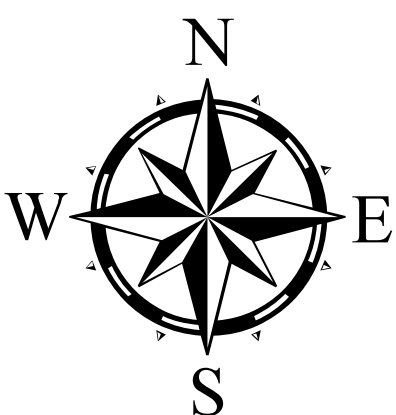
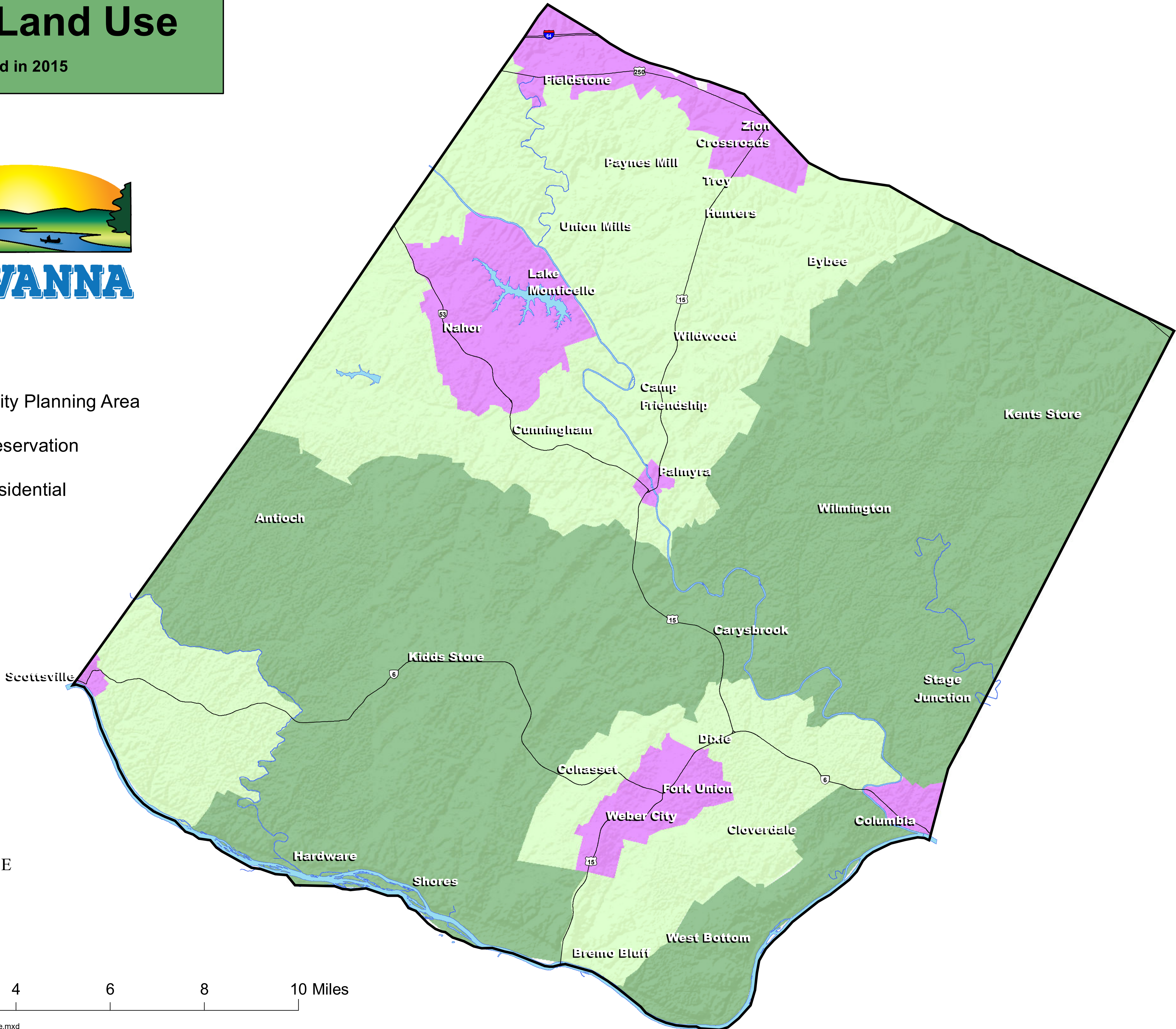
Strategy 3: Provide greenways, bikeways, and walkways as viable forms of recreation and transportation.

Future Land Use

Adopted in 2015



-  Community Planning Area
-  Rural Preservation
-  Rural Residential



FLUVANNA COUNTY PLANNING COMMISSION - MEETING MINUTES
The Morris Room, Fluvanna County Administration Bldg.
132 Main St., Palmyra, VA 22963
Tuesday, August 11, 2026 - Work Session 6:00 pm, Regular Meeting 7:00 pm

MEMBERS PRESENT:

Barry Bibb, Chair
 Howard Lagomarsino, Vice-Chair
 Robert Dorsey, Commissioner
 Kathleen Kilpatrick, Commissioner
 Ryant Washington, Commissioner
 Mike Goad, Board of Supervisors Representative*

STAFF PRESENT:

Todd Fortune, Director of Planning
 Dan Whitten, County Attorney
 Kelly Harris, Assistant County Administrator
 Noble Pearson, Assistant County Attorney
 Richard Zheng, Junior Planner, GIS Technician
 Jenny Cassell Faulkner, Administrative Programs Specialist
 Jason Overstreet, Senior Planner*

*(Regular Meeting only)

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

At 6:00 pm Mr. Bibb, Chair, called the August 11, 2026, Work Session to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

▪ **Work Session Items:**

○ **Overlays**

- Staff presented Commissioners with a list of questions regarding the following topics to guide the development of draft language for an entrance corridor overlay district:
 - Buffers
 - Discussion included prohibiting fences and berms as buffers.
 - Setbacks
 - Discussion included requiring 300-foot buffers.
 - Lighting
 - Discussion included whether existing lighting around the County met the current requirements.
 - Height limitations
 - Discussion included current standards.
 - Transmission corridors
 - Discussion included how the Comprehensive Plan Addendum will address this subject.
 - Parking
 - Discussion included requiring parking only behind and on the side of structures. Discussed the desirability of permeable surfaces.
 - Underground utilities
 - Discussion included undergrounding of new utilities and protection of wetlands.

○ **Comprehensive Plan – Introduction**

- Discussion did not take place due to lack of time.

○ **Comprehensive Plan - Chapter 1**

- Discussion did not take place due to lack of time.

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

At 7:00 pm Mr. Bibb, Chair, called August 11, 2026, Regular Meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

▪ **Adoption of the Agenda:**

MOTION:	I move that the Planning Commission approve the adoption of the agenda for the Planning Commission meeting for August 11, 2026, with the BZA 26:12 Hensley case presentation added to New Business.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

▪ **Director’s Report:**

- **Announcements and Updates:**
 - Potential Future cases:
 - **Solar Facility SUP** - Dimension Energy scheduled a community meeting regarding proposed solar generation project. No SUP application had been filed so far.
 - **Data Centers** – If the Board of Supervisors approves a proposed resolution to amend the County Code to remove Data Centers as an allowed use, then the Planning Commission will hold a public hearing to consider such an amendment.

▪ **Future Meetings:**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	September 8, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Room
Tuesday	October 13, 2026	6pm 7pm	Work Session (TDB) Regular Meeting	Morris Room
Tuesday	November 10, 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) *

▪ **Minutes:**

MOTION:	I move that the Planning Commission approve the minutes from July 7, 2026, with a date correction of June 9 to July 7 on page 7.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Second		Motion	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

MOTION:	I move that the Planning Commission approve the minutes from July 23, 2026.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

▪ **Public Comments:**

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

▪ **Public Hearings:**

- **SUP 26:09 – Lenherr, Small Home Industry** – Jason Overstreet, Senior Planner
 - The property is located on the west side of Goldmine Road approximately 1.2 miles from its intersection with West River Road and is zoned A-1, Agricultural, General. The parcel is located within Fluvanna County’s Rural Preservation Planning Area. Under Fluvanna County’s A-1 zoning, per Section 22-4-2.2 of the Fluvanna County Code, small home industries are allowed in A-1 by Special Use Permit only.

- The operation will use an existing building with no planned alterations, and it will not require any additional storage. All operations will be within the shop building. The intended use is not expected to generate much additional traffic as there will be no retail commerce on the site. Package vans will be used to ship products from the business and small flatbed trucks will deliver materials. Larger commercial flatbed trucks (48’ to 53’) will be very limited if required at all.
 - Distilled water will be used as a coolant for equipment and wastewater management will be handled through an onsite biosystem and a secondary disposal company.
- Commissioners discussed specifics of the proposed use and potential SUP conditions.
 - **Mr. Bibb opened the public hearing for comments.**
 - No one came forward to speak, and Mr. Bibb closed the public hearing.

▪ MOTION:	I move that the Planning Commission recommend approval of SUP 26:09, a request in the A-1, Agricultural, General district for a small home industry on a 4.5-acre parcel located at 1266 Gold Mine Road Palmyra, Virginia, and identified as Tax Map 40-4-8.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- An amended motion was required to add in a new SUP condition.

▪ MOTION:	I move that the Planning Commission recommend approval of SUP 26:09, a request in the A-1, Agricultural, General district for a small home industry on a 4.5-acre parcel located at 1266 Gold Mine Road Palmyra, Virginia, and identified as Tax Map 40-4-8 with an additional condition that the use is contained to the existing building.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **ZTA 26:22 – R-3 Zoning District** – Todd Fortune, Director of Planning
 - Recommended approval of an amendment to the Fluvanna County Code by amending §§ 22-7-8 and 22-7-11 and enacting §§ 22-7-13 through 22-7-19 to define and regulate Residential Planned Community district requirements. This recommended change is being presented pursuant to recent discussions regarding the need to define additional regulations for the R-3 zoning district. These additional regulations will allow provisions for considering variance requests.
- Commissioners discussed the origin of these changes.
- **Mr. Bibb opened the public hearing for comments.**
- No one came forward to speak, and Mr. Bibb closed the public hearing.

▪ MOTION:	Finding that the proposed zoning ordinance amendments are appropriate for the public necessity, convenience, and general welfare and are good zoning practice, I move that the Planning Commission recommend approval of ZTA 26:22 – an ordinance to amend the Code of the County of Fluvanna, Virginia, by amending §§ 22-7-8, 22-7-11 and enacting §§ 22-7-13 through 22-7-19 to define and regulate residential planned community requirements.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:			Motion	Second	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **ZTA 26:23 – Electric Transmission Facilities** – Todd Fortune, Planning Director
 - Recommended approval of ZTA 26:23 – An ordinance to amend the Code of the County of Fluvanna, Virginia by amending §§ 22-4-2.2, 22-11-2.2, 22-12-2.2, and 22-22-1 and enacting §§ 22-29-1 through 22-29-23 to define and regulate electronic transmission facilities. This

recommended change is being presented pursuant to recent discussions and developments regarding the proposed Valley Link Joshua Falls-Yeat transmission line. The proposed changes would: 1) Add a definition for Electric Transmission Facility and amend the definition Utility, Major: 2) Require a SUP for Electric Transmission Facilities; and 3) establish regulations for Electric Transmission Facilities.

- **Mr. Bibb opened the public hearing for comments.**
- No one came forward to speak, and Mr. Bibb closed the public hearing.

MOTION:	Finding that the proposed zoning ordinance amendments are appropriate for the public necessity, convenience, and general welfare and are good zoning practice, I move that the Planning Commission recommend approval of ZTA 26:23 – an ordinance to amend the Code of the County of Fluvanna, Virginia, by amending §§ 22-4-2.2, 22-11-2.2, 22-12-2.2, and 22-22-1 and enacting §§ 22-29-1 through 22-29-23 to define and regulate electronic transmission facilities.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Second		Motion	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Unfinished Business:**
 - **Comprehensive Plan – Todd Fortune, Director of Planning**
 - Mr. Fortuned provided a summary of the status of the various portions of the Comprehensive Plan.
 - Commission discussed trading electronic drafts and sending input to Mr. Fortune regarding the Introduction and Chapter 1 of the Comprehensive Plan.
- **New Business:**
 - **Board of Zoning Appeals case presentation – Jason Overstreet, Senior Planner**
 - **BZA 26:12 Hensley:** A request for a one hundred eighty (180) foot variance to Section 22-4-3 (C)(1)(B) of the Fluvanna County Code to allow a reduction of the required minimum frontage (residual lot), and a request for a two hundred fifty (250) foot variance to Section 22-4-3 (D) to allow a reduction of the minimum lot width at setback (residual lot), and a request for a twenty (20) foot variance to Section 22-4-3 (E)(3) to allow for a reduction of the required minimum front setback (new lot) for the parcel identified as Tax Map 16, Section 20, Parcel 27. The subject property is zoned A-1, Agricultural, General, and is in the Rural Residential Planning Area and in the Cunningham Election District.
 - No action was taken.

Public Comments:

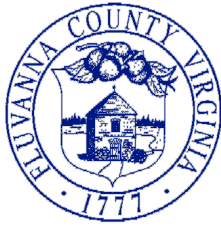
- Mr. Bibb opened the second round of public comments.
- No one came forward to speak, and Mr. Bibb closed the second round of public comments.

- **ADJOURNMENT:**
 - Chair Bibb called for a motion to adjourn the August 11, 2026, Planning Commission meeting at 7:50 pm.

MOTION:	I move that the Planning Commission adjourn the August 11, 2026, Planning Commission meeting at 7:50 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Washington
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

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

Barry Bibb, Chair
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:25

District: Countywide Amendment

General Information: This is a request for a public hearing to be held on Tuesday, October 13, 2026 at 7:00 pm by the Fluvanna County Planning Commission in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Recommend advertisement for a public hearing to consider ZTA 26:25 – An ordinance to amend the code of the county of Fluvanna, Virginia by amending § 22-2-2 and enacting §§ 22-30-1, 22-30-2, and 22-30.1-1 through 22-30.1-9 to establish a framework for overlay districts and to enact an entrance corridor overlay district.

Background

Information: This recommended change would create entrance corridor overlay districts in the County's Zoning Ordinance. These overlays are intended to provide protections and set standards for future development along the County's main transportation corridors – U.S. 15, U.S. 250, Route 53, and Route 6.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION (APPROVE/ DENY / DEFER) THE RESOLUTION TO ADVERTISE A PUBLIC HEARING ON OCTOBER 13, 2026 TO CONSIDER ZTA 26:25 – AN ORDINANCE A RESOLUTION OF INTENTION TO AMEND THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA BY AMENDING § 22-2-2 AND ENACTING §§ 22-30-1, 22-30-2, AND 22-30.1-1 THROUGH 22-30.1-9 TO ESTABLISH A FRAMEWORK FOR OVERLAY DISTRICTS AND TO ENACT AN ENTRANCE CORRIDOR OVERLAY DISTRICT.

ZTA 26:25

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-2-2 AND ENACTING §§ 22-30-1, 22-30-2, AND 22-30.1-1 THROUGH 22-30.1-9 TO ESTABLISH A FRAMEWORK FOR OVERLAY DISTRICTS AND TO ENACT AN ENTRANCE CORRIDOR OVERLAY DISTRICT

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

- (1) *That the Code of the County of Fluvanna, Virginia, is amended by amending § 22-2-2 and enacting §§ 22-30-1, 22-30-2, and 22-30.1-1 through 22-30.1-9 as follows:*

ARTICLE 2. DISTRICTS

Sec. 22-2-2. Overlay Districts.

Overlay districts and any amendments thereof shall be established in accordance with the provisions of Article 30 of this Chapter.

ARTICLE 30. OVERLAY DISTRICTS

Sec. 22-30-1. Statement of intent.

Established overlay districts are intended to augment the underlying zoning districts with additional targeted regulations. Such overlay districts are intended to promote the general health, safety, and welfare of the citizens of the County and to promote the goals and objectives of the Comprehensive Plan.

Sec. 22-30-2. Conformance with applicable codes and ordinances.

Any regulations, requirements, and limitations of specific overlay districts shall be in addition to those of the underlying zoning district. In the event of any conflict between such regulations, requirements, and limitations, the most stringent regulation, requirement, and/or limitation shall apply. However, if such conflict involves regulations, requirements, and/or limitations mandated by state or federal law, the state or federal law shall control.

ARTICLE 30.1 ENTRANCE CORRIDOR OVERLAY DISTRICT

Sec. 22-30.1-1. Statement of intent.

(A) The Entrance Corridor Overlay District has been established to promote the health, safety, and general welfare of the public by protecting the historic views, scenic roadways, and rural character of the County through the regulation of land use surrounding identified entrance corridor highways.

(B) The goals of this Article are:

(1) To protect the County's natural, historic, and cultural resources, structures, and roadways;

(2) To preserve the rural character and scenic byways leading in and out of the County;

(3) To promote tourism and economic growth within the County;

(4) To maintain the visual integrity of development along the County's entrance corridors through standards established by the Board of Supervisors;

(5) To minimize conflict between commercial development and residential interests; and

(6) To encourage growth along the County entrance corridors that is in keeping with the County's traditions and vision for future growth within the context of the Comprehensive Plan.

Sec. 22-30.1-2. District boundaries.

(A) The Entrance Corridor Overlay District is established upon and comprised of those parcels contiguous to the following entrance corridor highways, regardless of the underlying zoning district and/or the existence of other applicable overlay districts:

(1) State Route 6;

(2) State Route 53;

(3) U.S. Route 15; and

(4) U.S. Route 250.

(B) For the purposes of this Article, parcels are considered contiguous to an entrance corridor highway if:

(1) The parcel has a boundary that is shared with the right-of-way of an entrance corridor highway; or

(2) The parcel does not share a boundary with an entrance corridor highway but is within 1,000 feet of the right-of-way of an entrance corridor highway.

(C) The Entrance Corridor Overlay District extends across contiguous parcels for 1,000 feet from the right-of-way on all entrance corridor highways.

Sec. 22-30.1-3. Use restrictions.

(A) Unless otherwise provided within this Article, all uses permitted by right in the underlying zoning district shall be permitted by right.

(B) Unless otherwise provided within this Article, all uses permitted by special use permit in the underlying zoning district shall be permitted by special use permit.

(C) The following uses shall not be permitted within the Entrance Corridor Overlay District:

(1) Aviation facility;

- (2) Car wash;
- (3) Gas station;
- (4) Railroad facility;
- (5) Sanitary landfill;
- (6) Sawmill, permanent;
- (7) Self-storage facility;
- (8) Shooting range, indoor;
- (9) Shooting range, outdoor;
- (10) Solid waste collection facility;
- (11) Solid waste material recovery facility;
- (12) Utility, major; and
- (13) Wood storage, temporary.

Sec. 22-30.1-4. General Regulations.

Unless otherwise provided within this Article, all regulations, limitations, and requirements from the underlying zoning district shall apply within the Entrance Corridor Overlay District.

Sec. 22-30.1-5. Landscaping and buffer regulations.

(A) All landscaping and buffer requirements of Article 24, Landscaping and Tree Protection, of this Chapter shall be met.

(B) Neither berms nor fences may be used to meet landscape screening and/or buffer requirements within the Entrance Corridor Overlay District.

Sec. 22-30.1-6. Setback regulations.

In addition to any setback requirements in the underlying zoning district, all buildings, structures, equipment, parking, and disturbed areas shall have a minimum setback of 300 feet from the right-of-way of an entrance corridor highway for non-residential uses. Residential uses shall adhere to the setback requirements of the underlying zoning district.

Sec. 22-30.1-7. Parking regulations.

For non-residential uses, designated parking and parking lots shall not be permitted in the area between the primary building(s) and/or structure(s) and the entrance corridor highway right-of-way. All such parking and parking lots shall be located exclusively to the side or the rear of the primary building(s) and/or structure(s) relative to the entrance corridor highway.

Sec. 22-30.1-8. Utilities regulations.

Within the Entrance Corridor Overlay District, all new utilities and utility lines shall be installed underground.

Sec. 22-30.1-9. Waiver.

The Board of Supervisors may grant a waiver or modification of any of the requirements of this Section.

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



PLANNING COMMISSION

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 2026-18

A RESOLUTION OF INTENTION TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-2-2 AND ENACTING §§ 22-30-1, 22-30-2, AND 22-30.1-1 THROUGH 22-30.1-9 TO ESTABLISH A FRAMEWORK FOR OVERLAY DISTRICTS AND TO ENACT AN ENTRANCE CORRIDOR OVERLAY DISTRICT

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

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

WHEREAS, the Planning Commission desires to propose an amendment to the Zoning Code by amending § 22-2-2 and enacting §§ 22-30-1, 22-30-2, and 22-30.1-1 through 22-30.1-9 to establish a framework for overlay districts and to enact an entrance corridor overlay district; and

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

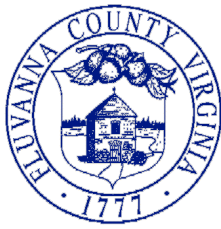
NOW, THEREFORE, BE IT RESOLVED, the Planning Commission proposes an amendment to the Zoning Code by amending § 22-2-2 and enacting §§ 22-30-1, 22-30-2, and 22-30.1-1 through 22-30.1-9 to establish a framework for overlay districts and to enact an entrance corridor overlay district.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Planning Commission at a meeting of the Commission held on the 8th day of September, 2026:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Barry Bibb, Cunningham District						
Ryant Washington, Columbia District						
Kathleen Kilpatrick, Fork Union District						
Howard Lagomarsino, Palmyra District						
Robert Dorsey, Rivanna District						

Attest:

Barry Bibb, Chair
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

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www.vannacounty.org

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:26

District: Countywide Amendment

General Information: This is a request for a public hearing to be held on Tuesday, October 13, 2026 at 7:00 pm by the Fluvanna County Planning Commission in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Recommend advertisement for a public hearing to consider ZTA 26:26 – An ordinance to amend the code of the county of Fluvanna, Virginia by amending §§ 22-11-2.2, 22-12-2.2, and 22-17-5 and enacting § 22-17-24 to remove data centers as a use allowed by special use permit in the industrial, I-1 and industrial, I-2 zoning districts, to clarify that uses which are not defined within the zoning code are not permitted, and to create supplemental regulations for data centers as an accessory use.

Background
Information:

This recommended change is being presented pursuant to a resolution passed by the Board of Supervisors at its meeting on August 19, 2026. The proposed changes would: 1) Remove data centers as a use allowed by special use permit in the industrial, I-1 and industrial, I-2 zoning districts; 2) Clarify that uses which are not defined within the zoning code are not permitted; and 3) create supplemental regulations for data centers as an accessory use.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION (APPROVE/ DENY / DEFER) THE RESOLUTION TO ADVERTISE A PUBLIC HEARING ON OCTOBER 13, 2026 TO CONSIDER ZTA 26:26 – AN ORDINANCE A RESOLUTION OF INTENTION TO AMEND THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA BY AMENDING §§ 22-11-2.2, 22-12-2.2, AND 22-17-5 AND ENACTING § 22-17-24 TO REMOVE DATA CENTERS AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, I-1 AND INDUSTRIAL, I-2 ZONING DISTRICTS, TO CLARIFY THAT USES WHICH ARE NOT DEFINED WITHIN THE ZONING CODE ARE NOT PERMITTED, AND TO CREATE SUPPLEMENTAL REGULATIONS FOR DATA CENTERS AS AN ACCESSORY USE.

ZTA 26:26

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-11-2.2, 22-12-2.2, AND 22-17-5 AND ENACTING § 22-17-24 TO REMOVE DATA CENTERS AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, I-1 AND INDUSTRIAL, I-2 ZONING DISTRICTS, TO CLARIFY THAT USES WHICH ARE NOT DEFINED WITHIN THE ZONING CODE ARE NOT PERMITTED, AND TO CREATE SUPPLEMENTAL REGULATIONS FOR DATA CENTERS AS AN ACCESSORY USE

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

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-11-2.2, 22-12-2.2, and 22-17-5 and enacting 22-17-24 as follows:*

CHAPTER 22 – ZONING

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

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

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

Industrial Uses

~~Data centers~~

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

Sec. 22-12-2.2. Uses permitted by special use permit.

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

Industrial Uses

~~Data centers~~

ARTICLE 17. - GENERAL PROVISIONS

Sec. 22-17-5. Uses not provided for.

Any use which is not defined within this chapter or enumerated as a use within a specific zoned district shall not be permitted within Fluvanna County. If in any district established under this chapter, a use is not specifically permitted and an application is made by a property owner to the Administrator for such use, the Administrator shall refer the application to the Planning Commission. ~~Thereafter, the said application shall be treated as a resolution of the Planning Commission in accordance with Section 22-20-1(C) of this chapter.~~

ARTICLE 17. – GENERAL PROVISIONS

Sec. 22-17-24. Standards for data centers as an accessory use.

(A) Data centers shall only be permitted as an accessory use.

(B) Data centers serving as an accessory use shall only be permitted if:

(1) The data center is on the same site as the primary use;

(2) The site's primary user only operates the data center for its own internal use;
and

(3) The total combined area devoted to the data center and its support systems and structures does not exceed twenty-five percent (25%) of the gross floor area of the primary use.

(C) The accessory use data center shall meet the following standards:

(1) The data center shall be served by public water and public sewer. The use of wells as a water supply is prohibited;

(2) Any water cooling done by the data center shall use a closed loop or recycled water system;

(3) The data center and its support systems and structures shall be at least 200 feet from all property lot lines;

(4) Any generators used by the data center shall only undergo routine maintenance from Monday through Friday between the hours of 10:00 a.m. and 4:00 p.m.;
and

(5) The data center and its support systems and structures shall comply with Chapter 15.2, Noise Control, of this Code.

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



PLANNING COMMISSION

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 2026-19

A RESOLUTION OF INTENTION TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-11-2.2, 22-12-2.2, AND 22-17-5 AND ENACTING § 22-17-24 TO REMOVE DATA CENTERS AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE INDUSTRIAL, I-1 AND INDUSTRIAL, I-2 ZONING DISTRICTS, TO CLARIFY THAT USES WHICH ARE NOT DEFINED WITHIN THE ZONING CODE ARE NOT PERMITTED, AND TO CREATE SUPPLEMENTAL REGULATIONS FOR DATA CENTERS AS AN ACCESSORY USE

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

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

WHEREAS, the Planning Commission desires to propose an amendment to the Zoning Code by amending §§ 22-11-2.2, 22-12-2.2, and 22-17-5 and enacting 22-17-24 to remove data centers as a use allowed by special use permit in the Industrial, I-1 and Industrial, I-2 Zoning Districts, to clarify that uses which are not defined within the Zoning Code are not permitted, and to create supplemental regulations for data centers as an accessory use; and

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

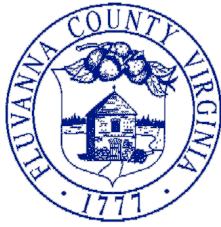
NOW, THEREFORE, BE IT RESOLVED, the Planning Commission proposes an amendment to the Zoning Code by amending §§ 22-11-2.2, 22-12-2.2, and 22-17-5 and enacting 22-17-24 to remove data centers as a use allowed by special use permit in the Industrial, I-1 and Industrial, I-2 Zoning Districts, to clarify that uses which are not defined within the Zoning Code are not permitted, and to create supplemental regulations for data centers as an accessory use.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Planning Commission at a meeting of the Commission held on the 8th day of September, 2026:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Barry Bibb, Cunningham District						
Ryant Washington, Columbia District						
Kathleen Kilpatrick, Fork Union District						
Howard Lagomarsino, Palmyra District						
Robert Dorsey, Rivanna District						

Attest:

Barry Bibb, Chair
Fluvanna County Planning Commission



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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

From: Dan Whitten, County Attorney; and Todd Fortune, Director of Planning

Case Number: ZTA 26:27

District: Countywide Amendment

General Information: This is a request for a public hearing to be held on Tuesday, October 13, 2026 at 7:00 pm by the Fluvanna County Planning Commission in the Fluvanna County Circuit Court, 72 Main Street, Palmyra, VA 22963.

Requested Action: Recommend advertisement for a public hearing to consider ZTA 26:25 – an ordinance to amend the code of the county of Fluvanna, Virginia by amending §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, and 22-22-1 and enacting § 22-17-23 to update the terminology and regulation regarding home-based childcare to match the Code of Virginia.

Background

Information: This recommended change would update definitions and regulations for home-based childcare to match definitions and regulations in the Code of Virginia.

Recommended Motion:

I MOVE THAT THE PLANNING COMMISSION (APPROVE/ DENY / DEFER) THE RESOLUTION TO ADVERTISE A PUBLIC HEARING ON OCTOBER 13, 2026 TO CONSIDER ZTA 26:27 – AN ORDINANCE A RESOLUTION OF INTENTION TO AMEND THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA BY AMENDING §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, AND 22-22-1 AND ENACTING § 22-17-23 TO UPDATE THE TERMINOLOGY AND REGULATION REGARDING HOME-BASED CHILD CARE TO MATCH THE CODE OF VIRGINIA.

ZTA 26:27

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, AND 22-22-1 AND ENACTING § 22-17-23 TO UPDATE THE TERMINOLOGY AND REGULATION REGARDING HOME-BASED CHILD CARE TO MATCH THE CODE OF VIRGINIA

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

- (1) *That the Code of the County of Fluvanna, Virginia is amended by amending §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, and 22-22-1 and enacting § 22-17-23 as follows:*

CHAPTER 22 – ZONING

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

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

Commercial Uses

~~Family daycare homes/Family day homes~~

Home-based child care

Sec. 22-4-2.2. Uses permitted by special use permit only.

Commercial Uses

Child day centers

~~Daycare centers~~

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

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

Commercial Uses

Home-based child care

Sec. 22-5-2.2. Uses permitted by special use permit only.

Commercial Uses

Child day centers

~~Daycare centers~~

~~Family daycare homes/Family day homes~~

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

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

Commercial Uses

Home-based child care

Sec. 22-6-2.2. Uses permitted by special use permit only.

Commercial Uses

Child day centers

~~Daycare centers~~

~~Family daycare homes/Family day homes~~

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

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

Commercial Uses

Home-based child care

Sec. 22-7-9.2. Uses permitted by special use permit only.

Commercial Uses

Child day centers

~~Daycare centers~~

~~Family daycare homes/Family day homes~~

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

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

Commercial Uses

Home-based child care

Sec. 22-8-2.2. Uses permitted by special use permit only.

Commercial Uses

Child day centers

~~Daycare centers~~

~~Family daycare homes/Family day homes~~

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

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

Commercial Uses

Child day centers

~~Daycare centers~~

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

Sec. 22-10-3. Uses permitted by right.

Commercial Uses

Child day centers

~~Daycare centers~~

ARTICLE 13. - MANUFACTURED HOME PARK, DISTRICT MHP

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

Commercial Uses

Home-based child care

ARTICLE 14. - PLANNED UNIT DEVELOPMENT DISTRICT (PUD)

Sec. 22-14-7. Open space, recreation, parks and civic areas.

- (1) In the Zion Crossroads Community Planning Area, not less than 30 percent of the gross area of a PUD district shall be preserved as open space, provided that supplemental regulations for application to the Zion Crossroads UDA apply as indicated herein below. The required 30 percent open space may include private common and public open areas; perimeter open

space; buffers between various uses, densities and adjacent properties; recreational space, neighborhood parks, civic areas; easements; water bodies and any undisturbed land not occupied by building lots, structures, streets, and parking lots. By way of this section, yards of individual residences shall not be considered open space.

- (2) Land designated for future facilities (i.e., schools, fire and rescue stations, places of worship, ~~daycare centers~~, etc.) shall not be included toward the open space.
- (3) Not less than 15 percent of the total open space shall be provided for active and/or passive recreational activities.
- (4) Private common open areas shall be owned, maintained and operated by a property owner's association. A property owner's association document shall be prepared declaring and specifying the care and maintenance of the common areas. This document shall be reviewed and approved by the Fluvanna County Attorney prior to final approval.
- (5) Upon request of the Applicant, the Planning Commission, at its sole discretion, (a) may decrease or eliminate certain requirements for open space and recreation land and improvements in a PUD District project, provided that the revised regulations shall be established and conditioned by the PUD Application Package.
- (6) For PUD projects in the Zion Crossroads UDA that are less than 15 acres in gross area, the Applicant may contribute to a pro-rata share fund lieu of provision for all or a portion of the required open space. The County shall reserve and employ these funds for the purpose of community open space, park, recreation, or civic space development within the Zion Crossroads Community Planning Area.
- (7) For PUD projects in the Zion Crossroads UDA with a gross area of 15 acres or greater, the quantity, location, mix, type, quality and phasing of open space, civic space, parks, recreation areas, buffer areas, and protected natural areas shall be consistent with the policies of the Comprehensive Plan or other criteria for traditional neighborhood development as may be established by the County. These areas shall be delineated on the PUD Application Plan and may include greens, squares, plazas, community centers, club houses, swimming facilities, outdoor recreational fields, trails, pocket parks, or community gardens.

ARTICLE 17. - GENERAL PROVISIONS

Sec. 22-17-23. Home-based child care – general standards.

(A) Home-based child care for four (4) or fewer children under the age of thirteen (13) shall be regulated as a single-family residential use.

(B) Home-based child care where the children in care are all related to the provider by blood or marriage shall not be required to be licensed by the state.

(C) The provider of state licensed or state registered home-based child care shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children.

(D) No more than four (4) children under the age of two (2) shall be served in home-based child care, including the provider's own children and any children who reside in the home, unless the home-based child care is state licensed or voluntarily registered with the state.

(E) Home-based child care for not less than five (5) nor more than (12) children under the age of thirteen (13) shall be subject to the following standards:

(1) Licensure.

All such home-based child care shall acquire and maintain the required licensure from the Virginia Department of Social Services unless the children in care are all related to the provider by blood or marriage. The owner or operator of the home-based child care shall provide a copy of the licensure to the Zoning Administrator. The owner or operator's failure to provide a copy of the license to the Zoning Administrator shall be deemed to be willful noncompliance with the provisions of this chapter

(2) Permit requirements.

(a) The prospective owner of such home-based child care shall pay an application fee and submit the home-based child care application to the Fluvanna County Department of Planning and Zoning. The owner is required to notify the Department of Planning and Zoning of any changes to its information contained in its application. In the application, the owner must fully complete all fields including, without limitation, owner information, address, and phone number.

(b) At least thirty (30) days prior to acting on a zoning permit application for home-based child care, the Zoning Administrator shall provide written notice of the application to the owner of each abutting lot under different ownership than the lot on which the proposed home-based child care would be located. The notice shall be sent by registered or certified letter to the last known address of such property owners at least thirty (30) days prior to any decision on the application. The notice shall identify the proposed home-based child care, its size, capacity, and location. The notice shall invite the recipient to submit any comments before the application is acted upon.

(c) If the Zoning Administrator receives no written objection from an adjacent property owner so notified within thirty (30) days of the date of sending the letter and determines that the home-based child care otherwise complies with the provisions of the ordinance and all other applicable local ordinances, the Zoning Administrator shall issue the permit sought.

(d) If the Zoning Administrator receives a written objection from an adjacent property owner so notified within thirty (30) days of the date of sending the letter and determines that the home-based child care otherwise complies with the provisions of the ordinance, the Zoning Administrator shall refer the permit to the Board of Supervisors for consideration.

(e) If the Zoning Administrator denies a home-based child care permit for any reason, an applicant may request that such application be considered by the Board of Supervisors pursuant to the process in subsection (f) below.

(f) If the Zoning Administrator refers a permit to the Board of Supervisors or an applicant appeals a permit denial per subsection (e), the Board of Supervisors shall consider the application after public notice as provided in Virginia Code § 15.2-2204. The Board of Supervisors may, in its discretion, approve the permit, subject to such conditions as agreed upon by the applicant and the Board of Supervisors, or deny the permit.

(3) Sketch plan required.

Applicants shall submit a sketch plan of the property on which the proposed home-based child care is to be located as a part of the application. Such sketch plan shall include all entrance and exits to and from the property, any areas to be used for employee parking, and designated pickup and drop-off location(s), including an indication regarding whether children shall be accompanied from the drop-off location to the residence entrance.

(4) Signage.

A single business sign indicating the location for child pickup and drop-off not exceeding the maximum sign area or sign height restrictions of the zoned district shall be required.

(5) Building type restriction.

No townhouse or apartment shall be permitted for such home-based child care.

(6) Entrance and access.

The property shall be compliant with all Virginia Department of Transportation entrance and access requirements.

(7) Safety.

A fire extinguisher shall be provided and visible in all kitchen and cooking areas, functional smoke detectors shall be installed in all locations as identified in the Virginia Uniform Statewide Building Code, and in every dwelling that utilizes gas or propane a carbon monoxide detector must be installed on each floor and in any attached garage, if applicable.

(8) Relationship to other laws.

(a) The home-based child care shall comply with all applicable state building code, fire, health, and safety statutes and regulations.

(b) The home-based child care shall comply with all Virginia Department of Health regulations.

(c) The provisions of this Section are supplementary to all other laws, and nothing herein shall be deemed to preclude application of the requirements of the Virginia Department of Social Services, Virginia Department of Health, Virginia State Fire Marshal, or any other local, state, or federal agency.

ARTICLE 22. DEFINITIONS

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

Child day center: A child day program offered to (i) two (2) or more children under the age of thirteen in a facility that is not the residence of the provider or of any of the children in care or (ii) thirteen (13) or more children at any location. ~~See also *Child day program*, *Family day home*.~~

Child day program: A regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of thirteen for less than a twenty-four (24) hour period. See also *Child day center*, ~~*Family day home*~~ **Home-based child care.**

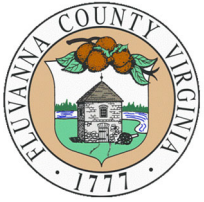
Daycare center: ~~See *Child day center*, *Child day program*, and *Family day home*.~~

~~*Family day home:* A child day program offered in the residence of the provider or the home of any of the children in care for one (1) through twelve (12) children under the age of thirteen, exclusive of the provider's own children and any children who reside in the home, when at least one (1) child receives care for compensation. The provider of a licensed or registered family day home shall disclose to the parents or guardians of children in their care the percentage of time per week that persons other than the provider will care for the children. Family day homes serving five (5) through twelve (12) children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four (4) children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered. However, a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed. See also *Child day center*, *Child day program*.~~

~~*Family daycare home:* See *Child day center*, *Child day program*, and *Family day home*.~~

Home-based child care: A child day program offered in the residence of the provider or the home of any of the children in care for one (1) through twelve (12) children under the age of thirteen (13), exclusive of the provider's own children and any children who reside in the home, when at least one (1) child receives care for compensation.

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



PLANNING COMMISSION

County of Fluvanna
Palmyra, Virginia

RESOLUTION No. 2026-20

A RESOLUTION OF INTENTION TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, AND 22-22-1 AND ENACTING § 22-17-23 TO UPDATE THE TERMINOLOGY AND REGULATION REGARDING HOME-BASED CHILD CARE TO MATCH THE CODE OF VIRGINIA

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

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

WHEREAS, the Planning Commission desires to propose an amendment to the Zoning Code by amending §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, and 22-22-1 and enacting § 22-17-23 to update the terminology and regulation regarding home-based child care to match the Code of Virginia; and

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

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission proposes an amendment to the Zoning Code by amending §§ 22-4-2.1, 22-4-2.2, 22-5-2.1, 22-5-2.2, 22-6-2.1, 22-6-2.2, 22-7-9.1, 22-7-9.2, 22-8-2.1, 22-8-2.2, 22-9-2.1, 22-10-3, 22-13-2.1, 22-14-7, and 22-22-1 and enacting § 22-17-23 to update the terminology and regulation regarding home-based child care to match the Code of Virginia.

THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED by the Fluvanna County Planning Commission at a meeting of the Commission held on the 8th day of September, 2026:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Barry Bibb, Cunningham District						
Ryant Washington, Columbia District						
Kathleen Kilpatrick, Fork Union District						
Howard Lagomarsino, Palmyra District						
Robert Dorsey, Rivanna District						

Attest:

Barry Bibb, Chair
Fluvanna County Planning Commission