



FLUVANNA COUNTY PLANNING COMMISSION

MEETING AGENDA

Carysbrook Performing Arts Center
8880 James Madison Highway, Fork Union, Virginia 23055

February 24, 2026

7:00pm Special Called Meeting

SPECIAL CALLED MEETING

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

2 – ADOPTION OF THE AGENDA

3 – DIRECTOR’S REPORT - NONE

4 – APPROVAL OF MINUTES

A NONE

5 – PUBLIC COMMENTS #1 (5 Minutes Each)

6 – PUBLIC HEARING

B NONE

12 – RESOLUTIONS

C NONE

13 – PRESENTATIONS

D NONE

14 – UNFINISHED BUSINESS

E ZTA 25:09 – Amend the “Code of the County of Fluvanna, Virginia,” by amending height regulations for power production plants – Todd Fortune, Director of Planning
APPLICANT WILL MAKE A PRESENTATION

F SUP 25:04 – Expedition Generation Holdings – Todd Fortune, Director of Planning
APPLICANT WILL MAKE A PRESENTATION

15 – NEW BUSINESS

G None

16 – PUBLIC COMMENTS #2 (5 minutes each)

17 – ADJOURN

Planning Director Review

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

PLEDGE OF ALLEGIANCE

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

ORDER

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

PUBLIC HEARING RULES OF PROCEDURE

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

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COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commissioners

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

Case Number: ZTA 25:09

District: Countywide Amendment

General Information: This request is to be considered by the Planning Commission on Tuesday, February 24, 2026 at 7:00 pm at the Carysbrook Performing Arts Center, 8880 James Madison Highway, Fork Union, Virginia 23055. The Commission held a public hearing on this request at its October 7, 2025 meeting and deferred the request until January 13, 2026. The request was further deferred until February 24, 2026.

Requested Action: Recommend approval of an amendment to the Fluvanna County Zoning Ordinance by amending § 22-17-16 to allow the Board of Supervisors to grant a waiver or modification for the maximum height allowances for chimneys and stacks on power production plants.

Applicant: Expedition Generation Holdings, LLC

Background Information: This request would amend § 22-17-16 of the County Code to give the Board of Supervisors the authority, when issuing a special use permit for a power production plant, to grant a waiver or modification of the maximum height allowances for chimneys and stacks on power production plants.

Currently, the Code allows for a maximum height of "the lesser of 145 feet above ground level or the height determined by 'good engineering practice' as determined by the State Air Pollution Control Board or the Department of Environmental Quality pursuant to applicable regulations addressing stack heights." The proposed amendment would allow the Board to grant a waiver or modification of that requirement. The Board would consider such waivers or modifications on a case-by-case basis.

This request is related to a Special Use Permit request for a gas-fired electric generating station that has been submitted by the applicant and is on the agenda for tonight's meeting. The applicant's case for approving this proposed ZTA is as follows:

- Gas turbine technology has become more efficient and more energy dense since the previous facility was constructed.

- This has increased the size of the turbines, as well as downstream equipment such as the HRSG (boiler) and the exhaust stack.
- Taller stack height is also needed to comply with air quality modeling required by Virginia Department of Environmental Quality (VDEQ).
- In summary: a taller stack is needed to accommodate the larger and more efficient generation equipment and standards being used today.

Planning Commission Action: This proposed ZTA was heard by the Planning Commission at its monthly meeting on October 7, 2025. The Commission voted 4-0 (with one member absent) to defer this request until January 13, 2026. Acting upon a request from the applicant, the Commission further deferred this proposed ZTA until February 24, 2026.

Per Section 22-20-1 of the Fluvanna County Code, in conjunction with Section 15.2-2285 of the Code of Virginia, the Planning Commission has 100 days from the date when the Commission first considers the application to make a recommendation.

The Planning Commission does not have the ability to further defer this unilaterally. However, it could be deferred upon request by the applicant.

Recommended Motion:

- I MOVE THAT THE PLANNING COMMISSION RECOMMEND (APPROVAL / DENIAL) OF ZTA 25:09 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-17-16 TO ALLOW THE BOARD OF SUPERVISORS TO GRANT A WAIVER OR MODIFICATION FOR MAXIMUM HEIGHT ALLOWANCES FOR CHIMNEYS AND STACKS ON POWER PRODUCTION PLANTS.

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-17-16 TO AUTHORIZE THE BOARD OF SUPERVISORS TO GRANT A WAIVER OR MODIFICATION TO THE CHIMNEY HEIGHT REQUIREMENT WHEN ISSUING A SPECIAL USE PERMIT FOR A POWER PRODUCTION PLANT

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 § 22-17-16 as follows:*

CHAPTER 22 ZONING

ARTICLE 17. – GENERAL PROVISIONS

Sec. 22-17-16 – Special use permit for power production plants.

- (A)(3)(b) The height of any chimney shall not exceed the lesser of 145 feet above ground level or the height determined by "good engineering practice" as determined by the State Air Pollution Control Board or the Department of Environmental Quality pursuant to applicable regulations addressing stack heights. **In issuing a special use permit for a power production plant, the Board of Supervisors may grant a waiver or modification to this requirement.**

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



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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission
Case: SUP 25:04 Tenaska Project Expedition
Request for Special Use Permit

From: Todd Fortune
District: Cunningham Election District

Applicant: Expedition Generation Holdings, LLC

Requested Action: **SUP 25:04 Tenaska Project Expedition** – A Special Use Permit request in the A-1, Agricultural, General District to construct a gas-fired electric generation facility on approximately 414.05 +/- acres and known as Tax Map 27-A-1 (165 acres) and Tax Map 27-A-4 (249.05 acres), which are located along Branch Road (Route 761) and Rock Lane. Tax Map 27-A-1 is located in the Rural Residential Planning Area, and Tax Map 27-A-4 is located within the Rural Preservation Planning Area. Both parcels are located within the Cunningham Election District.

The Planning Commission held a public hearing on this request at its monthly meeting on October 7, 2025 and deferred this request until January 13, 2026. The request was further deferred until February 24, 2026.

Existing Zoning: A-1, General Agricultural Zoning District

Existing Land Use: Vacant

Planning Area: Rural Residential (Tax Map 27-A-1)
Rural Preservation (Tax Map 27-A-4)

Adjacent Land Use: The surrounding parcels are zoned A-1, Agricultural, General. Tenaska owns two parcels directly east of the subject parcels, one of which is used for an existing generating station. The other is vacant. Other surrounding properties are either vacant or used for residential dwellings.

Summary:

The applicant is proposing a natural gas-fired power plant with a generating capacity of up to 1,540 MW. The SUP request covers two parcels totaling approximately 414.05 acres – Tax Map 27-A-1 (owned by Tenaska) and Tax Map 27-A-4 (owned by Pardee Virginia Timber; Tenaska has an option to purchase from the current owner).

The parcels are zoned A-1, Agricultural, General. The proposed use qualifies as “Utility, major” under the County Code, which requires a SUP in A-1. The proposed facility would be constructed and operated on Tax Map 27-A-1. Tax Map 27-A-4 would be used as a laydown area for construction. After construction, the applicant plans to restore Tax Map 27-A-4 to a natural area. The project site is adjacent to the existing Tenaska facility, accessed from Branch Road. Water use for power generation at the facility would be from surface waters. The only groundwater use at the facility would be for employees to use the bathroom and running water for uses like washing hands and dishes.

Related to this project, the applicant seeks to acquire two additional parcels south of the project site totaling approximately 354.82 acres and place conservation easements on those parcels. Those parcels, in turn, could be used as natural and recreational areas.

Comprehensive Plan:

A review of the current Comprehensive Plan as it related to this project found the following factors to be considered:

- The Plan says little about energy generation other than offering a strategy to support renewable energy generation.
- The Plan includes a goal to protect the County’s rural identity and character, and strategies to preserve the natural environment. They include:
 - Protecting farm and forest landowners from conflicting adjacent land uses with utilization of buffers, screening, and contiguous tracts of open space.
 - Continuing to promote land-use taxation, conservation easements, ag-forestral districts, and other programs to alleviate economic burdens on owners of land used for agricultural, horticultural, forest, or open-space purposes.
- The Plan includes goals to protect rural areas through economic development, and to diversify and strengthen the County’s tax base.

Planning Staff Analysis:

The proposed request is classified as a Major Utility and it is defined in the Zoning Ordinance as: “facilities for the distribution, collection, treatment, production, transmission and generation of

public, private and central utilities including, but not limited to, transmission lines, production plants, electrical substations, pumping stations, treatment facilities, information and communication facilities.” A Major Utility is permitted by special use permit in the A-1 zoning district and the land use is subject to a site development plan approval prior to site construction.

Before the County would approve any site plan, it would need approvals from the Fluvanna County Erosion and Sediment Control Plan Reviewer and agencies including VDOT, the Virginia Department of Health, and the Virginia Department of Environmental Quality.

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

First, the proposed use should not tend to change the character and established pattern of the area or community. This project proposes to use 50 acres out of approximately 414.05 acres from the two parcels. The related plan to acquire adjoining properties and place conservation easements on those properties would preserve approximately 354.82 additional acres. As such, this project (should it proceed) would preserve approximately 718.87 acres total.

Second, the proposed use should be compatible with the uses permitted by right in that zoning district and shall not adversely affect the use of or the value of neighboring property. While the proposed project could preserve undeveloped land and could contribute to the tax base, relieving some developmental pressures, there are concerns that need to be addressed involving noise, air quality, and water quality. Steps will need to be taken to mitigate any effects, especially as they affect surrounding properties.

As a reminder to the Commission, per Section 22-17-4 (F) of the Fluvanna County Code, the Board of Supervisors may revoke any special use permit that is issued if one of the following findings occur:

1. The use for which such permit was granted has been abandoned (a permit may be deemed abandoned if the approved use has not been initiated within two years from the date of approval).
2. The holder of such permit has substantially breached the conditions of the permit.

Technical Review Committee:

The Technical Review Committee reviewed this SUP request on September 9 and had the following questions/comments (some of the questions have been answered):

- VDOT will want to see trip generation data, a turn lane analysis, and designs for a commercial entrance during the site plan process.
- What impact will construction traffic have on roads in the area?

- *There will be approximately 800 workers on site during peak construction time (about 6 months) and between six and 30 delivery vehicles per day during construction (roughly four years).*
- Construction traffic could be a concern for the area around Route 53 at Route 619, especially during hours of congestion, given that this is already a busy intersection. Is there a way to mitigate the effects of that?
- For the connection to the power grid, will that go through the existing Dominion substation or will a new substation be needed?
 - *The plan is to connect at the same substation. Some additional work will be needed to accommodate the new plant.*
- Water and wastewater will have to go through permitting with VDH. For the well, Tenaska will need to coordinate with the VDH Office of Drinking Water.
 - *Suitability for septic will depend on the soils at the site.*
- Loss of forestland is a concern in this region. Timber should be harvested when needed, but preserve the forestland as much as possible. A well-managed forest can mitigate the effects of invasive insects and wildfire damage.
- The plant will be constructed on approximately 50 acres of Tax Map 27-A-1. Tax Map 27-A-4 will be used as a laydown area.
 - *There will be a temporary creek crossing to connect the laydown area to the construction site. It will need to be permitted, and County regulations stipulate the crossing be as perpendicular to the creek as possible.*
 - *Be aware of Virginia's Seed Tree Law in regards to reseeded trees.*
- There are two additional parcels south of the site that Tenaska plans to purchase and place easements on.
- A third-party sound study is included in your packet.
 - *That information will be presented to the Planning Commission and Board. Expect questions about sound, both from the current plant and how the proposed new plant will affect noise.*
- Be sure fire hydrants on site have National Standard threads.
- For the surface water, will the new facility use the existing intake or need a new intake?
 - *That's still to be determined, but the applicant doesn't expect any additional intake to significantly affect other users on the James River.*

Neighborhood Meetings:

A series of neighborhood meetings were held by the applicant and various stakeholder groups in August and September 2025. The proposed SUP was discussed in detail, and questions were asked by attendees. Questions/concerns cited by attendees include sound, air quality, water usage/water quality, and the effects construction traffic would have on local roads.

Recommended Conditions:

The applicant and the County have been discussing conditions for the SUP. Subsequently, the County has retained the Berkley Group and Sands Anderson to review and comment on the proposed conditions, The Board of Supervisors and Planning Commission held a joint work session on January 7, 2026 to review the conditions and comments from each firm. Additional conversations have been held between County staff, the consultants, and the applicant. A revised set of conditions is included in the packet for this Planning Commission special meeting.

Planning Commission:

The Planning Commission considered this request at its monthly meeting on October 7, 2025 and voted 5-0 to defer this request until January 13, 2026. At its meeting on January 13, the Commission voted 4-0 (with one member absent) to further defer this request until the February 24, 2026 special called meeting.

Per Section 15.2-2268 (A)(7) of the Code of Virginia, a final decision on this request must be made within 12 months of the date when the Commission first hears the application. The Code language reads as follows:

“In any county having adopted such zoning ordinance, all motions, resolutions or petitions for amendment to the zoning ordinance, and/or map shall be acted upon and a decision made within such reasonable time as may be necessary which shall not exceed 12 months unless the applicant requests or consents to action beyond such period or unless the applicant withdraws his motion, resolution or petition for amendment to the zoning ordinance or map, or both.”

Suggested Motion:

- 1) I MOVE THAT THE PLANNING COMMISSION RECOMMEND (APPROVAL / DENIAL / DEFERRAL) OF ZTA SUP 25:04 – A SPECIAL USE PERMIT REQUEST IN THE A-1, AGRICULTURAL, GENERAL DISTRICT TO CONSTRUCT A GAS-FIRED ELECTRIC GENERATION FACILITY ON APPROXIMATELY 414.05 +/- ACRES AND KNOWN AS TAX MAP 27-A-1 AND TAX MAP 27-A-4.

Attachments:

SUP Application
General Location and Tax Parcel Map
Project Narrative
Conceptual Plan and Sketch Plan
Existing Conditions Map
Revised draft SUP conditions
Draft Declaration of Restrictive Covenants
Supporting documents: Public outreach; sound studies; economic impact documentation; environmental documentation; traffic control plan