

**FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES**

**132 Main Street Palmyra, VA 22963
72 Main Street Palmyra, VA 22963**

Tuesday, October 8, 2024

Work Session 6:00PM in Morris Room | Regular Meeting 7:00pm in Courthouse

MEMBERS PRESENT:

Barry Bibb, Chair
Kathleen Kilpatrick, Commissioner
Howard Lagomarsino, Commissioner
Lorretta Johnson-Morgan, Commissioner
Eddie Shifflett, Commissioner
Mike Goad, Representative of Board of Supervisors

ABSENT:

None

STAFF PRESENT:

Todd Fortune, Director of Planning
Dan Whitten, Fluvanna County Attorney
Jason Overstreet, Senior Planner
Kelly Harris, Assistant County Administrator
Eric Dahl, County Administrator

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

At 6:00 pm, Chair Bibb called the October 8, 2024 Work Session to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

WORK SESSION:

A work session was held on Fluvanna County's FY 2026-2030 Capital Improvements Plan. The following staff presented projects to the Planning Commission for review:

- Eric Dahl – Community Development projects, government building projects, Fork Union Water Supply project
- Aaron Spitzer, Parks and Recreation projects
- James True – Emergency Services projects
- Kim Mabe – Department of Social Services projects
- Bobby Popowicz – Water and Sewer projects
- Captain Aaron Hurd – Fluvanna County Sheriff's Office projects
- Dr. Peter Gretz – Fluvanna County Public Schools projects

Tori Melton, Director of Finance, advised the group that staff would bring the list of projects back to the Commission at its November 12, 2024 meeting for a ranking of the projects.

A recess was called at 6:55 pm to allow for a short break for attendees. The work session was reconvened at 7:03 pm and adjourned at 7:41 pm.

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

At 7:41 pm, Chair Bibb called the October 8, 2024 Regular Meeting to Order, led in the Pledge of Allegiance and then he conducted a Moment of Silence.

1. DIRECTOR'S REPORT – Todd Fortune, Director of Planning

Announcements and Updates

- Kayla Polychrones-Trent, Administrative Program Specialist, has resigned her position effective September 26 to pursue another opportunity. The position has been advertised.
- The Board of Supervisors held a public hearing on September 18 to consider the proposed revisions to Planning and Zoning fees. The Board approved the new fees.
- The Board of Supervisors held a public hearing on September 18 to consider readoption of the 2015 Comprehensive Plan with updates to Sections 2, 5, and 6. The Board adopted the Plan.
- A public hearing is scheduled for October 16 for the Board of Supervisors to consider and hear public comment on proposed ordinance language and supplemental regulations for the proposed S-1 Solar district.

Upcoming Meetings

- November 12, 2024 – Morris Room
- December 10, 2024 – Morris Room
- January 7, 2025 – Morris Room

2. PUBLIC COMMENTS #1

At 7:47 pm, Chair Bibb opened the first round of public comments.

Alexandra Mattis, 178 Lexie Lane, spoke against the Rivanna Bend rural cluster subdivision. She said local residents have concerns about additional traffic and they are becoming less rural. She asked what citizens could do. There was some discussion. Since rural clusters are allowed by right in A-1 Agricultural areas, the Planning Commission has limited input and the Board of Supervisors has no input. Citizens can reach out to VDOT and Aqua Virginia to discuss their concerns, since both parties would have to issue concurrence before any subdivision plats are approved.

Les Tinsley, 156 Lexie Lane, said residents in the Sycamore Square subdivision are not happy about the Rivanna Bend subdivision and asked if there was a way for the State to reverse the decision.

Sarah Foster, 566 Justin Drive, asked if things were being put into place to protect children and residents from the increased traffic from the Rivanna Bend subdivision.

Gwen Medic, 285 Justin Drive, said she was concerned about additional traffic from the Rivanna Bend subdivision and the planned gas station/convenience store on South Boston Road.

Chair Bibb closed the first round of Public Comments at 8:07 pm.

3. MINUTES

MOTION:	To Approve the Regular Meeting minutes of the Planning Commission of September 10, 2024.				
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
ACTION:				Motion	Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

4. RESOLUTIONS

Resolution 2024-05--Advertise for Public Hearing for ZTA, Rural Clusters

At its meeting on September 18, 2024, the Board of Supervisors directed the Planning Commission to make a recommendation regarding rural cluster subdivisions to be brought back before the Board at its November 20, 2024 meeting. Consequently, staff presented a resolution to the Commission authorizing advertisement of a public hearing to consider an amendment to the County Code that would repeal §§ 19-7-2, 22-4-10, 22-4-10.1, 22-4-10.2, and 22-4-10.3, and amend §§ 19-8-1, 19-8-6, 22-4-2.1, and 22-4-3, to eliminate Rural Cluster Subdivision regulations and use. The public hearing would be held by the Planning Commission on November 12, 2024.

Currently, rural clusters are allowed by right in A-1 Agricultural areas. As such, the Planning Commission has little input on proposed rural clusters and the Board has no input. Rural clusters were mandated by State Code, Section 15.2-2286.1, because Fluvanna County's population growth was more than 10% from the 2000 Census to the 2010 Census. The County's growth rate dropped below the 10% threshold from the 2010 Census to the 2020 Census, meaning that section of the State Code no longer applies to Fluvanna County. Staff advised that if rural clusters were removed as an allowed use in A-1, then the County's options are: to allow family subdivisions and conventional minor subdivisions in A-1 by right; or parcels in A-1 could be rezoned to R-1, R-2, or R-4 for cluster developments or R-3 for a compact residential development; or parcels in the Zion Crossroads Community Planning Area could be rezoned to a Planned Unit Development.

MOTION:	I move that the Planning Commission approve Resolution 2024-05, a resolution of intention to amend "The Code of the County of Fluvanna, Virginia" by repealing §§ 19-7-2, 22-4-10, 22-4-10.1, 22-4-10.2, and amending §§ 19-8-1, 19-8-6, 22-4-2.1, and 22-4-3, to eliminate rural cluster subdivision regulations and use.				
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
ACTION:		Second		Motion	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

Resolution 2024-06--Advertise for Public Hearing for Definitions, Pet Crematorium, Animal Training Facility

Staff presented a resolution to the Commission authorizing advertisement of a public hearing to consider an amendment to the County Code that would amend §§ 22-22-1 to include crematoriums and pet

crematoriums in the definition of “Funeral home” and to include animal training in the definition of “Commercial kennel.” The public hearing would be held by the Planning Commission on November 12, 2024.

MOTION:	I move that the Planning Commission approve Resolution 2024-06, a resolution of intention to amend “The Code of the County of Fluvanna, Virginia” by amending § 22-22-1 to include crematoriums and pet crematoriums in the definition of “Funeral Home” and to include animal training in the definition of “Commercial Kennel.”			
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino
ACTION:		Motion	Second	Morgan
VOTE:	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved			

Resolution 2024-07 – Advertise for Public Hearing for ZTA, Tarp Screening

Staff presented a resolution to the Commission authorizing advertisement of a public hearing to consider an amendment to the County Code that would amend §§ 15-4-1 and 22-26-7 to clarify the requirements of the phrase “shielded and screened from view.” The public hearing would be held by the Planning Commission on November 12, 2024.

MOTION:	I move that the Planning Commission approve Resolution 2024-07, a resolution of intention to amend “The Code of the County of Fluvanna, Virginia” by amending §§ 15-4-1 and 22-26-7 to clarify the requirement of the phrase, “shielded and screened from view.”			
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino
ACTION:			Motion	Second
VOTE:	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved			

5. PRESENTATIONS

Zoning Text Amendments – Event Permits, Inoperable Vehicles

There was discussion about whether to undertake a Zoning Text Amendment to require event permits for events that attract large crowds. It has come to the attention of staff that a number of events have been held recently, or are being held in the near future, in the County that attract large crowds. These events currently do not require permits. Requiring permits would allow County staff to receive advance notice for such events, and give emergency services personnel time to prepare. Commission members had questions for staff:

- How can one tell in advance how many people are expected for an event?
- Would there be a fee for a permit?
- Would religious groups and non-profits, or Fluvanna County or Fluvanna County Public Schools, be exempt from the requirements?
- Could the County take what the Sheriff’s Office currently does for events and expand it.

The Commission directed staff to conduct more research on the matter and report back to the Commission.

There was discussion about whether to undertake a Zoning Text Amendment to reduce the number of inoperable vehicles allowed. This had been discussed at the September 10, 2024 Planning Commission meeting, and the Commission directed staff to research the matter further. The results of the research were discussed, and there was further discussion. The Commission advised that the current regulation should remain unchanged.

Comprehensive Plan

Mr. Fortune spoke to the Commission about the Comprehensive Plan. The Board recently adopted the 2015 Plan-2024 update, which was a readoption of the 2015 Plan with changes to Sections 2, 5, and 6 to keep the County in compliance with State Code requirements. Consequently, the County now needs to undertake a full update of its Comprehensive Plan. Mr. Fortune advised that the process would likely take 12 to 18 months. There was discussion on some questions Mr. Fortune had about the process:

- The Commission decided to keep the existing format for the update.
- The Commission was agreeable to holding community meetings first, then disseminating citizen surveys.
 - Hold five (5) community meetings, one for each district.
 - Consider holding a couple of meetings on Saturdays to boost attendance.
 - The format will consist of a mapping exercise and a P.A.R.K. exercise.

6. SITE DEVELOPMENT PLANS

None.

7. SUBDIVISIONS

None.

8. UNFINISHED BUSINESS

SUB24:32-- Reventon by Murcielago, LLC – A Sketch Plan request for a rural cluster major subdivision with respect to 205 acres of Tax Map 26 Parcel A Section A2, Tax Map 26 Parcel A Section A5A, and Tax Map 26 Parcel A Section A38. The applicant is proposing 67 cluster lots with one residual parcel of 164.3 acres designated as open space. The subject property is located along Rolling Road (Route 620) and Briery Creek Road (Route 600). The Planning Commission reviewed the sketch plan at its meeting on September 10, 2024 and deferred action to this meeting.

Planning Director Todd Fortune provided a Staff Presentation of Reventon rural cluster major subdivision. Applicant and owner, Tom Sullivan from Murcielago LLC and land engineer Brian S. Ray, Ray and Associates, were present to answer Planning Commission questions. Staff advised that another deferral was not allowed per the County Code, and the Commission had the option of accepting the sketch or taking no action (which would be a default acceptance).

MOTION:	I move that the Planning Commission accept SUB 24:32 Reventon by Murcielago, LLC, a Sketch Plan request for a rural cluster major subdivision with respect to approximately 205 acres of Tax Map 26 Section A Parcel A2, Tax Map 26 Section A Parcel A5A, and Tax Map 26 Section A Parcel A38 subject to the conditions listed in the staff report to October 8, 2024.				
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
ACTION:			Second		Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Accepted				

9. NEW BUSINESS

None.

10. PUBLIC HEARINGS

None.

11. PUBLIC COMMENTS #2

At 9:18 pm Chair Bibb opened the second round of public comments.

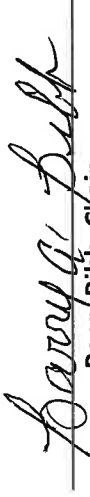
Tom Diggs, 947 Jefferson Drive, spoke on the Comprehensive Plan. He urged the Commission to publish results of community meetings, urged the Commission to be specific about the scope of committees and advisory boards, and urged the Planning Commission to consider adopting the Plan chapter by chapter.

Chair Bibb closed the second round of public comments at 9:20 pm.

12. ADJOURNMENT

MOTION:	Motion to Adjourn the October 8, 2024 Regular Meeting at 9:20 PM				
MEMBER:	Bibb	Kilpatrick	Shifflett	Lagomarsino	Morgan
ACTION:		Second			Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved Adjournment				

Minutes were recorded by Todd Fortune, Director of Planning; and Jason Overstreet, Senior Planner.


Barry Bibb, Chair
Fluvanna County Planning Commission