

**+FLUVANNA COUNTY PLANNING COMMISSION  
MEETING MINUTES**

**132 Main Street Palmyra, VA 22963,  
Tuesday, January 14, 2025**

**Organizational Meeting 6:00 pm | Work Session 6:15 pm | Regular Meeting 7:00 pm**

**MEMBERS PRESENT:**

Barry Bibb, Chair  
Kathleen Kilpatrick, Commissioner (Arrived at 6:05 pm)  
Howard Lagomarsino, Commissioner  
Lorretta Johnson-Morgan, Commissioner  
Eddie Shifflett, Commissioner  
Mike Goad, Representative of Board of Supervisors

**STAFF PRESENT:**

Todd Fortune, Director of Planning  
Dan Whitten, Fluvanna County Attorney  
Kelly Harris, Assistant County Administrator  
Eric Dahl, County Administrator  
Margie Bamford, Administrative Assistant

**ORGANIZATIONAL MEETING:**

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

At 6:00 pm Planning Director Fortune called the January 14<sup>th</sup>, 2025 organizational meeting to order, led in the Pledge of Allegiance, and conducted a Moment of Silence.

**B. Election of the Chair-**

- Mr. Barry Bibb was nominated by Mr. Lagomarsino and voted in.

|                |  |            |               |               |        |
|----------------|--|------------|---------------|---------------|--------|
| <b>MOTION:</b> | To Approve the election of Barry Bibb as the acting 2025 Chairman of the Planning Commission |            |               |               |        |
| <b>MEMBER:</b> | Bibb   | Kilpatrick | Shifflett     | Lagomarsino   | Morgan |
| <b>ACTION:</b> |  |            | <b>Second</b> | <b>Motion</b> |        |
| <b>VOTE:</b>   | Aye  | Absent     | Aye           | Aye           | Aye    |
| <b>RESULT:</b> | <b>4-0 Approved, 1 Absent</b>  |            |               |               |        |

**C. Election of the Vice Chair.**

- Mr. Howard Lagomarsino was nominated by Ms. Johnson-Morgan and voted in.

|                |   |            |               |             |               |
|----------------|---|------------|---------------|-------------|---------------|
| <b>MOTION:</b> | To Approve the election of Howard Lagomarsino as the acting 2025 Vice Chairman of the Planning Commission |            |               |             |               |
| <b>MEMBER:</b> | Bibb  | Kilpatrick | Shifflett     | Lagomarsino | Morgan        |
| <b>ACTION:</b> |   |            | <b>Second</b> |             | <b>Motion</b> |
| <b>VOTE:</b>   | Aye   | Absent     | Aye           | Aye         | Aye           |
| <b>RESULT:</b> | <b>4-0 Approved, 1 Absent</b>   |            |               |             |               |

**D. Organizational Meeting Resolution:**

- The Organizational Meeting Resolution was adopted for 2025.

|                |  |            |               |             |               |
|----------------|--|------------|---------------|-------------|---------------|
| <b>MOTION:</b> | To Approve the Adoption of the Resolution for the 2025 Organizational meeting of the Planning Commission |            |               |             |               |
| <b>MEMBER:</b> | Bibb   | Kilpatrick | Shifflett     | Lagomarsino | Morgan        |
| <b>ACTION:</b> |  |            | <b>Motion</b> |             | <b>Second</b> |
| <b>VOTE:</b>   | Aye  | Absent     | Aye           | Aye         | Aye           |
| <b>RESULT:</b> | <b>4-0 Approved, 1 Absent</b>  |            |               |             |               |

**E. Adoption of the Planning Commission Calendar**

- The November date of the 11<sup>th</sup> was changed to the 18<sup>th</sup> due to the Veteran’s Day Holiday and the meeting in January was changed from the 7<sup>th</sup> to the 14<sup>th</sup>.

|                |   |            |               |               |        |
|----------------|---|------------|---------------|---------------|--------|
| <b>MOTION:</b> | To Approve the Adoption of the Planning Commission Calendar |            |               |               |        |
| <b>MEMBER:</b> | Bibb  | Kilpatrick | Shifflett     | Lagomarsino   | Morgan |
| <b>ACTION:</b> |   |            | <b>Second</b> | <b>Motion</b> |        |
| <b>VOTE:</b>   | Aye   | Aye        | Aye           | Aye           | Aye    |
| <b>RESULT:</b> | <b>5-0 Approved</b>   |            |               |               |        |

**F. Adjournment-**

- Mr. Bibb adjourned the Organizational Meeting at 6:06 pm

**WORK SESSION:**

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

At 6:15 pm Chairman Bibb Called the January 14<sup>th</sup>, 2025 work session to order, led in the Pledge of Allegiance, and conducted a Moment of Silence.

**B. Special Events-**

- Mr. Bibb checked with the Commission and verified whether other counties researched policies should to be covered. They did not. Mr. Fortune then presented the Commission the new Fluvanna County Voluntary Event Notification Form webpage to be added to the Fluvanna County website. Mr. Whitten advised that there is a separate form for events with outdoor music and went over the process for that special event permit. Mr. Goad questioned why music events were separated from other events, Mr. Whitten advised it was per the county code. Mr. Dahl wanted to know if a winery has outdoor music is that a special event permit, Mr. Whitten advised that would be covered under Agritourism. Ms. Johnson-Morgan had questions about what type of music event required a special event permit. Mr. Whitten provided the answers. Ms. Kilpatrick wanted the language changed to make the music event clearer on the application. Mr. Whitten suggested bringing a wording change to the ordinance to the Board to clarify the ordinance. Ms. Johnson-Morgan had questions about what happens when there are repeat offenders that do not use the event form and cause problems and will it be monitored. There was a discussion among several members of the Commission and staff on wording for the event webpage in reference to music. There was then discussion among several Commission members and Mr. Whitten and Mr. Dahl over events on County Property and at the schools. It was decided to bring the webpage back when the wording on music events was changed and not publish it until the wording was corrected.

**C. Subdivisions-**

- Mr. Whitten presented the suggested changes for the “R4” zoning districts. He discussed adding wording to cover well and septic in the R-4 and presented a new proposed language for this with a lot size change and open space changes. Mr. Goad wanted clarification on open space restrictions, Mr. Whitten provided clarification. Mr. Bibb had questions about gross density and Mr. Whitten was able to clarify on the wording in the proposed ordinance. Mr. Whitten provided an explanation on the proposed wording and why the decision was made to size the lots and open space that way. The Planning Commission decided they wanted Mr. Whitten to take it to the Board in a work session

**D. Adjournment-**

- Mr. Bibb adjourned the work session at 6:51 pm.

**REGULAR MEETING:**

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

At 7:00 pm Chairman Bibb called the January 14<sup>th</sup>, 2025 special regular meeting to order, led in the Pledge of Allegiance, and conducted a Moment of Silence.

**B. Adoption of the Agenda:**

|                |  |            |               |               |        |
|----------------|--|------------|---------------|---------------|--------|
| <b>MOTION:</b> | To Approve the Adoption of the Agenda of the Planning Commission meeting for January, 14 2025. |            |               |               |        |
| <b>MEMBER:</b> | Bibb   | Kilpatrick | Shifflett     | Lagomarsino   | Morgan |
| <b>ACTION:</b> |  |            | <b>Second</b> | <b>Motion</b> |        |
| <b>VOTE:</b>   | Aye  | Aye        | Aye           | Aye           | Aye    |
| <b>RESULT:</b> | <b>5-0 Approved</b>  |            |               |               |        |

**C. Director’s Report:**

• **Announcements and Updates:**

- Zoning Ordinance Update-The Board of Supervisors held a public hearing on December 18, 2024 to consider and hear public comments on proposed ordinance language to clarify the requirements of the phrase “shielded and screened from view.” After the public hearing, the Board directed staff to make a change to the proposed language.
  - Specifically, Option 3 would be amended to “covering the vehicle with a fitted car cover.”
  - The Board authorized a public hearing for January 22, 2025 on the proposed change.
- Signs-The Board of Supervisors had a discussion on December 18, 2025 on enforcement of the County’s Sign Ordinance-specifically, temporary signs.
  - This is in response to the resident concerns regarding business and election signs that fall under “temporary, exempt signs” in the Ordinance.
  - If a resident has a concern about a sign, they should fill out the online “Report a Concern” form and staff will investigate.

• **Upcoming Cases:**

- There are two public hearings originally scheduled for January that, due to the postponement of this meeting, have to be re-advertised for the February meeting:
  - ZTA-Definition of Minor Subdivisions (Zoning Ordinance)
  - AFD-Removal of Park Property.
- There is a sketch plan request on the agenda for tonight’s meeting.
  - SDP 24:09-Carysbrook Solar/Suntribe Solar
- There are two resolutions for additional ZTA’s on the agenda tonight. The Commission will be asked to approve a resolution to advertise these for a public hearing.
  - Definition of Agritourism
    - Fluvanna County Code does not currently define Agritourism
  - Definition of Solid Waste Material Recovery Facility, Solid Waste Collection Facility
    - This is related to an unidentified business prospect.

| Day     | Date         | Time       | Public Hearings and Public Meetings   | Location  |
|---------|--------------|------------|---------------------------------------|-----------|
| Tuesday | Feb 11, 2025 | 6pm<br>7PM | Work Session (TDB)<br>Regular Meeting | Morris Rm |
| Tuesday | Mar 11, 2025 | 6pm<br>7PM | Work Session (TDB)<br>Regular Meeting | Morris Rm |
| Tuesday | Apr 8, 2025  | 6pm<br>7PM | Work Session (TDB)<br>Regular Meeting | Morris Rm |

**D. Public Comments #1:**

- At 7:11 PM Chair Bibb opened up the first round of Public Comments.
  - Ms. Patricia Beers Block, address of 103 Island Hill Rd Palmyra, came forward with concerns in reference to Carysbrook Solar and if it would be a non-

conforming use due to the state code and pointed out a typo in the staff report. She was advised that this would be addressed during the SDP approval. No one else came forward and Mr. Bibb closed the first public comments at 7:13pm.

**E. MINUTES:**

|                |   |               |           |             |               |
|----------------|---|---------------|-----------|-------------|---------------|
| <b>MOTION:</b> | To Approve the Regular meeting minutes of the Planning Commission of December 10, 2024. |               |           |             |               |
| <b>MEMBER:</b> | Bibb  | Kilpatrick    | Shifflett | Lagomarsino | Morgan        |
| <b>ACTION:</b> |   | <b>Motion</b> |           |             | <b>Second</b> |
| <b>VOTE:</b>   | Aye   | Aye           | Aye       | Aye         | Aye           |
| <b>RESULT:</b> | <b>5-0 Approved</b>   |               |           |             |               |

**F. Public Hearings:**

- None

**G. Resolutions**

- **Request for Public Hearing for ZTA 25:01 Define Agritourism**
  - Mr. Fortune gave the power point presentation. Mr. Goad wanted to confirm that this wording was codifying the state code, Mr. Whitten confirmed it was. Mr. Goad also questioned Mr. Dahl this as well and Mr. Dahl provided an answer for him on the county’s need for a definition. There were no further questions

|                |  |            |           |               |               |
|----------------|--|------------|-----------|---------------|---------------|
| <b>MOTION:</b> | I MOVE THAT THE PLANNING COMMISSION APPROVE THE RESOLUTION TO ADVERTISE A PUBLIC HEARING ON FEBRUARY 11, 2025 TO CONSIDER ZTA 25:01 – ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §§ 22-4-2.1 AND 22-22-1 TO DEFINE AGRITOURISM ACTIVITY AND TO AUTHORIZE AGRITOURISM ACTIVITY BY-RIGHT IN THE A-1 ZONING DISTRICT. |            |           |               |               |
| <b>MEMBER:</b> | Bibb   | Kilpatrick | Shifflett | Lagomarsino   | Morgan        |
| <b>ACTION:</b> |  |            |           | <b>Second</b> | <b>Motion</b> |
| <b>VOTE:</b>   | Aye  | Aye        | Aye       | Aye           | Aye           |
| <b>RESULT:</b> | <b>5-0 Approved</b>  |            |           |               |               |

- **Request for Public Hearing for ZTA 25:02, Amend the definitions of Solid Waste Material Recovery Facility and Solid Waste Collection Facility.**
  - Mr. Fortune gave a power point presentation. There were no questions.

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|----------------|--|---------------|-----------|-------------|---------------|
| <b>MOTION:</b> | I MOVE THAT THE PLANNING COMMISSION APPROVE THE RESOLUTION TO ADVERTISE A PUBLIC HEARING ON FEBRUARY 11, 2025 TO CONSIDER ZTA 25:02 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING §22-22-1 TO REMOVE THE WORD “MUNICIPAL” FROM THE DEFINITIONS OF “SOLID WASTE MATERIAL RECOVERY FACILITY” AND “SOLID WASTE COLLECTION FACILITY” |               |           |             |               |
| <b>MEMBER:</b> | Bibb   | Kilpatrick    | Shifflett | Lagomarsino | Morgan        |
| <b>ACTION:</b> |  | <b>Motion</b> |           |             | <b>Second</b> |
| <b>VOTE:</b>   | Aye  | Aye           | Aye       | Aye         | Aye           |
| <b>RESULT:</b> | <b>5-0 Approved</b>  |               |           |             |               |

**H. Presentations:**

- None

**I. Site Development Plans:**

- **SDP 24:09 Carysbrook Solar/Suntribe Solar**
  - Mr. Fortune gave a power point presentation address the site plan. Mr. Fortune did address the concerns of the first public comments that there was a typo in the staff report. Mr. Fortune provided information on the SUP that was already approved and went over the conditions of the SUP. Mr. Fortune did address the comments that were made during the TRC with the Commission. Mr. Whitten

addressed the concern that Ms. Block made during the public comment period. Ms. Johnson-Morgan had questions for the developer about the flooding situation, the developer was able to provide the information to her. There were no further questions from the Planning Commission. Mr. Lagomarsino wanted the motion to include the recommended conditions. Mr. Whitten approved the wording change.

|                |   |            |           |               |               |
|----------------|---|------------|-----------|---------------|---------------|
| <b>MOTION:</b> | I MOVE THAT THE PLANNING COMMISSION ACCEPT SDP 24:09, A SKETCH PLAN REQUEST TO CONSTRUCT A 3-MW GROUND-MOUNTED SOLAR FACILITY ON APPROXIMATELY 27 ACRES OF 361.3-ACRE PARCEL IDENTIFIED AS TAX MAP 42, SECTION 1, PARCEL 1, <b>WITH RECOMMENDED CONDITIONS.</b> |            |           |               |               |
| <b>MEMBER:</b> | Bibb  | Kilpatrick | Shifflett | Lagomarsino   | Morgan        |
| <b>ACTION:</b> |   |            |           | <b>Second</b> | <b>Motion</b> |
| <b>VOTE:</b>   | Aye   | Aye        | Aye       | Aye           | Aye           |
| <b>RESULT:</b> | <b>5-0 Approved</b>   |            |           |               |               |

**J. Subdivisions:**

- None

**K. Unfinished Business:**

- **Comprehensive Plan-Todd Fortune, Director of Planning:**

- Mr. Fortune presented his power point advising that staff was still working on updating the plan sections that are data intensive. Mr. Fortune confirmed with Mr. Shifflett that community meetings for Rivanna and Palmyra Districts were able to be combined, to which Mr. Shifflett confirmed with him. Mr. Fortune went over the different groups and the amount of people that have currently applied. Mr. Fortune had questions for the Commission if they wanted to allow individuals to serve in multiple groups and if Planning Commission members were to oversee the advisory groups, or be able to serve on the advisory groups. Ms. Johnson-Morgan wanted to know if applicants expressed why they wanted to serve on multiple committees, which Mr. Fortune replied they did not. The Commission discussed concerns with the last advisory committees during the last Comprehensive Plan update and the changes they wanted addressed during this process. The Commission then addressed the desire to be involved in the committees. Ms. Johnson-Morgan suggested auditing several of the meetings, Ms. Kilpatrick agreed she would like to do the same. Mr. Lagomarsino had concerns on coordinating members auditing meetings per FOIA. Ms. Johnson-Morgan had questions on the Planning Commission’s role in the Comprehensive Plan, Mr. Fortune explained the Planning Department’s role to the Planning Commission. The Commission decided to go through the Clerk to the Commission to schedule which meetings they want to attend. Mr. Fortune then stated that the Planning Department would have the names for the Chairman in the next meeting packet for assignment.

**L. New Business:**

- None

**M. Public Comments #2:**

- Mr. Bibb opened the second round of public comments at 7:55pm, Mr. Tom Diggs, 947 Jefferson Dr. wanted clarification from the Commission on the use of the word Consensus, no one else came forward and Mr. Bibb closed the second round of public comments at 8:01pm.

**N. ADJOURNMENT**

- Chair Bibb called for a motion to adjourn the December 10, 2024 Planning Commission regular meeting.

|                |   |            |           |               |               |
|----------------|---|------------|-----------|---------------|---------------|
| <b>MOTION:</b> | Motion to Adjourn the December 10, 2024 Planning Commission regular meeting at 8:55 pm. |            |           |               |               |
| <b>MEMBER:</b> | Bibb  | Kilpatrick | Shifflett | Lagomarsino   | Morgan        |
| <b>ACTION:</b> |   |            |           | <b>Motion</b> | <b>Second</b> |
| <b>VOTE:</b>   | Aye   | Aye        | Aye       | Aye           | Aye           |
| <b>RESULT:</b> | <b>5-0 Approved</b>   |            |           |               |               |

Minutes were recorded by Margie Bamford, Administrative Programs Specialist.

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

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