



**FLUVANNA COUNTY PLANNING COMMISSION**  
**CALLED SPECIAL MEETING AGENDA**  
Morris Room – County Administration Building  
Tuesday, June 25, 2024  
**7:00 PM Called Special Meeting**

**TAB AGENDA ITEMS**

**CALLED SPECIAL MEETING**

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

**2 – DIRECTOR'S REPORT**

**3 – PUBLIC COMMENTS #1** (5 minutes each)

**4 – MINUTES**

**5 – PUBLIC HEARING**

**ZTA24:02** : Amend § 22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the agricultural, A-1 zoning district.

**6 – PRESENTATIONS**

None

**7 – SITE DEVELOPMENT PLANS**

None

**8 – SUBDIVISIONS**

None

**9 – UNFINISHED BUSINESS**

TBD

**10 – NEW BUSINESS**

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

**12 – ADJOURN**

Planning Director Review

*Fluvanna County...The heart of central Virginia and your gateway to the future!*

**For the Hearing-Impaired – Listening device available in the Board of Supervisors 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.

## **GENERAL RULES OF 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 Board wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Board to discuss the matter.
3. No member or citizen shall be allowed to use defamatory or abusive language directed at any member of the Board or other person, to create excessive noise, or in any way incite persons to use such tactics. The Chair shall be the judge of such breaches, however, the Board may by majority vote of the Board members present and voting to overrule the judgment of the Chair.
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.

## **RULES OF PROCEDURE FOR PUBLIC HEARINGS**

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 Board.
  - Each speaker should clearly state his/her name and address.
  - All comments should be directed to the Board.
  - All questions should be directed to the Chairman. Members of the Board 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 Board will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
  - Further public comment after the public hearing has been closed generally will not be permitted.

*Fluvanna County is committed to providing an excellent quality of life for our citizens and businesses through the efficient delivery of core services and programs, while preserving the unique identity and rural character of the County.*

June 7, 2024

**From:** Barry A. Bibb, Chair, Fluvanna County Planning Commission

**To:** Todd Fortune, Fluvanna County Director of Planning

**Re:** Called Special Meeting of the Planning Commission

I hereby request that you formally notify the members of the Planning Commission and the County Attorney that I am calling a Special Meeting of the Planning Commission pursuant to Section IX(B) of the Planning Commission Bylaws and Rules of Practice and Procedures.

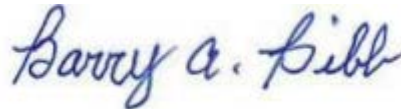
**Issues to be discussed:** Public Hearing to amend and reordain “the code of the county of Fluvanna, Virginia” by amending § 22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the agricultural, A-1 zoning district.

**Meeting Day/Date:** Tuesday, June 25, 2024

**Time:** 7:00pm

**Location:** Morris Room in the County Administration Building at 132 Main Street, Palmyra, Virginia

Thank you for your prompt attention to this matter.

A handwritten signature in blue ink that reads "Barry A. Bibb". The signature is written in a cursive style.

Barry A. Bibb  
Chair, Planning Commission

Cc (by email):  
Dan Whitten, County Attorney



**PUBLIC HEARING**  
**Fluvanna County Planning Commission**  
**June 25, 2024 at 7:00 pm**

Pursuant to VA Code Section 15.2-2204, a public hearing will be held in the Morris Room, of the County Administration Building, located at 132 Main Street, Palmyra, VA 22963 for citizens of the County to have the opportunity to be heard by the Planning Commission on the following request:

**ZTA 24:02** - An Ordinance to amend and reordain “The Code of the County of Fluvanna” by amending § 22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District.

Copies of the complete text of the above ordinance and associated plans are available for public review at the Office of the Fluvanna County Administrator during normal business hours. Questions may be directed to the Planning & Zoning Department, at (434) 591-1910. All interested persons wishing to be heard are invited to attend the public hearing.

**Public Hearing: Reordain Code to remove  
Utility Scale Solar  
1/8 page Horiz Legal size 5” x 2.75”  
All text copied from Word Doc  
6/13 & 6/20, 2024 Fluvanna Review  
Proof#1**

**ZTA 24:02**

ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-4-2.2 TO REMOVE UTILITY SCALE SOLAR GENERATION FACILITIES AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE AGRICULTURAL, A-1 ZONING 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 § 22-4-2.2 as follows:*

CHAPTER 22 ZONING

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

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

*Miscellaneous Uses*

- ~~Utility scale solar generation facility~~

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



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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

## PLANNING COMMISSION STAFF REPORT

**To:** Fluvanna County Planning Commissioners

**From:** Todd Fortune  
Planning Director

**Case Number:** ZTA 24:02 Amend § 22-4-2.2

**District:** Countywide Amendment

**General Information:** This Public Hearing request is to be heard by the Fluvanna County Planning Commission on Tuesday, June 25, 2024 at 7:00 pm in the County Administration Building, Morris Room.

**Requested Action:** Amend the Fluvanna County Zoning Ordinance

**ZTA 24:02** ORDINANCE TO AMEND AND REORDAIN "THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA" BY AMENDING § 22-4-2.2 TO REMOVE UTILITY SCALE SOLAR GENERATION FACILITIES AS AN ALLOWED USE BY SPECIAL USE PERMIT IN THE AGRICULTURAL, A-1 ZONING DISTRICT.

**Zoning Ordinance Text:**

CHAPTER 22 ZONING

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

Amend Sec. 22-4-2.2 Uses Permitted by a special use permit in the Agricultural, General, District A-1 to delete:

Miscellaneous Uses:

- Utility scale solar generation facility

**Information:**

The Solar Ordinance Review Committee has had a number of meetings to discuss policy as it relates to solar development in Fluvanna County. The Committee has expressed a desire to remove utility scale solar generation as an allowed use with a Special Use Permit (SUP) in the A-1 zoning district in favor of creating a new district, S-1, for the location of such facilities. Consequently, the Board of Supervisors passed a resolution on March 6 stating a desire to remove utility scale solar generation facilities as a use allowed by SUP in the A-1 district. This requested change is in response to the Board action.

**Recommended Motion:**

I MOVE THAT THE PLANNING COMMISSION RECOMMENDS (APPROVAL / DENIAL / DEFERRAL) OF ZTA 24:02 AN ORDINANCE TO AMEND “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-4-2 TO REMOVE UTILITY SCALE SOLAR GENERATION FACILITIES AS AN ALLOWED USE BY SPECIAL USE PERMIT IN THE AGRICULTURAL, A-1 ZONING DISTRICT.



**BOARD OF SUPERVISORS**  
County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 11-2024**

**A RESOLUTION OF INTENTION TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-4-2.2 TO REMOVE UTILITY SCALE SOLAR GENERATION FACILITIES AS A USE ALLOWED BY SPECIAL USE PERMIT IN THE AGRICULTURAL, A-1 ZONING 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 Board of Supervisors pursuant to § 15.2-2285 of the Code of Virginia; and

**WHEREAS**, in accordance with § 22-20-1 of the Zoning Code, the Board of Supervisors can adopt a resolution of intention to amend the Zoning Code which resolution upon adoption shall be referred to the Planning Commission; and

**WHEREAS**, the Board of Supervisors desires to propose an amendment to the Zoning Code by amending § 22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District; and

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

**NOW, THEREFORE, BE IT RESOLVED**, the Board of Supervisors proposes an amendment to the Zoning Code by amending § 22-4-2.2 to remove utility scale solar generation facilities as a use allowed by special use permit in the Agricultural, A-1 Zoning District.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at a meeting of the Board held on the 6th day of March 2024:

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Christopher Fairchild, Cunningham District	X					
D. Mike Goad, Fork Union District	X				X	
Timothy M. Hodge, Palmyra District	X					X
Anthony P. O’Brien, Rivanna District		X				
John M. Sheridan, Columbia District	X					

Attest:

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Christopher Fairchild, Chair  
Fluvanna County Board of Supervisors