



**Board of Supervisors
County of Louisa
Monday, July 1, 2024
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Adams called the July 1, 2024, meeting of the Louisa County Board of Supervisors to order at 5:00 p.m.

Board Member Name	District	Status	Arrived
Duane A. Adams, Chairman	Mineral District	Present	5:00 PM
Tommy J. Barlow, Vice Chairman	Mountain Road District	Present	5:00 PM
Fitzgerald A. Barnes	Patrick Henry District	Present	5:00 PM
Christopher C. McCotter	Cuckoo District	Present	5:00 PM
H. Manning Woodward, III	Louisa District	Present	5:00 PM
R.T. Williams	Jackson District	Present	5:00 PM
Rachel G. Jones	Green Springs District	Present	5:00 PM

Others Present: Christian Goodwin, County Administrator; Patricia Smith, County Attorney; Chris Coon, Deputy County Administrator; Wanda Colvin, Deputy County Administration/Director of Finance; Alexandra Stanley, Executive Assistant/Deputy Clerk; Linda Buckler, Director of Community Development; Tom Egeland, Deputy Director of Community Development; Griff Carmichael, Director of Human Resources; and Scott Raettig, Director of Information Technology

CLOSED SESSION

On the motion of Mr. Barlow, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with §2.2-3711(A) and -3712 (3) VA Code Ann., discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting, would adversely affect the bargaining position or negotiating strategy of the public body;
2. In accordance with §2.2-3711(A) and -3712 (5) VA Code Ann., discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community; and
3. In accordance with §2.2-3711(A) and -3712 (7) VA Code Ann., consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and
4. In accordance with §2.2-3711(A) and -3712 (8) VA Code Ann., Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

REGULAR SESSION

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to return to Regular Session at 6:00 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

Voter	Role	Vote
Tommy J. Barlow	Voter	Yes/Aye
Fitzgerald A. Barnes	Secunder	Yes/Aye
R.T. Williams, Jr.	Mover	Yes/Aye
Christopher C. McCotter	Voter	Yes/Aye
Duane A. Adams	Voter	Yes/Aye
Rachel G. Jones	Voter	Yes/Aye
H. Manning Woodward, III	Voter	Yes/Aye

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 1st day of July 2024, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, §2.2-3712 of the Code of Virginia requires a certification by the Louisa County Board of Supervisors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED on this 1st day of July 2024, that the Louisa County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Board of Supervisors.

ADMINISTRATIVE ITEMS - 6:00 P.M.

INVOCATION

Mr. Adams led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Barlow, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adopt the July 1, 2024, agenda with the following amendments:

- Added a discussion on a drought watch advisory to Information/Discussion Items
- Removed a Resolution Authorizing Contract with Motorola Solutions for the Procurement, Installation, and Integration of Equipment into the Existing Radio System and A Resolution to Approve and Award a Contract for Development of New Public Safety Radio Tower, Communications Equipment Shelter, Generator, UPS, and Site Development from Consent Agenda to New Business/Action Items.

MINUTES APPROVAL**Board of Supervisors (BOS) - Regular Meeting – June 17, 2024**

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to approve the minutes of the June 17, 2024, regular meeting.

BILLS APPROVAL**Resolution – To Approve the Bills for the Second Half of June 2024**

On the motion of Mr. Barnes, seconded by Mr. McCotter, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the second half of June 2024.

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. McCotter, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for July 1, 2024, as follows:

1. Resolution – To Proceed with the FY 2025 Lake Anna Wastewater Treatment Plant Upgrades and Fire & Rescue Boat Purchase Capital Projects
2. Resolution – Authorizing a Budget Supplement to Parks, Recreation, & Tourism for Virginia Tourism Corporation and Marketing Grant
3. Resolution – Authorizing the Louisa Fire & Emergency Medical Services Department to Proceed with Fiscal Year 2025 Rescue and Fire Apparatus Capital Project Purchases
4. Resolution – Approving of the County's Participation in the Proposed Settlement of Opioid-Related Claims Against Kroger and its Related Corporate Entities, and Directing the County Attorney and/or the County's Outside Counsel to Execute the Documents Necessary to Effectuate the County's Participation in the Settlements
5. Resolution – Appointing Patricia Smith as County Attorney

RECOGNITIONS**Recognition and Resolution – Recognizing Christian R. Goodwin for Receiving the Prestigious Leigh B. Middleditch, Jr. Award for Excellence in Economic Development**

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the Resolution – Recognizing Christian R. Goodwin for Receiving the Prestigious Leigh B. Middleditch, Jr. Award for Excellence in Economic Development.

Ms. Cauthen presented the prestigious Leigh B. Middleditch, Jr. Award for Excellence in Economic Development and Chairman Adams presented the framed resolution to Christian Goodwin.

PUBLIC COMMENT PERIOD

Chairman Adams opened the public comment period.

Ms. Vicky Harte, Louisa District, spoke about cultural eutrophication, the James River viability, and the need for an urgent care facility in the County.

Mr. Mitchell Sasser, Louisa District and The Central Virginian, appeared before the Board to talk about public notices returning to The Central Virginian.

Ms. Jennifer Christian, Mineral District, submitted an online speaker registration expressing her support for an indoor aquatic facility for swim teams and lap swimming in Louisa County.

With no one else wishing to speak, Chairman Adams closed the public comment period.

INFORMATION/DISCUSSION ITEMS

Discussion – Contract for Construction of a Synthetic Turf Field – Phase I

Mr. Chris Coon, Deputy County Administrator, provided a brief update to the Board on the construction of Phase I of the Synthetic Turf Field

Discussion – Amendments to ORD2024-08 – Growth Overlay Standards (Landscaping Buffering & Screening)

Mr. Coon stated staff has provided two options for a proposed amendment to the Louisa County Land Development Regulations, Division 5. Growth Area Overlay Standards, Section 86-123. Landscaping, buffering, and screening. The proposed amendment will give the Zoning Administrator the ability to waive or alter the planting requirements for (a) Commercial and civic uses; multifamily dwellings, provided the project meets the intent of the requirements.

Additionally, Subsection (b) Industrial uses, currently includes provisions for the requirements to be waived or altered by the Zoning Administrator. This is an administrative question that has come up several times since adoption of these regulations in February 2021. Most recently, this matter has been discussed during review of a civic project, where staff was unable to administratively approve any alternative planting options.

Resolution – Declaring a Drought Watch Advisory for the County of Louisa, Virginia

Ms. Pam Baughman, General Manager of the Louisa County Water Authority, stated in response to existing conditions and to increase public awareness of the potential for a significant drought the Virginia Department of Environmental Quality (DEQ) has issued a drought watch advisory for the Northern Piedmont Region, which includes: Greene, Madison, Rappahannock, Orange, Culpeper, Louisa, Spotsylvania, and Stafford counties.

She noted with this advisory, DEQ is sending notifications to all local governments, public water works and private sector water users who withdraw more than 10,000 gallons per day in the affected areas, and is requesting that they prepare for the onset of a drought event by developing or reviewing existing water conservation and drought response plans. Through the drought watch advisory, Virginia is encouraging localities, public and private water suppliers and self-supplied water users in the affected localities to voluntarily take steps to help protect current water supplies.

Ms. Baughman said the next stage after a drought watch would be a “drought warning,” which would be issued if conditions warrant. Water conservation and contingency plans that are already in place or have been prepared during a drought watch stage would begin to be implemented. In

accordance with the Virginia's Drought Assessment and Response Plan, water conservation activities at this Drought Watch stage would generally be voluntary. This does not preclude localities issuing mandatory restrictions if appropriate.

On the motion of Mr. Williams, seconded by Mr. Woodward, which carried by a vote of 7-0, the Board voted to declare a drought watch advisory for the County of Louisa, Virginia and urges its citizens to practice good stewardship of its water supply.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – Authorizing Contract with Motorola Solutions for the Procurement, Installation, and integration of Equipment into the Existing Radio System

The existing radio system serving Louisa County requires enhancements to improve critical communication capabilities. The installation of new equipment on the new East End Radio Tower is essential for the continuation and enhancement of countywide communication services.

Motorola Solutions has been identified as the sole source provider for the required equipment due to their compatibility with the existing system infrastructure. The procurement, installation, and integration of this equipment by Motorola Solutions will ensure seamless operation and integration into the existing radio system.

On the motion of Mr. McCotter, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to authorize the County of Louisa to enter a contract with Motorola Solutions for the procurement, installation and integration of necessary equipment into the existing radio system at the new East End Radio Tower.

Resolution – To Approve and Award a Contract for Development of New Public Safety Radio Tower, Communications Equipment Shelter, Generator, UPS, and Site Development

Request for Proposals (RFP) # ES-24-01 was issued on May 16, 2024, to solicit proposals for Development of New Public Safety Radio Tower, Communications Equipment Shelter, Generator, UPS, and Site Development. This solicitation was advertised on the County's website, on eVA (the Virginia Procurement website). Proposals were due by 3:30 p.m. on June 4, 2024, at the Louisa County Administration Building. Eight (8) proposals were received and Mountain Valley Tower Service, Inc. was deemed the most qualified and will meet the needs of the county.

On the motion of Mr. Barlow, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to authorize the County of Louisa to enter into a contract with Mountain Valley Tower Service, Inc. for Development of New Public Safety Radio Tower, Communications Equipment Shelter, Generator, UPS, and Site Development, so long as such contract is consistent with the Request for Proposals, and only after the County Attorney for Louisa County, Virginia approves such contract as to form.

Committee Reports

Mr. McCotter and Ms. Jones provided an update on the Litter Advisory Committee.

Board Appointments

(None)

County Administrator's Report

Mr. Goodwin reported that there were several reports and items of correspondence in the Board packet and reminded the Board of several upcoming events. He explained the sale of surplus property located in Ferncliff can be incorporated in the property auction put on by the Treasurer's Office that is scheduled for this fall. He also reminded the Board of the upcoming update to the County's Comprehensive Plan. He said in years past, the Board has appointed a pair of Board representatives and Planning Commission members to review the updates.

Chairman Adams said he will reach out to the Board and survey their interest and the Planning Commission will be asked the same.

PUBLIC HEARINGS**Ordinance – To Amend Chapter 86 Land Development Regulations – Division 2, Article VII. Agricultural and Forestal Districts – Review Request for Parcel Withdrawal – Gold Mine Creek Agricultural and Forestal District (ORD2024-03)**

Ms. Linda Buckler, Director of Community Development, said a proposal was submitted for Chapter 86 Land Development Regulations, Section 86-501 Districts Described to amend the Gold Mine Creek Agricultural and Forestal District by removing a maximum of ten (10) acres of Tax Map Parcel 15-28 (William Carson Coleman), at the owner's request.

The property is located on the west side of Route 687 (Daniel Road), north of Route 613 (Mansfield Road).

At a regular meeting of the Louisa County Planning Commission held June 13, 2024, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the proposed amendment to Chapter 86. Land Development Regulations - Division 2, Article VII. Agricultural and Forestal Districts, to remove a maximum ten (10) acre portion of tax map parcel 15-28 from the Gold Mine Creek Agricultural and Forestal District.

Chairman Adams opened the public hearing.

Mr. William Coleman, Mineral District/Owner, stated the purpose of the proposed amendment is to complete a division of the subject property for the owner's son.

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the proposed amendment to Chapter 86. Land Development Regulations - Division 2, Article VII. Agricultural and Forestal Districts, to remove a maximum ten (10) acre portion of tax map parcel 15-28 from the Gold Mine Creek Agricultural and Forestal District.

Ordinance – To Amend Chapter 86 Land Development Regulations – Division 2, Article VII. Agricultural and Forestal Districts – Removal of the Inez Agricultural and Forestal District (ORD2024-05)

Ms. Buckler stated a proposed amendment was submitted for Chapter 86 Land Development Regulations, Section 86-501 Districts Described to remove the Inez Agricultural and Forestal District. The purpose of the proposed amendment is due to insufficient acreage remaining to meet the core requirements after a district property owner requested to be removed from the Inez AFD at the September 6, 2024, renewal date.

At a regular meeting of the Louisa County Planning Commission held June 13, 2024, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the proposed amendment to Chapter 86 Land Development Regulations - Division 2, Article VII. Agricultural and Forestal Districts, Section 86-501 to remove the Inez Agricultural and Forestal District.

Chairman Adams opened the public hearing. With no one wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted approve the proposed amendment to Chapter 86 Land Development Regulations - Division 2, Article VII. Agricultural and Forestal Districts, Section 86-501, to remove the Inez Agricultural and Forestal District on the September 6, 2024, 10-Year review and renewal date.

Resolution – To Approve Conditional Use Permit – CUP2024-02 Virginia Electric and Power Company, Applicant/Owner; David Tomlinson, Agent

Mr. Tom Egeland, Deputy Director of Community Development and Ms. Sarah Marshall, Manager – State & Local Affairs for Dominion Energy, appeared before the Board to provide an overview of the Conditional Use Permit request.

Virginia Electric and Power Company requests the issuance of a conditional use permit for the revision and renewal of CUP2017-11, to allow for the continued operation of a spent nuclear fuel storage facility. The property is located at the end of Haley Drive (Route 700), approximately one mile north of the intersection of Kentucky Springs Road (Route 652) at the North Anna Power Station and is further identified as tax map parcel(s) 30-90 and 30-91, in the Cuckoo Election District.

At a regular meeting of the Louisa County Planning Commission held June 13, 2024, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the request of conditional use permit CUP2024-02, Virginia Electric and Power

Company, Applicant/Owner; David Tomlinson, Agent with the following fifteen (15) conditions:

1. Independent monitoring of the Independent Spent Fuel Storage Installation (ISFSI), Sealed Surface Storage Containers (SSSCs) and Nuclear Horizontal Modular Storage (NUHOMS) may be conducted at any time by order of the Louisa County Board of Supervisors and/or the Emergency Services Coordinator at the expense of Virginia Power or any successor owner. If a SSSC or NUHOMS integrity event occurs, Louisa County shall be promptly notified by Virginia Power as required by the North Anna Emergency Plan.
2. Virginia Power and any successor owner(s) will not accept any nuclear waste generated off the NAPS site.
3. No SSSCs or NUHOMS of the type or design that have experienced failure or problems shall be used.
4. Continued monitoring of the two (2) existing groundwater wells constructed under the terms of CUP5-96 will be conducted.
5. The Louisa County Board of Supervisors be furnished with any ISFSI, SSSCs and/or NUHOMS monitoring and reports of said monitoring. Virginia Power, or any successor owner(s), in its report to the Board of Supervisors about March 1 of each year, as required by the April 26, 1984, Agreement, shall include the following information:
 - a. SFSI activities completed in the last calendar year,
 - b. A summary of ISFSI and/or SSSC/NUHOMS monitoring results,
 - c. ISFSI activities planned for current year,
 - d. any significant unusual occurrences related to dry cask nuclear storage at North Anna ISFSI, and
 - e. an update on new technologies under consideration and/or that have been licensed by the U.S. Nuclear Regulatory Commission for use at nuclear dry storage facilities.
6. Virginia Power or any successor owner(s) shall obtain approval from the Louisa County Board of Supervisors of the method of decommissioning of the ISFSI upon the opening of a temporary or permanent nuclear waste storage facility.
7. Virginia Power or any successor owner(s) will ship said spent fuel to the temporary or permanent nuclear waste storage facility as soon as nuclear waste is accepted from NAPS.
8. Virginia Power and any successor owner(s) shall work with the Department of Energy or any other designated U.S. Governmental agency, the State Corporation Commission and Louisa County to expedite the prompt removal of all spent fuel and other nuclear wastes from Louisa County to be safely transported to be temporarily or permanently stored at the nation's nuclear waste repository. A committee composed of representatives of the parties will meet periodically with the U.S. Department of Energy or successor agency, the U.S. Nuclear Regulatory Commission, and the Virginia Congressional Delegation on the status of activities and legislation affecting spent fuel interim storage and disposal. This committee will provide an annual report to the Louisa County Board of Supervisors on the committee's activities and findings in the last calendar year, plans for the current year, and any significant events, which occurred on a national level. Virginia Power and/or any successor owner(s) will fund the activities of this committee.
9. Security shall be continuously provided at the main entrance to the North Anna Power Station to control vehicle access to the ISFSI.
10. Any reference to Virginia Power in this conditional Use Permit applies with equal effect to Virginia Electric and Power Company, all the owners of the North Anna Power

Station, Dominion Resources, Inc. now known as Dominion Energy, Inc, and any successor owner(s) or partial owner(s), of any of these entities.

11. Any violation of the above conditions may result in the revocation of the Conditional Use Permit by the Louisa County Board of Supervisors.
12. No Mixed Oxide Fuel to be stored at ISFSI.
13. A seven (7) year review schedule for renewal of CUP or shorter review period if desired by the applicant.
14. Virginia Power will comply with all applicable state and federal requirements for ISFSIs. Virginia Power will notify Louisa County in writing that federal, or state requirements have changed within thirty days of receipt of official notification of such changes.
15. This CUP supersedes CUP2017-11 and is for the maintenance of Pad #1, Pad #2, and Pad #3, and all common facilities associated with the ISFSI.

Chairman Adams opened the public hearing and the following individual(s) spoke:

- Ms. Vicky Harte, Louisa District

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. McCotter, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the request for conditional use permit CUP2024-02, Virginia Electric and Power Company, Applicant/Owner; David Tomlinson, Agent, with the above fifteen (15) conditions.

Resolution – To Approve Conditional Use Permit – CUP2024-03; County of Louisa, Applicant; Chris Coon, Deputy County Administrator/Agent; Holly Grove Volunteer Fire Department, Owner- Substantial Accord- 15.2-2232 Review Conformance with the Comprehensive Plan of a Planned Public Facility (Civic Use)

The County of Louisa, Applicant; Chris Coon, Deputy County Administrator/Agent; Holly Grove Volunteer Fire Department, Owner, request a 15.2-2232 review for conformance with the Comprehensive Plan of a planned Public Facility (Civic Use and Wireless Communication Facility), and the issuance of a conditional use permit for a Civic Use in accordance with Section 86-154 Permitted uses with a conditional use permit; and a Wireless Communication Facility >100 feet in height in accordance with Section 86-665 Permitted Uses table of Division 5. Telecommunications Regulations. The property is located on the east side of Route 635 (Factory Mill Road, immediately south of the intersection of Route 610 (Holly Grove Drive), and is further identified as tax map parcel 98-96, in the Mountain Road Election District.

At a regular meeting of the Louisa County Planning Commission held June 13, 2024, the Planning Commission found the request to be in substantial accord with the 2040 Louisa County Comprehensive Plan in accordance with Section 15.2-2232 of the State Code of Virginia; and voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the conditional use permit request of CUP2024-03, for a Civic Use in accordance with Section 86-154 Permitted uses with a conditional use permit; and a Wireless Communication Facility >100 feet in height in accordance with Section 86-665 Permitted uses table of Division 5. Telecommunications Regulations with the following fourteen (14) conditions:

1. Construction of the 195-foot-tall lattice tower with a 4-foot-tall antenna or its facility shall only take place Monday through Saturday from 7:00 AM to 7:00 PM.
2. All ground equipment shall be properly shielded from pedestrian view.
3. All exterior lighting at the wireless communication facility shall be designed and installed to mitigate light pollution to the surrounding areas and skies and shall meet the specifications of the International Dark-Sky Association (www.darksky.org).
4. The overall tower height shall not exceed 199 feet in height above ground level, which shall include any antennas and a lightning rod.
5. The facility shall be developed in accordance with an approved site plan and erosion and sediment control plan to be approved by the appropriate government agency. The applicant shall secure all necessary permits from the Louisa County Community Development Department.
6. Prior to issuance of a building permit for the facility, the applicant shall supply to the Community Development Department a copy of a FAA determination letter for the tower.
7. The FCC Licensee and affected carriers or service providers shall be responsible for immediately correcting any interference.
8. The color and lighting system for the tower facility shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Director of Community Development.
 - b. The tower shall not be lit, unless lighting is required by the Federal Aviation Administration (FAA).
9. The tower shall be structurally designed and built to permit the colocation of antenna arrays and related equipment.
10. The facility shall not be accessible to any unauthorized persons.
11. The applicant shall provide the County with an “as built” sealed report by a Registered Virginia Professional Engineer that the tower will support the designed loading to permit the colocation of antenna arrays and related equipment and be in compliance with ANSI/EIA/TIA 222-H (as amended).
12. Entrance permit and/or an approval letter shall be issued by the Virginia Department of Transportation prior to issuance of any building permits.
13. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.
14. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.

Chairman Adams opened the public hearing and the following individual(s) spoke:

- Ms. Vicky Harte, Louisa District

With no one else wishing to speak, Chairman Adams closed the public hearing and brought it back to the Board for discussion.

Mr. Barnes said he felt it was appropriate to acknowledge Congresswoman Abigail Spanberger’s assistance with the funding.

On the motion of Mr. Barlow, seconded by Ms. Jones, which carried by a vote of 7-0, the Board voted to approve the request of CUP2024-03; County of Louisa, Applicant; Chris Coon, Deputy County Administrator/Agent; Holly Grove Volunteer Fire Department, Owner –

Substantial Accord - 15.2-2232 Review- Conformance with the Comprehensive Plan of a planned Public Facility (Civic Use) and a Conditional Use Permit Request with the following fourteen (14) conditions:

1. Construction of the 195-foot-tall lattice tower with a 4-foot-tall antenna or its facility shall only take place Monday through Saturday from 7:00 AM to 7:00 PM.
2. All ground equipment shall be properly shielded from pedestrian view.
3. All exterior lighting at the wireless communication facility shall be designed and installed to mitigate light pollution to the surrounding areas and skies and shall meet the specifications of the International Dark-Sky Association (www.darksky.org).
4. The overall tower height shall not exceed 199 feet in height above ground level, which shall include any antennas and a lightning rod.
5. The facility shall be developed in accordance with an approved site plan and erosion and sediment control plan to be approved by the appropriate government agency. The applicant shall secure all necessary permits from the Louisa County Community Development Department.
6. Prior to issuance of a building permit for the facility, the applicant shall supply to the Community Development Department a copy of a FAA determination letter for the tower.
7. The FCC Licensee and affected carriers or service providers shall be responsible for immediately correcting any interference.
8. The color and lighting system for the tower facility shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Director of Community Development.
 - b. The tower shall not be lit, unless lighting is required by the Federal Aviation Administration (FAA).
9. The tower shall be structurally designed and built to permit the colocation of antenna arrays and related equipment.
10. The facility shall not be accessible to any unauthorized persons.
11. The applicant shall provide the County with an “as built” sealed report by a Registered Virginia Professional Engineer that the tower will support the designed loading to permit the colocation of antenna arrays and related equipment and be in compliance with ANSI/EIA/TIA 222-H (as amended).
12. Entrance permit and/or an approval letter shall be issued by the Virginia Department of Transportation prior to issuance of any building permits.
13. Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.
14. The Board of Supervisors or their designated representative shall have the right to inspect the site at any reasonable time without prior notice.

Ordinance – To Amend Chapter 86 Land Development Regulations – Technology Overlay District (TOD) – Section 86-333, Permitted Uses – Generally. And Section 86-334. Accessory Uses (ORD2024-04)

A proposal was submitted to amend Chapter 86. Land Development Regulations -Technology Overlay District (TOD) – Section 86-333, Permitted uses – generally, and Section 86-334. Accessory uses.

The purpose of the proposed amendment is to amend the Technology Overlay District (TOD) requirements of Section 86-333 Permitted uses - generally to “Permitted uses with the issuance of a conditional use permit;” and Section 86-334. Accessory uses to add language to support uses “with the issuance of a conditional use permit.” The proposed amendment also includes deletion of the assemblage of acreage that comprises three (3) adopted TOD sites, known as “Gum Spring,” “Shannon Hill,” and “Fisher Chewning,” and approved by Ordinance Resolution (ORD2023-6), made up of the following Tax Map Parcels 42-81 through 84, 86, 93; 42-14-12; 58-3, 17, 58-7-3; 71-1, 3; 79-10, 11, 12, 33, 34, 35, 36; 79-2-A and B; 96-39, 40, 43 through 47; 100-110 through 115, 117 through 121; 125, 129, 130; 100-2-A; and 101-9, 10.

At a regular meeting of the Louisa County Planning Commission held June 13, 2024, the Planning Commission voted that the public necessity, convenience, general welfare, or good zoning practice compels it to make a recommendation of approval to the Louisa County Board of Supervisors on the proposed amendments to Chapter 86. Land Development Regulations - Technology Overlay District (TOD) – Section 86-333, Permitted uses – generally, and Section 86-334. Accessory uses, as amended; and the deletion of the assemblage of acreage that comprises three (3) adopted TOD sites, known as “Gum Spring,” “Shannon Hill,” and “Fisher Chewning,” and approved by Ordinance Resolution (ORD2023-6), made up of the following Tax Map Parcels 42-81 through 84, 86, 93; 42-14-12; 58-3, 17, 58-7-3; 71-1, 3; 79-10, 11, 12, 33, 34, 35, 36; 79-2-A and B; 96-39, 40, 43 through 47; 100-110 through 115, 117 through 121; 125, 129, 130; 100-2-A; and 101-9, 10.

General discussion ensued regarding the removal of the TOD’s and how that may impact future development.

Chairman Adams opened the public hearing.

Mr. Eric Purcell, Louisa District, representative of Fisher Chewning, said he would like for his property to remain or the flexibility to remain in the TOD. He noted from a marketing perspective, it makes good planning sense for the property to remain in the TOD.

With no one else wishing to speak, Chairman Adams closed the public hearing.

Mr. Barnes motioned to adopt the proposed changes, except for Fisher Chewning and Duke Point and for those to remain in the TOD). Mr. Woodward seconded.

Back and forth discussion ensued between the Board and staff.

On the motion of Mr. Williams, seconded by Ms. Jones, which carried by a vote of 7-0, the Board agreed to table this item to the August meeting or first meeting in September.

ADJOURNMENT

On the motion of Mr. Barnes, seconded by Mr. Woodward, which carried by a vote of 7-0, the Board voted to adjourn the July 1, 2024, meeting at 7:19 p.m.

BY ORDER OF:
DUANE A. ADAMS, CHAIRMAN

BOARD OF SUPERVISORS
LOUISA COUNTY, VIRGINIA