



VIRGINIA SOLAR LAND USE NEWS OF NOTE
July 14, 2023

Moratorium | Augusta County

On June 28, the Board of Supervisors discussed a Planning Commission proposal to enact a solar moratorium until the county updates its Comprehensive Plan. However, the Board of Supervisors took no action on this proposal, as county attorney James Benkahla said that the Board does not have the authority to issue a moratorium, particularly one that targets a specific industry. In September, the Board of Supervisors will revisit a previously tabled vote to approve a Special Use Permit for Shenvalee Solar, a 3 MW, 25 acre solar facility. [Read more here](#) (subscription required).

Policy | Hanover County

On June 28, county staff presented a draft Policy on solar and land use to the Board of Supervisors. This proposed Policy sets forth detailed development standards for solar facilities, while referencing the county's character and resources. Already, Ameresco Solar is developing a 5 MW, 22 acre facility in the county. The proposed solar policy will officially go before the Planning Commission on July 20. [Read more here](#).

Solar | Town of Hurt (Pittsylvania County)

On July 5, the Town Council announced a proposal by Pivot Energy to develop a new solar facility at the Key Industrial park. The Special Use Permit application, which will be Pivot's second in the town, is expected to be filed "very soon." [Read more here](#).

Storage | Loudoun County

As the Planning Commission writes the new zoning ordinance, it is wrestling with how to include energy storage facilities, according to a [report](#) to the county's Transportation and Land Use committee. Storage is an intensifying issue in Loudoun, as Dominion is developing a [100 MW solar facility and a 50 MW storage facility](#) on the Dulles Airport property. The draft zoning ordinance currently defines industrial-scale energy storage facilities as having capacities of at least 600kWh. While the Planning Commission originally voted to allow energy storage by-right in some districts, county planners have now recommended hiring a consultant to help write the new rules. [Read more here](#).

Solar | Madison County

On July 5, the Board of Supervisors voted to deny a Special Use Permit and a rezoning for Springbrook Farm, a 59 acre facility developed by Louth Callan Renewables. Earlier, the Planning Commission voted to recommend rezoning and a Special Use Permit for the project. The developer estimated total county revenue of \$4.8 million over 35 years arising from the project, including money from the newly approved revenue share ordinance of \$1,400 per megawatt. There were several opinions voiced at the public hearing for the project, with both community members and Supervisors voicing different views. After the vote, Board Chairman R. Clay Jackson stated, "We've deferred this multiple times and it's just the wrong way to start an industry in Madison County." [Read more here](#) and [here](#).



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Ordinance | Mecklenburg County

In a closely watched vote, on July 10, the Board of Supervisors voted to approve a 2,325 acre cap on solar development in the county, measured by inside-the-fence acreage. At the hearing, most of the 19 people spoke in favor of the acreage cap, with strongly stated opposition to the cap coming from timber property owners. It is notable that the acreage cap means that only 0.56% of the county may be within the fence of solar developments. For comparison, on March 21 Pittsylvania County adopted an ordinance provision stating (alongside radius restrictions) that no more than 2% of the area within any single zoning district may be a solar facility (see our [March 24 Newsletter](#)). Many solar developers and industry observers, including some at the Mecklenburg hearing, have recommended strongly against placing “arbitrary” numerical limits on solar development in a county. Arguments against numerical limitations include that they are actually solar moratoriums in disguise and that they unduly tie the hands of local planners and elected decision makers, preventing them from making tailored case-by-case special use permit determinations. [Read more here.](#)

Solar | City of Norfolk

On June 27, City Council unanimously voted to approve an 8 MW, 35 acre solar facility developed by Community Power Group, which will be sited on a city-owned former landfill. Of the 8 MW, 5 MW will be dedicated to Community Solar. The City of Norfolk estimates \$3.6 million in lease revenue from Community Power Group over the 35-year lease. [Read more here.](#)

Ordinance | Northumberland County

On July 20, the Planning Commission will consider amendments to the solar ordinance which, among other aspects, will require a siting agreement between each project and the county, as well as a public hearing on the siting agreement if the facility exceeds 5 MW, landscape agreement and surety, and heightened decommissioning requirements. According to staff, if recommended for approval by the Planning Commission, the revised ordinance will go before the Board of Supervisors next month.

Any questions, or news for us to cover? Contact us. Jared Burden, jburden@greenehurlocker.com