



VIRGINIA SOLAR LAND USE NEWS OF NOTE

June 16, 2023

Solar | Town of Buchanan

TotalEnergies is looking to develop a 6 MW, 15-25 acre community solar facility in the town. As part of these preparations, the developer held a community meeting, where the major issue that emerged was traffic during construction. The developer is hoping to submit a Special Exemption Permit by the end of June. [Read more here.](#)

Solar | Charlotte County

A circuit court judge dismissed a challenge to Randolph Solar, an 800 MW, 4,500 acre facility developed by SolUnesco. This was the third suit brought by George Toombs in an attempt to halt the project, leading the judge to forbid Toombs' attorney from filing any future actions against SolUnesco or members of the Charlotte County Board of Supervisors without first having the complaint reviewed by a judge for legal sufficiency.

The Board of Supervisors approved a Conditional Use Permit ("CUP") for Randolph Solar in July of 2022, after a year of deliberation. That CUP included more than 40 conditions that Randolph Solar must meet. Toombs' complaint alleged that the CUP was illegal and contrary to his property rights. The judge noted several deficiencies in the pleading, and ultimately said that it was incumbent upon Toombs to "file a suit that was grounded in law and not done to harass or delay." Upon conclusion of the suit, an attorney for SolUnesco noted that the project will go forward, and that "the citizens of Charlotte County will receive extraordinary benefits and no longer will a disgruntled minority be able to usurp the authority of the majority in Charlotte County." [Read more here.](#)

Solar | Franklin County

Energix is preparing to resubmit a Special Use Permit application for Mountain Brook Solar, a 20 MW, 258 acre facility. Energix previously withdrew this proposal after negative community feedback, and a Planning Commission rejection, discussed in our [April 14 Newsletter](#). Changes expected in the new application include increases to the setback distance of the facility from public rights of way, protection of viewsheds, and distance between equipment and neighboring parcels. [Read more here.](#)

Ordinance | Henry County

The Planning Commission approved the addition to the solar ordinance discussed in our [May 26 Newsletter](#), which limits large scale solar facilities to 1% of the county's land mass. The addition will now go before the Board of Supervisors, and if approved, Axton Solar, a 200 MW, 435 acre proposal in development by Vesper Energy will no longer qualify. [Read more here.](#)

Solar | Louisa County

On June 8, the Planning Commission passed a motion to recommend a Conditional Use Permit for Louisa Solar 1, a 5 MW 44 acre shared solar facility developed by New Energy Equity. The application stated that the facility would produce between \$100,000 and \$352,000 in revenue for the county over its 35 year lifespan. Louisa Solar 1 was the 10th solar project to go before the Planning Commission, of which 7 have been recommended for approval. [Read more here.](#)

Solar | Augusta County

On June 13, the Planning Commission unanimously determined under VA Code 15.2-2232 that Shenvalee Solar, a 3 MW, 26 acre facility was not in accord with the county's Comprehensive Plan. [Read more here](#) (subscription required).

Any questions? Contact us. Jared Burden, jburden@greenehurlocker.com