



VIRGINIA SOLAR LAND USE NEWS OF NOTE

May 26, 2023

Amherst County

Energix has withdrawn its application for Piney River Solar, a 50 MW, 400 acre facility. Energix plans to resubmit the application with changes reflecting feedback it received from the public. In a statement, Energix said *"We are committed to working with the community to improve our project and make it harmonious with nearby land uses. We are confident that we will soon deliver American-made renewable energy to benefit the local economy and our environment."* [Read more here.](#)

Botetourt County

On Tuesday, May 23, the Board of Supervisors passed a solar ordinance, which will govern small-scale, minor scale roof, minor-scale ground, and utility scale solar energy facilities as permitted land uses. Please [contact us](#) with any further questions on this ordinance. [Read more here.](#)

City of Chesapeake

The Planning Commission voted to recommend approving two Special Use Permits ("SUP") for a 2 MW, 26.5 acre facility and a 5 MW, 38 acre facility, both developed by Apex Clean Energy. So far, the Planning Commission has approved 9 facilities in the city. The application will now proceed to the City Council for final approval. [Read more here.](#)

Franklin County

Energix has withdrawn its SUP application to construct Mountain Brook Solar, a 258 acre, 20 MW facility, after negative community feedback. Elianna Ginis, the project developer, said: "Mountain Brook Solar has taken feedback from the Franklin County Planning Commission and the community and will resubmit a SUP application for the project that aligns with this feedback." Mountain Brook Solar is the second solar facility SUP that Energix proposed in Franklin County, and later withdrew. [Read more here.](#)

Henry County

The Board of Supervisors has asked the Planning Commission to amend the solar ordinance. The amendments will limit the number of solar panels to 1% of the county's total land mass, or 2,400 acres total. Currently, 1,200 acres are in development stages, and an additional 600 acres proposed and in some stage of the approval process. This limitation is in addition to other restrictions, such as a 2.5% density requirement. [Read more here.](#)

Isle of Wight County

On May 18, the Board of Supervisors voted 4-1 to amend the solar ordinance. Changes to the ordinance limit the cumulative acreage of existing and proposed solar farms to 2% of the county's prime farmland, or a maximum of 2,446 acres. Currently, 72% of this is already taken up by six approved solar farms. [Read more here.](#)

The Board of Supervisors has delayed a vote on Prairie Solar, a 20 MW, 432 acre facility developed by Energix. The Planning Commission previously voted 9-1 to recommend approving Prairie Solar, and the final vote was scheduled for May 18. [Read More here.](#)

Madison County

The Planning Commission instituted another 30-day delay for the 59 acre Springbrook Farm, because several items were still missing from the SUP application. The previous delays were reported on in our [April 28 Newsletter](#). The Planning Commission will reconsider Springbrook Farm's application next month. [Read more here.](#)

Rockingham County

The Board of Supervisors voted to deny a SUP for Nectar Solar, a 19 acre 3 MW solar facility developed by Hexagon Energy. Tree removal and stormwater run-off were two issues cited for the denial, with Supervisor Sallie Wolfe-Garrison stating: "That decision was based solely off the requirement to clear cut the trees disregarding the fact that the landowner can indeed harvest the trees." The Nectar Solar SUP was previously denied by the Board of Supervisors in January. [Read more here.](#)

City of Staunton

After concerns from residents about the siting of the facility, City Council has tabled the consideration of the SUP for the 95 acre, 45.75 MW Staunton Solar project. As previously discussed in our [April 21 Newsletter](#), the Staunton Solar project was recommended for approval by the Board of Supervisors on April 20. [Read more here.](#)

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