



VIRGINIA SOLAR LAND USE NEWS OF NOTE
January 29, 2024

Solar Ordinance | Amherst County

On January 18, the Planning Commission approved proposed changes to the county's Solar Ordinance which impose a 2-mile radius restriction between solar projects and a panel coverage limit of 50-acres per project. The Board of Supervisors and Planning Commission will hold a joint public hearing on the ordinance amendment on March 19. [Read more here.](#)

Solar Ordinance | Augusta County

On January 24, the Board of Supervisors agreed, without voting, to ask the planning department to propose additional changes to the county's Solar Ordinance regarding reclamation of the land at the end of a solar facility's lifespan. The Supervisors are interested in potentially requiring return of topsoil to the site to ensure suitability for farming after decommissioning. This change would be in addition to the changes made to the ordinance in December. [Read more here.](#)

Solar | Buckingham County

On February 12, the Board of Supervisors will hold a public hearing for the Mountain Pine Arvonía projects, two 80-MW facilities developed by Hodson Energy. [Read more here.](#)

Solar Ordinance | Clarke County

On January 16, the Board of Supervisors unanimously voted to adopt amendments to the county's solar ordinance requiring any new solar facilities to be located within one mile of either of two pre-existing substations in the county. The new requirement essentially prohibits any additional solar development in the county, a situation sometimes referred to as "quasi-moratorium." [Read more here.](#)

Solar | Cumberland County

Hecate Solar has requested that the public hearing on its 150 MW project be postponed until March 12, stating that the company needed more time to work on the proposal. Hecate held a community meeting in December and was originally scheduled to be considered during the January 9 Board of Supervisors meeting.

In light of the incoming solar project proposal, the Board of Supervisors and Planning Commission are planning on reviewing the county's solar ordinance. Workshops are anticipated in late January or early February. [Read more here.](#)



Solar Ordinance | Town of Halifax

On January 10, the Town Council approved finalized amendments to the town zoning ordinance, which they had previously considered at the December meeting, that allow for solar facilities of less than one acre and 200 kW to be built in residential districts. The Council opted not to also allow larger projects (up to 5 MW) in these districts. The decision will prevent Energix from moving forward with its Crawford Road project, a 5 MW facility on a residential parcel. [Read more here.](#)

Solar | Isle of Wight

Palladium Energy's Moonlight Solar project, a 44 MW, 523-acre project, is currently on hold, upon request by the company. The Planning Commission had unanimously voted not to recommend approval of the project in November, and it has not been scheduled for consideration by the Board of Supervisors. [Read more here.](#)

Solar Ordinance | Town of South Hill

On January 8, the Town Council voted 4-3 to grant a maintenance easement for the Marrow Street Solar Farm, over a number of objections from town residents. The solar project is being developed as a "by right" use under the Town's old ordinance, which has since been changed to require special exemption permits for solar facilities going forward. The Town Council also voted to adopt a Solar Revenue Share Ordinance. [Read more here.](#)

Solar Ordinance | Tazewell County

On January 23, the Board of Supervisors and Planning Commission held a joint public hearing on a newly proposed solar ordinance. The proposed ordinance is in response to Energix's proposed large-scale solar project near Cavitt's Creek Park. A siting agreement for that project was also considered at the meeting. [Read the proposed ordinance and siting agreements here.](#)

VA General Assembly - 2024 Legislative Session

In Issue 24 we reported on HB 636, the widely anticipated "state preemption" bill that would wrest significant solar siting decision making from local jurisdictions; a companion bill has been introduced in the State Senate (SB 567). Additional bills of note have been introduced and are summarized here.

HJ 24 (Sponsor: Dan Helmer, D – House District 10)

This bill establishes a 13-member joint subcommittee for a one-year study of the Dillon Rule and its impact on Virginia's localities. The Dillon Rule states that localities may only exercise powers specifically granted to them by state law. The joint subcommittee will consider whether the Dillon Rule is a hindrance to the operation of modern local government and whether the Commonwealth shift to a "home rule" structure, which gives localities broad rule-making authority.



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HB 106/108 (Sponsor: Richard C. Sullivan, D – House District 6)

These bills seek to create a Shared Solar program for Appalachian Power's service territory. The program would be similar, but not identical, to the program currently available to Dominion customers. The program allows for customers to subscribe to off-site community solar facilities in exchange for a credit on their utility bill.

SB 253 (Sponsor: Scott A. Surovell, D – Senate District 34)

This bill amends provisions of the Shared Solar Program administered by Dominion to change the way the minimum bill is calculated and to increase program capacity to 450 MW. The bill also includes additional customer protections and provisions intended to ensure program affordability.

Have a tip to share? Contact us. Jared Burden, jburden@greenehurlocker.com