



VIRGINIA SOLAR LAND USE NEWS OF NOTE

SUMMER BATTERY STORAGE ISSUE

THE ONE BIG BEAUTIFUL BILL ACT

Last week, President Trump signed The One Big Beautiful Bill Act, which significantly curtailed the tax credits available to clean energy projects, including the clean electricity production credit under Section 45Y and the clean electricity investment credit under Section 48E of the Internal Revenue Code. At a first glance, energy storage projects would appear to fare relatively well under the bill – the accelerated phase-out of ITC credits does not apply to energy storage projects. However, stricter domestic content requirements and new FEOC – “foreign entity of concern” – rules may make it difficult to actually claim the tax credits.

BATTERY STORAGE ORDINANCE & PROJECT Surry County

On April 3, the Board of Supervisors unanimously approved a zoning ordinance amendment to allow battery storage facilities. BESS projects will be allowed agricultural and industrial districts by CUP. The ordinance requires 200-ft setbacks in agricultural districts and 75-ft in industrial districts, as well as a 25-ft non-combustible buffer, fire suppression systems and 65-decibel noise limit. [READ MORE.](#)

On June 23, the Planning Commission unanimously approved Clenera's request for a CUP and 2232 determination for its 320 MWh Bear Island Battery Storage facility. The project will cover approximately 10 acres and be surrounded by a 100-ft vegetative buffer.

[READ MORE.](#)

BATTERY STORAGE ORDINANCE Fauquier County

On April 10, the Board of Supervisors unanimously approved a zoning ordinance amendment for battery storage facilities. The ordinance takes a tiered approach: Tier 1 systems, up to 600 kWh, are permitted by-right as accessory uses in all zoning districts and Tier 2 systems, larger than 600 kWh, are permitted by SEP in Agricultural, Industrial Park, Industrial General and Business Park districts. The ordinance also requires 200-ft setbacks and a 50-ft landscaped buffer.

[READ MORE.](#)

BATTERY STORAGE PROJECT Fauquier County

On June 26, the Planning Commission unanimously recommended approval of Dominion's proposed BESS system, which is planned to be built adjacent to its Remington power plant. The proposal is for a 400 MWh BESS facility and a 230-kV substation.

[READ MORE.](#)

BATTERY STORAGE PROJECT Spotsylvania County

On June 25, Plus Power held a Community Meeting for its proposed Scarlet Energy Storage project. The BESS facility will occupy approximately 15 acres near Dominion's existing Chancellor substation.

[READ MORE.](#)

BATTERY STORAGE ORDINANCE Amherst County

On June 26, the Planning Commission introduced a draft battery storage ordinance, as directed by the Board of Supervisors in May. The proposed ordinance allows BESS facilities in the M-1 district as a special exception, with a 20-acre lot coverage limit and 150-ft setback requirement.

[VIEW THE DRAFT ORDINANCE HERE.](#)



VIRGINIA SOLAR LAND USE NEWS OF NOTE

BATTERY STORAGE PROJECT

Virginia Beach

On July 8, the City Council held a public hearing on a rezoning request and CUP for a BESS facility being developed by American Power Ventures. The Starling BESS Project is an 80 MW/320 MWh facility located on 25 acres off Windy Willow Court. The Planning Commission approved the request in a 9-2 vote on May 14th. [READ MORE.](#)

SOLAR & BATTERY STORAGE ORDINANCE

Albemarle County

On July 16, the Board of Supervisors will hold a public hearing on the Solar and Battery Storage Ordinance that was approved by the Planning Commission in January. The ordinance amends the current solar provisions to allow solar in Rural Areas by-right up to 21 acres of panels and by SUP for larger projects. It also adds battery storage facilities as an allowed use by SUP in Rural Areas and Industrial districts.

[VIEW THE DRAFT ORDINANCE HERE.](#)

BATTERY STORAGE PROJECT

Prince William County

On July 16, the Planning Commission will hold public hearings on two proposed battery storage systems being developed by Lightshift Energy. The projects are 90 MWh and 105 MWh and are both located in the Brentsville district, each within the Data Center Opportunity Zone and near existing substations. Staff has recommended approval of the projects.

[READ MORE.](#)

BATTERY STORAGE ORDINANCE

Fairfax County

Staff is in the process of drafting Zoning Ordinance amendments to address battery storage facilities. The current proposal allows large-scale battery energy storage systems (larger than 600 kWh) in all commercial, industrial, and the PDC and PTC zoning districts by Special Exception. Large-scale BESS would not be allowed in residential, PDH, PRC, PRM, PCC, or I-1 districts unless co-located with a substation or solar facility and would require special exception approval. Other proposed requirements include 100 to 200-ft setbacks, access to water supply, an Emergency Operations Plan and Decommissioning Plan, and submission of a noise study. Staff will be hosting virtual community meetings on the proposed ordinance amendments on July 21 & 22.

[VIEW THE DRAFT ORDINANCE HERE.](#)



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