



County of Albemarle  
Community Development Department - Planning

**Bill Fritz**  
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December 21, 2022

Valerie Long  
Williams Mullen  
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[vlong@williamsmullen.com](mailto:vlong@williamsmullen.com)

**Re: SP202200014 Woodbridge Solar Substation & SP202200015 Woodbridge Solar Action Letter**

Dear Ms. Long,

The Albemarle County Planning Commission at its meeting, December 13, 2022, recommended approval of both of the above noted Special Use Permit applications by a vote of 6:0, for the reasons and conditions outlined in the staff report and with the changes to conditions 1, 3, and 14 and require third party monitoring of the vegetation management plan.

Staff are to approve qualifications of the third party and a report prepared twice per year for the first five years and annually after that. The decommissioning plan to include as built plans and development and updating of decommissioning plan to be done by qualified individuals.

The Planning Commission recommended approval by a vote of 6:0 to find that the facility proposed both of the above noted Special Use Permit applications is in substantial compliance with the Comprehensive Plan.

Please note that this recommendation is based on the following conditions:

1. Development and use must be in general accord with the plans prepared by Timmons Group titled "Woodridge Solar" dated 9/12/22 (hereinafter "Concept Plan") and included as Attachment C, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Concept Plan:
  - a. Location of solar development envelopes,
  - b. Location of equipment yard, and
  - c. Retention of wooded vegetation in stream buffers

Land disturbance, which includes but is not limited to grading, excavation, filling of land, the felling of trees, and the removal of tree stumps, shall be limited to the areas within the proposed fence area as shown on the Concept Plan or necessary to implement the Vegetation Management Plan. The location of the proposed entrance and access to the solar facility shall not be subject to this condition.

Minor modifications, with the approval of the Zoning Administrator and the Director of Planning, to the Concept Plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, and State or Federal laws.

2. Landscaping and screening locations must be substantially the same as shown on the Concept Plan. Additional landscaping and screening may be required during site plan review if required for compliance with the screening provisions of Chapter 18 of the Code of Albemarle. Planting materials shall be determined by The Agent during site plan review as provided for in Chapter 18 of the Code of Albemarle.

3. All inverters and solar panels must be set back at least two hundred (200) feet from exterior property lines and rights-of-way.
4. The applicant must submit a decommissioning and site rehabilitation plan (hereinafter "Decommissioning Plan") with the building permit application that must include the following items:
  - a. A description of any (e.g. lease) with the landowners regarding decommissioning;
  - b. The identification of the party currently responsible for decommissioning;
  - c. The types of panels and material specifications being utilized at the site;
  - d. Standard procedures for removal of facilities and site rehabilitation, including recompacting and reseeding;
  - e. An estimate of all costs for the removal and disposal of solar panels, structures, cabling, electrical components, roads, fencing, and any other associated facilities above ground or up to thirty-six (36) inches below grade or down to bedrock, whichever is less;
  - f. An estimate of all costs associated with rehabilitation of the site; and
  - g. Provisions to recycle materials to the maximum extent possible.

The Decommissioning Plan must be prepared by a third-party engineer and must be signed off by the party responsible for decommissioning, and all landowners of the property included in the project. The Decommissioning Plan shall be subject to review and approval by the County Attorney and County Engineer and shall be in a form and style so that it may be recorded in the office of the Circuit Court of the County of Albemarle.

7. Prior to issuance of a grading permit, the Decommissioning Plan must be recorded by the applicant in the office of the Circuit Court of the County of Albemarle.
8. The Decommissioning Plan and estimated costs must be updated every five years, upon change of ownership of either the property or the project's owner, or upon written request from the Zoning Administrator. Any changes or updates to the Decommissioning Plan must be recorded in the office of the Circuit Court of the County of Albemarle.
9. The Zoning Administrator must be notified in writing within 30 days of the abandonment or discontinuance of the use,
10. All physical improvements, materials, and equipment (including fencing) related to solar energy generation, both above ground and underground, must be removed entirely, and the site must be rehabilitated as described in the Decommissioning Plan, within 180 days of the abandonment or discontinuance of the use. In the event that a piece of an underground component breaks off or is otherwise unrecoverable from the surface, that piece must be excavated to a depth of at least 36 inches below the ground surface.
11. If the use, structure, or activity for which this special use permit is issued is not commenced by DATE 3 YEARS AFTER APPROVAL BY THE BOARD OF SUPERVISORS, the permit must be deemed abandoned and the authority granted thereunder shall thereupon terminate.
12. The facility must be meet the requirements contained in Chapter 18, Section 4.14 of the County Code.
13. Products used to clean panels are limited to water, and biodegradable cleaning products.
14. No above ground wires except for those associated with the panels and attached to the panel support structure, those associated with tying into the existing overhead transmission wires, and to allow above ground wires to avoid impacting wetlands or stream buffers.
15. Prior to activation of the site the applicant must provide training Fire/Rescue. This training must include documentation of onsite materials and equipment, proper firefighting and life saving procedures and material handling procedures.

16. The property owner must grant the Zoning Administrator, or designee, access to the facility for inspection purposes within 30 days of the Zoning Administrator requesting access.
17. Outdoor lighting for the facility shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire must be fully shielded as required by section 4.17; provided that these restrictions shall not apply to any outdoor lighting required by state or federal law.
18. The project must achieve VA Pollinator-Smart Certification as contained in the Virginia Pollinator-Smart Solar program.
19. Until commencement of decommissioning, plantings and vegetation management on the site must be in general accord with the "Woodridge Solar Facility Vegetation Management Plan," prepared by Timmons Group, and dates September 2022.
20. During or after grading of the site and prior to planting and seeding, soil amendments as recommended in the Vegetation Management Plan must be applied to all areas of the site to be planted or seeded.
21. Require 3<sup>rd</sup> party monitoring of the Vegetation Management Plan. County to approve qualifications of the 3<sup>rd</sup> party. Reports prepared twice per year for the first five years and annually after that.
22. Decommissioning Plan to include as built plans.
23. Development and updating of decommissioning plan to be done by qualified individuals.

Should you have any questions regarding the above-noted action, please contact me.

Sincerely,  
William D. Fritz, AICP  
Development Process Manager  
Planning Division

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