

Current review procedures, review criteria and submittal materials

Solar energy systems are permitted by special use permit in the Rural Areas. The use is not permitted in any other district. The process for special use permits is outlined in our zoning ordinance and includes the following:

1. Preapplication Meeting – In this meeting, the applicants will present an overview of their proposed project and receive guidance from staff regarding the process and recommended information to be included with the application.
2. Application Review – The site review committee, consisting of internal staff and external agencies, reviews the application to provide comments for the applicant. There may be multiple reviews on an application throughout the process depending on the number of resubmissions to address comments and concerns that have been identified in prior reviews. The County’s zoning ordinance identifies the following factors to be considered when reviewing a special use permit application:
 - a. *No substantial detriment.* Whether the proposed special use will be a substantial detriment to adjacent parcels.¹
 - b. *Character of the nearby area is unchanged.* Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.
 - c. *Harmony.* Whether the proposed special use will be in harmony with the purpose and intent of this chapter, with the uses permitted by right in the district, with the applicable provisions of section 5, and with the public health, safety, and general welfare (including equity).
 - d. *Consistency with the Comprehensive Plan.* Whether the proposed special use will be consistent with the Comprehensive Plan.
3. Community Meeting – A community meeting is coordinated with the applicant so that adjacent property owners have an opportunity to learn more about the proposed project and ask questions of the applicant.
4. Planning Commission Public Hearing
5. Board of Supervisors Public Hearing

Staff has prepared a list of recommended items to be included with an application for a solar energy system. This list is shared with applicants and reviewed each time an application is submitted. The list of recommended items has been updated with information learned following each application that the County has received.

Recommended Information to Include in Solar Energy System Applications

1. To be shown on the conceptual plan:
 - Location of all improvements – panels, access, battery storage, inverters,

¹ **Substantial Detriment** means changes or effects which would, individually or in the aggregate (and after giving effect to any reasonably expected proceeds of any divestiture or sale of assets), result in, or be reasonably likely to result in, a Company Material Adverse Effect...<https://www.lawinsider.com/>

- transmission lines, substations, grid interconnection or any other features.
 - Height of all improvements.
 - Anticipated power generation/storage capacity.
 - The size of the site and area devoted to all improvements.
 - Location of critical slopes (we recommend that the project area avoid critical slopes)
 - Topography
 - Stream buffers (based on county Water Protection Ordinance), FEMA-designated 100-year floodplains, and limits of wetlands.
 - Conceptual grading and ground disturbance.
 - Limits of disturbance and limits of fenced panel areas
 - Existing and/or proposed vegetated buffers – where the proposed setback/buffer is no longer vegetated (or has low-growing vegetation), the conceptual plan should show conceptual landscaping with native tree species that will provide an effective visual buffer.
 - Fence locations and designs.
 - Setbacks
 - Location and character of connections to new substation or transmission lines
 - If there is will be a defined lease area for the project outside of which solar-related uses will not occur, that should be shown on the plan.
 - Conceptual plan(s) should show existing and proposed vegetation lines – i.e., what areas of each general vegetation type (open land, pine plantation, hardwood forest) will be cleared/converted, and which will be retained or preserved.
 - Proposed wildlife corridors.
 - Soils study showing all soil types. The study may be supplemented with soil cores or cross sections showing depths of topsoil and subsoil in representative areas. Areas of prime, locally important, and unique soils (as identified in the Comprehensive Plan) must be identified and area of disturbance shown.
2. A floodplain study (in accord with Zoning Ordinance section 18-30.3.13.C.1(a).
 3. A planting and vegetation-management plan for the solar-array envelopes and disturbed areas within the proposed facility.
 4. Visibility analysis covering at views from public roads, nearby dwellings/businesses, agricultural/forestral districts, properties subject to conservation easements and an analysis of visual impacts on historic and scenic resources. This analysis should include photosimulations from identified viewpoints. Viewpoints should be chosen to represent views from public roads, protected lands, and historic/cultural resources areas and sites.
 5. Noise-generation information on switching equipment, inverters, and any other noise-producing equipment should be included in the application
 6. Decommissioning plan (and description of what is involved). This shall include remediation of the site and proposals to remove all materials from the site and dispose of/recycle all materials.
 7. A construction phasing plan which shall include the following:
 - The anticipated life of the project;
 - The phasing of the project's construction, including any off-site improvements;
 - When the project is estimated to be complete.

8. A report (with descriptions and locations) on any historic or cultural resources located on the property.
9. A report on the potential impacts on wildlife and wildlife habitats on the site.
10. A glint and glare study that demonstrates conducted by qualified individuals using appropriate and commonly accepted software and procedures.
11. Information for Albemarle County emergency services providers on fire and/or materials hazards associated with the facility.
12. Information on maintenance to include processes and materials used to clean and maintain solar panels.
13. Information detailing the adequacy or need to upgrade or construct electric transmission facilities (power lines/substations). If upgrades or new facilities are required, then concurrent applications are recommended.
14. A report of impact on adjacent property values prepared by a qualified third-party.
15. An economic impact analysis prepared by a qualified third-party that reports any expected change in the value of the subject property, expected employment during the construction of the facility, any expected impact on the county's tax revenues, the estimated costs to the county associated with the facility in the form of additional services, and information on any other economic benefits or burdens from the facility