

COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

AGENDA TITLE: ZTA 2023-01 Commercial Solar	AGENDA DATE: July 16, 2025
SUBJECT/PROPOSAL/REQUEST: To establish regulations for solar energy facilities and battery energy storage facilities.	STAFF CONTACT(S): Richardson, Herrick, Tevendale, Fritz
SCHOOL DISTRICT: Not applicable	PRESENTER (S): Bill Fritz

BACKGROUND:

The Planning Commission (PC) held a public hearing on January 14, 2025, and by a vote of 6:0 (Moore absent) recommended approval of ZTA 2023-01 Commercial Solar.

DISCUSSION:

The proposed ordinance establishes regulations for solar energy facilities and battery storage facilities. As summarized in Attachment A, the proposed ordinance would allow accessory solar and battery energy storage as a by-right use in all zoning districts, would require a special use permit for large scale solar facilities in the Rural Areas zoning district and Industrial districts, and would establish regulations, setbacks, and screening requirements.

The PC stated concerns about the impact of by-right facilities on sensitive areas including forested areas, high value habitat areas, areas of biodiversity, historic districts, viewsheds, and important farmland soils. The PC noted that existing mapping and definitions for these areas are limited. The PC also noted that approximately 25% of the County is currently protected by some form of conservation easement, which may limit the placement of solar facilities. The PC expressed concern with the proposal to allow 21-acre disturbance in the Rural Areas zoning district until more clarity could be documented to guide future by-right developments in sensitive areas.

In response to the PC's concerns, staff revised the proposed ordinance to limit (a) by-right facilities in the Rural Areas zoning district to 21 acres of fenced area and (b) disturbance of more than 10 acres of (i) habitat cores, forest blocks, and corridors connecting habitat areas (as these features are identified in the Comprehensive Plan/Biodiversity Action Plan), (ii) prime farmland (as determined/identified by the United States Department of Agriculture's Natural Resources Conservation Service), and/or (iii) areas recently farmed preceding an application (i.e., within the last 10 years).

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached ordinance (ZTA 2023-01 Commercial Solar).

ATTACHMENTS:

- A – Planning Commission staff report
 - Attachment A1- Proposed Ordinance
 - Attachment A2- Public comments received on draft distributed December 19, 2024
- B – Planning Commission action letter
- C – Planning Commission minutes
- D – Comments received after preparation of Planning Commission staff report, distributed to Planning Commission on January 14, 2025
- E – Map showing location of transmission lines, forest blocks and conservation easements
- F – Public comment received for the Board meeting
- G – Proposed Ordinance for adoption of ZTA 2023-01 Commercial Solar.