



# Albemarle County

## Legislation Details (With Text)

**File #:** 17-185      **Version:** 1      **Name:**  
**Type:** Zoning Text Amendment      **Status:** Passed  
**File created:** 2/1/2017      **In control:** Board of Supervisors  
**On agenda:** 4/5/2017      **Final action:** 4/5/2017  
**Title:** ZTA2016-07: Utility-Scale Photovoltaic Generation Facilities  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Attach.A Resolution of Intent

Date	Ver.	Action By	Action	Result
4/5/2017	1	Board of Supervisors	adopted	Pass

**AGENDA DATE:** 4/5/2017

**TITLE:**  
ZTA2016-07: Utility-Scale Photovoltaic Generation Facilities

**SUBJECT/PROPOSAL/REQUEST:** Resolution of Intent to amend the Zoning Ordinance to allow for the siting, development, construction, operation, integration and decommissioning of utility-scale photovoltaic generation facilities (large-scale solar energy systems).

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Walker, Kamptner, Blair, Graham, Gast-Bray, Maliszewski

**PRESENTER (S):** Margaret Maliszewski

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Douglas C. Walker

**BACKGROUND:** SolUnesco wishes to develop an 11 megawatt photovoltaic solar energy generation system in Albemarle County. The current zoning ordinance allows for the transmission and distribution of energy, but not the generation of energy. Consequently, a zoning text amendment (ZTA) is required to allow the use.

**STRATEGIC PLAN:**

Natural Resources: Thoughtfully protect and manage Albemarle County's ecosystems and natural resources in both the rural and development areas to safeguard the quality of life of current and future generations.

Rural Areas: Preserve the character of rural life with thriving farms and forests, traditional crossroad communities, and protected scenic areas, historic sites, and biodiversity.

**DISCUSSION:**

ORIGIN: SolUnesco, a developer of large-scale solar energy projects, has filed this ZTA request.

PUBLIC PURPOSE TO BE SERVED: Renewable energy production can serve the public through reducing

the use of fossil fuels and related emissions, which in turn preserves natural resources. Alternative energy use is consistent with Albemarle County Comprehensive Plan policy in the following ways: 1) Renewable energy production is consistent with Natural Resources Objective 8, which calls for the recognition of changes occurring to the earth's climate and to anticipate and mitigate impacts to the County; 2) Renewable energy production is consistent with the recommendations of the 2010 Local Climate Action Planning Process (LCAPP) Steering Committee (which included County representatives), which were approved by the Board in 2011. That Committee recommended promotion of wider awareness and adoption of cleaner sources of electrical energy, including solar photovoltaic. More generally, LCAPP recommended the identification and promotion of steps that enable the community to reap the health, economic and environmental benefits that accompany sound energy-based decisions. Renewable energy production is consistent with the Community Facilities Objectives 7 and 10, which call for decreasing greenhouse emissions and support of private electric service.

**ADMINISTRATION/REVIEW PROCESS:** Staff believes that the applicant's request can move forward most efficiently if the ZTA is limited to the following two amendments to the Zoning Ordinance: 1) the addition of utility-scale photovoltaic energy generation as an allowable use by Special Use Permit in the Rural Areas zoning district, and 2) the addition of a definition of utility-scale photovoltaic generation facility. Following adoption of the ZTA, staff would review the applicant's Special Use Permit (SP) request. Among the potential issues to be studied in that review are: visibility and screening, glare and reflectivity, reversibility, stormwater runoff, tree and habitat loss, noise, setbacks, security fencing, impacts to natural, cultural, and historic resources, and impacts to agricultural/forestral uses. Also included in the review will be consideration of the standards outlined in the Comprehensive Plan for new uses in the Rural Area. A community meeting will be held as a standard requirement of the SP process, and the applicant has been encouraged to facilitate the process by beginning to contact neighbors and interest groups directly.

**HOUSING AFFORDABILITY:** No impacts on affordable housing are anticipated as a result of this amendment.

**BUDGET IMPACT:** There is no anticipated need for additional staff or funding to complete this work. Staff believes that this will require a limited amount of staff time and that the work can be done without delaying any of its current priorities. As staff time is fully allocated in the current year, this work potentially creates a very small delay in starting other new initiatives

**RECOMMENDATION:**

Staff believes that the zoning text amendment has merit and recommends that the Board adopt the attached Resolution of Intent (Attachment A). Staff will assume approval of the Resolution of Intent serves as Board agreement to prioritize this initiative.

**ATTACHMENTS:**

A: Resolution of Intent