

**Albemarle County Planning Commission
Final Minutes Work Session February 28, 2023**

The Albemarle County Planning Commission held a work session on Tuesday, February 28, 2023, at 4:00 p.m.

Members attending were Corey Clayborne, Chair; Fred Missel, Vice-Chair; Julian Bivins; Luis Carrazana; Karen Firehock (arrived at 4:05 pm); and Lonnie Murray

Members absent:

Other officials present were Kevin McDermott, Interim Director of Planning; Andy Herrick, County Attorney's Office; Bill Fritz; Alberic Karina-Plun and Carolyn Shaffer, Clerk to the Planning Commission (via Zoom).

Ms. Shaffer was present electronically via Zoom call.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Clayborne established a quorum.

Work Session

a. ZTA202300001 Commercial Solar

Mr. Bill Fritz said that the Albemarle County Board of Supervisors had funded a study with a consultant, the Berkley Group, to develop commercial solar regulations. He introduced Mr. Michael Zehner to give the presentation.

Mr. Michael Zehner said that he was the director of planning and community development with the Berkley Group. He said that there was a growing interest in development of solar facilities in the County, and they had been engaged to assist the County in developing a better understanding of the land use issues particular to solar energy, and how those issues may be better addressed through regulations, permit review, and procedures. He said that he would give an overview of land use regulations for solar generation facilities with a focus on the County's current approach.

Mr. Zehner said that the goals for the session were to identify aspects of solar facility development or regulatory topics where the Commission needed additional information, to understand Commission perspectives with regard to potential opportunities or areas of concern resulting from the development of solar facilities, and to receive input from the Commission on potential regulatory provisions.

Mr. Zehner said that the other staff of the Berkley Group included Lindsay Edwards and Luke Peters, Environmental Planners, Nadya Syazsa as intern, and Darren Coffee had helped engage with staff and prepare materials. He said that Mr. Coffee had previously worked with Mecklenberg County and created an American Planning Association Planning Advisory Services Memo on planning for utility-scale solar facilities.

Mr. Zehner said that in addition, APA and ICMA had developed a joint solar and scale guide in the past few years through a USDE grant. He said that Mr. Coffee served as a peer reviewer for that material, and they had both worked as presenters for modules of that education webinar course. He said that they worked with other localities to develop solar and wind projects in Virginia, and he hoped that the experience would translate to what they would be discussing today.

Mr. Zehner said that discussions about utility-scale solar, they were generally discussing a facility that was intended for commercial production of electricity for distribution to the electrical grid. He said that these facilities usually were either medium scale, between 1Megawatts to 5MW, or large-scale, greater than 5MW. He said that a rule-of-thumb was that it required 10 acres to generate 1MW, and the more variation in topography of the site, the more acreage it would require. He said that accessory solar was not a focus of this topic but it was important that they did not preclude those options in case the County decided to encourage it.

Mr. Zehner said solar facility components include the panels and racking, inverters, the substation, switchyard, generator lead lines, battery storage, and fencing.

Mr. Clayborne asked if a building was associated with any of the facility components.

Mr. Zehner said sometimes there was a maintenance building, or batteries could be stored inside of a building but usually were stored in prefab trailers. He continued to say that the national context was that there was a large growth in renewables, especially solar, which was the fastest-growing energy source in the world. He said that the U.S. capacity had grown from two gigawatts in 2010 to approximately 130GW installed in the first half of 2022. He said that this increase was due to several factors, including decrease in cost, private sector demand, instability in cost and availability of fossil fuels, state policies and incentives, and economic and financial opportunity.

Mr. Zehner said that within the state of Virginia, there was similar growth in installed solar capacity, going from 17MW in 2014 to 3,845MW in 2022. He said that in 2018, the Virginia Energy Plan targeted to have deployed 3,000MW of solar and wind by 2022 and 5,500MW by 2028, and the 2020 Clean Energy Act required Dominion Energy and AEP to produce 100% of electricity from renewable sources by 2045 and 2050, respectively. He said that the images shown on the slide were from a Virginia solar survey performed by the Virginia Department of Energy and UVA; the top image showed the locations of active facilities of 5MW and greater in the state as of December 2021, and the bottom image showed the annual growth in generation and capacity since 2015.

Mr. Missel asked if the number of energy providers had roughly the same increase in percentage. He said that he would assume that some of the established groups were growing.

Mr. Zehner asked if Mr. Missel was referring to the energy providing companies such as Dominion.

Mr. Missel said that he was referring to developers such as Hexagon.

Mr. Zehner said that there were consistent developers throughout the state, but they were beginning to see new ones, along with out-of-state and international companies arriving. He said that a few companies based out of Charlottesville were quite active, and while they had not tracked it, it was likely that it was growing.

Mr. Clayborne asked if there was a rule-of-thumb for how many homes were served per Megawatt generated.

Mr. Zehner said that he did not have that figure currently available, but he could provide it at a later time. He continued to say that there had been three projects permitted so far in Albemarle and one pending review. He said that they most often saw that the locality was the last to know about a potential project because companies lined up lease agreements privately before presenting the large project, and while it was not the most ideal way for things to be handled at the local level, it was generally how the business was engaged.

Mr. Bivins said that there was a recent project proposed on Jefferson Parkway. He asked if that project ever moved forward.

Mr. Fritz said that Mr. Bivins was referring to the Rivanna solar project, which was currently under site plan review and in the final stages for construction.

Mr. Zehner said that in addition to solar developers, there were utilities that were involved either as principal contractor or represented by a developer. He said that for sizable utility-scale projects, many were sold to Dominion, but he was unsure of the exact history of that practice. He said that from his company's perspective, they did not see many co-op projects, which were not subject to the same 100% renewable transition that Dominion and AEP were. He said that the co-ops lagged behind somewhat in that transition, but they were beginning to see them more.

Mr. Missel said that Hexagon provided something around 25% of the County's needs.

Mr. Zehner said that for the most part, all of the energy generated by utility scale was going into the transmission line of the structures, so it was impossible to say that it was being utilized locally. He said that they could equate it to being used locally, but could not confirm that, whereas co-ops were able to say that the energy they were producing locally was staying locally.

Mr. Carrazana asked if all of the facilities permitted in Albemarle thus far were over ten acres and if the topography affected that.

Mr. Zehner said yes, it was likely. He said that many of the localities they worked with had hilly terrain, but not as variable as it was in Albemarle County, so there may be a higher average in Albemarle.

Mr. Carrazana said that it would be interesting to look at Hexagon.

Mr. Zehner said that sometimes it depended on how one qualified the project area versus the fenced area.

Mr. Bivins said that there was a relationship between the principals with the Hexagon project that was different than the other ones.

Mr. Zehner said that if someone was leasing a part of a larger farm property, there became a question of if they should look at the lease area, the fenced area, or the size of the lot. He said that there was a lot of variation, and there may be areas of the project site that could not be developed due to characteristics such as wetlands.

Ms. Firehock said that the Hexagon project had significant stream buffers, buffers around the edge of the site to screen it, and adequate space for stormwater ponds and pond maintenance.

She said that they had claimed that it was different than other projects in that they had taken the time to sketch in everything that was needed.

Mr. Zehner said that it was recommended for such application components to be addressed. He said that solar at a utility scale was an intensive and unique land use. He said that they were ideally to be located on former industrial land or brownfields, but more often than not, due to land demands, availability, and cost, they were located on undeveloped, agricultural, timbered, or forested land. He said that because of their unique standards and intensity of developments, they required unique regulatory considerations based on identified best practices and specific areas of concern of the County.

Mr. Zehner said that a change in land use from a rural parcel to this use was competing against residential and industrial uses, but it was often seen that the parcels converted to utility-scale solar were not optimal for other uses, so solar was the highest and best use, which also meant that there was not a high value per acre. He said that some of the infrastructure, environmental, and visual concerns were the impacts to roadways and traffic safety, reduction of wildlife mobility, alteration of existing topography and terraforming, impacts to soil conditions, erosion, and sedimentation, impacts to water quality, removal of existing forested and agricultural areas, and potential for contamination.

Mr. Zehner said that visual impacts were of concern because of the rural character and scenic viewsheds that people wished to protect. The agricultural impacts included soil compaction, removal of topsoil, the use would occupy the land for up to 40 years, it may have impact on future reversion to agricultural uses, and alteration of site topography may impact stormwater flow and water infiltration.

Mr. Zehner said that another consideration as that there was an option for Agrivoltaics, which was the integration of solar generation with agricultural uses, which they had seen in a lot of localities, but not necessarily that used that name. He said that in many cases, someone wanted to lease a portion of their farmland to be developed for solar and they would actively farm the remaining portion.

Mr. Murray said that a potential conflict with including agricultural use with utility-scale solar was that agricultural uses were exempt from many regulations in the County, so layering the uses of agriculture and industrial must have a primary use that would govern the requirements of buffers and other water protection. He said that if it were to remove the buffer requirements, it may be better to do without agriculture.

Ms. Firehock said that a buffer requirement could be added for solar sites.

Mr. Zehner said that it was good to answer the question, because many localities had ordinances with one principal use per piece of property with allowed accessory uses, but in this situation, they were allowing for two principal uses.

Mr. Bivins said that it was split zoning.

Mr. Carrazana said that very few places allowed for two principal uses, and these types of sites would be classified as purely industrial because not much agriculture could be accomplished.

Mr. Zehner asked if Mr. Carrazana meant that in terms of use or in terms of the zoning.

Mr. Carrazana said that he was referring to the use.

Ms. Firehock said that a special use permit would change the zoning to industrial.

Mr. Zehner said that most communities were not changing zoning when solar projects were being developed, and were usually allowed in industrial, however not many projects were located in industrial-zoned property, and were most often located in rural, residential, and agricultural zoning. He said that communities acknowledged that in their policies this was more of an industrial use, yet due to land demands and reality, it would be located in a larger lot in a zoning district such as agricultural, rural, or residential.

28:35 Mr. Fritz stated [inaudible].

Mr. Murray said that he was shocked to see a large solar project going into Chesterfield that was going to destroy a site that was well-known to natural heritage as a state endangered site, with a long list of state imperiled and threatened species. He said that DCR had a database of all the rare species. He asked what the prevalence of use of this information was among localities so that habitat destruction could be avoided.

Mr. Zehner said that he could only speak to the advisement of his clients, and they looked at that database as well as several others when developing a project and staff were developing recommendations for a locality. He said that whether that became a primary concern for the elected body and Planning Commission was up to the locality. He said that it was possible that they could institute that as a finding for a permit.

Mr. Zehner said that in that case, they would not have a subjective regulation but findings such as endangered species listed or a valued natural resource, and based on the guidance it could be a qualification or consideration for a permit. He said that the limitation of development on that could be waived through the conditional use permit or special use permit process, whereas if it had more than 10%, essentially mandated through a finding that above 10% had to be excluded from a project.

Mr. Zehner said that stormwater management was a principal concern during development and during operations, and there were concerns about projects that had occurred throughout the state. He said the panels created semipermeable cover and soil compaction created infiltration coefficients similar to concrete. He said that stormwater and sediment basins were instituted in most projects but must be well-planned. He said that they encouraged the retaining of existing vegetation, enhancing setbacks from wetlands, restriction of total development until soil stabilization, and native and pollinator-friendly plantings.

Mr. Missel asked if maintenance plans were referred to in this information.

Mr. Zehner said yes, it was part of the information on best practices. He said that the state code mandated that, whether it was in regulations, permit, or siting agreement, that decommissioning be addressed, in order to cover the cost, decommission plan, disposal impacts, and disposal plan at the end of the project's lifespan. He said that requirements for applicants usually included a decommissioning plan, cost estimates, which were to be reviewed every five years of the project's duration, and bond or security.

Mr. Zehner said that potential for contamination had been brought up as a concern. He said that while it was not their area of expertise as land planners, they understood that panels contained hazardous materials, and that the biggest opportunity for those materials to contaminate the environment was when there was a damaged panel. He said that therefore from a maintenance perspective, it was important for damaged panels to be removed in a timely manner from the site. He said that battery energy storage systems contained lithium-based batteries, so there was concern about fire and explosion.

Mr. Zehner said that they recommended that there be frequent and ongoing training for fire and EMS personnel to ensure everyone knew how to extinguish these types of fires and making sure the system was designed well, with suppression incorporated within them. He said that they understood that there was a potential for zinc to leach into the groundwater from steel posts, and over the lifetime of a project, the only potential that could possibly have would be on the success of growing peanuts, but beyond that, they were unaware of any other information on the subject.

Mr. Clayborne asked if there was a greater risk of zinc leaching with the type of steel used.

Mr. Zehner said that the property was true of any zinc-coated steel. He said that the leaching occurred when there was corrosion involved and the zinc was leaching off of the steel.

Mr. Carrazana asked if the zinc would leach off of the panels themselves.

Mr. Zehner said that it had not been a recorded concern in their purview, but he could do additional research to find more knowledge on the subject. He said that economic and administration impacts must be considered because the solar utility was an income source and source of tax revenue. He said that there was potential for payments with a siting agreement with a developer and pursuit of an M&T tax or a revenue share. He said that these sizable utility development projects had the ability to significantly impact administrative staff, operations, inspectors, and other personnel in a locality and at the state level.

Mr. Zehner said that the existing regulations in the County were defined in the Albemarle County Zoning Ordinance, which defined the use "Solar Energy System" and allowed the use subject to a special use permit in specific zoning districts. He said that he recommended there be clearly defined regulations and standards to create consistency for all projects and provide predictability for developers, the County, and the public.

Mr. Missel asked if solar as a use was allowed in zoning districts other than rural areas.

Mr. Fritz stated commercial solar is a permitted use only in the rural areas.

Mr. Zehner said that the regulatory best practices for general and application procedures were to define the use, determine the zoning, establish procedures and minimum application content including special use permits and the 2232 review, create siting agreements, and revenue share. He said that they usually recommended the 2232 review, which was in reference to §15.22.32 of the Virginia State Code, and determined whether or not a utility project was in accordance with the comprehensive plan for a community.

Mr. Zehner said that usually they would recommend that that be a separate process before the Planning Commission to increase transparency about projects. He said that those reviews had previously been combined in the consideration of the special use permits, and there was rationale

to do it either way, but their view was the separation of the process allowed the public more time to digest what could be a significant project.

Mr. Zehner said that minimum development standards were meant to determine if minimum and maximum area of facilities or rated capacities, site coverage or percentage of open space, distances from towns or cities, distances from other facilities, and distances from identified natural, historic, cultural resources. He said that they could also determine street and property line setbacks specific to the use, minimum and maximum height, including the lowest edge of panels which should be no less than ten feet, and total density of facilities either County-wide or within a defined area.

Mr. Missel said that many of these standards were very site dependent. He asked if localities had created guidelines or standard requirements.

Mr. Zehner said that for most of the items, they had not, but some communities had created regulations for distances from towns.

Ms. Firehock asked what the standards were for floodplains.

Mr. Zehner said that the general standard was for them to not be developed and to be avoided.

Mr. Fritz said that floodplains were included under the important resources information.

Ms. Firehock asked if the distances to structures and property lines were distinguished when determining how far away the solar facilities should be.

Mr. Zehner said that the solar facility would not generate noise, so the biggest impact would be visibility.

Mr. Murray said that he was inclined to suggest there be a buffer around the edge so that sediment did not flow off the facility onto neighboring parcels.

Mr. Zehner said that was of value to both the quality of the site and in screening it from view. He said that in addition to transmission lines, the potential infrastructure included groundwater monitoring requirements, coordination with local emergency services, and maintenance of equipment. He said that addressing construction mitigation would include phasing timeline, storage, and transportation routes, and decommission.

Mr. Zehner said that these could be included as conditions, but they should consider what things were critical to the County and should be established as baseline requirements or other things that they wanted to institute flexibility for. He said that the other things may not be as important or not distinct enough to come up with a regulation, but should be included in conditions on particular projects.

Mr. Missel asked if Mr. Zehner had seen any opportunities where developers of these solar facilities had asked what could be done to help achieve climate action goals of localities as opposed to the limitations faced by them.

Mr. Zehner said that regardless of the context, that proactive engagement could lead to better outcomes and better projects. He said that no, they had not worked with many localities that were

proceeding in that manner, but it would certainly be encouraging. He said that from a climate action standpoint, in order to reduce the local impact, the co-ops may have the best and most immediate impact on that, so there may be opportunity there, and while Dominion also had the ability to do so, the nature of their operation and their generated electricity made it more complex as it went directly into the transmission grid.

Mr. Clayborne asked if there was any general discussion about the work session item.

Mr. Murray said that he saw a large challenge with the comprehensive plan's treatment of the rural areas as all being the same, while the growth areas were not treated as such. He said that they had done research on areas of high ecological integrity, large forest blocks, areas of prime agricultural soils, and areas that were known as agricultural or forestal districts, so in practice, the rural areas were not all the same, so they should differentiate those areas within the comprehensive plan. He said that explicit agricultural zoning was used in some localities and may be helpful in this case, as well as explicitly designated areas for solar use.

Mr. Murray said that in addition, the climate action plan came up a lot, but there was also a biodiversity action plan to be followed, and in referencing past correspondence with DCR, they usually recommended a buffer of 215 meters around any special natural heritage resources. He said that he recommended this as a starting point for the County, and there were also locally designated sites by the Natural Heritage Committee that should be considered.

Mr. Murray said that in regard to wetlands, there was a national wetlands database that could be referred to, and the way that the water ordinance was currently constructed did not require buffers around wetlands unless they were directly hydrologically connected to a river or stream. He said that he recommended that they consider including buffers around any wetland and not just those that were hydrological.

Mr. Zehner said that it was often that they suggested a 100-foot buffer from wetlands and bodies of water, and sometimes applicants would offer that as part of an application, or other times it was recommended as a condition by his firm, but either way was something that they agreed with.

Mr. Murray mentioned that the Natural Heritage Committee also applauded the pollinator-friendly initiatives.

Ms. Firehock said that the biodiversity action plan contained a map of forest blocks, and those large habitat corridors had already been evaluated by the County for soil diversity, prevalence of wetlands and other water features, and what species were in the areas and how they were ranked. She said that it was a model that was similar to the Virginia Natural Landscape Assessment created by DCR and refined for more precise use at one meter scale in Albemarle, but it was in need of updating. He said that something more unique may need to be written in order to protect access between those and not obliterating wildlife corridors, but they could be specific standards that still allowed for solar development without ignoring the resources documented by the County to this point.

Ms. Firehock said that she also supported having a buffer around streams and wetlands, as well as one around the roadside so that the wind gusts did not cause trees to fall along the road corridors. She pointed out that while steep slopes were mentioned in the presentation, all example sites were very flat. She said that there was a lesser steep slope standard for rural areas, so in terms of considering it a solar site or an agricultural site, she would rather it be considered a solar site

so that people did not adhere to agricultural standards for buffers, which were basically nonexistent.

Mr. Zehner said that for steep slopes, it was their usual recommendation for it to be part of the regulations or part of the permit conditions that they not develop anything greater than 15%, and they had not heard any concern about that limitation.

Mr. Murray said that they already had a critical slopes ordinance and a delineated slope map on GIS, so it seemed that they should stay out of those areas.

Ms. Firehock said that the two standards for slopes were managed and preserved slopes.

Mr. Murray said that the rural area standard was what should be adhered to and not the growth area of managed and preserved.

Ms. Firehock said that there were not many areas of flat land, especially around the development area, where the analyses had indicated that there was a lack of land for industrial uses, and it was unclear if those areas would be considered the highest and best use for the solar facility.

Mr. Zehner said that it was a challenge to have solar use on industrial land where it was not necessarily a long-term job creator either.

Ms. Firehock said that in addition to there being various soil types to be considered, there were different types of forests. She said that she would see issue with clearing a mature, hardwood forest over a 20-year-old rotated pine forest. She said that she was in support of the recent project in Scottsville because the site had been heavily impacted, and the developer's plan would actually help rehabilitate the site. She said that another concern from the Department of Forestry was the loss of forestry land to solar sites. She said the distinction of mature hardwood forests and timbered forestry land was important to make clear.

Mr. Murray said that they should ensure that land was not developed under the auspices of agricultural use and then used for solar facilities after that.

Ms. Firehock said that having waiting periods could stop that from happening.

Mr. Missel said that they should think about their uses and what they wanted to retain in terms of farmland and open space, or if they wanted everything to be allowed in the rural area, and how they planned to prioritize the areas if degraded. He said that in thinking of the climate action plan and the County's overall goals, there should be a measurable goal to strive toward with solar in order to guide the documents.

Mr. Missel said that the question of what zoning districts should allow solar facilities was an issue that had already been dealt with when they could not put solar panels on an abandoned golf course because it was developed R1. He said that they should consider if there was flexibility outside of the RA district to allow for a mix of levels of solar, and if there was a benefit of creating more opportunities for smaller-scale solar in other districts. He said that the expiration and decommissioning were tied together, and they should consider what requirements should be tied to that.

Mr. Carrazana said that when developers who gave them detailed plans for landscaping and stormwater management, it was sometimes unclear who would be maintaining that landscaping and how it transitioned between owners. He said that there was also question as to how they ensured that rule was followed.

Ms. Firehock said that Hexagon discussed having a third-party monitor, which was recommended by the County.

Mr. Bivins said that the entity that brought the project before the County was rarely the entity who completed the project, so those plans were rarely executed as first presented.

Mr. Carrazana said that in some cases, they were taking valuable farmland and changing it to an industrial use.

Mr. Bivins said that he would like to have a deep conversation about soil varieties. He said that 10% of a land having prime soil was not enough for it to be considered in a different category.

Ms. Firehock said that there was a map of where prime agricultural soils were located, so it would not be a difficult exercise to see other percentages, but she agreed that 10% was too low.

Mr. Bivins said that they should ensure that what they preserved was something that would continue to carry on the role that they were trying to preserve. He said that he was conflicted with much of the land around the County as to whether it was being preserved for a good and common use in the future.

Mr. Zehner said that for enforcement, his suggestion for clients was that if an applicant was saying that they were making a commitment, it should be conditioned and they should be bound to that permit so that it could be reviewed and followed up on. He said that it was optimal for applicants to bring in a plan that was as complete as possible, with a completed site investigation to know where they could and could not reasonably develop.

Mr. Missel said that the erosion control plan had to be bonded until there was control of the soil, so perhaps there was a threshold for stabilization when the bond could be released longer than the soil stabilization. He said that this was an ever-changing industry, and it was unknown how the technology would change in the future, so there must be room to be adaptable in the ordinance to allow for those changes.

Mr. Clayborne asked if the County had any specified goals around renewable energy.

Mr. Fritz said that the climate action plan contained some information on the subject but did not have a set number goal.

Mr. Zehner asked if it had any language regarding reduction of emissions.

Mr. Bivins said that it was about the County organization and not the community at large.

Mr. Fritz said that it was applicable to the community.

Mr. Bivins said that the number that was on there was a County number for the organization to become carbon-neutral at a date.

Mr. Gabe Dayley, Climate Protection Program Manager for Albemarle County, said that the emission reduction targets were community-wide, and certainly the county is looking to lead by example with governmental operations, but the target was to reduce emissions by 45% by 2030 community-wide. He said that the plan had the emissions reduction targets for 2030 and 2050, and staff were currently working to develop goals that were specific, measurable, achievable, and time-bound for the specific sectors within the plan, including transportation, planning, and renewable energy.

Mr. Missel said that they should consider how to measure those goals.

Ms. Firehock asked if the consulting to the County would include language from other comprehensive plans. She said that the comprehensive plan for the rural areas was not written to accommodate a use such as a solar facility.

Mr. Zehner said that development of policies for the comprehensive plan was not within the scope of their work because they were focused on the regulations. He said that for some of the items that did not lend themselves to regulation, they led to potential findings that the project was being evaluated by, and those potentially made their way into the comprehensive plan.

Mr. Bivins asked if Mr. Zehner was involved in bringing forth material to consider with the zoning ordinance.

Mr. Zehner said that he was present today in the capacity to discuss the solar regulations, but his company was assisting in the overall zoning ordinance and the comprehensive plan, and at some point, the projects would merge.

Mr. Fritz stated the Berkeley group was involved in three projects going on the solar project, the comprehensive zoning ordinance, and the wireless ordinance, it was likely they were all going to be separate. He said that ultimately the comprehensive one would pull in the smaller bites of commercial solar and wireless.

Mr. Murray said that he found that personally frustrating. He said that the comprehensive plan should set up a series of goals and recommendations that should lead into their zoning ordinance. He said that because they were doing them in parallel meant that they may get to the end of this with a comprehensive plan that was in conflict with the zoning ordinance.

Mr. Fritz said that the Board of Supervisors specified this timeline for development of the plans.

Mr. McDermott said that there were internal operations to ensure that the plans were not developing in conflict, and notes were being taken on the discussion to be incorporated into the comprehensive plan work.

Mr. Bivins asked for a definition of "community solar."

Mr. Zehner said that there were multiple definitions. The Department of Energy said that community solar was essentially more distributed, smaller-scale projects that usually were tied to a program where residents were subscribing and purchasing renewable energy credits, but not always. He said that sometimes, they were provided to users behind the meter, which he personally preferred, because the project was directly attributing that product to a reduction of

consumption. He said that Dominion had a “community solar program,” which was a bit of a misnomer, and unfortunately seen from some developers in the state, the project was referenced as a community solar project that would benefit the residents because they could be a subscriber in Dominion’s program.

Mr. Zehner said that the reality was that those customers could be subscribers of Dominion regardless of the community solar project being located in that locality, and that just because the community solar project was located in that locality, it did not mean that they were deriving energy produced from that. He said that the smaller projects could tie into a K-W line versus a transmission line, and the way that things moved, they were likely deriving production even though it was grid-integrated.

Mr. Bivins said that that example should be considered for new communities being built, because it could be tied directly to a reduction of energy in the community. He said that the delineation of community solar and utility solar was important, because utility solar did not help the houses locally.

Mr. Zehner said that a challenge with Dominion’s community solar program was that they had one of the highest costs to participate in the nation. He said that a locality that he had worked with gave a maximum of no more than 8,000 acres could be used for solar, and of that 8,000, 1,000 had to be reserved for community solar projects.

Mr. Missel asked what percentage was 8,000 acres of that community.

Mr. Zehner said it was about 3%-5%.

Ms. Firehock said that other localities had percentage limits for how much land could be used for solar in certain districts.

Mr. Bivins said that he would like to see a map of the available land around a transmission station, so that the County and other entities could look for opportunities there.

Ms. Firehock said that there was a model online from the Department of Energy that showed that.

Mr. Bivins said that they should have the County’s Economic Development Department work with entities if there was a structured way for the County to benefit in that partnership. He said that there was a complication for monitoring these projects, so there should be a staff person to perform the task of monitoring. He said that he supported the bifurcated process, which was helpful for the community and himself as a Commissioner.

Mr. Bivins said that he would like for the revenue from the tax incentives of a utility-scale solar project to be seen in the community, so it was important to understand if someone leasing land for a solar facility or someone in a conservation easement would have value in that, and if so, the Board of Supervisors should discuss what the next steps in this process should be. He said that he would also like to discuss, instead of the mono-approach to rural areas, that they discuss what could also be future opportunities for energy.

Mr. Zehner said that his company had begun preliminary research into that area.

Mr. Bivins said that it was a potential solution to a number of issues around alternative energy sources.

Mr. Bivins said that there should be deeper discussion between the Economic Development Department and the elected officials so that they could find the cost-benefit analysis of the best use for the land, because there was a finite amount.

Ms. Firehock asked Mr. Zehner when he was going to come back with answers to the questions from the presentation.

Mr. Zehner said that any additional important information that the Commissioners thought should be shared should be emailed to him. He said that the next step would be a similar session with the Board of Supervisors.

Mr. Fritz said that in addition, there would be more information to present to the Planning Commission. He said that they would build upon what had been gathered in this meeting and share with the Supervisors to develop the ordinance, then come back for a public hearing.

Ms. Firehock asked if they were going to give the Board of Supervisors what came out of this discussion before they had their discussion.

Mr. Fritz said that the information would be given to the Board beforehand.

Mr. Zehner said that they would synthesize what they had heard and ensure that they were on the same page.

Adjournment

At 5:30 p.m., the Commission recessed to the February 28, Albemarle County Planning Commission regular meeting, 6:00 p.m.



Kevin McDermott, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 03/28/2023
Initials: CSS