



**COUNTY OF ALBEMARLE  
PLANNING STAFF REPORT SUMMARY**

<b>Project Name:</b> CCP202300003 Secretary's Sand Solar Facility	<b>Staff:</b> Rebecca Ragsdale, Planning Manager
<b>Planning Commission Public Hearing:</b> December 12, 2023	<b>Board of Supervisors Public Hearing:</b> Not Required; Commission findings will be forwarded to the Board of Supervisors
<b>Owner:</b> Cyndra H or Alan S VanClief	<b>Applicant:</b> New Leaf Energy
<b>TMP:</b> 12000-00-00-018A0 <b>Location:</b> 5975 Alberene Road/Corner of Alberene Rd. and Secretary's Sand Road <b>Acreage:</b> 366.6 <b>Magisterial District:</b> Samuel Miller	<b>By-right use:</b> RA Rural Area - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots)
<b>Proposal:</b> Solar-energy electrical generation facility, with solar panels occupying approximately 85 acres, with 33 acres devoted to solar facilities.	<b>Comp. Plan Designation:</b> Rural Area – preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources; residential (0.5 unit/acre in development lots) in Rural Area 1 of the Comprehensive Plan
<b>Character of Property:</b> The area subject to the proposed solar facility is on a forested section of the property that has been timbered.	<b>Use of Surrounding Properties:</b> Rural residential lots, forest, farmland
<b>Positive Aspects:</b> <ol style="list-style-type: none"> <li>1. The use would not conflict with Comprehensive Plan policies for protecting high-quality agricultural soils for the benefit of the agricultural economy in the Rural Areas, provided that grading is minimized and all subsurface infrastructure is removed as part of decommissioning.</li> <li>2. The use is in accord with Comprehensive Plan policies for encouraging use of sustainable energy sources.</li> <li>3. The site can be returned to agricultural or silvicultural uses.</li> <li>4. Solar panels would be limited to areas of the site where silviculture activity has already occurred.</li> <li>5. Existing wooded area to remain as buffers at the perimeter of the project and supplemental landscaping could reduce visibility of the site from adjacent areas and help maintain the rural character of the historic district.</li> </ol>	<b>Concerns:</b> <ol style="list-style-type: none"> <li>1. None</li> </ol>
<b>RECOMMENDATION:</b> Staff recommends that the Commission find that the location, character, and extent of the proposed solar energy facility thereof to be in substantial accord with the Comprehensive Plan for the reasons identified in this staff report.	

**STAFF PERSON:  
PLANNING COMMISSION:**

**Rebecca Ragsdale  
December 12, 2023**

**CCP202300003 Secretary’s Sand Road Solar Facility**

**PURPOSE OF THE REVIEW**

As a solar facility, this proposal is subject to a Compliance with the Comprehensive Plan Review as required by the Code of Virginia (§15.2-2232). A compliance review considers whether the general location, character, and extent of a proposed public facility are in substantial accord with the adopted Comprehensive Plan. A Compliance with the Comprehensive Plan Review (“CCP Review” or “2232 Review,”), considers whether the general location, character, and extent of a proposed public facility are in substantial accord with the adopted Comprehensive Plan. It is reviewed by the Planning Commission, and the Commission’s findings are forwarded to the Board of Supervisors for their information; no additional action is required of the Board.

The Commission’s action is only related to the consistency of proposal with the Comprehensive Plan and is not an action or recommendation on whether the facility should be constructed. Solar energy facilities are only permitted by special use permit in the RA District.

A community meeting was not held for this proposal. However, consistent with §15.2-2232, a public hearing will be held on the CCP review and abutting property owners have been notified. A community meeting would be required for a special use permit.

**CHARACTER OF THE AREA**

The subject property is a total of 366 acres, some of which includes areas of silviculture activity, some cleared open areas, and contains one residence with associated storage buildings, pool, and barns. Portions of the property include streams and critical slopes. (Attachment 1-Location Maps)

The property is in Southern Albemarle, west of Keene and north of Esmont. Surrounding property to the north is wooded, to the west across Secretary’s Sand Road are rural residential lots, to the south and east are primarily wooded areas, along with large farms.

**SPECIFICS OF THE PROPOSAL**

A narrative (Attachment 2) and concept plan (Attachment 3) that include detailed information about proposed use of the property, which would include approximately 85 acres of total project area for the solar energy facility, maintain forested areas for screening, stormwater management, and livestock grazing. Of that project area, the majority (approx. 52 acres) would be for vegetative screening and stormwater management. Approximately 33 acres is excepted to include the fenced facility for the solar installation.

**COMPREHENSIVE PLAN**

The Comprehensive Plan ([Chapter 7](#)) designates this parcel Rural Area, which encourages agricultural, forestry, and conservation uses. While this utility use is not identified as a policy priority for the Rural Areas, it helps the County to meet other Comprehensive Plan goals related to renewable-energy production. In addition to the comments provided by the applicant, staff provides the following additional comments.

**Rural Area**

**Objective 1:** Support a strong Agricultural and Forestal economy.

The Rural Areas section of the Comprehensive Plan focuses on protection of agricultural and silvicultural uses and activities, and on protection of natural and cultural resources. This proposed use would occupy approximately an 85-acre portion of the 366 acre property – a former pine plantation that was cleared in about 2016 -- with an energy-generation use. However, unlike other utility uses like power plants, a solar-energy facility does not permanently remove its site from productive agricultural or silvicultural use.

The portion of the property planned for solar development includes soils rated as Prime and Locally Important in the Comprehensive Plan. In order to be in accord with the Comprehensive Plan, this project should (1) minimize grading and mixing of surface-level soils with less-productive subsoils, and (2) require complete removal of all subsoil infrastructure as part of the decommissioning process. These features of the proposal would be reviewed in more detail during the special use permit process.

A facility of this type is expected to have a lifetime of about 30 years. After the facility is no longer needed, the solar panels and all the supporting infrastructure can be removed from the site, and the land can be used for agriculture or forestry again. Staff typically recommends several conditions for special use permits regarding the development and implementation of a “decommissioning plan” that would require the operator and landowner to remove all equipment and infrastructure from the site and rehabilitate it for rural uses after the solar facility goes out of use. The application narrative indicates that the property will be used for animal grazing in the future. This addresses concerns about preserving land for future RA Uses to avoid conflicts with these recommendations of the Comprehensive Plan.

Although indicated in the narrative, this parcel is not located within the Green Mountain Agricultural and Forestal District (AFD). It is located adjacent to a parcel in the AFD and two conservation easement parcels. During a special use permit review, the AFD committee would have a chance to review and comment on any concerns related to the adjacent district. At this time, staff has not identified any concerns.

Objective 2: Protect and preserve natural resources, which include mountains, hills, valleys, rivers, streams, groundwater, and continuous and unfragmented land for agriculture, forestry, biodiversity, and natural resource protection.

The proposed facility is not anticipated to disturb stream buffers or critical slopes. Additional information is included in the project narrative indicating that the initial study did not reveal any threatened or endangered species on the property. During review of a special use permit, the proposal would be further evaluated regarding any potential impacts to resources and any necessary mitigation. A more detailed concept plan would be required.

**Natural Resources:**

In 2010, members of the community and representatives of the County, the City, and UVA began a local planning process to find ways to lower the community’s energy consumption and, thus, greenhouse gas emissions. The Committee, known as the Local Climate Action Planning Process (LCAPP) Steering Committee, recommended that the City, County, and UVA:

Continue to demonstrate leadership in energy and carbon reductions at the local level;

- Build on existing synergies by continued collaboration of City, County, UVA, and community partners;
- Integrate the role of energy and carbon emissions in projects and planning;
- Equip the community at all levels to make informed decisions about the impacts of carbon emissions and energy; and

- Identify and promote actions that enable the community to reap the health, economic and environmental benefits that accompany sound energy-based decisions. Utility scale solar satisfies these objectives.

The property is not located in a Conservation Focus Area identified in the Biodiversity Action Plan, and is not identified as an Important Site. It is not mapped in the Virginia Wildlife Corridor Action Plan. As a cleared pine plantation, the site has limited habitat value in its current state.

### **Historic Resources**

The project area is located within the Southern Albemarle Rural Historic District and retains a rural character, which is a key element of the district's significance. The property is not designated as Contributing. The proposal should include sufficient measures to maintain the rural character of the area throughout the life of the project and address visual impacts to the historic district. During the special use permit review, it will be required for the applicant to include additional information to clarify the extent of the visibility of the panels from off-site locations, including photo-simulations.

### **Environmental Sustainability**

The Comprehensive Plan includes the Sustainability Council's 1998 Sustainability Accords as important guiding principles. Those Accords state that the community should "[p]romote the conservation and efficient use of energy resources." Further, the Natural Resources chapter of the plan states that the County should "continue to demonstrate leadership in energy and carbon reductions at the local level." That chapter also refers to the report of the Local Climate Action Planning Process, which recommended that the community "promote wider awareness and adoption of cleaner sources of electrical energy (e.g., solar photovoltaic, co-generation, biomass, wind).

The proposed facility would be in accord with these policies, as it would supply energy from one of those "cleaner sources."

### **SUMMARY**

Staff has identified the following positive aspects of this request:

1. The use does not conflict with Comprehensive Plan policies for the Rural Areas
2. The use is in accord and for encouraging use of sustainable energy sources.
3. The site can be returned to agricultural or silvicultural uses, unlike more permanent forms of commercial or utility development.
4. Solar panels would be limited to areas of the site where silviculture activity has already occurred. Stream buffers and critical slopes will not be disturbed.
5. Existing wooded area to remain as buffers at the perimeter of the project and supplemental landscaping could reduce visibility of the site from adjacent areas and help maintain the rural character of the historic district.

Staff has no concerns with this request at this point in the review process for this proposal. Assurance that the specific development proposal will have limited, acceptable impacts to the natural, agricultural and historic resources consistent with comp plan recommendations/guidance and therefore remain in substantial accord with the Comp Plan, will be determined during the Special Use Permit review process.

### **RECOMMENDATION**

Staff recommends that the Commission find that the location, character, and extent of the proposed

solar energy facility to be in substantial accord with the Comprehensive Plan for the reasons identified in this staff report.

**ATTACHMENTS**

[Attach 1 - CCP2023-03 Secretarys Sand Solar Facility: Code of Virginia \(§15.2-2232\)](#)

[Attach 2 - CCP2023-03 Secretarys Sand Solar Facility: Location Map](#)

[Attach 3 - CCP2023-03 Secretarys Sand Solar Facility: Project Narrative](#)

[Attach 4 - CCP2023-03 Secretarys Sand Solar Facility: Concept Plan](#)