

## STAFF PREPARED DRAFT AMENDMENT

### CHAPTER 86 - LAND DEVELOPMENT REGULATIONS DIVISION 5. CONDITIONAL USE PERMITS

The purpose of the proposed amendments is to establish minimum requirements for solar siting agreements to establish a consistent policy framework that benefits both the community and developers. These amendments aim to address community concerns, promote affordable housing, and ensure timely project development and accountability; and are designed to achieve a balanced approach, where the benefits of solar energy align with community needs and fair expectations for adjacent residents. **THESE PROPOSED AMENDMENTS TO CONDITIONAL USE PERMIT REQUIREMENTS FOR MINOR AND UTILITY-SCALE SOLAR GENERATION FACILITIES APPLY THROUGHOUT ALL OF LOUISA COUNTY;** and are proposed pursuant to Va. Code §§ 15.2-2285 and 15.2-2286.

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#### ARTICLE I. – GENERAL PROVISIONS DIVISION 5. – CONDITIONAL USE PERMITS

Sec. 86-45. – Conditional use permits for minor or utility-scale solar generation facilities.

(add)

(a) **Siting Agreements - Solar siting agreements offer a pathway to ensure these projects contribute positively to the local economy and community development. Establishing minimum standards within siting agreements will help protect County interests and ensure long-term benefits. Requirements include financial contributions to affordable housing, timelines for project commencement, and compensation for adjacent property owners. These provisions are designed to achieve a balanced approach, where the benefits of solar energy align with community needs and fair expectations for adjacent residents.**

1. **Annual Contribution: Solar project operators should contribute between 0.075% and 0.125% ~~0.1%~~ of the County's operating budget as an annual payment per megawatt produced. This amount will be transferred and utilized in accordance with the siting agreement fund balance policy.**

2. **Allocation to ~~Affordable~~–Housing Programs: Twenty-five percent (25%) of Siting Agreement Funds should be allocated to ~~affordable~~ housing programs~~in~~initiatives within the county.**

3. **Project Timeline Requirement: Solar project applicants must begin generating electricity within four~~three~~ years of project approval. Failure to meet this timeline would require:**

a. **Renegotiation of the existing siting agreement.**

b. **Reapplication for a Conditional Use Permit (CUP).**

c. **Updating the decommissioning bond to align with current standards.**

**4. Compensation for Adjacent Property Owners:** To mitigate the impact on adjacent property owners, it is recommended that solar project operators provide \$500 per parcel per year to neighboring landowners. This compensation can be structured as either:

- a. **Electric Bill Abatement:** A reduction in electricity costs for adjacent parcel owners, or
- b. **Property Tax Abatement:** An annual credit toward property taxes for the duration of the project's operation.

TEXT LEGEND

**Bolded Text** = To Be Added

Regular Text = To Remain

~~Strikethrough~~ = To Be Removed