

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.

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~~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