

Utility-Scale Solar - Regulation Comparison

	<u>Charlotte (Current)</u>	<u>Halifax</u>	<u>King William</u>	<u>Louisa</u>
Permit Type	Conditional Use	Conditional Use	Conditional Use	Conditional Use
Zoning Districts	Agricultural, Intensive Agricultural, Industrial	Agricultural	Ag-Conservation, Business 1 & 2, Industrial *Proposed Amendment limits to Ag-Conservation District & states that facilities should locate on brownfields (sites with environmental cleanup issues), county-owned capped landfills, near existing industrial uses, or on lands not identified as prime farmland by the USDA where feasible.	Agricultural 1 & 2, Residential 1 & 2, Commercial 1 & 2, Industrial 1 & 2 (To include growth & overlay districts)
Front Setback	Setbacks conform to minimum building setback requirements for principal structures of the zoning district, or fifty (50) feet, whichever is greater, unless otherwise prescribed by the Board in conditions. (125 feet in the Agricultural District)	At least 75' from all public rights-of-way and main buildings on adjoining parcels & at least 25 feet from adjacent property lines. Exceptions may be made for adjoining parcels owned by the applicant. Increased setbacks up to 100' and additional buffering may be included in conditions. Shall meet setback requirements for primary structures for the zoning district. Access, erosion and stormwater structures, and interconnection to the electrical grid may be made through setback generally perpendicular to property lines.	100' setback to residential, Ag, PUD (Planned Unit Development), & R-C (rural-conservation) - may be closer by mitigating impacts with reduced height, alternative designs, camouflaging or screening, but power stations may be no closer than 25'. For boundaries with industrial or commercially zoned land or land owned by the same landowners, setbacks are same as for primary structures in that district. Setbacks may be reduced if agreed to by adjacent landowner but shall not be reduced below minimum required for primary structures in district. *Proposed amendments would increase setbacks as follows: From residential structures to 400' (This was used for their Sweet Sue project though not required by ordinance or their comprehensive plan); from property boundaries & secondary highway right-of-ways to 200'; and from primary highway right-of-ways to 500'	150' abutting public right-of-ways and main buildings on adjoining parcels and adjacent property lines. Exceptions are possible if adjacent property is owned or leased by applicant. Increased setbacks may be included as a condition in the CUP. Access, erosion and stormwater structures, and interconnection is allowed in the setback if generally perpendicular to the property line or underground.

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Side Setback	Same as above. (50 feet in the Agricultural District)	Same as above	Same as above	See above.
Rear Setback	Same as above. (70 feet in the Agricultural District)	Same as above	Same as above	See above.
Minimum Size	Not specified	Not specified	40 Contiguous Acres *Proposed Amendment includes a 100 acre minimum	Not specified.
Density/Size Restrictions	No more than 3% density in 5 mile radius - Board may approve higher density	No more than 2.5% of land in a 5 mile radius	Not specified *Proposed amendment requires facilities to be less than 1,500 acres. Maximum may be waived if "the proposal includes other economic development that provides significant job or tax benefits..." Proposed amendments also limits acreage coverage to 65%	Not specified.

	<u>Charlotte (Current)</u>	<u>Halifax</u>	<u>King William</u>	<u>Louisa</u>
Screening or "Vegetative Buffer"	Full screening from ground-level view of adjacent properties by a landscaped buffer zone at least 25' wide of evergreen and deciduous mix as approved by the Zoning Administrator, unless otherwise prescribed by the Board. Existing mature tree growth and natural land forms shall be preserved to the maximum extent possible and may be used as screening if they provide adequate screening . If existing vegetation or land forms providing screening are disturbed, new plantings shall be provided .	15 feet wide , located within setbacks around perimeter. Shall consist of existing vegetation and, if deemed necessary, an installed landscaped strip of multiple rows of staggered trees and other vegetation. Buffer plants must be at least 3' tall when planted & expected to grow to a minimum height of 8' within 3 years. PC or Board may require increased setbacks and additional or taller buffering where structure height or topography affects visual impact. Non-invasive plant species and pollinator-friendly and wildlife-friendly native plants must be used in the buffer. Fencing must be installed on the buffer interior. PC may recommend waiver or alteration of screening and/or buffer when applicant proposes to use existing wetlands or woodlands, as long as those are permanently protected as a buffer. Existing trees and vegetation may be maintained in such buffer except where dead, diseased or as necessary for development or to promote healthy growth. If existing trees and vegetation are disturbed, new plantings shall be provided. Buffer shall be maintained for life of the facility.	Significantly screened from the ground-level view of adjacent properties zoned R, AG, PUD, R-C Rural Conservation, dwellings not owned by property owner, & public rights-of-way by a buffer zone at least 4' wide landscaped with plant materials, except to the extent that existing vegetation or natural land forms on the site provide such screening. In the event existing vegetation or land forms providing the screening are disturbed, new plantings shall be provided which accomplish the same. Fencing may be used to supplement other methods, but shall not be the primary screening. Screening may be reduced if agreed to in writing by the adjacent property owner who the screening would serve. *Proposed amendment would require a 100' vegetative buffer consisting of an evergreen and deciduous mix as approved by County staff except to the extent that existing vegetation or natural landforms provide screening as determined by the Zoning Administrator.	150' wide buffer <u>including areas of ground cover & areas of vegetative screening</u> located in the setback around the perimeter of the property; Within the buffer & 75' from adjacent property lines, sufficient existing vegetation and trees to create an opaque visual barrier to screen the project area from view is required. If no such barrier exists then the applicant shall establish screening with 3 rows of staggered evergreens 10' apart & on 15' centers. Such trees shall be at least 5' tall when planted & expected to grow to a minimum height of 10' within 3 years; Increased buffers or vegetation heights may be required where structure height or topography affects visual impact; Planting of noninvasive species & pollinator & wildlife-friendly plants required in buffer - following VA Pollinator-Smart Program best practice; Required maintenance includes replacement of dead or diseased trees removed with minimum 5' plantings; Includes specifications for planting & maintaining pollinator-smart area; Allows for waiving or altering specifications when existing woodlands or wetlands are used as buffer & are protected
Additional Notes		Per Halifax staff, they are considering a zoning amendment that would provide officials some discretion in applying the density requirement (similar to what Charlotte has done) and are also looking at amend regulations to clarify between the treatment of external and internal boundary lines.	King William is currently considering a zoning amendment for solar & has a moratorium in place. Per staff, they expect to vote on the amendments this fall and do not anticipate the proposed amendments to change significantly. Impacts of proposed changes to the above are noted with an asterisk & in purple. Proposed amendments also address other solar regulations that are not part of this comparison.	Louisa County was added to the comparison at the request of a citizen. Information included was provided by Louisa County staff.

	<u>Southampton County</u>	<u>Appomattox County</u>	<u>Amherst County</u>
Permit Type	Conditional Use	Conditional Use	Conditional Use
Zoning Districts	Limited Industrial District	Industrial, Agricultural, Planned Industrial (with Comp. Plan restrictions recommending AG solar development only in specific "growth areas")	Agricultural-Residential, Limited Residential, Public Lands, Industrial
Front Setback	On a U.S. or state primary highway - 75' / On a secondary highway or other street or road - 50'	100' Minimum, as measured from the property lines external to the project. Structures or infrastructure shall meet the minimum setbacks for district. Array setback a minimum of 50' from the edge of water for any stream, creek, pond, lake, or wetland area. Existing wells shall be abandoned in accordance with current VDH.	One hundred fifty (150) feet from all property lines. Exceptions may be made for adjoining parcels that are owned by the applicant.

	<u>Southampton County</u>	<u>Appomattox County</u>	<u>Amherst County</u>
Side Setback	On a U.S. or state primary highway - 50' / On a secondary highway or other street or road - 50'	Same as above	Same as above
Rear Setback	On a U.S. or state primary highway - 35' / On a secondary highway or other street or road - 35'	Same as above	Same as above
Minimum Size	20 Acres	Not specified	Not specified
Density/Size Restrictions	1,000 Acres	Not specified	Not specified

	<u>Southampton County</u>	<u>Appomattox County</u>	<u>Amherst County</u>
Screening or "Vegetative Buffer"	<p>Landscape plan must provide an intermittent screen for the perimeter of the project in areas that to reflect the agricultural nature of the surrounding countryside. Plantings at intersections are to reduce the visual impacts of panels and equipment on drivers. Plantings along public rights-of-way are not meant to completely screen , but to break up the impact on drivers and nearby residents. Plantings in areas that abut residential and other uses outlined above shall provide an opaque screen of the solar installation to the abutting residents. Such plans shall to the greatest extent possible use native and locally adapted vegetation. 4' tall landscaped berms planted with grass shall be required as necessary abutting all public rights-of-way & existing residential properties, with such requirements specifically imposed by the Board at the time a conditional use permit is issued.</p>	<p>A vegetative buffer sufficient to mitigate the visual impact of the facility is required along all areas adjacent to public roadways. The buffer shall consist of a twenty (20) foot wide landscaped strip to include trees, shrubs and other vegetation considered native to the area. The landscaped strip may be located within the setback area and should run around or near the perimeter fence. Tree plantings in the buffer strip shall be a minimum of five (5) feet in height at the time of planting, no more than fifteen (15) feet between trees. Trees may be staggered. Existing trees and vegetation may be maintained within the buffer areas and may supplement and satisfy landscaping requirements. An alternative to tree plantings is to construct an earthen berm, minimum height of six (6) feet high. Berm must be stabilized with native grasses and/or plantings. The landscaped buffer must be maintained in good condition for the life of the project.</p>	<p>A vegetative buffer sufficient to mitigate the visual impact is required. Buffer must consist of a landscaping strip at least fifteen (15) feet wide, located within setbacks, and must run the entire perimeter. The buffer must consist of existing vegetation and, if deemed necessary, an installed landscaped strip consisting of multiple rows of staggered trees and other vegetation made up of plant materials at least three (3) feet tall at the time of planting and that are reasonably expected to grow to a minimum height of eight (8) feet within three (3) years. Non-invasive plant species must be used. Fencing must be installed on the buffer interior. Existing trees and vegetation may be maintained within such buffer areas except where dead, diseased or as necessary for development or to promote healthy growth. Such vegetation may supplement or satisfy landscaping requirements as applicable. If existing trees and vegetation are disturbed, new plantings shall be provided. Buffer must be maintained for the life of the facility.</p>
Additional Notes			