

Issue Analysis Form

Date: March 10, 2020

Item: Solar Energy Facility Siting Policy

Lead Department: Community Development

Contact Person: Julie C. Walton, Director



Description and Current Status

The Planning Commission and staff recommend the adoption of a Solar Energy Facility Siting Policy to provide guidance to property owners, business owners, and County residents with the acceptance of Special Exception applications for Solar Energy Facilities. The policy will also give guidance to staff, the Planning Commission, and the Board of Supervisors when evaluating requests for solar energy facilities.

The policy was developed with public input from community meetings for planned or proposed solar projects, independent citizen inquiries, and public hearings for proposed solar energy facilities.

Government Path

Does this require IDA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require BZA action?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does this require Planning Commission action?	<input checked="" type="checkbox"/> Yes	February 27, 2020 Recommended for Approval by 5-2 vote
Does this require Board of Supervisors action?	<input checked="" type="checkbox"/> Yes	March 10, 2020
Does this require a Public Hearing?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If so, before what date?	N/A	

Fiscal Impact Statement

The adoption of a Solar Energy Facility Siting Policy will not generate tax revenue; however, the Special Exceptions for Solar Facilities approved by the Board have the potential to create additional revenue for the County through the assessment process of the use of the land.

County Impact

The proposed Solar Energy Facility Siting Policy will be used as guidance for the evaluation of future solar energy facility Special Exception applications.

Notes

See attachments.

Approved and Proposed Solar Farms for Prince George County, Virginia		
Approved Solar Farms	Acreage	Percent of County Acreage*
Fort Powhatan	3,158.0	1.88%
Rives Road	148.0	0.09%
Total Approved	3,306.0	1.97%
Proposed Solar Farms		
Warwick (Special Exception)	535.0	0.32%
Sebera (Special Exception)	212.0	0.13%
Route 10	237.8	0.14%
Hall Farm Road	145.5	0.09%
Sandy Ridge	167.2	0.10%
Total Proposed	1,297.5	0.77%
Total Approved + Proposed	4,603.5	2.74%
Total County Acreage*	167,966.0	

* Excluding Water Bodies

Example Upper Limits for Solar Farms in the County

3% of County Acreage =	5,039.0
Remaining Acreage after Proposed Solar Farms with a 3% limit =	435.5
4% of County Acreage =	6,718.6
Remaining Acreage after Proposed Solar Farms with a 4% limit =	2,115.1
5% of County Acreage =	8,398.3
Remaining Acreage after Proposed Solar Farms with a 5% limit =	3,794.8



County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

Prince George County, Virginia: Solar Energy Facility Siting Policy

The intent of this policy is to help guide the placement and design of new solar energy facilities in Prince George County, VA. It provides solar energy facility applicants, property owners, business owners and County residents with guidance on the official policies and standards of Prince George County.

The policy was developed with public input from community meetings for planned or proposed solar projects, independent citizen inquiries, and public hearings for proposed solar energy facilities. The siting policy guidelines shall be considered by applicants when they are selecting sites for solar energy facilities in the County. Prince George County staff members, Planning Commission members and Board of Supervisors members shall consider this policy when evaluating requests for solar energy facilities and related or accessory uses.

Prince George County encourages and promotes the responsible generation of both clean and renewable alternative energy within the County. When solar energy facilities are proposed, requested locations and site designs shall be evaluated in terms of how they protect and enhance the scenic and natural beauty of the County.

Prince George County desires an upper limit on the total acreage of approved solar energy facilities at 4% of the total land acreage in the County or 6,718.6 acres within the County, to allow for future land uses specifically enumerated in the County's Comprehensive Plan.

Prince George County intends to fully comply with all of the applicable provisions of the Virginia State Corporation Commission as it relates to solar power energy generation and applicable federal and state laws, and to preserve the County's local zoning authority in the process for the betterment of our citizens and the business community.

ARTICLE I. ACREAGE FOR FACILITIES

The County has set an upper limit on the total acreage dedicated for solar energy facilities at 4% of the total land acreage in the County or 6,718.6 acres, to allow for future land uses specifically enumerated in the County's Comprehensive Plan.

1. Currently, Solar Energy facilities are permitted by special exception in (R-A) Residential-Agricultural, (A-1) General Agricultural, (B-1) General Business, (M-1) Light Industrial, and (M-2) General Industrial Zoning Districts. They are permitted by-right in the (M-3) Heavy Industrial Zoning District. The above acreage limitation does not apply to any project within the (M-3) Heavy Industrial Zoning District.

2. Site acreage dedicated to solar energy for a project shall be calculated as the aggregate acreage of all parcels for a special exception application, unless the applicant details and delineates the maximum acreage to be used for approval, which includes acreage for panels, fencing, access roads, and buffer and screening requirements.

ARTICLE II. PROJECT REVIEW GUIDELINES

All Special Exception requests for new or expanded solar energy facilities, including the replacement or modification of existing solar energy facilities, shall be reviewed by County Planning Division staff, the Planning Commission and the Board of Supervisors in consideration of the following criteria:

- a. The extent to which the solar energy facility proposal conforms to the general Special Exception criteria contained in the zoning ordinance, and the intent, the application requirements, and general standards for solar energy facilities found within this policy.
- b. The degree to which the following are located and designed to be compatible with the surrounding community character and design:
 - Proposed location of the solar energy facility
 - Site design and facilities, including fencing and other ground-mounted equipment
 - New or modified road, access or utility corridors

The following text details how staff, the Planning Commission, and the Board of Supervisors are to review each proposal:

1. All potential applicants for a solar energy facility shall meet with County Planning Division staff at least thirty (30) days prior to submitting an application for a new, proposed facility. The County Planning Division staff provides the potential applicant with information on Prince George County policies and standards for solar energy facilities, and discusses with the applicant possible alternatives to site the solar energy facility in the most appropriate location in Prince George County.
2. Prince George County desires to protect and enhance its agricultural and rural heritage, cultural, and recreational resources.
 - a. Siting of a facility within the Prince George Planning Area should be avoided.
 - b. Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval, except those permitted by-right in the M-3 District.
 - c. In order to protect the integrity of agricultural soils, mass grading of sites shall be limited to the greatest extent possible.

- d. Sites located near recreational, cultural, or historic resources should be avoided.
3. Prince George County desires to protect, maintain, and improve the quality of the natural environment, including elements such as air, water, natural habitats and wetlands.
 - a. Site groundcover for the solar energy facility should consist of a variety of native groundcovers that benefit birds, bees, and other insects. Turf grass should not be allowed.
 - b. Groundcover should be expeditiously established following the completion of construction activities to minimize erosion and loss of soil.
 - c. Use of synthetic herbicides to control and maintain groundcover shall not be allowed.
 - d. Wildlife corridors shall be considered in the layout and design of the site. Breaks in fencing and equipment shall be provided where appropriate.
 - e. Development on wetlands, forested areas, and other valuable habitats shall be avoided or minimized to the greatest extent possible.
 4. All applicants for solar energy facility uses shall provide the following information:
 - a. Schematic layout of the proposed site with location of panels and buffers.
 - b. Photographic simulations illustrating the relationship of the proposed solar energy facility use in relation to the surrounding properties and uses, and additional simulations showing the relationship of any new or modified service road or utility corridors to be constructed or modified to serve the proposed solar energy facility use or other nearby infrastructure.
 - c. Written verification that all required submittals to the State Corporation Commission (SCC) have been submitted for a solar energy facility use (if applicable).
 - d. Written verification that the applicant is working with the Department of Environmental Quality toward obtaining Solar Permit by Rule approval.
 - e. Documentation justifying the need for the on-site substation should be submitted with the Special Exception application, if a substation is requested in conjunction with the solar energy facility. Documentation should also describe the components of the substation, physical dimensions including height, and endorsement from the grid-operating utility company.
 - f. Written comments from the relevant electric company regarding the capacity of the transmission lines or other electrical infrastructure as part of any Special Exception application.

- g. Redacted offtake agreement, power purchase agreement, or other documentation that identifies a clear path to an off taker of the electricity generated from the project (prior to building permit).
 - h. An evaluation of fiscal impacts to the County for the proposed land use in comparison with the current land use and the comprehensive plan future land use.
- 5. The applicant shall be responsible for all fees associated with the filing of their application, including the reasonable cost of any independent analysis deemed necessary by the County.
- 6. General Requirements:
 - a. By applying and being granted the Special Exception request, the applicant and the owner of the land agree to dismantle and remove the solar energy facility and associated facilities from the site within six (6) months of the facility no longer being used for its intended purpose. Dismantling and removal of the facility shall only begin after the required notice is sent to Prince George County.
 - b. All solar energy facility structures, racks and associated facilities shall have a non-reflective finish or appearance. Solar collectors shall be designed to maximize absorption and minimize glare outward toward adjoining properties and upward toward military and general aviation aircraft or other similar aircraft. Vehicles travelling on adjoining interstate and state-maintained roads shall also be protected from potential glare, including elevated tractor trailer cabs.
- 7. Public Notice.
 - a) Community Meeting: A community meeting shall be held by the applicant prior to the Planning Commission Public Hearing date, and shall follow the following guidelines.
 - i. The applicant shall inform the Community Development and Code Compliance Department, adjacent property owners, and property owners within a one-half mile radius of the project in writing of the date, time and the location of the meeting, at least seven (7) but no more than fourteen (14) days, in advance of the community meeting. Additionally, the applicant shall supply the County a list of all adjacent property owners or parties invited.
 - ii. The date, time and location of the meeting may be advertised in a newspaper of general circulation in the County by the applicant, and at the applicant's expense, at least seven (7) but no more than fourteen (14) days, in advance of the meeting date.

- iii. The meeting shall be held within the County, at a location open to the general public, with adequate lighting, parking and seating facilities and which may accommodate persons with disabilities from the general public and media.
- iv. The meeting shall give the general public the opportunity to review the proposed application materials and ask questions of the applicant and to provide oral and/or written comments as feedback on their proposal.
- v. The applicant shall provide the Community Development and Code Compliance Department with a summary of any written input received from members of the general public and media at the community meeting.

8. Development Standards.

- a) The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres.
- b) The design of support buildings and related structures shall, to the greatest extent possible, use materials, colors, textures, screening and landscaping that will screen the solar energy facility use from surrounding homes or surrounding commercial and industrial structures.
- c) Maximum height of primary structures and accessory buildings shall generally be fifteen feet, as measured from the finished grade at the base of the structure to its highest point, including appurtenances.
- d) All facilities shall meet or exceed the current standards and regulations of the State Corporation Commission (SCC) or equivalent, and any other agency of the local, state or federal government with the authority to regulate such infrastructure that are in force at the time of the application or which apply retroactively.
- e) To ensure the structural integrity of the infrastructure, the owner shall certify that it is designed and maintained in compliance with standards contained in applicable local, state and federal building codes and regulations that are in force at the time of the permit approval.
- f) All newly installed utilities (including but not limited to: electric, fiber, cable and telephone lines serving the site) which are visible from the ground-level view of adjacent properties zoned residential, agricultural and/or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-ways, shall be screened from view or shall be placed underground, unless prohibited by the state/federal agency regulating them.

- g) The facilities shall be enclosed by security fencing not less than six feet in height, and shall be designed to preclude trespassing, and shall be marked with the appropriate warning signs by the operator of the solar energy facility.
- h) The facilities, including fencing, shall be significantly screened from the ground-level view of adjacent properties zoned residential, agricultural, or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-way by a buffer zone at least fifty (50) feet in width, which shall be landscaped with plant materials unless existing vegetation or natural land forms on the site provide such screening materials or effect. If there is no existing vegetation or the existing vegetation is inadequate to serve as a landscape buffer as determined by the Planning Manager, a staggered triple row of evergreen trees and shrubs will be planted on approximately 10-foot centers in the 25 feet immediately adjacent to the security fence. New plantings of trees and shrubs shall be approximately six (6) feet in height at the time of planting. In addition, pine seedlings will be installed in the remaining 25 feet of the 50-foot buffer. In the event existing vegetation or land forms providing the screening are disturbed or removed, new plantings shall be provided which accomplish the same screening. Landscaping for screening shall be maintained and replaced as necessary throughout the lifespan of the facility.
- i) Lighting shall be the minimum necessary for safety and/or security purposes and shall use shielded fixtures to minimize off-site glare toward public rights of way and adjacent properties, and shall be limited to one-foot candle at the property line. No facility shall produce glare which would constitute a nuisance to the public.
- j) The required setbacks and height limitations shall follow the requirements of the underlying zoning district, unless County staff has recommended any additional requirements while working with the applicant and adjacent property owners and interested citizens.
 - a. Setbacks for solar energy facilities should comply with the following minimum setbacks:
 - i. 100 feet from residentially-zoned property
 - ii. 100 feet from all other exterior property lines
 - iii. Inverters located 150 feet from exterior property lines
 - iv. Substations located 300 feet from exterior property lines
 - b. Landscaped buffering required:
 - i. Berms shall be located outside the fence line and planted with appropriate groundcover
 - ii. Vegetative buffers shall be at least 50 feet in width and include predominantly native evergreen species for aesthetics and wildlife habitat

9. Site Plan Requirements. In addition to all State and County site plan requirements, the Applicant shall provide the following plans for review and approval as a part of the site plan for the solar energy facility prior to the issuance of a land disturbance or building permit:

- a. Construction Management Plan. The applicant shall prepare a Construction Management Plan for each applicable site plan for the solar energy facility, which shall address the following:
 - i. Construction Traffic Management Plan including mitigation measures shall be developed by the applicant, owner or operator and shall be submitted to the Virginia Department of Transportation (VDOT) and Planning Division for review and approval. The Plan shall address traffic control measures, pre-and post-construction road evaluation, and any necessary repairs to the public roads that are required as a result of any damage from the solar energy facility construction and/or expansion. All VDOT permits must be received and be approved by VDOT prior to site construction occurring on the premises.
 - ii. A site access plan directing employee and delivery traffic to minimize conflicts with local traffic.
 - iii. A site parking and staging plan shall be submitted as a part of the Site Plan approval and be submitted for various stages of the site construction process. All subsequent construction processes shall also adhere to submitting a parking and staging plan prior to the commencement of expansion or decommissioning.
 - iv. Fencing. The applicant shall install temporary security fencing prior to the commencement of construction activities occurring on the solar energy facility.
 - v. Lighting. During construction of the solar energy facility, any temporary construction lighting shall be positioned downward, inward, and shielded to eliminate glare from all adjacent properties.
- b. Construction Mitigation Plan. The applicant shall prepare a Construction Mitigation Plan for each applicable site plan for the solar energy facility to the satisfaction of the Planning Division.

Each plan shall address, at a minimum:

- i. The effective mitigation of dust. All construction roads and construction areas shall remain dust-free by the use of a water truck or other approved method to keep sediment on the premises and not be of a general nuisance to adjoining property owners during site construction and/or site expansion for a solar energy facility.

- ii. Burning operations. Must address smoke migration and not be general nuisance to adjoining property owners during burning operations.
 - iii. Hours of construction. All pile driving shall be limited to the hours from sunrise to sunset Monday through Saturday. No Sunday pile driving shall occur during site construction, expansion, or operation of the facility. All other normal on-site construction activity is permitted Monday through Sunday in accordance with the provisions of the County Noise Ordinance, as amended from time to time, and as enforced by the Prince George County Police Department.
 - iv. Access and road damage. Must address mitigation of all damage, dirt, and debris on roads as a result of traffic generated by the solar energy facility construction.
 - v. General construction complaints. Provide contact information of responsible project manager capable of causing corrections to be made at the site.
- c. Grading Plan. The owner or operator shall construct, maintain, and operate the project in accordance with the approved County Grading and Erosion and Sediment (E&S) Control Plans. An E&S bond or letter of credit will be posted for the construction portion of the project. The grading plan shall:
- i. Clearly show existing and proposed contours;
 - ii. Note the locations and estimated amount of topsoil to be removed (if any) and the percent of the site to be graded;
 - iii. Limit grading to the greatest extent practicable by avoiding steep slopes and laying out arrays parallel to landforms;
 - iv. Require an earthwork balance to be achieved on-site with no import or export of soil, unless it can be demonstrated to the satisfaction of the Planning Division that doing so would create more clearing and grading than by allowing the import or export of soil; and
 - v. Require topsoil to first be stripped from areas proposed to be permanent access roads which will receive gravel, or in any areas where more than a few inches of cut are required, and require an on-site stockpile to be used later to increase the fertility of areas intended to be seeded.
- d. Solar Facility Screening and Vegetation Plan. A separate surety shall be posted for the ongoing maintenance of the project's vegetative buffers in the amount of 120% of the installation cost of all planted vegetation for three (3) years following the first date that power is supplied to the electrical grid.

- i. Site groundcover for the solar energy facility shall consist of a variety of native groundcovers that benefit birds, and bees, and other beneficial insects.
 - ii. Groundcover shall be expeditiously established following the completion of construction activities to minimize erosion and loss of soil.
 - iii. The use of synthetic herbicides to control and maintain groundcover post-construction shall not be permitted.
- e. The design, installation, maintenance, and repair of the solar energy facility shall be in accordance with the most current National Electrical Code (NFPA 70).

10. Operations.

- a. **Permanent Security Fence.** The applicant shall install a permanent security fence, consisting of chain link, 2-inch square mesh, (or comparable fencing) a minimum of 6 feet in height around the Solar Facility prior to the commencement of operations of the Solar Energy Facility. Failure to maintain the fence in a good and functional condition will result in revocation of the special exception. The security fence shall be placed no closer than the required setback for the facility as stated in Section 12. Buffers.
- b. **Lighting.** Any on-site lighting shall be dark-sky compliant, shielded away from adjacent properties, and positioned downward to minimize light spillage onto adjacent properties.
- c. **Noise.** Daytime noise generated by the facility post-construction will be under and average 67 dBA per day, measured at the property line, throughout the day with no noise emissions at night; provided, however the operator may seek temporary waivers from the Planning Division for specific repair or maintenance needs.
- d. **Ingress/Egress.** Permanent access roads and parking areas will be stabilized with gravel, asphalt, or concrete to minimize dust and impacts to adjacent properties.
- e. All newly installed utilities including but not limited to, electric, fiber, cable and telephone lines serving the site which are visible from the ground-level view of adjacent properties zoned residential, agricultural and/or PUD Planned Unit Development, dwellings not owned by the owner of the subject property, and public rights-of-ways, shall be screened from view or shall be placed underground, unless prohibited by the state/federal agency regulating them.
- f. All solar energy facility structures, racks and associated facilities shall have a non-reflective finish or appearance. The solar collectors shall be designed to maximize absorption and minimize glare outward toward adjoining properties and upward toward military and general aviation aircraft or other similar aircraft.

11. Height of Structures. Solar Energy Facility structures shall not exceed 15 feet; however, towers constructed for electrical lines may exceed the maximum permitted height as provided in the zoning district regulations, provided that no structure shall exceed the height of 25 feet above ground level, unless required by applicable code to interconnect into existing electric infrastructure or necessitated by applicable code to cross certain structures.

12. Buffers.

a. Setbacks.

- i. A minimum 100-foot setback, which includes a 50-foot planted buffer as described in 12(b), shall be maintained from a principal Solar Energy Facility structure to the edge of the public right-of-way.
- ii. A minimum 100-foot-setback, which includes a 50-foot planted buffer as described in 12(b), shall be maintained from a principal Solar Energy Facility structure to any adjoining property line which is a perimeter boundary line for the project area.
- iii. A minimum 150-foot setback from all exterior property lines shall be required for placement of all inverters associated with a Solar Energy Facility.
- iv. A minimum 300-foot setback from all exterior property lines shall be required for placement of any required substations associated with a Solar Energy Facility.

b. Screening. A minimum 50-foot vegetative buffer (consisting of existing trees and vegetation) shall be maintained. If there is no existing vegetation or if the existing vegetation is inadequate to serve as a buffer as determined by the Planning Manager, a staggered triple row of evergreen trees and shrubs will be planted on approximately 10-foot centers in the 25 feet immediately adjacent to the security fence. New plantings of trees and shrubs shall be approximately six (6) feet in height at time of planting. In addition, pine seedlings will be installed in the remaining 25 feet of the 50-foot buffer.

13. Coordination of local emergency services.

- a. Applicants for new solar energy facility shall coordinate with the County's Fire, EMS, and Emergency Management staff to provide materials, education and/or training to the departments serving the property with emergency services on how to safely respond to on-site emergencies at the solar energy facility.

14. Roll Back Taxes.

- a. Payment of all applicable rollback taxes for parcels in the land use program shall be a pre-condition of the County's issuance of a land disturbance permit.

15. Decommissioning.

- a. Decommissioning Plan. A decommissioning plan shall be developed by the applicant, owner or operator prior to the approval of a site plan being issued for a

solar energy facility. The purpose of the decommissioning plan is to specify the procedure by which the applicant or its successor would remove the solar energy facility after the end of its useful life and to restore the property for prior or future usage consistent with the Comprehensive Plan or future zoning. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous 6-month period it shall be considered abandoned. The applicant, owner or operator shall provide notice to Prince George County in writing once the property becomes inactive as a solar energy facility use. The decommissioning of the site shall commence within six (6) months of receipt of such notice from the applicant, owner or operator by Prince George County. The "notice" shall be known as the "Decommissioning Plan" under Zoning Ordinance Section 90-16 (ii) (e) which shall include the following:

- i. Anticipated life of the solar energy facility project;
 - ii. The estimated cost of the decommissioning in the future as expressed in current dollars by a State licensed professional engineer;
 - iii. Method estimate was determined;
 - iv. The manner in which the project will be decommissioned; and
 - v. The name and physical address of the person or entity responsible for the decommissioning plan.
- b. Surety. Unless the solar energy facility project is owned by a public utility within the Commonwealth of Virginia, the gross costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a letter of credit, cash or a guarantee by an investment grade entity, posted within 30 days of the project receiving its certificate of completion or equivalent from Prince George County to operate the use. If an adequate surety is required, the cost estimates of the decommissioning shall be updated at least every five (5) years by the applicant, owner or operator, and provided to the County. If the solar energy facility is sold to an entity that is not a public utility, the Special Exception shall not transfer to the purchaser until such time as adequate replacement surety is provided for the solar energy facility. At its option, the County may require that a surety amount be increased based upon the net cost of decommissioning the use and as approved by the County Attorney.
- c. Applicant/Property Owner Obligation. Within six (6) months after the cessation of use of the solar energy facility for electrical power generation or transmission, the applicant or its successor, at its sole cost and expense, shall decommission the solar energy facility in accordance with the decommissioning plan approved by the County. If the applicant or its successor fails to decommission the solar energy facility within six (6) months, the property owners shall commence decommissioning activities in accordance with the decommissioning plan. Following the completion of decommissioning of the entire solar energy facility arising out of a default by the applicant or its successor, any remaining surety funds held by the County shall be distributed to the property owners in a proportion

of the surety funds and the property owner's acreage ownership of the solar energy facility.

- d. Applicant/Property Owner Default; Decommissioning by the County.
 - i. If the applicant, its successor, or the property owners fail to decommission the solar energy facility within six (6) months, the County shall have the right, but not the obligation, to commence decommissioning activities and shall have access to the property, access to the full amount of the decommissioning surety, and the rights to the solar energy equipment and materials on the property.
 - ii. If applicable, any excess decommissioning surety funds shall be returned to the current owner of the property after the County has completed the decommissioning activities.
 - iii. Prior to the issuance of any permits, the applicant and the property owners shall deliver a legal instrument to the County granting the County (1) the right to access the property, and (2) an interest in the solar energy facility equipment and materials to complete the decommissioning upon the applicant's and property owner's default. Such instrument(s) shall bind the applicant and property owners and their successors, heirs, and assigns. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the applicant, including under the County's zoning powers.
- e. Equipment/Building Removal. Unless otherwise approved by the Planning Manager, all physical improvements, materials, and equipment related to solar energy generation, both surface and subsurface components, shall be removed following disturbance caused in the removal process. Perimeter fencing will be removed and recycled or reused.
- f. Infrastructure Removal. Unless otherwise approved by the Planning Division, all access roads will be removed, including any geotextile material beneath the roads and granular material. The exception to removal of the access roads and associated culverts or their related material would be upon written request from the current or future landowner to leave all or a portion of these facilities in place for use by the landowner. Access roads will be removed within areas that were previously used for agricultural purposes and topsoil will be redistributed to provide substantially similar growing media as was present within the areas prior to site disturbance, unless a written request is received from the current or future landowner proposing alternative development plans for the property.
- g. Partial Decommissioning. Any reference to decommissioning the solar energy facility shall include the obligation to decommission all or a portion of the solar energy facility whichever is applicable with respect to a particular situation. If decommissioning is triggered for a portion, but not the entire solar energy facility, then the applicant or its successor will commence and complete decommissioning, in accordance with the decommissioning plan, for the applicable portion of the

solar energy facility; the remaining portion of the solar energy facility would continue to be subject to the decommissioning plan.

ARTICLE III. SAMPLE SOLAR ENERGY FACILITY SPECIAL EXCEPTION CONDITIONS

1. This Special Exception is granted for a ____-scale solar energy facility use to _____ and is located on Tax Maps _____. This Special Exception may be transferred provided that Condition 10(b) regarding proper surety is met.
2. Payment of all rollback taxes for parcels _____ enrolled in the Land Use program shall be a precondition of the County's issuance of a land disturbance permit pursuant to a site plan prepared for the solar energy facility.
3. Site Plan Requirements. The Solar Energy Facility shall meet all conditions for Site Plan Requirements as defined in the Solar Energy Facility Policy.
4. The solar energy facility shall be constructed in accordance with the County-approved grading plan as approved by County staff prior to the commencement of any construction activities, and in accordance with the Erosion and Sediment Control Plan.
5. Operations. The Solar Energy Facility shall meet all conditions for operations in the Solar Energy Facility Policy.
6. Buffers. The Solar Energy Facility shall meet all conditions for buffer setbacks and landscape requirements as required in the Solar Energy Facility Policy.
7. Wildlife Corridors. The applicant shall identify an access corridor for wildlife to navigate through the Solar Energy Facility. The proposed wildlife corridor shall be shown on the site plan submitted to the County. Areas between fencing shall be kept open to allow for the movement of migratory animals and other wildlife.
8. Height of Structures. Solar Energy Facility structures shall meet all required conditions for structure height in the Solar Energy Facility Policy.
9. Inspections. The applicant will allow designated County representatives or employees access to the facility for inspection purposes at any time during the construction process and thereafter upon 24 hours advance notice. The applicant will maintain current contact information on file with the Planning Manager.
10. The applicant, owner or operator shall coordinate directly with Fire, EMS and Emergency Management to provide solar energy materials, educational information and/or training to the respective personnel responding to the solar energy facility project in regards to how to safely respond to any emergencies that may occur on the premises.
11. Compliance. The Solar Energy Facility shall be designed, constructed, and tested to meet relevant local, state, and federal standards as applicable.
12. Decommissioning. The Solar Energy Facility shall meet all conditions for Decommissioning as specified in the Solar Energy Facility Policy.

13. Power Purchase Agreement. Prior to the issuance of any building permit for the solar energy facility, the applicant shall have executed either a power purchase agreement with a third-party, or a sale agreement to transfer the project to a regulated utility. Upon the County's request, the applicant shall provide the County and legal counsel with a redacted version of the executed power purchase agreement or sale agreement.
14. This Special Exception shall become null and void if the use of a ___ scale solar energy facility is abandoned for a period of twenty-four (24) consecutive months.
15. This Special Exception may be revoked by Prince George County or by its designated agent for failure by the applicant, owner or operator to comply with any of the listed conditions or any provision of federal, state or local regulations.

Board of Supervisors
County of Prince George, Virginia

Resolution

At a regular meeting of the Board of Supervisors of the County of Prince George held in the Boardroom, Third Floor, County Administration Building, 6602 Courts Drive, Prince George, Virginia this 10th day of March, 2020:

Present:

Vote:

Donald R. Hunter, Chairman
Alan R. Carmichael, Vice-Chairman
Floyd M. Brown, Jr.
Marlene J. Waymack
T. J. Webb

A-5

On motion of _____, seconded by _____, which carried unanimously, the following Resolution was adopted:

**RESOLUTION; ADOPTION OF THE PRINCE GEORGE COUNTY
SOLAR ENERGY FACILITY SITING POLICY**

WHEREAS, the Prince George County Solar Energy Facility Siting policy has been reviewed by the Planning Commission and staff and it has been determined that adopting this policy will guide the placement and design of new solar energy facilities in Prince George County; and,

WHEREAS, the Prince George County Solar Energy Facility Siting policy provides solar energy facility applicants, property owners, business owners and County residents with guidance on the official policies and standards of Prince George County;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of the County of Prince George this 10th day of March, 2020, does hereby adopt the Prince George County Solar Facility Siting Policy as recommended.

A Copy Teste:

Percy C. Ashcraft
County Administrator