

Utility scale solar power on the rise in rural Virginia

Southampton County mulls over approval of 1,200 acres of solar panels

Since August of 2015, there have been 19 applications submitted for the construction and operation of large, ground-mounted, solar panel arrays. Project areas range from 77 to 1,200 acres with electric power generation capacity of 6 to 100 megawatts (MW). These power production plants are often referred to as “solar farms” because they are typically sited in agricultural areas.

On July 14, VACo made a presentation to the Southampton Planning Commission as part of an “information gathering session” that included state officials and experts on solar power generation. This is because on August 11 the Planning Commission will hold a public hearing to consider recommending zoning approval (this includes a comprehensive plan amendment, rezoning, and special use permit) for 100 MW of solar panels on 1,200 acres of agriculturally zoned land near Boykins, VA. Should the Southampton Board of Supervisors ultimately approve this application, and it is constructed, it will be the largest solar power generating plant in Virginia. The applicant, Community Energy Partners, is currently constructing an 80 MW solar generating facility in Accomack County, the first of the 19 applications to receive approval from state regulators.



As part of the session, VACo staff explained recent changes in regulatory and tax incentives in Virginia that have made solar power generation more attractive to developers and investors. These include:

- In 2009 the General Assembly passed a law to allow solar (and wind) power generation of 100 MW or less to bypass State Corporation Commission (SCC) approval. As part of the legislation, the Virginia Department of Environmental Quality (DEQ) was required to develop permit-by-rule (PBR) regulations to mitigate for any impacts to natural and historic resources. PBR went into effect in July of 2012. So long as any impacts are avoided and/or mitigated, and the locality allows for the use, then authorization to construct and operate is automatic.
- In 2014 the General Assembly acted to fully exempt solar power generating plants with a capacity of 20 MW or less from the local machinery and tools (M&T) tax. Subsequently, in 2016 the legislature modified the M&T tax by lowering the threshold for full exemption to 5 MW or less, and granting an 80% exemption for anything greater than 5 MW.

Of course, an even greater incentive is the premium some corporations are willing to pay for a source of relatively clean, renewable energy. Even before DEQ granted approval of the Accomack solar farm, it was announced that internet retail giant Amazon agreed to purchase all the energy it will generate.

When reviewing land use applications (whether “by right” or through legislative approval) counties should take the following into consideration:

- Determine compatibility with surrounding agricultural uses and consider updating the comprehensive plan to take into account where utility scale solar may fit;
- When appropriate, include a requirement to return land to pre-existing conditions when the solar panels are no longer in use; and
- Take into account that the M&T tax exemption does not apply to the underlying real estate. This has the potential to positively offset any loss in M&T tax revenue.

VACo Contact: [Joe Lerch](#)

(What is a megawatt? A megawatt is a standard unit of power generating capacity. In Virginia one megawatt of solar photovoltaic (PV) panels generates enough electricity to power approximately 100 homes.)



July 28, 2016

Prince George County Virginia
Community Development & Code Compliance
6602 Courts Drive
P.O. Box 68
Prince George, VA 23875
Attn: Douglas Miles
Planning Manager / Zoning Administrator

Subject: Zoning Ordinance for Solar Farm

Reference: 3513 Rives Road, Tax/Parcel ID 330(0A)00-024-0

Project Description

New Energy Ventures is proposing to build a 20 MW solar electric farm to be located at 3513 Rives Road, Prince George, Virginia. The property is 143 acres, tax map parcel 330(0A)00-024-0, zoned R-A, Residential-Agricultural, and is situated in the southeast quadrant at the intersection of Rives Road and I-295 North. The property is currently vacant. New Energy Ventures has entered into an Option – Purchase Agreement with the site owner, Mr. John McQueen, which allows New Energy the right to proceed with development of a solar electric farm.

The solar farm will utilize photovoltaic panels using a ground-mounted fixed-tilt or tracking system. The panels are approximately 6.5' by 3', and will be mounted on galvanized steel frames approximately 4-6 feet above ground. In addition, it is contemplated that one small maintenance shed will be constructed on the site. The panels are estimated to cover approximately 70 of the 143 acres.

The project will use no water in the solar electric generation process, and will generate no air emissions and no noise. There will be no additional burden to the County's infrastructure including roads, water and sewer service, schools or fire/police. The proposed use will add to the county tax base but requires little to no public services. Total project capital cost is estimated to be \$40-50MM.

The system operates generating electricity during the day-time only, and will not produce noise at night. The electric inverters, the loudest equipment, will produce approximately 60db at a distance of approximately 30 feet. There will be no permanent light fixtures. By its very nature, solar panels absorb sunlight and produce no glare or glint. The proposed impervious area is expected to be 2-3%. The storm-water management system will comply with applicable State and County requirements. The existing site land is a combination of farming, woodlands, and wetlands, including Isaac Walton Pond. There

will be no wetlands disturbances. Some limited clearing of existing wooded areas will be required. The project will comply with all applicable building, electrical, fire-protection and safety codes. Set-backs, buffering and landscaping will meet County ordinances and will adequately screen the site from neighboring properties.

Subject to receiving all required local, State and Federal permits, construction is expected to take 6 to 9 months, with completion in the 4th quarter of 2017. All power generated by the solar farm will be delivered to the Dominion Virginia Power system at the point of interconnection near the site entrance at Rives Road. The anticipated service life of the solar farm is 20-30 years.

New Energy Ventures understands that the current zoning for R-A land, Sec. 90-103 - Uses and structures permitted by special exception, includes, among other things, "(15) Public utility generating station, transmission line and tower other than normal distribution facilities, pipe, meter, railroad, water and sewerage installation, compressor station, measurement station, regulator station", but does not specifically include solar electric farms of the type we are proposing to build.

We understand the County is in the process of amending the ordinance to allow such uses subject to Special Exception. New Energy Ventures desires to file an application for a Special Exception for the solar farm at Rives Road as soon as possible, and desires a hearing before the Planning Commission as early as its August 2016 meeting if possible.

We are also prepared to conduct a public information meeting in parallel with the application to the County.

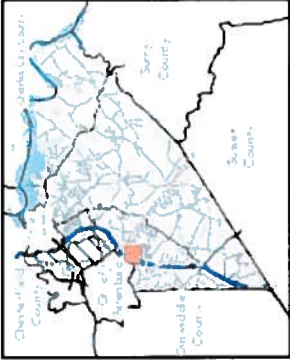
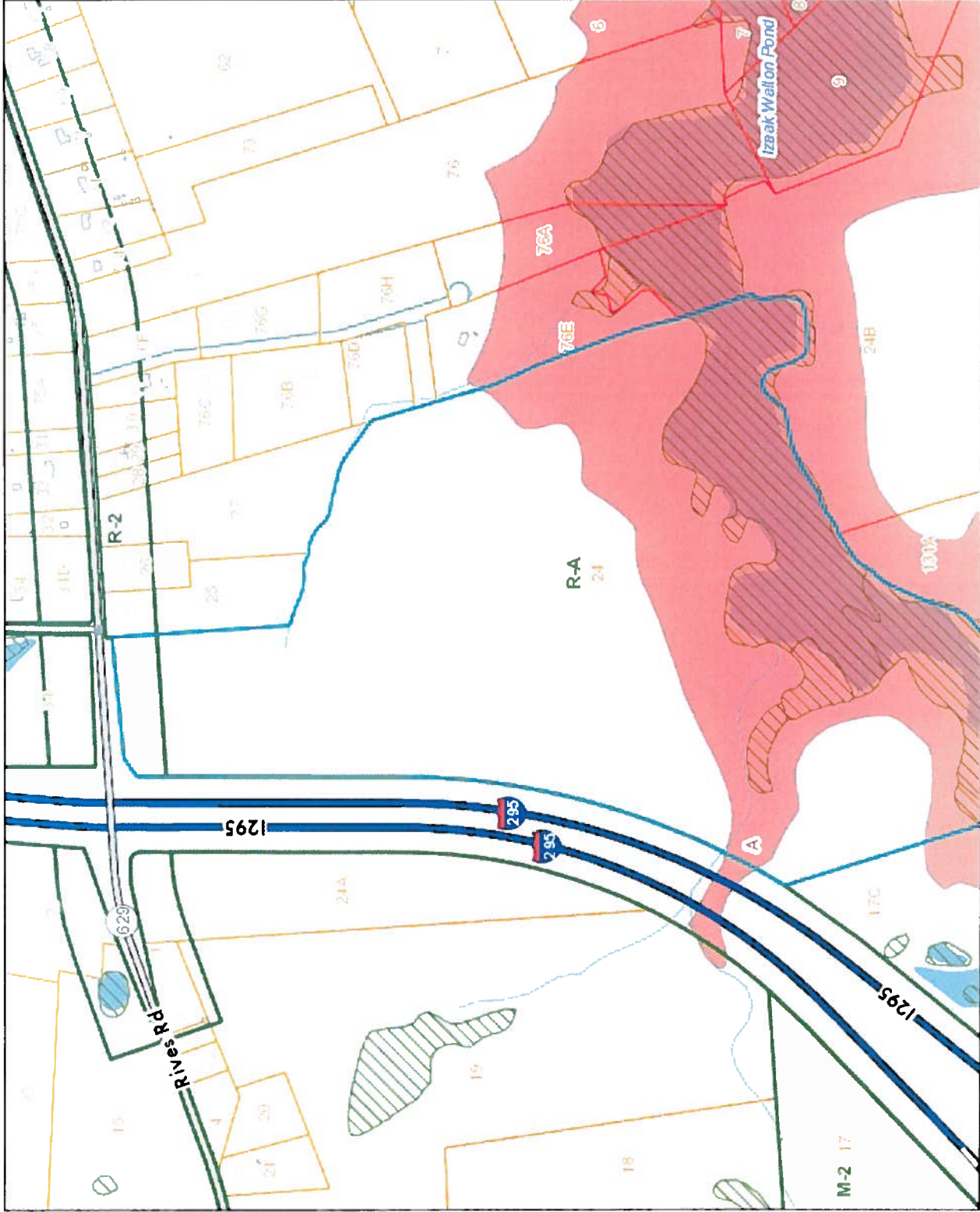
Please advise if you require any additional information at this point, and when we might proceed with our application.

Regards,

Doug Haroldson / KN

Doug Haroldson
Sr. VP Development

County of Prince George



Legend

- Zoning Outlines
- Political Boundaries
- FEMA Floodzones
- Taxparcels
- Access Easements
- Wetlands

Notes

The information contained in this data should not be used as a "legal description". Map information is believed to be accurate, but accuracy is not guaranteed.

Copyright, 2014 County of Prince George, VA

Map Scale 1: 8,000

7/29/2016

0 666.7 1,333.3 Feet

***Community Development &
Code Compliance***



*Julie C. Walton, Director
Jeff Brown, Building Official
Douglas Miles, Planning Manager*

County of Prince George, Virginia

"A global community where families thrive and businesses prosper"

June 30, 2016

North Ridge Resources LLC
2701 Farm Road
Alexandria, VA 22302
Attn: Kenneth Niemann

John B. McQueen
7990 Wood Drive
Disputanta, VA 23842

RE: Tax Map 330(0A)00-024-0 / 3513 Rives Road Prince George, VA

Please be advised that this property is zoned R-A, Residential – Agricultural and it is currently vacant. You have requested information for the construction and operation of a solar photovoltaic electric power facility (solar farm) of approximately 25 MW rated output on the premises.

Please be advised that the R-A, Residential - Agricultural Zoning District does not contain such use by right or by special exception which would require a Zoning Ordinance Amendment to allow for such use to be added to R-A 90-103 Special Exception to make an application for the use by special exception. A Zoning Ordinance Amendment requires a Public Hearing before the Planning Commission and the Board of Supervisors and then Public Hearings for a Special Exception to request the proposed use.

You are hereby advised that you have thirty (30) days from the date of this letter in which to appeal this decision to the Board of Zoning Appeals, in accordance with 15.2-2311 of the Code of Virginia and 90-990 of the County of Prince George Zoning Ordinance, or this decision shall be final and it shall be unappealable. Such appeal must be in writing and it must be filed with the Secretary to the Board of Zoning Appeals. An appeal shall indicate in specific terms the grounds for the appeal and it must be accompanied by a filing fee of three hundred fifty (\$350.00) dollars. Please be advised that this letter is being provided to the property owner, as required by Virginia State Code, as an official letter written by the Zoning Administrator.

Sincerely,

Douglas Miles

Douglas Miles, CZA
Planning Manager / Zoning Administrator
Secretary to the Board of Zoning Appeals

NORTH RIDGE RESOURCES LLC

June 17, 2016

Prince George County
Community Development & Code Compliance
6602 Courts Drive
P.O. Box 68
Prince George, VA 23875
Attn: Douglas Miles

Subject: Zoning Certification Request

Reference: 3513 Rives Road, Tax/Parcel ID 330(0A)00-024-0

North Ridge Resources, acting on behalf of its client Kampf Capital Partners, LLC, hereby requests a zoning certification from Prince George County for the above referenced parcel for the construction and operation of a solar photovoltaic electric power facility of approximately 15 MW rated output. Attached to this letter is a summary of a typical 20 MW solar farm with photographs to aid in your evaluation.

Kampf Capital Partners, operating as New Energy Ventures, Inc., is a California-based clean energy development company with a focus on solar photovoltaic (PV) projects. It has large utility scale solar projects under development throughout the U.S.

North Ridge requests expedited consideration of this request. A check (#143) in the amount of \$44.00 is included.

Please send all correspondence, including the certification itself, to:
kniemannl@comcast.net.

Regards,

Kenneth Niemann

Ken Niemann
President

2701 FARM ROAD • ALEXANDRIA, VA • 22302
703-801-0412