

SOLAR ENERGY ORDINANCE
PRESENTATION
(February 2, 2016)

In September 2015, Dominion Power applied for an ordinance amendment to allow solar facilities in Rockingham County.

As there was no proposed ordinance language submitted, staff took the information to the Board of Supervisors; and on October 14, 2015, the Board authorized staff to form a committee of people who deal in solar energy as well as people who have worked on other committees with ordinance amendments and to develop an ordinance which would be brought before the Planning Commission and Board.

A committee was created of Dominion Power representatives, SVEC representatives, McBride Energy, other energy companies, JMU representatives, EMU representatives, private citizens, and County staff. A meeting was held with these representatives on October 22, 2015.

From the information provided in advance by the different entities plus the information obtained that day from the committee, staff worked to draft an ordinance. A rough draft of the ordinance was sent out to all committee members in November for review.

After comments were received from committee members, changes were made to the ordinance; and on December 28, a new draft was sent out to committee members. In January we received a couple of comments back from the electric companies. We made changes based on those comments and sent out a new ordinance.

The draft before you tonight is a copy of the last draft sent out to committee (from which we received only positive comments from committee members).

Before moving on, I want to take a moment to thank the many people who served on the committee (ask to stand) and to recognize the hard work they put into this ordinance even though we did not constantly hold meetings.

Three ordinances before the Commission. As all are related, will do them as one ordinance, if that is the wishes of the committee. If any questions during presentation, please do not hesitate to ask.

OA16-007 DEFINITIONS

SOLAR ENERGY FACILITY, LARGE (also known as solar energy systems, solar energy arrays, or solar energy farms).An energy conversion system occupying 1/2 acre or more of total land area. Would include panels, support structures, transmission hardware, etc.

SOLAR ENERGY FACILITY, SMALL Would be the same definition except that it would occupy less than 1/2 acre of total land area.

OA16-008 LAND USE TABLE

If approved, solar energy facility, large would be by permitted use (P*) with supplemental standards in the I-1, I-2, PID, PMR, MXU, PCD, R-4, R-5, and S-1 zoning districts. That would be the conventional industrial districts and the Public Service District along with the planned districts.

Solar energy facility, large would be by special use (SU*) with supplemental standards in the A-1, A-2, R-V, PG, RR-1, B-1 and B-2 zoning districts.

And I will go into those supplemental standards in a few moments.

If approved, solar energy facility, small would be by permitted use (P*) with supplemental standards in all districts.

OA16-009 SUPPLEMENTAL STANDARDS

There are different types of facilities. As already stated, there are large, and there are small. However, there are also ground-mounted and roof-mounted.

A lot of the standards are the same, whether they are large or small; whether they are ground-mounted to roof-mounted

HEIGHT:

- For ground-mounted systems (both large and small), the facilities shall not exceed 25' in height when oriented at maximum tilt.
- For roof-mounted systems, the facility shall not project vertically more than one (1) foot above the peak of a sloped roof and not more than five (5) feet above a flat roof.
- For roof mounted, the combined height of a facility and the primary structure to which it is attached shall not exceed the maximum height for the zoning district in which it is located.
- Also, for roof mounted, it shall be demonstrated that the placement of the facility would not adversely affect safe access to the roof

GLARE:

With all types of facility, any glare generated by the system must be mitigated or directed away from adjoining property or from any road when it creates a nuisance or safety hazard.

OCULAR-IMPACT STUDY

For large facilities (both ground-mounted and roof-mounted), an ocular-impact study must be performed for airports within five miles of the project site and for public roads within sight of the system, and a standard is given that must be met in doing that.

SETBACKS

For ground-mounted systems (both large and small):

- In zoning districts that have required setbacks, the array shall at a minimum, meet setback requirements for primary structures except among and between participating landowners' parcels.
- In zoning districts that have no required setbacks, the array shall be located in such a manner that it does not encroach on any adjoining property except among and between participating landowners.
- Solar energy facilities shall not encroach into any easements.

APPEARANCE:

- Shall be maintained in the color or finish that was originally applied by the manufacturer
- All signs, other than the manufacturer's identification, installer's identification, appropriate warning signs, or owner's identification shall be prohibited.

REMOVAL:

For large facilities:

- At such time that a facility is scheduled to be abandoned or discontinued, the owner of the facility shall notify the County by certified U.S. mail of the expected date of abandonment or discontinuation of operations.
- Within 356 days of the date of abandonment or discontinuation, the owner of the system shall remove all components of the solar energy facility. If not removed within the allotted time, the County may have it removed at the expense of the property owner.

NOTIFICATION:

Small facility:

- Consumer shall notify the utility company prior to purchasing and installing the facility.
- Installations shall require an electrical permit and inspection by County personnel.
- County personnel shall notify the utility company that the small solar energy facility has been inspected and approved.
- All installations shall comply with IEEE 1547, shall be UL listed and shall be approved for interconnection by the local utility company. All equipment shall be UL listed for its installed purpose.
- All installations shall comply with all state regulations for small generator interconnections.