

# C3's Suggested Feedback: Albemarle County Draft Solar Ordinance



Albemarle County recently released a draft solar ordinance setting out rules for solar energy facilities in the County. These talking points focus on areas for improvement identified by C3 and are designed to empower community members to communicate their priorities to the County.

**Advocate for a smart solar ordinance to transform our community's energy future!**

## Feedback Priorities

### 1. Streamline Small-Scale (smaller than 5MW) Solar Projects

- **Small-Scale Approval:** Eliminate the requirement for a Special Use Permit for small-scale distributed solar facilities, defined as those generating less than 5 MW (instead of the 1 MW limit proposed by the ordinance draft).
- **Accessory solar facilities should be permitted by right across all zoning districts,** particularly those over originally impervious surfaces. This approach eliminates the need for additional permitting in specified zoning districts, including Entrance Corridors, thereby streamlining the process while ensuring environmental considerations.

### 2. Clarify and Mitigate Impacts on Solar Development of Architectural Review Board (ARB) Entrance Corridor Design Guidelines

- **Level of Influence:** Clearly outline how ARB Entrance Corridor Design Guidelines affect the feasibility, timeline, and permitting process of solar projects.
- **Soft Costs:** Permitting costs as a subset of solar projects "Soft Costs" and literature suggest that they disproportionately affect the viability of smaller solar projects, such as those on-site on existing impervious surfaces.
- **Reasonable Design Requests:** Limit ARB design recommendations to upgrades that do not inhibit solar projects. For instance, recommendations should not increase a project's costs by over a specified percentage (e.g., 5%), nor should it significantly delay project permitting approval.

### 3. Define Priorities for Land Use Changes

- **Just Transition Principles:** Prioritize just transition principles in land use changes, emphasizing positive impacts on local communities and workforces.
- **Criteria for Tradeoffs:** Determine existing criteria for acceptable tradeoffs between current enterprises and new solar development.
- **Consequences of a Project's Denial:** Evaluate the impacts of denying applications, considering effects on landowners, missed opportunities for increasing tax revenue to support equity-oriented policies, and the potential perpetuation of current land use if projects are denied.

Connect with us to share your ideas!

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### 4. Define Metrics for Visual Impact and Cultural Integrity

- **Selection and Prioritization of Perspectives:** While maintaining the historical and cultural integrity of the County is important, the County should seriously consider and identify *whose* histories, cultures, and viewsheds are being prioritized in these conversations, and how much power *those* specific perspectives should have during the approval process.
- **Metrics Definition:** The County must define precise metrics and set thresholds for assessing visual impact and cultural integrity, especially regarding Points 5.9.3.1 (Factors to be Considered) and 5.9.4.5 (Visual Impact Analysis).
  - How “detrimental” a solar facility could be to historical/cultural integrity?
  - Who decides the “overall character” of the area?
  - What constitutes a minimization of impact on a viewshed and the methodology for assessing such impacts?

### 5. Expand Public Engagement and Accessibility

- **Robust Public Engagement:** Implement an inclusive public engagement process involving multiple channels such as public hearings, webinars, and workshops to foster community buy-in and address concerns related to solar development.
- **Accessibility Measures:** Improve accessibility to public processes by offering amenities such as child care and meals during meetings and hearings, enhancing participation opportunities for all community members.
- **Culturally and Linguistically Appropriate Communication:** Provide information in culturally and language-sensitive ways to ensure all potential stakeholders can make informed decisions and participate voluntarily in the process.

## Key Questions to the County

- Does requiring the same SUP for very small-scale solar projects as utility-scale development help to achieve the County's ambitious clean energy goals?
- How does the County plan to balance architectural requirements with the need for solar development?
- With what metrics and weighting system will the County ensure that diverse community perspectives on cultural and historical integrity are represented?
- What are the acceptable tradeoffs between existing enterprises and new developments?
- How does the County intend to incorporate feedback from community engagement?

## Share your feedback!

Visit <https://engage.albemarle.org/solar-ordinance/surveys/draft-solar-ordinance-feedback> to leave feedback by the **deadline on Friday, March 15, 2024.**

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COMMUNITY CLIMATE  
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**Accessory solar** - A facility that incorporates solar panels into existing buildings, operating as an “accessory” to the original use development. These solar facilities are typically located over impervious surfaces.

**Allowed by Right** - Land use/activities allowed without the need for special use permissions.

**Community buy-in** - Support/agreement from local community for a particular project, initiative, or decision

**Community Impact Assessment** - An evaluation of the proposed solar project's effects on the surrounding area, emphasizing its social and economic implications for the local community. Ideally, these types of assessments should also include considerations such as potential increases in tax revenues (that could fund social policies, for example) and its role in mitigating climate change impacts that may disproportionately affect county residents.

**Energy Justice** - Fair access to clean, affordable energy resources and benefits, regardless of identity or background.

**Entrance Corridor** - Designated visually appealing areas (e.g. roadways) leading into a city or town.

**Just Transition** - Place-based principles and processes that consider community welfare and workers’ rights as economies shift towards being more sustainable and low-carbon; for more info, see [here](#).

**Metrics** - Measurable data/standards assessing performance, progress, or effectiveness.

**MW** - Megawatt.

**Special Use Permit (SUP)** - Legal authorization for land use not typically permitted by the zoning ordinance.