



Augusta County Planning Commission
Planning Commission
Tuesday, August 8, 2023 – 7:00 PM

MEMO

August 8, 2023 Meeting Notice
August Agenda 2023.pdf
August_PC_Note.pdf

1. **CALL TO ORDER**

2. **DETERMINATION OF A QUORUM**

3. **APPROVAL OF THE MINUTES**

A. Approval of the Regular and Called Meeting on July 11, 2023
3 A- July 11, 2023 Planning Commission Meeting Minutes.pdf

4. **PUBLIC HEARINGS**

A. A request for a substantial accord determination pursuant to Virginia State Code Section 15.2-2232 for the Fishersville Road Solar Farm, LLC Special Use Permit request to construct and operate a small-scale solar energy system (2 MW) on property owned by James W. & Kelly B. Curd (TMP 067 46A) located southeast of Long Meadow Road (Route 608) at 74 J Ranch Ln in Fishersville in the Wayne Magisterial District. Total acreage for the parcel is approximately 24 acres and the proposed fenced project area is approximately 10 acres. The parcel is located within an Urban Service Area of the Comprehensive Plan, planned for Planned Residential.

Fishersville Road Solar Farm_Exec Summary.pdf
Fishersville Road Solar Farm_Staff Report.pdf
FishersvilleSolarFarmLLC_Maps.pdf
Fishersville Road Solar Farm Project Narrative.pdf
Fishersville Road SF Staff Report and ESA Responses.pdf
Fishersville Road Solar Farm_09_23-0628-G-1.0 SITE PLAN.pdf
Access Road through Curd 1 Site Plan.pdf
Fishersville Solar Farm Memo to Augusta County Planning Commission.pdf

5. **MATTERS TO BE PRESENTED BY THE PUBLIC**

6. **NEW BUSINESS**

7. **OLD BUSINESS**

8. **MATTERS TO BE PRESENTED BY THE COMMISSION**

9. **STAFF REPORTS**

- A. Comprehensive Plan and Economic Development Strategy – Status Update
- B. Information for Commission – Code of Virginia, Section 15.2-2310 (Board of Zoning Appeals Items)

10. **ADJOURNMENT**

A G E N D A

Regular Meeting of the Augusta County Planning Commission

Tuesday, August 8, 2023 7:00 P.M.

1. CALL TO ORDER
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3. APPROVAL OF THE MINUTES
 - A. Approval of the Regular and Called Meeting on July 13, 2023
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6. NEW BUSINESS
7. OLD BUSINESS
8. MATTERS TO BE PRESENTED BY THE COMMISSION
9. STAFF REPORTS
 - A. Comprehensive Plan and Economic Development Strategy – Status Update
 - B. Information for Commission – Code of Virginia, Section 15.2-2310
(Board of Zoning Appeals Items)
10. ADJOURNMENT



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Augusta County Planning Commission
FROM: Elizabeth Goodloe, Planner I
CC: Timothy Fitzgerald, County Administrator
Doug Wolfe, Director of Community Development
DATE: August 1, 2023
SUBJECT: Regular Meeting

The regular meeting of the Augusta County Planning Commission will be held on **Tuesday, August 8, 2023 at 7:00 p.m.**, at the Augusta County Government Center, in the Board Meeting Room, 18 Government Center Lane, Verona, Virginia.

The Planning Commission will meet beginning at **4:00 p.m.** for a staff briefing. In addition to the items on the enclosed agenda, the Planning Commission have the suspended Section 3-1 under Article 3 Officers of the By Laws to discuss the direction in which the Commission would like to go.

After the staff briefing, the Planning Commission will have dinner in the Community Development Conference Room at 6:15 p.m.

Attached are the agenda and meeting materials for this meeting. If you have any questions about any of the materials, please feel free to contact us. If you won't be able to attend the meeting, please let us know as soon as possible.

EG

PRESENT: C. Bragg, Chairman
L. Howdyshell
B. Schindler
R. Thomas

A. Vane, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT: R. Harris, Vice Chairman
D. Henderson
K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, July 11, 2023 at 5:00 p.m. in the Board of Supervisors' Conference Room, Augusta County Government Center, Verona, Virginia.

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Staff briefed the Planning Commission regarding:

1. The Planning Commission's 06-13-2023 Recommendation to the Board of Supervisors Regarding Solar Applications
2. Updated Legal Guidance Regarding Procedure for Solar Applications after Planning Commission Determinations
3. The 06-22-2023 Greenville Community Meeting
4. The Planning Commission's motion from the June meeting to suspend the second sentence of section 3-1 of the Planning Commission By-Laws until the August 2023 regular meeting.

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Chairman

Secretary

PRESENT: C. Bragg, Chairman
L. Howdyshell
B. Schindler
R. Thomas

A. Vane, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT: R. Harris, Vice Chairman
D. Henderson
K. Leonard

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, July 11, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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DETERMINATION OF A QUORUM

Mrs. Carolyn Bragg stated that they were missing three (3) members, but they still had a quorum.

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MINUTES

Mr. Larry Howdyshell moved to approve the minutes of the called and regular meeting held on June 13, 2023.

Mr. William Schindler seconded the motion, which carried unanimously.

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PUBLIC HEARINGS

Mrs. Bragg stated that they had three public hearings. Mrs. Bragg noted that the applicants for the third item on the agenda asked for a deferral until the September 12th Planning Commission meeting, so the public hearing would not be heard that evening.

Mrs. Bragg stated that the first public hearing pertained to an ordinance from Chapter 25 that had been tabled from last month's meeting, and that there needed to be a motion to take it off the table for them to discuss.

Mr. Howdyshell made the motion to take the item off the table

Mr. Robert Thomas seconded the motion which carried unanimously, 4-0.

Ms. Elizabeth Goodloe introduced the first request as a proposed ordinance amendment to Section 25-4, Definitions. Ms. Goodloe stated that the request would be the first of two proposed ordinance amendments addressing recycling plants. She explained that currently, the County Code did not have a definition for recycling plants, and that the proposed ordinance amendment would add the definition. Ms. Goodloe did note that the County Code currently had a definition for a recycling center.

Ms. Goodloe described the difference between a recycling plant and a recycling center, stating that a recycling center was a place for citizens to drop off recyclable materials, while a recycling plant was a place where recyclable materials were converted into a new product. She explained that the proposed definition was taken from an industry definitions guide for Zoning Administrators, and asked the Commission if there were any questions regarding the request.

The Commissioners did not have any questions.

Mrs. Bragg opened the public hearing, asking if anyone was here to speak for or against the request. Seeing none, Mrs. Bragg closed the public hearing.

Mr. Howdyshell said that the request clarified what falls under the ordinance. He made a motion to approve the change.

Mr. Thomas seconded the motion which carried unanimously, 4-0.

Mrs. Bragg introduced the second public hearing as one that was tabled at the last meeting. She asked if there was a motion to take the request off the table.

Mr. Howdyshell made the motion to take the request off the table.

Mr. Thomas seconded the motion which carried unanimously, 4-0.

Ms. Goodloe introduced that second request as a proposed ordinance amendment to Section 25-492, Additional Uses permitted within a Public Overlay District.

Ms. Goodloe stated that the request was the second addressing recycling plants, and that the request added recycling plants as a permitted use within a Public Use Overlay district. She noted that currently, the Ordinance did not have a provision for recycling plants, and therefore they were not allowed.

Ms. Goodloe explained that given the nature of a recycling plant and the potential community impacts, this use had been grouped with similar uses, such as dumps and sanitary landfills. She also noted, that Public Use Overlay requests had to be seen by the Planning Commission and Board of Supervisors for public hearings. During that process, the applicant would to state which specific additional uses they wanted added with the PUO, and therefore, the proposed amendment would not have an effect on properties with an existing PUO. It would only allow future applicants to request a PUO for a recycling plant. Ms. Goodloe asked if the Commission had any questions regarding the request.

The Commissioners did not have any questions.

Mrs. Bragg opened the public hearing, and as no one came forward to speak, Mrs. Bragg closed the public hearing.

Mr. Howdysshell stated that this would allow the County the right to review applications for these uses. He made the motion to approve the request.

Mr. Schindler seconded the motion which carried unanimously, 4-0.

Mrs. Bragg introduced the third item as a request to rezone from General Agriculture to Multi-Family residential by Pecarma, LLC. Mrs. Bragg stated that the applicant had asked for a deferral of the request until the September 12th meeting, and that the Commission needed to make a motion to approve the deferral request.

Mr. Thomas made a motion to defer the request to September 12th.

Mr. Schindler seconded the motion which carried unanimously, 4-0.

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STAFF REPORTS

Ms. Alidia Vane introduced the first staff report as an update for the Comprehensive Plan and Economic Strategic Plan RFP. Ms. Vane reminded the Commissioners that the County was in the process of acquiring a consultant to lead the required update of the plan. Ms. Vane noted that a memo was included in their packets regarding the status of

the RFP, and that from when the packets were distributed to the Commissioners, there had been an update to the timeline.

Ms. Vane explained that staff were still in negotiations with the top firm and that the timeline has been pushed back. Staff now anticipate presenting the RFP to the Board of Supervisors at the August 21st Staff Briefing and August 23rd Regular Meeting. Ms. Vane reminded the Planning Commission that they will continue to receive a full status update at each Planning Commission meeting for the lifetime of the project. Ms. Vane asked if the Commissioners had any questions regarding the status of the Comprehensive Plan.

The Commissioners did not have any questions.

Ms. Goodloe reviewed the agenda items with the Commissioners for the August 2023 Board of Zoning Appeals meeting. No comments were submitted.

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There being no further business to discuss, Mr. Schindler made a motion to adjourn.

Mr. Howdyshell seconded the motion which carried unanimously.

Chairman

Secretary



COUNTY OF AUGUSTA
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY DEVELOPMENT
P.O. BOX 590
COUNTY GOVERNMENT CENTER
VERONA, VA 24482-0590



MEMORANDUM

TO: Dr. Scott Seaton, Augusta County Board of Supervisors
Augusta County Planning Commission
Augusta County Board of Zoning Appeals

FROM: Alidia Vane, Planner II

CC: Timothy Fitzgerald, County Administrator
Doug Wolfe, Director of Community Development
Elizabeth Goodloe, Planner I
Cara Romaine, Senior Project Development Associate, ESA Solar
Wes Shaffer, Entitlement Manager, ESA Solar
Justin Vandembroek, Vice President, Community Solar, ESA Solar

DATE: July 11, 2023

SUBJECT: Executive Summary for Fishersville Road Solar Farm

The Augusta County Planning Commission will conduct a public hearing at **7:00 p.m., Tuesday, August 8, 2023** to consider a request for a substantial accord determination pursuant to Virginia State Code Section 15.2-2232 for Special Use Permit request for **Fishersville Road Solar Farm**. This request is to construct and operate a small scale solar energy system (2 MW, approximately **10 acres in the fenced project area**) on property owned by James W. & Kelly B. Curd (TMP 067 46A) located southeast of Long Meadow Road (Route 608) at 74 J Ranch Ln in Fishersville in the **Wayne Magisterial District**.

Please find below a summary of this request's adherence to the 12 policies addressing solar energy facilities in the Augusta County Comprehensive Plan. For more details regarding this request and its adherence to each policy, please review the staff report.

PROS:

1. **Policy 10: Resource considerations:** No significant adverse impacts are expected to streams, rivers, wetlands; habitats; native vegetation; forests; or historical and archaeological resources.
2. **Policy 11: Natural resource benefits:** The applicant has proposed planting a variety of native grasses and clovers to stabilize ground cover.
3. **Adherence to County Zoning Ordinance:** The proposed project meets the minimum setback and buffering requirements, as required by the Ordinance.

CONS:

1. **Policy 2: Rural viewsheds:** The approval of this site, in close proximity to several residential homes and two other approved solar projects, is expected to result in undue adverse visual impacts for the surrounding neighborhood.
2. **Policy 5: Visual impact:** While setbacks and buffering exceed the Ordinance's minimum requirements, it is impossible to fully screen the project from all viewpoints due to the topography of the area and the close proximity of residential homes. Therefore, staff find that compliance with this policy is not met.
3. **Policy 6: Balanced land uses:** While the project meets setback requirements, it is in close proximity to a residential area, where homes could be adversely impacted with noise, lighting, and dust, especially during construction. The nearest dwelling on Windy Ln is located one hundred and twenty-five feet (125') from the proposed project fence.
4. **Policy 7: Compact, interconnected development:** This project is located in the Urban Service Area. The Comprehensive Plan strongly discourages solar facilities in this area, where the County's infrastructure is located.
5. **Policy 12: Clustering and Colocation:** This project is located immediately adjacent to the approved Augusta CSG solar facility and within 1 mile of the approved Elm Spring Solar I project. **The Planning Commission and Board of Zoning Appeals will need to determine if this qualifies as "a reasonable distance away" for the purposes of this policy.**

STAFF RECOMMENDATION: Staff find that the proposal is not in substantial accord with the Comprehensive Plan because the project lies entirely within the Urban Service Area and is located adjacent to an approved solar facility and within 1 mile of another approved facility. In addition, despite the increased setbacks and buffering, this project is expected to have significant adverse visual impacts on surrounding properties, and an overall adverse impact on community character. Therefore, **staff recommend that this project is not in substantial accord with the Comprehensive Plan.**

RELATIONSHIP TO THE AUGUSTA CSG REQUEST: In August 2021, Community Development staff and the Planning Commission found the Augusta CSG, request, for a small scale solar energy facility on approximately 12 acres of an approximately 50 acre parcel immediately adjacent to the Fishersville Road Solar Farm (current) request, in substantial accord with the Comprehensive Plan. While the sites share some characteristics, several factors differentiate the sites in terms of their compliance with the Comprehensive Plan: the current request is located higher on a slope, which will make it more visible; the current request is located closer to existing residential homes; and the current request is located immediately adjacent to the approved Augusta CSG facility and within 1 mile of the recently-approved Elm Spring Solar I facility. For these reasons, while the Augusta CSG request is located adjacent to the current request, the current request is substantially different and not in substantial accord with the Comprehensive Plan.

If the Board of Zoning Appeals desires to approve the project, **staff recommend the pre-conditions and operating conditions in the staff report.**

**COUNTY OF AUGUSTA
STAFF REPORT
Fishersville Road Solar Farm, LLC
Final Staff Report – July 11, 2023**

PROPERTY OWNER:

James W. & Kelly B. Curd

APPLICANT:

Fishersville Road Solar Farm, LLC

APPLICANT'S JUSTIFICATION:

A 2 megawatt (MW) alternating current utility-scale solar facility on approximately 10 acres of a 24-acre parcel.

DEVELOPER:

ESA Solar

LOCATION OF PROPERTY:

TMP 067 46A

Southeast of Long Meadow Road (Route 608) at 74 J Ranch Ln, near the intersection of Long Meadow Road and Jefferson Highway (US-250), in Fishersville.

MAGISTERIAL DISTRICT:

Wayne

SIZE OF PROPERTY:

Subject parcel contains a total of 24.09 acres

SIZE OF SITE UNDER PANEL:

Approximately 10 acres

VICINITY ZONING:

General Agriculture to the north, south, east and west. Single-family Residential to the north.

PREVIOUS ZONING OR S.U.P.:

Currently zoned General Agriculture

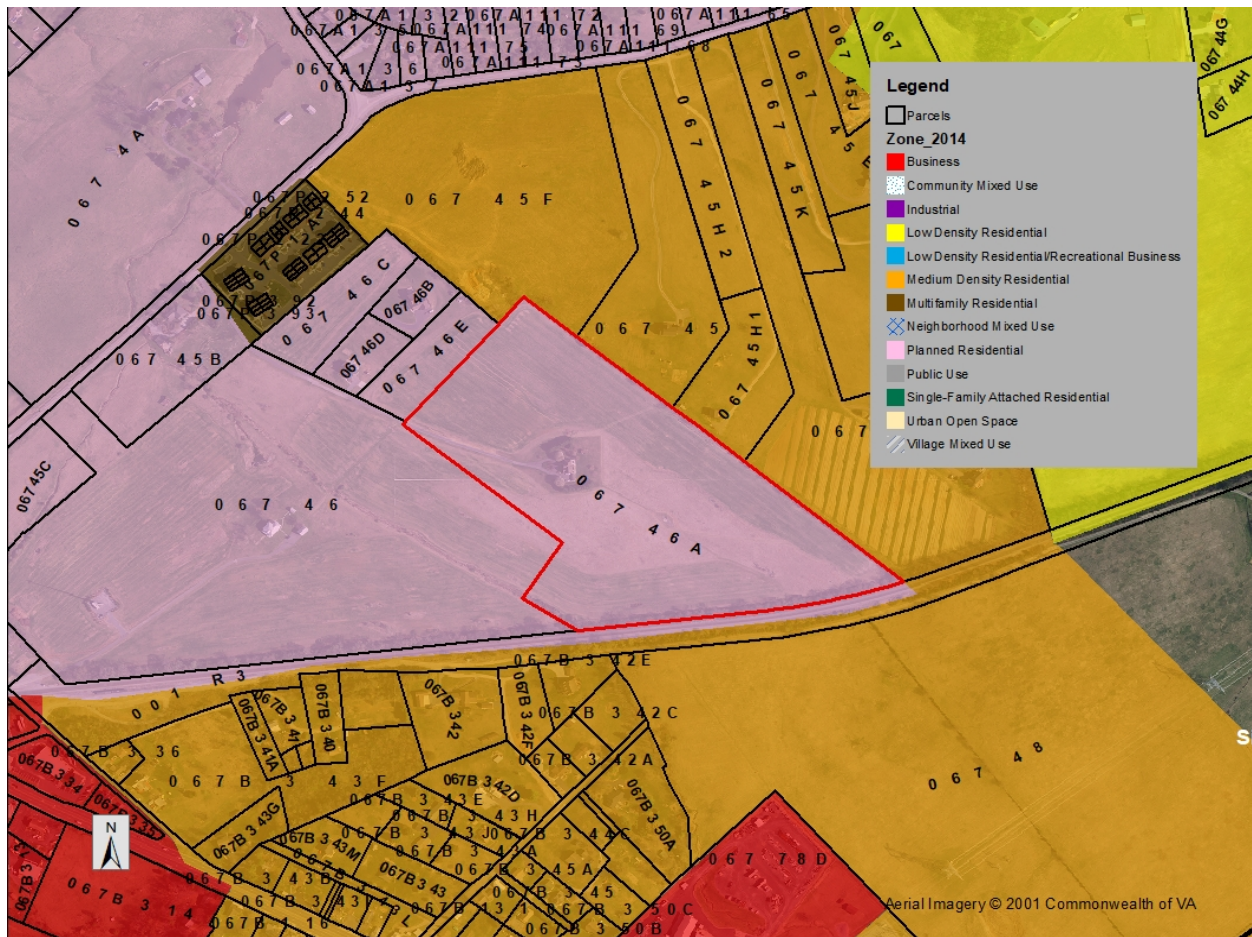
UTILITIES:

There is an existing 50' natural gas pipeline and easement going through the solar farm fenced area and in between the panels. The applicant has demonstrated through correspondence with Mr. Joe Pelletier that this proposal has been reviewed by the gas company.

LAND USE MAPS:

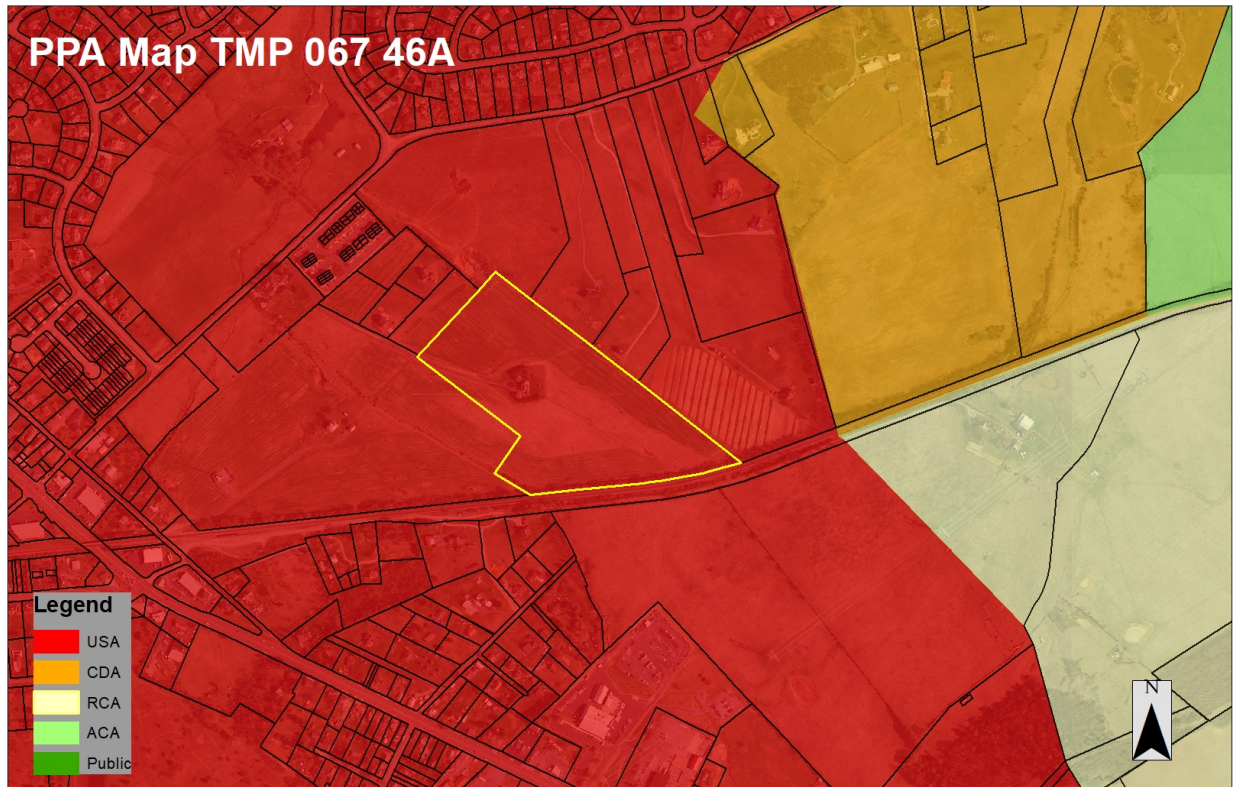
The subject parcel is designated as Planned Residential according to the Comprehensive Plan Future Land Use Map.

Comprehensive Plan Future Land Use Map (FLUM) for TMP 067 46A:



The parcel also lies within the Urban Service Overlay District (USO) in an Urban Service Area.

Comprehensive Plan Planning Policy Area (PPA) Map for TMP 067 46A:



VDOT COMMENTS:

Traffic Data: Rte. 608 (Long Meadow Rd)

- AADT: 4,400 (2021)
- Speed Limit: 45 MPH
- K-factor: 0.102, Dir. Factor: 0.590
- Funct. Class.: Major Collector

1. The requested rezoning would not warrant a Chapter 527 Traffic Impact Analysis.
2. Any entrance must be designed and constructed in accordance with VDOT requirements in Appendix F of the Road Design Manual.

HEALTH DEPARTMENT COMMENTS: The Health Department advises the applicant to research any sewage disposal systems or private well approvals on the parcels and ensure they are not encroached upon or damaged. Solar panels should not be placed over existing drainfields or reserve areas.

For questions or for additional information, the applicant should contact the Central Shenandoah Health District at csdinfo@vdh.virginia.gov.

Applicant Response: The applicant has denoted the existing sewer line on the site plan with a 10-foot setback from the sewer line as required by the Health Department.

SCHOOL BOARD STAFF COMMENTS:

The request for a change of approximately 10 acres of a 24-acre parcel from General Agriculture to Small Scale Solar would have no impact on these three (3) schools.

The table below indicates the enrollment as of March 13, 2023.

School	Enrollment	Capacity
Wilson Elementary (WES)	666	834
Wilson Middle (WMS)	632	750
Wilson High (WMHS)	842	900

FIRE-RESCUE COMMENTS: Fire-Rescue sees little to no impact on service delivery from this request. Fire-Rescue has no further comment.

AUGUSTA WATER COMMENTS:

1. Water and sewer capacities are not reserved until system adequacy is determined (supply, treatment, transmission) and payment of the connection fees has been received in accordance with Service Authority Policy. Augusta County Service Authority Policies and Procedures can be found at <http://acsawater.com/oppm>.
2. Any engineering evaluations and upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
3. Investigation of available fire flow is recommended to ensure that the system is capable of providing the needed fire flow to comply with Chapter 24 of the Augusta County Code requirements for the proposed use of the property. Any upgrades or extensions would be the responsibility of the owner/developer and are subject to Service Authority review and approval.
4. There is an existing 12" waterline along Long Meadow Road approximately 1,040'± to the northwest of the subject parcel.

5. There is an existing 12" sewer line running through the southwest corner of the subject parcel.
6. Note 12: "ACSA Infrastructure" included in the Staff recommendations is sufficient.

NOTE: Without any detailed review of the project site, it appears that the Augusta County Service Authority utilities are well positioned to provide water and sewer service to these properties in conformance with the Augusta County Comprehensive Plan. The above comments do not include any analysis concerning Augusta County's Comprehensive Plan or the potential economic impact to the Augusta County Service Authority. If justified by the analysis, additional comments will be provided to the Augusta County Board of Zoning Appeals and the Augusta County Planning Commission under separate cover prior to this application being considered by each board/commission.

ENGINEERING COMMENTS:

Environment Ordinance Considerations

This property drains to Long Meadow Run and tributary which is listed on the Virginia DEQ 2022 Impaired Waters List. This impaired segment extends from the headwaters downstream to its confluence with Christians Creek. The impaired use is recreation, the specific impairments is E. coli. The sources are: On-site Treatment Systems (Septic Systems and Similar Decentralized Systems), Non-Point Source, Agriculture, and Impervious Surface/Parking Lot Runoff. This segment is covered by the bacterial TMDL for Christians Creek which must be considered by the applicant. (Federal TMDL ID # 17969)

The county will consider all areas under panel to be impervious, though we will consider site specific calculations demonstrating some level of infiltration and/or treatment of runoff in the area underneath of the panels and surrounding areas.

Overlay Ordinance Considerations

This property lies within the Conical Zone of the Airport Overlay District (APO) for the Waynesboro Eagles Nest Airport. The floor of the zone above the site is approximately 1761 Ft msl, and the highest grade on the site is approximately 1370 Ft msl, a difference of 391 Ft. No restrictions are anticipated.

This property lies within of the Urban Service Overlay District (USO) and is therefore subject to the limitations on access to public streets contained in that ordinance.

This property lies outside of the Source Water Protection Overlay (SWPO), and Floodplain Overlay (FPO) Ordinance Districts.

Subdivision Ordinance Considerations

§21-9.1 Subsection B of the County Subdivision Ordinance addresses street layout and access to adjacent property. Development is required to connect to existing or planned streets and must also provide for access to adjacent property that is located with areas designated in the Comprehensive Plan as Urban Service or Community Development Areas. Though a solar facility by its nature requires isolation with appropriate fencing, the ordinance would require connection to the surrounding properties enhancing the street network if developed as currently proposed in the Comprehensive Plan. Some properties are already substantially developed, however TM 67 Parcel 45 F in the northern corner of this parcel and TM 67 Parcel 46 (adjacent property currently approved for a solar facility) are potential future connections.

Additionally, this property lies along the route of a conceptualized future street connection, identified in the Comprehensive Plan, that would connect Hickory Hill Rd to Long Meadow Road at its intersection with Kiddsville Rd. This route faces a number of costly obstacles (Railroad, existing development patterns) and is highly conceptual at this point, but could be further limited with construction of a solar facility.

Natural Resources Recommendations from the Comprehensive Plan

The Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Urban Service Areas, a riparian buffer of 35 feet on either side of a stream is encouraged, and where feasible, stormwater should not be piped through in a manner to short-cut the buffer. Additionally, floodplain areas should have no habitable structures, but should instead be utilized for greenways & recreation areas.

ZONING ADMINISTRATOR'S COMMENTS: Installing solar panels on 10 acres of the property could have a negative visual impact on the adjoining General Agriculture, and Single Family Residential zoned properties containing single family dwellings.

A Special Use Permit meeting the ordinance requirements outlined in **Section 25-70.4** is required prior to development of a small scale energy project.

The Zoning Ordinance requires a buffer yard be provided and maintained and landscaped adjacent to any property line. A site plan meeting submittal requirements of **Article LXVII** "Site Plan Review" including supplemental plans shall be submitted for review prior to Special Use Permit approval.

COMPREHENSIVE PLAN CONSIDERATIONS:

Objective C: Encourage distributed solar and carefully sited utility scale solar as a means of achieving renewable energy goals.

Policy 1: Economy. Recognize the employment opportunities, especially for distributed solar, and economic diversification opportunities that utility scale solar provide.

STAFF ANALYSIS: The applicant has stated that the project will result in a capital investment of over \$4.68 million including machinery and tools, and will create approximately 25 full-time-equivalent (FTE) jobs during construction of the project. The applicant states that the project will likely advertise jobs and create a running log of job openings that will be open to the local workforce. Additional impacts to the local economy during the construction process will include the purchase of local goods and services, such as construction materials.

According to the applicant, this project would be included in Dominion's Shared solar program, where Dominion Energy customers have the potential to have lowered electric bills through voluntary participation in the program. This project also has a Low to Moderate Income (LMI) component that incentivizes projects to seek subscribers that qualify for the LMI metric, thus providing citizens with low-to-moderate income with savings on their electricity bill.

It is important to note that, per Virginia State Code, certain solar energy facilities under 5MW are eligible for an exemption from state and local taxation. However, rollback taxes will be required to be paid to the County on any acreage that will be removed from land use assessment. If the Special Use Permit is approved, the Commissioner of the Revenue will determine what acreage will be subject to removal from land use assessment and subsequent rollback taxation, depending on the property's overall compliance with the requirements of the land use program.

Policy 2: Rural viewsheds. Desire to maintain rural viewsheds and agriculture as a predominant component of our economy, but sees synergy among agricultural and rural land development and utility scale solar development so long as the clustering, size, or fragmentation of such facilities does not have undue adverse impact on the surrounding neighborhoods.

STAFF ANALYSIS: This project is located in Fishersville, one of the main growth areas in the County. The character of this area is residential, with both low- and medium-density residential surrounding the proposed project site. There are also surrounding agricultural operations.

This site is located immediately adjacent to an approved community scale solar facility. Staff are concerned that the siting of two (2) solar facilities this close to one another is in conflict with this policy. **The approval of this site, in close proximity to another approved solar project, is expected to result in undue adverse visual impacts on rural viewsheds for the surrounding neighborhood.** Please see Policy 5 for additional staff analysis regarding visual impact on adjacent residential properties.

While staff also note that the proposed site plan shows solar panels compacted tightly into the property, with very little open space between and around the panels, the applicant has stated the spacing of their solar arrays is standard, and that efficient spacing of panels is beneficial to the site. The compacted nature of the panels within the parcel could have an undue adverse visual impact on the surrounding neighbors. To mitigate this negative impact, the applicant has added increased setbacks from the northeast property line.

Policy 3: Agricultural landscape and economy. Siting of projects should evaluate the agricultural landscape of the project area and surrounding area to assess the effects of a project on the agricultural economy.

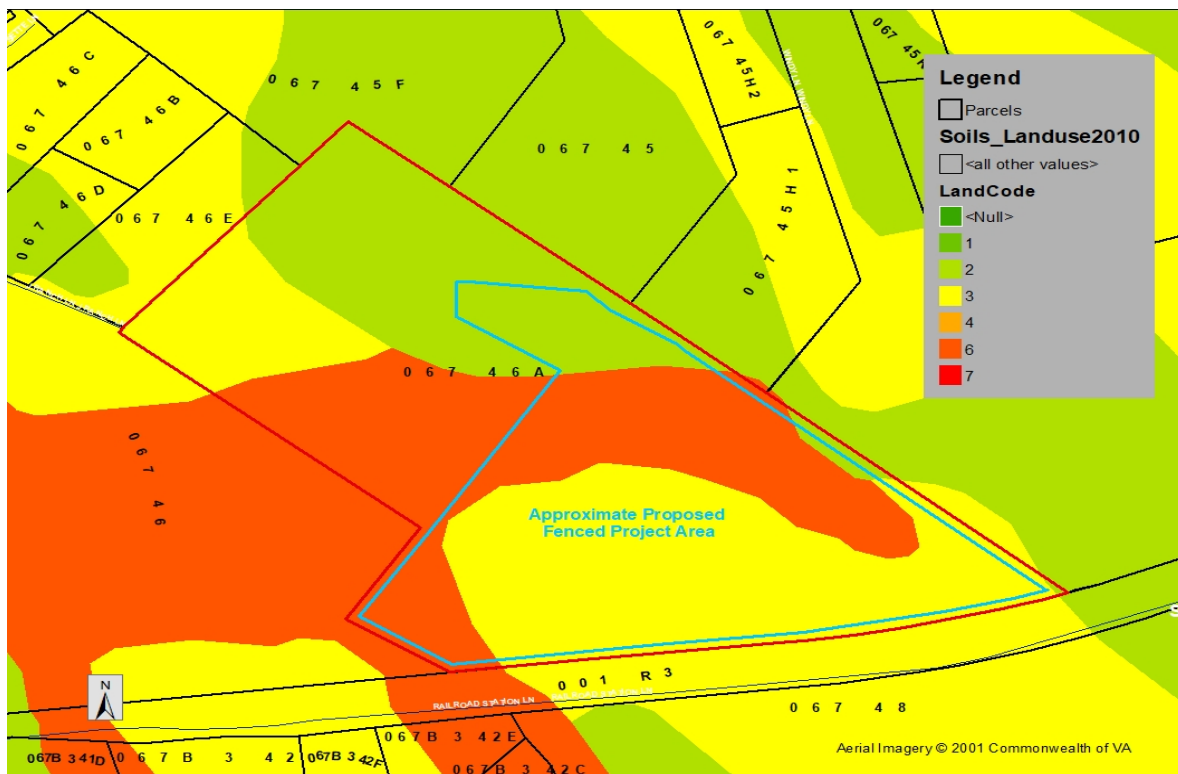
STAFF ANALYSIS: Staff observed during multiple site visits that the property appears to be used for residential and agricultural purposes. When asked if the remaining 14 acres outside of the project fence would be maintained for agricultural uses, the applicant stated that “The landowner will decide the appropriate use of the remaining 14 acres, in conformity with all applicable zoning codes, which could include a continuation of agricultural activities.” However, it is likely that the presence of this project of 10 acres, if properly screened and buffered, would have a minimal impact on the agricultural economy of the County.

Staff also have concerns about the impacts of this proposed project on soils that are ideal for agricultural production. Please see Policy 4 for additional information about impacts on soils.

Policy 4: Prime farmland and Agricultural and Forestal Districts. Siting of projects in Agricultural and Rural Planning Policy Areas should consider the presence of prime farmland producing soils and/or adjacent Agricultural and Forestal Districts.

STAFF ANALYSIS: Class 1, 2, and 3 soils are considered the best for farming purposes. Of the approximately 22 acres in this parcel that are not used for the house site, land use taxation data states that approximately 23.02% of the parcel is Class 2 soils, 45.28% of the parcel is Class 3 soils, and 31.7% of the parcel is Class 6 soils. The map below illustrates the soils for the parcels.

Soils Map for TMP 067 46A:



Per data submitted by the applicant, over fifty-four percent (54.5%) of the soils within the proposed AOI are designated as either Prime Farmland or farmland of statewide importance. While the proposed siting of the project within the parcel attempts to limit impacts to soils better suited for agricultural production, it should

be considered that **siting solar facilities on soils which are ideal for agricultural production could have a negative impact on the agricultural production of the area in both the short- and long-term.**

With that being said, USDA data shows that a far majority of the soils in Augusta County are designated Class 1, 2, or 3 or as either prime farmland or farmland of statewide importance. Therefore, the relatively small extent of the project – about 10 acres of Augusta County’s agricultural land – should also be taken into consideration when evaluating whether or not the project is substantially in accord with this particular policy.

The applicant has noted that there will be minimal soil disturbances during the construction phase of the project, and after the solar panels are set up, the ground will not be disturbed. The applicant has also questioned the need for consideration of soil preservation for this project, given that this parcel is designated for Planned Residential in the FLUM. However, as this parcel is currently zoned General Agriculture, and this proposed facility would be taking the soils in question out of productive agricultural use, staff find that soil characteristics should be considered.

Agricultural and Forestal Districts: This property is not located in an Agricultural and Forestal District.

Policy 5: Visual impact. Siting of projects should take into consideration surrounding neighborhood developments and how visual impacts to those neighborhoods can be mitigated through appropriate buffers. Siting and design of projects should strive to utilize existing vegetation and buffers that exist naturally when adjacent to public rights of way or other adjacent property. In order to design and integrate buffers that succeed in mitigating the visual impact of a project on nearby development, projects should cover no more than 200 acres with photovoltaic panels.

STAFF ANALYSIS: The proposed project site is relatively flat with limited existing buffering. The applicant has proposed a 20-foot landscape buffer along portions of the north and west boundaries of the photovoltaic panel area, as a supplement to existing natural landscape buffers, along with additional buffering along the northeast property line. Minimum required setbacks from public right of ways and adjacent properties have been provided.

During staff inspection, it was noted that visual impacts would be moderate for residential properties along J Ranch Lane and the surrounding neighborhood, including Rosemary Ridge, due to these properties’ higher elevation in comparison to the project site. Significant visual impacts are expected to

properties along Windy Ln due to the close proximity of homes to the proposed project. The nearest dwelling on Windy Ln is located one hundred feet (125') from the proposed project fence.

The applicant has met with the neighbor in close proximity to the project, and has increased the setbacks 125' from the property as well as added additional buffering along the northeast property line. While these factors will serve to alleviate some of the adverse visual impacts of this project, it is impossible to fully screen the project site from all viewpoints due to the topography of the site and surrounding areas. For these reasons, while the setbacks from property lines exceed the Ordinance's minimum setback for small-scale solar facilities, **given the topography of the site and close proximity of several residential homes, staff find that compliance with this policy is not met.**

Policy 6: Balanced land uses. Desire to balance the utility scale solar land use with other important and valuable land uses for our citizens. The size/extent of projects should be considered in proximity to other developed land uses so as not to have undue adverse impacts on the existence of nearby developed residential, commercial or mixed use communities. The County strongly discourages projects that have a photovoltaic panel coverage of more than 200 acres, and projects should not site on non-contiguous parcels or in close proximity to existing solar facilities. Consideration of existing Augusta County Service Authority infrastructure should be made.

STAFF ANALYSIS: According to the Comprehensive Plan Future Land Use Map, the parcel is planned for Planned Residential, a zoning designation which may include a variety of residential uses at a density of four (4) to eight (8) dwelling units per acre. **This parcel is located within the Urban Service Area.**

Staff does have concerns that a solar facility would have undue adverse impacts on nearby residential communities. While the project meets setback requirements, the facility is in close proximity to residences to the north and west of the proposed site, including one home located one hundred feet (125') from the proposed project fence and one hundred and fifty feet (150') from the nearest panels. Not counting the house on the subject parcel, there are four (4) residential or residential accessory buildings located within one hundred and fifty feet (150') of the proposed project fence. These and other nearby homes could be negatively impacted with noise, lighting, dust, and glare, especially during the construction period.

Policy 7: Compact, interconnected development. Projects are strongly discouraged from siting partially or fully within Urban Service or Community Development areas in order to recognize the County’s vision for compact, interconnected, and pedestrian-oriented residential and commercial development in these areas.

STAFF ANALYSIS: This project is located entirely in an Urban Service Area. The County and Comprehensive Plan strongly discourage development of solar facilities in Urban Service Areas, where the County’s infrastructure is located and where the County seeks to encourage residential and commercial growth. Fishersville is also considered one of the County’s two major growth areas, where significant residential and business growth is anticipated.

Please see Policy 9 for staff comments on interconnectivity.

Policy 8: Open space. Support projects that seek to actively create opportunities and partnerships that provide for natural open spaces and outdoor recreational activities such as pedestrian corridors, wildlife watching areas, and fishing areas, especially in publically accessible land and rights-of-ways.

STAFF ANALYSIS: There is no publicly owned land in the immediate area, and no known public fishing or wildlife watching areas in the immediate area; therefore, compliance with Policy 8 is not applicable.

Policy 9: Interconnectivity. For projects that are adjacent to public spaces or other planned developments, encourage projects that provide for trails and linkages to adjacent land planned for or already developed.

STAFF ANALYSIS: The proposed site is not adjacent to or nearly any public park or trail spaces. Westminster Drive, Long Meadow Road, J Ranch Lane and Fishersville Road do not have any pedestrian infrastructure. Therefore, considerations for interconnectivity and linkages to adjacent land – pedestrian or otherwise – are not applicable to this project.

However, staff do note that this property could conflict with a conceptual future road connecting Hickory Hill Rd to Long Meadow Road. While this road is highly conceptual at this point and faces other barriers, the proposed solar facility could severely limit its viability.

Policy 10: Resource considerations. Projects should be designed, sited, and constructed in a way that protects and preserves the County’s natural, scenic, and cultural resources including:

STAFF ANALYSIS:

- a. **Streams, rivers, wetlands:** A stream is located to the southwest at the property line. Photovoltaic panels will not be located in the stream.
- b. **Fertile soils:** Please refer to Policy 4 for staff comments regarding soils on this property.
- c. **Habitats:** There is no specific evidence or information provided by the applicant at this time.
- d. **Native vegetation:** The applicant has proposed planting a variety of native grasses and clovers on the project site to stabilize the ground cover.
- e. **Forests:** This project is not proposing to locate in a forested area; therefore, clear cutting will not be occurring during the development phase.
- f. **Historic and archaeological resources:** According to data provided by the applicant, there are no significant known historic and archaeological resources either on the property or immediately adjacent to the property.

Policy 11: Natural resource benefits. The County sees value in projects that create additional natural resource benefits through the use of native vegetation, the creation of wildlife corridors, and the use of pollinator species in buffer areas and underneath panels.

STAFF ANALYSIS: The project proposes the use of native vegetation and pollinator species in the buffer areas and underneath the panels. The applicant has also agreed to additional buffer plantings along the northeast property boundary. Therefore, this project should lead to minimal adverse impacts on native vegetation on the property or nearby, and **staff find compliance with this policy is met.**

Policy 12: Clustering and Colocation. Support projects that site on contiguous parcels. Strong consideration should also be given to siting projects a reasonable distance away from existing solar facilities so as not to significantly alter existing community character or create undue impact on nearby neighborhood development. Solar facilities that are sited on the same parcel or contiguous parcels, but are constructed in distinct phases, should be considered to be separate facilities for purposes of fully and accurately evaluating the potential impact on the surrounding community.

STAFF ANALYSIS: While both sites combined would be under 50 acres, having two solar facilities adjacent to each other, such as the proposed Fishersville Road Solar Farm and the adjacent, approved Augusta CSG solar facility, may be in conflict with this policy. Staff feels that this project is not “a reasonable distance away” from other solar facilities for the purposes of this policy, due to its siting immediately adjacent to another small-scale solar facility. If approved, this project could set a negative precedent for allowing clustering of solar facilities and have a negative impact on community character. Staff have noted this concern to the past applicant, the current applicant, and the landowners. In addition, during the Planning Commission public hearing for the adjacent solar facility, that applicant acknowledged this concern and stated that this policy, and specifically the concern regarding clustering, “would be a consideration” if a second project were proposed in this area.

However, this policy also encourages support of projects that site “on contiguous parcels.” Based on the final sentence of this policy, staff interpret the contiguous parcels element of this policy as referring to projects which include multiple parcels, where support would be given to projects which propose siting on contiguous parcels, rather than projects which propose siting on non-contiguous parcels, which could create a “patchwork” effect in a given area. Staff do not believe that this policy is intended to support separate solar facilities being added adjacent to existing, approved facilities at a later date. The Planning Commission and Board of Zoning Appeals will need to determine if this request is in compliance with this policy.

In addition, the recently-approved Elm Spring Solar I project (approved by the Board of Zoning Appeals on 7/6/2023) is located less than 1 mile away from the proposed project site.

ISSUES:

1. ***Adherence to Article LXVII “Site Plan Review” of the Augusta County Code:***
On the site plan, the applicant states: “The site plan is preliminary and not for construction; layer based on GIS data, not a survey. A final site plan will be submitted before construction based on a final survey.” The applicant was informed that the Board of Zoning Appeals must be presented with a site plan that has been surveyed, including the final acreage, and that if the acreage and site plan has approved by the Board of Zoning Appeals, any changes to the approved acreage or site plan would require an additional public hearing. In response, the applicant stated: “We acknowledge this and the preliminary site plan will remain unchanged until final site plan. We have obtained a boundary survey, but not a final ALTA survey yet. This will get one done prior to requesting a building permit. We keep this sentence on all of our preliminary site plans, but acknowledge the requirements of Augusta County.”
2. ***Adherence to VDOT Comments:*** Any entrance must be designed and constructed in accordance with VDOT requirements. This will be further discussed at site plan stage. The applicant has acknowledged this requirement.

COMMUNITY DEVELOPMENT STAFF RECOMMENDATION:

An evaluation of this project's conformance with the twelve policies in the Comprehensive Plan and its overall location, character, and extent are both crucial in determining whether this project is in substantial accord with the vision for land use on this property as identified by the Augusta County Comprehensive Plan.

As required under Virginia State Code Section 15.2-2232, the location, character, and extent of the project were considered in the review process:

LOCATION: The solar project is proposed in an Urban Service Area, where solar facilities are strongly discouraged in the Comprehensive Plan. Additionally, the proposed solar energy facility is located immediately adjacent to another small-scale solar facility and in close proximity to residential homes. For these reasons, the location of this proposed facility is not in substantial accord with the Comprehensive Plan.

CHARACTER: Staff feel that the proposed native plantings would be aligned with the character of this area. However, while the additional landscaping and buffering provided by the applicant could alleviate some of the anticipated visual impacts to nearby properties, it is impossible to fully screen the project site from all viewpoints due to area's topography, and adverse visual impacts are anticipated to surrounding properties. Therefore, staff find the character of this proposal to not be in substantial accord with the Comprehensive Plan.

EXTENT: Staff find the extent of the proposal, with 10 acres under panel, to be in substantial accord with the Comprehensive Plan.

Staff find that the proposal is not in substantial accord with the Comprehensive Plan because, as outlined above, the project lies entirely within the Urban Service Area and is located adjacent to an approved solar facility. In addition, despite the increased setbacks and buffering which the applicant has added, this project is expected to have significant adverse visual impacts on surrounding properties. Therefore, **staff recommend that this project is not in substantial accord with the Comprehensive Plan and recommend denial of this project.**

RELATIONSHIP TO THE AUGUSTA CSG REQUEST: In August 2021, Community Development staff and the Planning Commission found the Augusta CSG, LLC request, for a 3.88 MW small scale solar energy facility on approximately 12 acres of an approximately 50 acre parcel immediately adjacent to the Fishersville Road Solar Farm (current) request, in substantial accord with the Comprehensive Plan. While the sites share some similar characteristics, such as being located in the Urban Service Area and being designated for Planned Residential in the Comprehensive Plan, several factors differentiate the sites in terms of their compliance with the Comprehensive Plan:

1. The Fishersville Road Solar Farm request is located higher on a slope, which will make it more visible to surrounding properties than the Augusta CSG request, which is located at a lower elevation.
2. The Fishersville Road Solar Farm request is located closer to existing residential homes, with the nearest homes located one hundred and twenty five feet (125') from the project fence.
3. When the Augusta CSG project was approved, the nearest approved solar facility at the time was in Stuarts Draft. The Fishersville Road Solar Farm request is severely challenged by its proximity to the approved Augusta CSG facility. The Comprehensive Plan encourages siting solar projects "a reasonable distance away from existing solar facilities." Staff do not consider siting two separate solar projects immediately adjacent to each other as "a reasonable distance away." Please see Policy 12 for more information regarding this recommendation. In addition, the recently-approved Elm Spring Solar I project is located less than 1 mile away from the proposed project site.

For these reasons, while the Augusta CSG request is located adjacent to the Fishersville Road Solar Farm request, the current request is substantially different. Therefore, though the Augusta CSG request was found in substantial accord with the Comprehensive Plan, the determination on this request may differ, and **staff have found that the Fishersville Road Solar Farm request is not in substantial accord with the Comprehensive Plan.**

If the Board of Zoning Appeals desires to approve the project, staff would recommend the following conditions:

Pre-Conditions:

1. Submit site plan meeting the requirements of Section 25-673 "Site Plan Contents," Section 25-70.4.C "Standards applicable to small solar energy systems," and Section 25-70.5 "Applications and Procedures for Small Energy Systems" of the Augusta County Zoning Ordinance to be approved by all appropriate departments and/or agencies.
2. The Facility shall not commence commercial operations until final site plan approval is first obtained from the Zoning Administrator or his/her designee, and all pre-conditions of approval have been met.
3. In consultation with site plan review, wetlands shall be inventoried and delineated, and no construction of panels or access roads shall be permitted within 35 ft. of the delineated wetland. All operations and infrastructure of the Facility shall additionally maintain a 35 ft. riparian buffer from all streams.
4. The Facility shall not obtain final site plan approval until evidence has been given to the County that an electric utility company has signed an interconnection agreement with the permittee.

5. Landscaping Plan. The Applicant shall submit a proposed landscaping plan for each perimeter of the Facility (outside all fenced areas) to the Zoning Administrator and/or his/her designee for review and approval as part of the full site plan, which shall be in general conformance with the landscaping plan submitted with the Concept Site Plan. The following conditions shall govern the installation of landscaping in accordance with the landscaping plan:
- a. All landscaping shown on the landscaping plan shall be installed at the heights specified on the Concept Site Plan and shall be in good condition prior to the commencement of commercial operations.
 - b. In the event that the Applicant requires a minor deviation from the approved landscaping plan or full site plan, such deviation shall be provided on a revised plan sheet for review and approval by the Zoning Administrator and/or his/her designee. Minor deviations shall not include changes to the proposed install heights of landscaping.
 - c. In areas where there is an existing timber buffer remaining on the Facility parcel that provides at least the equivalent buffer benefits as the buffer proposed on the Concept Site Plan, then the existing timber buffer shall be retained as the perimeter landscaping. Hand-clearing of trees within the existing timber buffer for purposes of safety or removal of dead trees is permitted, so as long as the Applicant plants appropriate replacements in accordance with ordinance standards. All existing timber buffers, which may require supplementation with planted trees or shrubs if the existing buffer consists of a relatively thin block of trees or lacks significant understory, are subject to review and approval by the Zoning Administrator and/or his/her designee. The use of existing timber and natural screening is preferable.
 - d. In areas where sufficient existing timber does not remain, the landscaping requirements shall conform to the Concept Site Plan. The trees shall be planted during the appropriate time of year, subsequent to the completion of construction.
 - e. A surety agreement for landscape maintenance in a form acceptable to the County Attorney shall be submitted and approved prior to the issuance of any building permits. The amount of the surety shall be determined by an independent landscape architect selected and reasonably compensated by the Applicant but approved by the Zoning Administrator and/or his/her designee. The amount of the surety shall be equal to a reasonable estimate of the amount needed to establish, and following establishment, to maintain the landscaping required by the approved landscaping plan for two (2) years after initial installation. Once the

landscaping has been successfully established, the surety amount will be reduced to that amount required for two (2) years of maintenance thereafter. The surety will be released only after decommissioning is complete.

- f. All landscaping will be reviewed by the Zoning Administrator and/or his/her designee following installation, at one-year following installation, and as necessary thereafter to ensure the landscaping is being maintained.
- g. The Applicant shall work with the County to identify the species that will provide the best aesthetic and environmental benefit, while also considering market availability.

The use of herbicides for perimeter landscaping shall be minimized to the greatest extent reasonably practicable.

6. Decommissioning Plan. Concurrent with the submittal of the final site plan, the owner of the Facility shall produce to the County a Decommissioning Plan as outlined in the Augusta County Code Section 25-70.10, as amended. Any structure or equipment associated with the Facility that is not operating for a continuous period of 12 consecutive months shall be subject to decommissioning, per Augusta County Code Section 25-70.10, as amended. Within 6 months of the date of abandonment or discontinuation, the owner or operator shall complete the physical removal of the solar energy project and site restoration. This period may be extended at the request of the owner or operator, upon approval of the Board of Zoning Appeals. Periods during which the Site is not operational for maintenance, repair, or due to catastrophic events beyond the control of the Applicant, during which the Applicant works diligently to return the Site to full operating status, shall not trigger the Decommissioning requirements herein. The Applicant must provide written notice and evidence of the above to the Zoning Administrator during the period in which the Solar Facility is not fully operational. Such notice shall identify the last day on which the Site was fully operational. Regardless of the efforts of the Applicant to return the Solar Facility to full operational capacity, if the Solar Facility does not operate as a solar energy facility collecting and storing energy and transferring and distributing it to the Grid after the catastrophic event, for a period of two (2) years the Special Use Permit shall be rendered void and the Applicant shall commence Decommissioning no later than the 730th day after the last day the Site was fully operational.
7. Decommissioning Estimate. Concurrent with the submittal of the final site plan, the owner of the Facility shall produce to the County an estimate of the decommissioning costs as outlined in the Augusta County Code Section 25-70.10, as amended, and/or detailed below (the more stringent shall apply), by line item and the surety guaranteeing the payment of those costs and the

decommissioning work. The estimate shall be signed and sealed by a third-party engineer licensed in Virginia. The decommissioning cost estimate shall include, at least, the following delineated by line item:

- a. Total cost related to complying with all the decommissioning work required by this Special Use Permit.
- b. Costs related to creating, maintaining, and re-stabilizing any construction entrances identified on the Property, with a separate line item for each such construction entrance, unless written waiver to the Board of Zoning Appeals is requested by the landowner.
- c. Costs for mobilization.
- d. Costs for removal and disposal of all materials, line itemed by category of facility. For example, "cost to remove conduit," "cost to remove panels," "cost to remove panel support structure," cost to remove inverters," etc.
- e. Costs to de-compact soils and reestablish topsoil.
- f. Costs to stabilize land disturbed by the decommissioning work.
- g. Costs of trucking, hauling and equipment use.
- h. Costs for removal of any landscaping in buffer zones, setback areas, or under panels
- i. Costs of landfill fees associated with the disposal of commercial and industrial waste
- j. Costs of all labor and estimated man hours to perform the decommissioning work.
- k. Costs must assume an increase in labor and equipment costs of two percent (2%) a year every year until the completion of decommissioning and must assume commencement of decommissioning after year thirty-five (35) of operation.
- l. Costs must include a 25% contingency of the total estimate.
- m. The certification of a third-party engineer licensed in Virginia affirming that the owner/operators' cost estimate is sufficient to satisfy the decommissioning required herein. The estimated amount for the salvaged materials shall not be part of the consideration in the decommissioning cost estimate.

- n. Should the funds guaranteed for the Decommissioning Activities for any reason not be sufficient for the County to complete the Decommissioning Activities as allowed for herein and as set forth in the Decommissioning Plan, the Applicant shall be and shall remain liable to the County for the difference between the guaranteed funds and the amounts required to Decommission the Solar Facility and shall pay the difference to the County upon demand. The County shall not be liable to any party in any way for the funds drawn pursuant to the conditions set out herein and expended in relation to Decommissioning.
8. Decommissioning Bonding. Prior to the issuance of final site plan approval for the Facility, the applicant shall submit a bond, irrevocable letter of Credit, or other appropriate surety acceptable to the County in accordance with Augusta County Code Section 25- 70.11, as amended.
9. Panel Specification and Composition. At the time of site plan review the Applicant shall provide to the Zoning Administrator, a written panel specification disclosure document that includes the composition, toxicological information, and the physical and chemical properties of all of the solar panels, including coatings, being utilized for the Facility. The Applicant shall utilize crystalline solar panels for the Project. The Applicant shall not utilize any panels that of the type known as thin-film panels, including but not limited to not utilizing panels manufactured with or coated using lead, the GenX chemical, amorphous silicon (a-Si), cadmium telluride (CdTe), copper indium gallium selenide (CIS/CIGS), organic photovoltaic cells (OPC) panels, and/or any other material prohibited by state or federal law for use in solar photovoltaic panels. Moreover, to the extent any panel utilized has a Safety Data Sheet associated therewith under 29 CFR 1910.1200(g) and its Appendix D, the Safety Data Sheet shall be disclosed, as well.
10. The Facility, including, but not limited to, all areas covered by photovoltaic panel, any and all landscape or fencing buffer areas, any and all setback areas, any and all support equipment, and any and all access roads, shall be removed from Land Use Assessment and therefore subject to a rollback tax paid to the County for the difference between land use tax and the fair market value for each of the five most recent complete tax years. The remainder of the property not included in the Facility shall continue to meet current requirements for the County's Land Use Assessment program in order to remain included in the program, as determined by the Commissioner of the Revenue upon approval of the Special Use Permit.
11. The applicant shall disclose to the Augusta County Service Authority if corrosion control systems are part of the Facility.
12. Augusta Water Infrastructure.

- a. Ground surface elevations shall not be changed, and no water shall be impounded over any existing water/sewer infrastructure without written consent of Augusta Water.
 - b. No panels and/or appurtenances, including fences and landscaping shall be installed within 20 feet each way of the centerline of any existing water or sewer main to ensure adequate space for future operations and maintenance.
 - c. Where public water/sewer utilities are located on the same property as the Facility, Augusta Water shall have the right to utilize access roads constructed for the project or be provided with reasonable access to the utilities by truck.
13. The Applicant must obtain site plan approval within 24 months of the issuance of the Special Use Permit and shall substantially complete construction within 36 months of the issuance of final site plan approval. Notwithstanding the foregoing, the Board of Zoning Appeals may approve an extension of any deadline herein for good cause.
14. Local Subscribers – Prior to beginning commercial operation of the utility-scale solar facility, the Applicant shall work in good faith and use its best efforts to identify residents of Augusta County, Virginia and its incorporated towns to voluntarily subscribe to its community solar program (“Local Subscribers”). Outreach efforts to Local Subscribers may include, among others, advertising in a local newspaper of record and hosting informational community meetings. The Applicant will give notice of such informational community meetings to the County Administrator.

Operating Conditions:

1. This Special Use Permit (“Permit”) is granted solely for the subject property for operation of a small solar energy system (the “Facility”). This Permit shall be binding on Fishersville Solar Farm Road, LLC and any successor-in-interest, including but not limited to any current or future owner, lessee, sub-lessee, and permitted assignee (“Applicant”).
2. The Permit shall not be assignable by Fishersville Solar Farm Road, LLC to a third party absent the written consent of the Board of Zoning Appeals of Augusta County.
3. Any document memorializing or relating to the establishment of any successor-in-interest, e.g., lessee, sub-lessee, future owner, permitted assignee, etc., between Fishersville Solar Farm Road, LLC or business entity, shall include a recital as to the existence of the Permit, and the duties and obligations of the third party and now successor-in-interest thereunder the Permit, to ensure that successors-in-interest are on written notice of the Permit and its terms and

conditions. A copy of these conditions shall be recorded in the clerk's office of the Circuit Court for the County of Augusta, Virginia.

4. The Facility, including but not limited to, fence line boundary, access roads (unless otherwise required by VDOT), and setbacks (unless otherwise determined by the Board of Zoning Appeals), shall be constructed and operated in substantial conformance with the approved Site Plan prepared by Uneclipsed Energy, PLLC, dated January 24, 2023.
5. All bonding or posting of sureties for the project shall at all times be by and in the name of the owner of the Facility and its successors and assigns.
6. All non-operational, non-electrical site features along the perimeter of the Facility, such as landscaping and fencing, shall be properly maintained throughout the life of the Permit. Fencing shall be maintained in good repair and landscaping shall be maintained so as to provide the desired buffer benefits. Maintenance of such features shall be guaranteed by the surety agreement and surety as provided below. If the Zoning Administrator and/or his/her designee determines that site features identified are not being properly maintained, as described herein, then the Applicant shall be given a notice to remedy as is the standard zoning violation policy of Augusta County.
7. Setbacks, either as shown on the Concept Site Plan, or set by the Board of Zoning Appeals during their review, shall be measured from the property line and/or VDOT Right of Way to the fence line of the Facility.
8. The Applicant shall not add additional photovoltaic panel areas, change the entrance locations of access roads (unless otherwise required by VDOT in a written statement), or revise the height, placement, or design of landscaping buffer elements without prior approval by the Augusta County Board of Zoning Appeals.
9. The Zoning Administrator or any other parties designated by the Zoning Administrator shall be allowed to enter the property at any reasonable time to check for compliance with the provisions of this Permit, with at least 24 hours of advance notice and subject to the security, health and safety standards and regulations that apply to the Facility.
10. The Applicant shall preserve and maintain existing forest/vegetation where it serves to meet buffer standards or standards for alternative compliance as required by ordinance from adjacent property and public right of ways, and is not in conflict with the solar panels, as indicated on the Concept Site Plan. See 5.C and 5.D in the pre-conditions of this Special Use Permit.

11. All construction and decommissioning activities shall be limited to the hours of 8:00 a.m. to 8:00 p.m., Monday through Saturday, and will be prohibited on Sundays. These conditions shall apply to noise generated during the construction of the Facility and to any construction needed during replacement, repair, or maintenance activities during the ongoing operation of the Facility. Replacement, repair, and maintenance activities conducted at nighttime and not involving construction shall comply with all applicable noise standards.
12. The Facility shall not be lit during ongoing operations, unless as required by the Uniform Statewide Building Code. Lighting used during construction shall be downward facing and shall be located at least 500 feet from any adjacent residential property.
13. All solar panels shall use anti-reflective coatings.
14. All topsoil shall not be removed from the site.
15. The Applicant shall implement the following additional measures during construction:
 - a. Maintain all construction-related vehicles in good working order.
 - b. Designate a specific individual and provide that individual's name and contact information to the Zoning Administrator and/or his /her designee, to which questions, complaints, or concerns during construction may be directed.
 - c. Prior to the initiation of construction, mail a notice of construction activity to all property owners whose properties are adjacent to areas on which the Facility will be constructed. The notice shall summarize upcoming construction activities, describe the areas in which construction will occur, including the main routes of delivery, and provide the name and contact information of the Facility representative to whom any complaints, concerns, or comments may be addressed.
 - d. Provide adequate portable sanitation facilities that are located in a manner that facilitates ease of disposal but that are not within one hundred and fifty (150) feet of any property boundary of a parcel on which a home is located and whose owner is not participating in the Facility.
 - e. Prohibit any personnel associated with the construction of the Facility from overnight lodging at the site.
16. The construction protocol will be designed to ensure that ground cover is expeditiously established, and appropriate site stabilization achieved throughout

construction, and the approved construction phasing plan shall be implemented during construction.

17. Any electrical wiring used in the system shall be underground except where wiring is brought together for inter-connection to system components and/or at the project substation and switchyard for interconnection the local utility power grid. Electrical distribution lines between the inverters and the point of interconnection shall be underground except where crossing creeks, floodplains, wetlands, and at the point of interconnection. Nothing in this condition shall prevent the ability to utilize underground boring technology.
18. This Permit shall be valid from the time of issuance and thereafter for a period of 40 years from the start of commercial operations of the Facility, which shall be the date on which the Facility first delivers non-test energy to the high-voltage transmission system, or until this Permit is lawfully terminated or terminated as a matter of ordinance or other law prior to the natural expiration date, whichever is sooner. At the end of the 40 year period, unless such period is otherwise extended by the Board, or unless decommissioning is required sooner pursuant to the conditions herein, the Facility shall be deemed to have reached the end of its lifespan and decommissioning shall begin pursuant to the conditions herein.
19. Solar Panels will be constructed, maintained, and operated in accordance with national industry standards and regulations including the National Electrical Code, International Fire Code of the International Code Council and the National Fire Protection Association Fire Code, as provided in Va. Code 15.2-2286. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control.
20. Corporate Structure, Associations, and Information. Applicant and all successors-in-interest, including current and future owners, lessees, sub-lessees, and permitted assignees shall provide the Zoning Administrator, with a copy to the County Attorney, written notice of changes of ownership of the solar facility within thirty (30) days thereof.
21. Any substantial upgrades or changes made to the design or operation of the Facility that are planned shall be disclosed to the Zoning Administrator and/or his/ her designee at least ninety (90) days before the intended implementation of the upgrades or changes – except as provided herein. Any substantial upgrades and/or changes resulting solely from a bona fide emergency and force majeure event shall be disclosed no later than (sixty) 60 days thereafter.
22. Upon completion of the installation of the Facility, Augusta CSG, LLC shall establish contacts with Augusta County Fire Rescue and Augusta County Sheriff's Office and provide both with an emergency management plan.

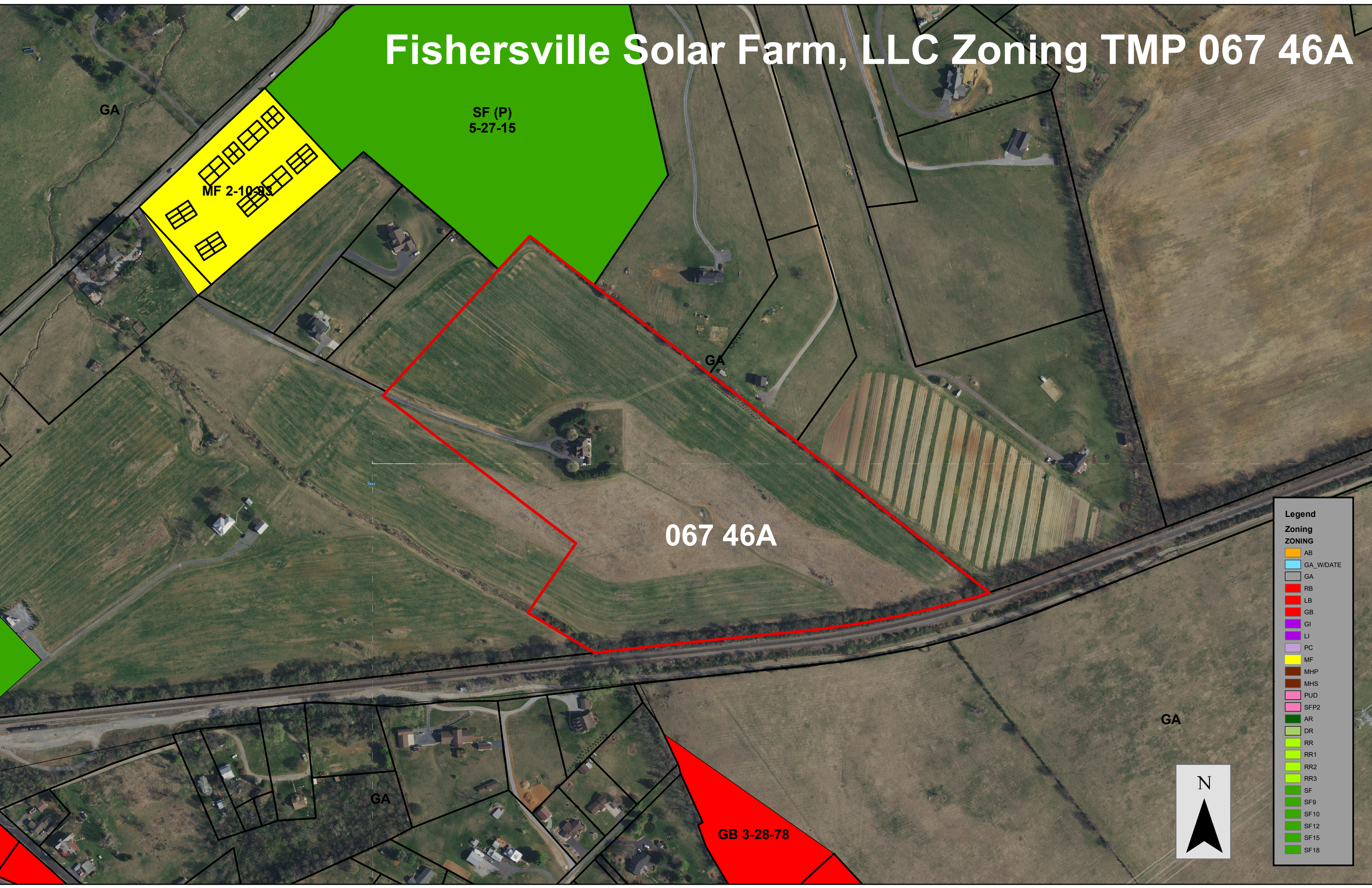
23. Any infraction of the above-mentioned conditions, or any Zoning Ordinance regulations, may lead to a stop work order and revocation of the Special Use Permit by the Board of Zoning Appeals.
24. Contribution for Public Improvements – The Applicant, and if different than the Applicant, the facility owner and/or operator, shall provide annual substantial cash payments for substantial public improvements in accordance with the provisions of Virginia Code § 15.2-2288.8. The amount of such annual substantial cash payment shall be equal to \$1,400 per megawatt as measured in alternating current (AC) generation capacity of the facility as listed in the Applicant’s executed Interconnection Agreement with the interconnecting utility (“Contribution Amount”). The Applicant and the County acknowledge and agree that the County may identify in future budget years qualifying substantial public improvements that will be funded by the annual substantial cash payments to be provided by the facility owner and/or operator. The Contribution Amount will increase annually by two percent (2%), beginning on the first anniversary of the first payment of the Contribution Amount. The first payment will be due on or before the date that is 90 days following the commencement of commercial operation of the solar facility. Subsequent payments will be due on each anniversary of the commercial operation date until the solar facility is decommissioned as required by these Conditions. The Applicant, facility owner and/or operator shall provide written notice to the Zoning Administrator within ten (10) business days of when the solar facility commences commercial operation. The payment by the Applicant, facility owner, and/or operator of all annual substantial cash payments until the decommissioning of the solar facility is complete shall be a condition of this permit. The Applicant, facility owner and/or operator shall be jointly and severally responsible for the payment of all annual substantial cash payments required by this condition.

Fishersville Solar Farm, LLC Aerial TMP 067 46A

067 46A



Fishersville Solar Farm, LLC Zoning TMP 067 46A



MF 2-10-93

SF (P)
5-27-15

067 46A

GB 3-28-78

Legend

Zoning

AB
GA_W/DATE
GA
RB
LB
GB
GI
LI
PC
MF
MHP
MHS
PUD
SFP2
AR
DR
RR
RR1
RR2
RR3
SF
SF9
SF10
SF12
SF15
SF18



Fishersville Solar Farm, LLC FLUM TMP 067 46A

067 46A

Legend

Future Land Uses 2019

Future Land Use Designation

- Business
- Community Mixed Use
- Industrial
- Low Density Residential
- Low Density Residential/Recreational Business
- Medium Density Residential
- Multifamily Residential
- Neighborhood Mixed Use
- Planned Residential
- Public Use
- Rural Community
- Rural Conservation Area
- Single-Family Attached Residential
- Urban Open Space
- Village Mixed Use



4. List of Adjoining Property Owners

Owner Name	Street Address	City, State, and Zip Code	Parcel Number
Stevie Wayne Hyden	270 Fishersville Rd	Fishersville, VA 22939	067B 11 1
Long Meadow Properties LLC	2675 Lyndhurst Rd	Waynesboro, VA 22980	067B 3 23
Victor and Roman Orsariah Correa	93 Wendy Ln	Fishersville, VA 22939	067 45H1
Stephen B and Ornatalie C Pittman	145 Long Meadow Rd	Fishersville, VA 22939	067 46D
Countryside Investmentcompany LLC	28 Imperial Dr	Staunton, VA 24401	067P 1 A
Stevie Wayne Hyden	270 Fishersville Rd	Fishersville, VA 22939	067B 11 2
Phillips J Keith Orleeanne P	125 Long Meadow Rd	Fishersville, VA 22939	067 45B
Phillips J Keith Orleeanne P	125 Long Meadow Rd	Fishersville, VA 22939	067 45C
Stevie Wayne Hyden	270 Fishersville Rd	Fishersville, VA 22939	067B 11 1A
Massie Investments LLC	3761 East Side Hwy	Grottoes, VA 24441	067 45A
Thomas Henry Curd	282 Fishersville Road	Fishersville, VA 22939	067 46

5. Project Narrative

The Applicant requests a Special Use Permit (SUP) for Fishersville Road Solar Farm for the construction and operation of a 2 MW alternating current (ac) Utility Scale solar facility (the Project) on approximately 10 acres of private land located in Augusta County, Virginia (the Property). This Property is zoned General Agricultural, and the current use of the Property is Agricultural.

This proposed project has the potential to add 2 MW ac of renewable energy to Dominion Energy Virginia’s power grid through participation in the Virginia Shared Solar Program. In general, shared solar, also known as community solar allows a developer of small-scale solar projects to subscribe eligible customers to purchase a share of the output of the solar facility. The customer, through virtual net metering, gets a bill credit from their utility company for the energy being supplied by the shared solar project. This program has the potential to be open to municipalities, schools, and other organizations that do not have the capital budgets to outright purchase solar energy systems. Also, this program is open to residential and commercial companies who might be unable to have access to rooftop solar because they rent, live in multitenant buildings, or are unable to host a rooftop solar system because their roof is shaded by trees or might not have the structural integrity to support the weight of the solar equipment. Lastly, the program has a Low to Moderate Income (LMI) component that incentivizes projects to seek subscribers that qualify for the LMI metric, thus providing them savings on their electricity bill.

The Project site is located approximately 2,000 feet east of Fishersville, off Long Meadow Road near the intersection of Long Meadow Road and US-250. A Preliminary Site Plan along with site specific information can be found in Section 8. Note: The Project’s layout will be finalized after field surveys are completed and will be submitted to the county along with all required construction plans as a part of the site plan approval process. The array layout in the Preliminary Site Plan is correct in its representation of system size, its general location, and commitments to maintain perimeter buffer, avoid wetlands as practicable, and other noted constraints.

Solar photovoltaic (PV) technology will power this electricity generator. The Project plans to utilize either fixed tilt or single-axis tracking panels mounted on a steel racking system less than 15 feet height from the natural grade below the solar panel. The “fenced in” Project area, as

shown in the Preliminary Site Plan, covers about 10 acres however the final acreage will be determined after final engineering and field surveys are completed.

It is expected that construction might start as soon as late 2023 or mid-2024, with the Project reaching commercial operation within approximately six months of construction start. The Project is expected to be in operation for a minimum of 35 years. In addition to engaging the County on zoning, the Applicant has filed for interconnection through the Dominion Energy Virginia interconnection queue and is awaiting results of the studies.

5.1 Conformity with Augusta County Comprehensive Plan

Section 15.2-2232 of the Code of Virginia provides that any *“public utility facility or public service corporation facility ... whether publicly or privately owned, shall [not] be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the [applicable Planning Commission] as being substantially in accord with the adopted comprehensive plan or part thereof.”*

The Applicant requests that the Planning Commission determine that the Project is substantially in accord with the 2007 – 2027 Augusta County Comprehensive Plan (CP). The Project aligns with the 2014-2015 CP Update, specifically Objective C which states, “Encourage distributed solar and carefully sited utility scale solar as a means of achieving renewable energy goals.” (CP Update pg. 1). Fishersville Road Solar Farm complies with the 10 policies within Objective C.

Policy 1: Economy. Recognize the employment opportunities, especially for distributed solar, and economic diversification opportunities that utility scale solar provide.

Fishersville Road Solar Farm will provide a significant boost to the local economy as evidenced by the construction of solar projects in the region including Halifax, Mecklenburg, Greensville, Sussex, and Southampton. Solar energy is among the fastest growing industries in the nation and is especially vibrant in the Commonwealth of Virginia. Further, many corporations are requesting access to renewable energy when deciding where to locate facilities.

The adoption of this growing field can lead to direct economic boosts during construction and long-term economic gains by the local economy and may serve to attract further business development to the region. Additionally, the Project will directly generate significant revenue for the county.

Policy 2: Rural viewsheds. Desire to maintain rural viewsheds and agriculture as a predominant component of our economy but sees synergy among agricultural and rural land development and utility scale solar development so long as the clustering, size, or fragmentation of such facilities does not have undue adverse impact on the surrounding neighborhoods.

Compared to utility scale projects, Fishersville Road Solar Farm is a community solar farm, and therefore it will encompass a very small amount of land. The Project will be

located on approximately 10 acres on a 24-acre parcel. In addition to utilizing existing and proposed vegetative buffering to minimize the project from neighbors' view, the Project is well setback from major roadways.

The Project is not sited across multiple parcels and is not proposed in conjunction with any other solar facility. The project will not result fragmentation of neighborhoods. As further described in Policy 12, Fishersville Road Solar Farm will be located next to another community solar farm but combined, the two projects are under 50 acres.

Policy 3: Agricultural landscape and economy. Siting of projects should evaluate the agricultural landscape of the project area and surrounding area to assess the effects of a project on the agricultural economy.

The Project is located on a parcel that could be considered transitional in land use. While the parcel is zoned agricultural, it is located in close proximity to both commercial and agricultural land uses. The parcel is also located immediately adjacent to an existing railroad line, and near Jefferson Highway which is largely commercial in nature. Other surrounding parcels on Long Meadow Road are in agricultural use.

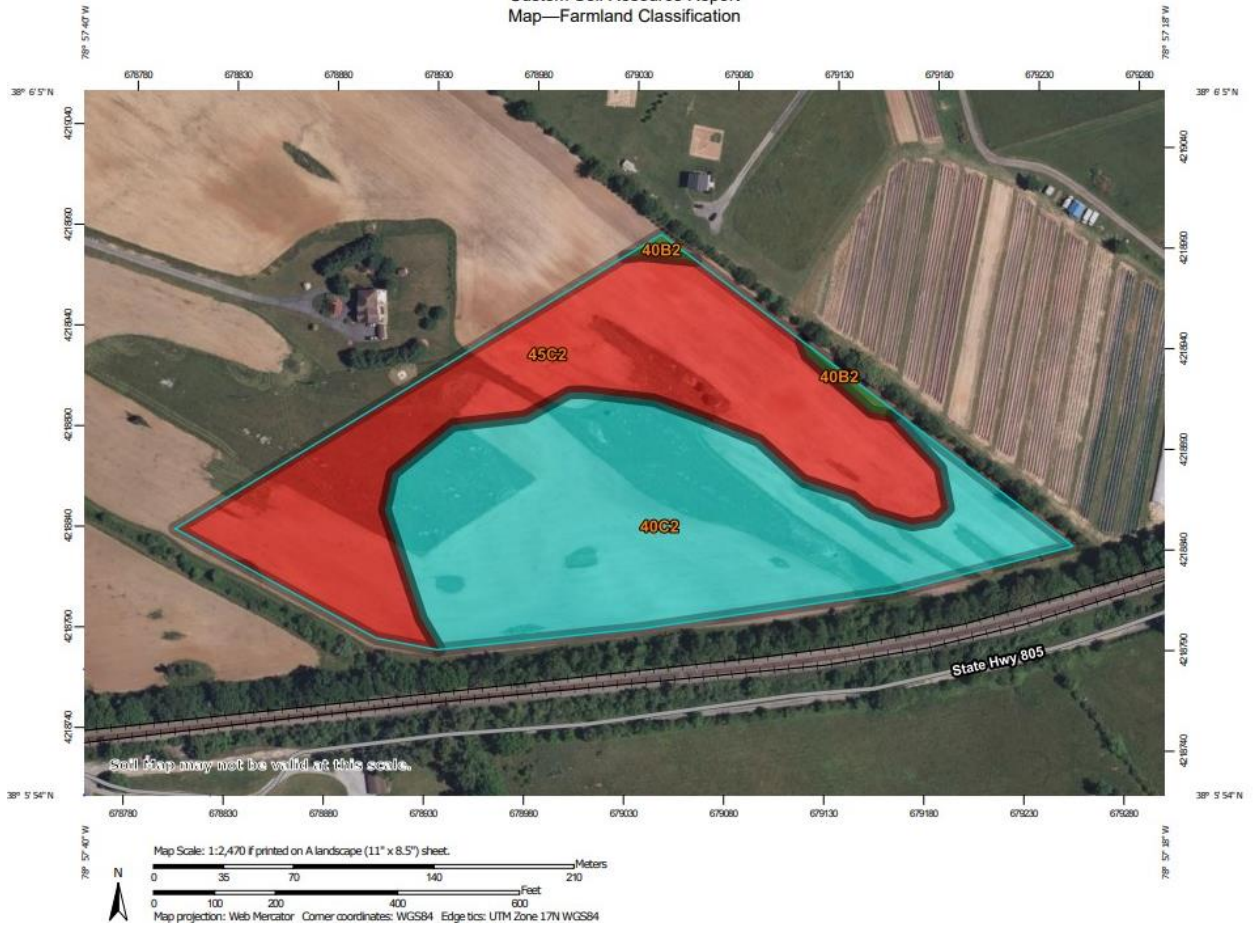
Embracing projects like Fishersville Road Solar Farm over higher-polluting alternatives helps to ensure a better quality of essential resources such as air and water. Solar facilities conform to the physical characteristics (including wetlands and topography) of the land. While they may displace agricultural or silviculture uses in their immediate footprint, they do not permanently alter the land in a way that would preclude it from returning to its current use at the end of the solar facility's life.

Part of protecting natural resources may also involve striking a balance between the economic benefits and environmental destructiveness that can come with harvesting merchantable resources such as timber and minerals. While often not considered, sunlight is a merchantable natural resource available to the County. Projects like Fishersville Road Solar Farm harvest sunlight while significantly reducing harmful impacts associated with other resource cultivation, and the Project will increase the county's revenue. At the end of the project's life the solar facility can be easily decommissioned and removed, allowing the underlying land to return to agricultural use.

Policy 4: Prime farmland and Agricultural and Forestal Districts. Siting of projects in Agricultural and Rural Planning Policy Areas should consider the presence of prime farmland producing soils and/or adjacent Agricultural and Forestal Districts.

The United States Department of Agriculture Natural Resource Conservation Service (USDA NRCS) Web Soil Survey was used to determine the extent of Prime Farmland within an Area of Interest (AOI) consisting of the proposed Project footprint and immediate adjacent areas. The following soils were identified:

Custom Soil Resource Report
Map—Farmland Classification



Table—Farmland Classification

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
40B2	Frederick-Christian silt loams, 2 to 7 percent slopes, eroded	All areas are prime farmland	0.1	1.0%
40C2	Frederick-Christian silt loams, 7 to 15 percent slopes, eroded	Farmland of statewide importance	6.5	53.5%
45C2	Frederick-Rock outcrop complex, 0 to 15 percent slopes, eroded	Not prime farmland	5.5	45.5%
Totals for Area of Interest			12.1	100.0%

As shown, due to the strategic siting of the project on the parcel, only 1% of the soils within the proposed AOI are designated as Prime Farmland. Further, as mentioned under Policy 3, as compared to more traditional forms of commercial and residential development, throughout construction and operation of the facility all Prime Farmland soils will remain intact, preserving them for future use after the Project is decommissioned.

The Applicant is aware the Project site may be located within an Agricultural and Forestal District and understands the need to potentially pay rollback taxes on the property, should it be taken out of agricultural use.

Policy 5: Visual impact. Siting of projects should take into consideration surrounding neighborhood developments and how visual impacts to those neighborhoods can be mitigated through appropriate buffers. Siting and design of projects should strive to utilize existing vegetation and buffers that exist naturally when adjacent to public rights of way or other adjacent property. In order to design and integrate buffers that succeed in mitigating the visual impact of a project on nearby development, projects should cover no more than 200 acres with photovoltaic panels.

As a small-scale community solar facility, Fishersville Road Solar Farm has been sited and designed in a way to minimize the potential for visual impact on the surrounding community. In addition to adding vegetative screening and maintaining existing vegetation, the Project is well setback from main rights-of-way, homes, and businesses. The Project is well under 200 acres, which will further lower any visual impacts on the surrounding area.

The Applicant will add vegetative screening along the eastern and northern parts of the project area. Sufficient buffering along the railroad line will screen any homes to the south, and this vegetation will be maintained. The new vegetative buffer will consist of a 20-foot-wide strip of plantings, including a mix of evergreen trees, canopy trees, understory trees, and shrubs.

Policy 6: Balanced land uses. Desire to balance the utility scale solar land use with other important and valuable land uses for our citizens. The size/extent of projects should be considered in proximity to other developed land uses so as not to have undue adverse impacts on the existence of nearby developed residential, commercial or mixed-use communities. The County strongly discourages projects that have a photovoltaic panel coverage of more than 200 acres, and projects should not site on non-contiguous parcels or in close proximity to existing solar facilities. Consideration of existing Augusta County Service Authority infrastructure should be made.

As stated previously, the intention for Fishersville Road Solar Farm is to be a part of the Virginia Shared Solar Program. The purpose of this program is to allow residents and businesses to have accessibility to clean energy and lower their electricity bill; however, priority will be given to Low to Moderate Income residents. Furthermore, given the small nature of these types of projects, they are able to interconnect to the same power lines and substation that residents and business owners connect to. Because of this, to an extent where there are no adverse impacts on surrounding neighborhoods, community solar farms are favorable near developed land uses.

Furthermore, compared to alternate forms of development, community solar projects will not be invasive or bothersome to the existing character of the community. Once constructed, the Project will be screened from view and create no noise above existing

background levels. The Project will also create no strain on County services such as water, sewer, waste, schools, and emergency services. Once operational, the site will be monitored remotely and will not have personnel on site daily, resulting in no impact to traffic on the neighborhood. Considering these factors, the Applicant believes community solar can be thought of as a low-intensive land use, which appropriately combines aspects of both commercial and agricultural land use, befitting of the specific location of the proposed parcel.

Policy 7: Compact, interconnected development. Projects are strongly discouraged from siting partially or fully within Urban Service or Community Development areas in order to recognize the County’s vision for compact, interconnected, and pedestrian oriented residential and commercial development in these areas.

Given Fishersville Road Solar Farm’s small acreage and capacity, the Project is compact and designed in a way that sets it far back and away from public roadways. Development of this project would not interfere with or impact pedestrian use of the surrounding commercial areas. Furthermore, the Project is not located within the Urban Service or Community Development Area.

Policy 8: Open space. Support projects that seek to actively create opportunities and partnerships that provide for natural open spaces and outdoor recreational activities such as pedestrian corridors, wildlife watching areas, and fishing areas, especially in publicly accessible land and rights-of-ways.

While the proposed Project will not be publicly accessible, community solar is a land use that encourages natural landscapes and effectively preserves the space for future use. As mentioned above, Fishersville Road Solar Farm will include various types of native landscaping, including canopy trees, evergreen trees, understory trees, shrubs planted as vegetative buffers at the parcel boundary, as well as native grass and pollinator species underneath the solar panels. This landscaping creates important and diverse habitat for wildlife.

As opposed to more intense forms of land development, community solar projects leave the underlying landscape relatively unchanged. As the County requires solar projects to maintain a decommissioning plan to outline adequate removal of the facility at the end of project life, measures have been taken to ensure the land will be returned to pre-development conditions. After the Project is decommissioned, the land can then either revert to agricultural use or developed for other purposes, including the outdoor recreational uses mentioned above.

Policy 9: Interconnectivity. For projects that are adjacent to public spaces or other planned developments, encourage projects that provide for trails and linkages to adjacent land planned for or already developed.

Fishersville Road Solar Farm is not located adjacent to public spaces or planned developments aside from the other community solar farm on the adjacent parcel. The Project is located on a private parcel of land. Furthermore, it is not anticipated that

Fishersville Road Solar Farm will interfere with any such developments in the vicinity.

Compared to utility scale solar projects, which are large and may cover hundreds of acres of land across several parcels and neighborhoods, this community solar project is very small and compact. Fishersville Road Solar Farm is located within a single parcel, setback from neighboring properties and public roadways, minimizing the need for trails and linkages to adjacent land planned for or already developed.

Policy 10: Resource considerations. Projects should be designed, sited, and constructed in a way that protects and preserves the County's natural, scenic, and cultural resources including:

- a. Streams, rivers, wetlands**
- b. Fertile soils**
- c. Habitats**
- d. Native vegetation**
- e. Forests**
- f. Historic and archaeological resources**

The proposed Project's small footprint allows the facility to be sited and designed to protect and preserve the County's natural, scenic, and cultural resources. No wetlands or streams were identified on the parcel. The Applicant will safely cross the stream located on the adjacent parcel when creating the access road.

The USDA NRCS Web Soil Survey was analyzed during the project's due diligence to assess the site for Prime Farmland. For the approximately 24 acres of the Project's AOI, less than 50% of the area was designated as Prime Farmland soil.

The existing use for the site is predominantly agriculture, which offers little habitat and native vegetation, and no forest. After construction the Project will include a landscaped buffer, including canopy trees, evergreen trees, understory trees, and shrubs, as well as native pollinator species planted underneath the solar panels. This landscaping will provide greater habitat value, native vegetation, and tree cover compared to existing conditions.

A desktop cultural resource site assessment performed for the property identified a total of 98 previously recorded architectural resources are located within one mile of the project area. These resources consist primarily of early-twentieth century homes and commercial buildings in the vicinity of Fishersville; two resources are considered potentially eligible or eligible for listing in the NRHP.

Policy 11: Natural resource benefits. The County sees value in projects that create additional natural resource benefits through the use of native vegetation, the creation of wildlife corridors, and the use of pollinator species in buffer areas and underneath panels.

Fishersville Road Solar Farm will use native vegetation and pollinator species in the buffer areas and underneath the panels. Furthermore, the Project will utilize existing

native vegetation to further promote natural resources. Given the Project's small size, setback areas can help wildlife navigate around the project. The small areas in the fence will help small animals navigate out of the panel area should they get inside the project area.

By implementing both native and pollinator friendly groundcover, the construction methodology for this Project will have very little impervious surface, estimated to be under 5% of the entire acreage that is being dedicated to the project. Furthermore, by establishing native ground cover, the Project has the potential to increase water infiltration in the area and boost soil organic matter.

Policy 12: Clustering and colocation. Support projects that site on contiguous parcels. Strong consideration should also be given to siting projects a reasonable distance away from existing solar facilities so as not to significantly alter existing community character or create undue adverse impact on nearby neighborhood development. Solar facilities that are sited on the same parcel or contiguous parcels, but are constructed in distinct phases, should be considered to be separate facilities for purposes of fully and accurately evaluating the potential impact on the surrounding community.

Fishersville Road Solar Farm will be located next to another solar farm owned by a different company. However, they are both considered as small solar energy facilities, and combined they are under 50 acres.

5.2 Equipment Used

Racking and Panels

Racking: The Project is expected use fixed tilt technology that allows the PV panels to remain stationary and absorb sunlight as the sun moves throughout the day. Measurements for this system type are included on the Preliminary Site Plan, with specifications from a potential product manufacturer included in Section 18. A row of PV panels will be attached in a linear fashion to each of these racking systems. Other versions of tracking or fixed technology may be considered for the Project.

Panels: Based on current technology, the Project's site could contain around 7,560 photovoltaic solar panels, in total. It is possible that increases in the output per panel may reduce the number of panels needed for the Project. A preliminary site plan can be found in Section 8. For more details on these types of panels, see Section 18. That said, depending on final engineering, the exact manufacturer and model may be modified, and the final site plan will be submitted for review by the County as part of the Site Plan process prior to construction.

Staff Report Comments	Fishersville Road Solar Farm, LLC Responses	Location
<p>The Health Department advises the applicant to research any sewage disposal systems or private well approvals on the parcels and ensure they are not encroached upon or damaged. Solar panels should not be placed over existing drainfields or reserve areas.</p> <p>There is an existing 12” sewer line running through the southwest corner of the subject parcel.</p>	<p>The existing sewer line has been added to the site plan as well as a 10-foot setback from the sewer line as required by the Health Department.</p>	<p>- G1.0</p>
<p>The Augusta County Comprehensive Plan recommends performance standards to protect natural resources. For Urban Service Areas, a riparian buffer of 35 feet on either side of a stream is encouraged, and where feasible, stormwater should not be piped through in a manner to short-cut the buffer. Additionally, floodplain areas should have no habitable structures, but should instead be utilized for greenways & recreation areas.</p>	<p>A callout for a 35-foot riparian buffer and a setback of 35 feet have been added to the site plan. The project is not located on a floodplain.</p>	<p>- G1.0</p>
<p>This property lies along the route of a conceptualized future street connection, identified in the Comprehensive Plan, that would connect Hickory Hill Rd to Long Meadow Road at its intersection with Kiddsville Rd. This route faces a number of costly obstacles (Railroad, existing development patterns) and is highly conceptual at this point, but could be further limited with construction of a solar facility.</p>	<p>As stated, this future street connection is highly conceptual at this point, whereas Fishersville Road Solar Farm would be able to start construction at some point in the next year or two, pending permit approval. We have site control through a lease agreement, an easement agreement, and received two out of three studies from Dominion Energy.</p>	<p>-</p>
<p>Adherence to Policy #1: Economy: The applicant is encouraged to offer additional information demonstrating how many of the jobs associated with this project will be filled with local workforce, how many permanent jobs will be offered during the life of the project, the estimated value of the construction materials to be obtained locally, and specifics regarding how the proposed project “will directly generate significant revenue for the county.”</p>	<p>The Comprehensive Plan does not include policies that explicitly require that development projects use a local workforce. However, it does include policies that emphasize the importance of workforce development which is acutely needed within the solar development industry.</p> <p>It is too early to know how many jobs and what jobs will be filled with the local workforce. What will likely happen is</p>	<p>-</p>

that the project owner will advertise jobs and create a running log of job openings that will be open to the local workforce to apply to. Augusta County's proximity to major educational institutions, such as James Madison University, Eastern Mennonite University, and Shenandoah University, may make it easier to access the specialized workforce needed for solar development.

It is also too early to know the quantity of construction materials that will be obtained locally; however, **Fishersville Road Solar Farm represents an approximately \$4.68 million capital investment, which includes machinery and tools.**

Although we cannot provide assurances that the project will utilize local workforce resources, it is likely the case that its economic impact will be substantial, particularly on a per acre basis when compared to other potential uses, including residential, in that it will not exhaust public facilities, generate tax revenue, and will enhance access and affordability for energy consumers.

Solar projects of this size are taxed according to §58.1-2606.1.; however, condition #24 in the operating conditions, asks us to provide an annual payment of \$1,400/MW escalating at 2%. **This will bring in a total of \$169,126 of revenue to Augusta County over a 40 operations period.**

<p>Adherence to Policy #2: Rural viewsheds: The current site plan shows limited setbacks and little open space, which could have a significant negative impact on rural viewsheds. Staff recommends the provision of larger setbacks from all property lines.</p>	<p>The current site plan shows setbacks in conformance with the solar ordinance, amended less than two years ago.</p> <p><u>Rural Viewshed</u> – The Augusta CSG, LLC staff report (dated May 11, 2021) states, “Staff does not consider this site to be a rural viewshed or to be in the sightline of a rural viewshed due to its close proximity to the center of the Fishersville area.” Given that the subject site is in the same location, can we assume that it too is not considered to be a rural viewshed or in the sightline of a rural viewshed for the same reasons? Thus, undue adverse visual impacts on rural viewsheds for residents is null?</p> <p>Furthermore, our site is located over 1,000 feet away from public rights of way. Elevation shows that our site does drop in elevation, which further diminishes many viewsheds. We have increased our setback from 93 Windy Lane to 125 feet from the fence (additionally, panels are 25 feet away from the fence, making panels 150 feet away from the closest house). In addition to removing panels close to that house, we met with the owners located at 93 Windy Lane on June 6, and they do not have concerns about the Project. We are working out a Good Neighbor Agreement with them though to help compensate for any impacts they may get from</p>	<p>- G1.0</p>
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	<p>construction or any viewsheds. Panels are now approximately 125 feet away from 93 Windy Lane.</p> <p><u>Buffering</u> – Our proposed site plan preserves existing vegetation for buffering and supplements key areas with new plantings, in compliance with the 20-foot buffer requirement stipulated by the solar ordinance. While the Comprehensive Plan and solar ordinance aim to mitigate visual impact through buffers, they do not explicitly require the solar farm to be completely screened from all sides. Notably, the site's topography helps diminish the project's visibility from many vantage points, similar to the neighboring solar site, which was not mandated to provide buffering exceeding 20 feet.</p> <p>We have added additional 20-foot planted buffering around the project, including along the entire northeast property line where the project will be located. We did not add planted buffering along the railroad.</p> <p><u>Row spacing</u> – The spacing of our solar arrays is standard for solar farms and is consistent with the Augusta CSG plan approved in May 2021. Efficient spacing of the panels facilitates other site design benefits, such as providing room for buffers. Furthermore, increased row spacing is not likely to mitigate visual impact as row spacing is generally</p>	- L1.0
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	imperceptible from most vantage points on or near ground level.	
<p>Adherence to Policy #3: Agricultural landscape and economy: The applicant is encouraged to clarify whether the remaining 14 acres outside of the project fence would be maintained for agricultural uses during the lifespan of the solar project.</p>	<p><u>Project siting</u> – The landowner has determined that the location of the proposed project optimizes the utility of their property. The project's position in the south/east side of the property maximizes contiguous space along the north/west side of the property, which corresponds to the area with the highest rated soils. The landowner will decide the appropriate use of the remaining 14 acres, in conformity with all applicable zoning codes, which could include a continuation of agricultural activities. Moreover, the land occupied by the solar farm can be returned to agriculture after the project's lifespan if the landowner chooses.</p>	
<p>Adherence to Policy #4: Prime farmland and Agricultural and Forestal Districts: Per data submitted by the applicant, 54.5% of the soils within the proposed AOI are designated as either Prime Farmland or farmland of statewide importance. The applicant is encouraged to address how these soils will be preserved throughout the construction, life, and decommissioning phases of the project.</p>	<p><u>Urban Service Area</u> – Is the argument for soil preservation relevant in this specific context? The Comprehensive Plan designates this property for non-agricultural development, where the preservation of prime farmland is not typically a primary consideration. The prevailing development pattern surrounding this site seems to reinforce this notion.</p> <p><u>Soils</u> – The area within the project fence is comprised of soil classes 2, 3, and 6. The proposed project's position along the south/east side of the property predominantly occupies soil classes 3 and 6. Nearly 80% of class 2 (prime farmland) soil is preserved along the property's north side, which is not in</p>	

the project fence. Note that the Augusta CSG project, approved May 2021, occupies more prime farmland than this proposal.

Proper soil stabilization practices will take place during construction. **Even with considering the panels as impervious, the open space ratio on the entire parcel is 82.8%.**

Soil disturbances during construction – Soil disturbances during construction will be minimal. Minor spot grading may be performed at specific locations on the site. The solar panels will be installed using a driven-pile system, which involves driving supports directly into the ground, thereby minimizing disturbance to the topsoil.

Soil disturbances during operation – The proposed solar farm is actually expected to enhance soil conditions rather than degrade them. After the solar panels are set up, the ground underneath won't be disturbed, which helps prevent soil erosion and lets organic matter build up, improving soil health over the duration of operation. We'll also be planting native grasses and wildflowers to manage stormwater runoff and create habitats for local wildlife. Plus, by shifting away

	<p>impact from the project. To address this, are willing to be conditioned to be plant more mature trees directly in the line of site of 93 Windy Lane.</p> <p><u>Long-term mitigation</u> – Over time, these plantings will continue to grow and provide increased screening. As the vegetation matures, it will further integrate the solar farm into the landscape, reducing its visual impact.</p> <p><u>Setbacks</u> – The site plan meets or exceeds required setbacks in accordance with the solar ordinance. We have increased our setback from 93 Windy Lane to 125 feet from the panels.</p> <p><u>Topography</u> – The site's topography naturally mitigates visual impacts from most vantage points, similar to the Augusta CSG project site, which was not subject to additional setbacks or buffer requirements. We have provided sections that show sight lines from neighboring vantage points to illustrate this.</p>	<p>- G1.0</p> <p>- L2.0</p>
<p>Adherence to Policy #6: Balanced Land Uses: The proposed site is in close proximity to a residential area, where homes could be negatively impacted with noise, lighting, dust, and glare, especially during the construction period. The applicant is encouraged to demonstrate how these impacts will be mitigated.</p>	<p><u>Impacts during construction</u> – Any redevelopment requires some amount of construction. The duration (approx. 4 – 6 months) and intensity of construction for a solar farm is substantially limited compared to other types of potential</p>	

development that the comprehensive plan contemplates for this site.

- Minimal soil disturbance means that dust is not likely to be a nuisance.
- Construction will only happen during daylight hours, so lighting will not be needed.
- Glare is not a nuisance as the assembly materials are non-glare.
- Pile driving will likely produce the most nuisance, in the form of loud cadence of noise from machinery.

Impacts during operation – The solar farm will not generate nuisances during its operation.

- The use does not generate significant traffic. 1-2 pick up truck trips occur monthly for landscape maintenance and as needed for operational maintenance.
- The use does not generate noise nuisance. Inverters only operate during daylight hours and are quieter than rustling leaves at 75 feet. **Inverters (which are located at the end of some panel rows) are located well over 75 feet away from any residential structures.**
- The use does not produce glare as the solar array system purposefully intends to capture light rather than reflect it. It is unlikely that lighting structures

	will be used, but if they are, they will be pointed downwards and away from houses or nearby structures.	
Adherence to Policy #10: Streams, rivers, wetlands: Although the photovoltaic panels will not be located in the stream, a stream is located to the southwest at the property line. (Need to confirm that there are no wetlands on the property.)	A wetland delineation was conducted on the site to identify locations of riverine, wetlands, and ponds on site. There are no wetlands on the property. The wetland delineation map has been submitted as a separate attachment.	- Uploaded as a separate attachment
Consideration of Natural Gas Easement: Although the existing 50' natural gas line and easement is not owned or maintained by the County, staff has concerns regarding constructing a solar facility through an existing easement. In addition, after a site plan is approved by the Board of Zoning Appeals, any changes to that approved site plan would require an additional public hearing. Therefore, the applicant is encouraged to demonstrate that this proposal has been reviewed and/or approved by the gas company prior to the submission for public hearing.	Proof that we have made contact with Columbia Gas of Virginia has been included in a separate document. The gas company has no issues with our site design, and we have incorporated their suggestions on gate location and size in our site plan. Their requirement on wiring is acknowledged will be incorporated during final site plan approval.	- Email thread uploaded - G1.0
Adherence to Article LXVII "Site Plan Review" of the Augusta County Code: In the application package, the applicant states that there is the potential for the proposed string inverters to be switched for inverter pads. The applicant states that this decision will be made at site plan stage; however, per County Code, all structures (including inverter pads, if used) must be shown on the site plan prior to application for public hearing. Inverter pads in particular must be shown, as inverters are a potential source of noise from the solar facility and would have the largest potential impact on adjacent property owners. The applicant is encouraged to make a final determination regarding which type of inverters will be used and to update their application accordingly prior to final submission of the application for public hearing. If the applicant will use sting inverters, this should be indicated on the site plan; if the applicant will use inverter pads, the locations of the inverter pads should be shown on the site plan.	Fishersville Road Solar Farm will use string inverters, so there will be no inverter pads used. String inverters attach to the end of some of the panel rows and they are much quieter than central inverters, which utilize inverter pads. Exact location of string inverters have not been determined at this time.	

<ul style="list-style-type: none"> - While the site plan states that the site will contain approximately 5,500 photovoltaic solar panels, the application states that the site may contain approximately 7,560 photovoltaic solar panels. Staff request clarification on the approximate number of panels to be used for the project prior to public hearing. - In order for Fire/Rescue to review the site plan for access requirements, the site plan should indicate the amount of open space which will be available between panel rows. - On the site plan, the applicant states: "The site plan is preliminary and not for construction; layer based on GIS data, not a survey. A final site plan will be submitted before construction based on a final survey." The applicant has been informed that, in order for the Board of Zoning Appeals to make a decision, they must be presented with a site plan that has been surveyed, including the final acreage. Once the acreage and site plan has approved by the Board of Zoning Appeals, any changes to the approved acreage or site plan would require an additional public hearing. 	<ul style="list-style-type: none"> - The correct number of panels is represented on the site plan. At this stage, the number of panels are approximate, but generally accurate. - There is a callout on the site plan that states "56 MODULES RACK (TYPICAL), 28' APART". - Understood. We acknowledge this and the preliminary site plan will remain unchanged until final site plan. We have obtained a boundary survey, but not a final ALTA survey yet. This will get one done prior to requesting a building permit. We keep this sentence on all of our preliminary site plans, but acknowledge the requirements of Augusta County. 	<ul style="list-style-type: none"> - G1.0 - G1.0
<p>Adherence to VDOT Comments: Any entrance must be designed and constructed in accordance with VDOT requirements. This will be further discussed at site plan stage.</p>	<ul style="list-style-type: none"> - Acknowledged. 	

File: 240208.dwg
 LAST SALES BY: Matt Beagan
 THIS DOCUMENT AND THE IDEAS AND DESIGNS INCORPORATED HEREIN ARE THE PROPERTY OF UNECLIPSED ENERGY, PLLC. IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY CONTENTS OF THESE DRAWINGS UNLESS THEY HAVE THE APPROVAL OF THE LICENSED PROFESSIONAL ENGINEER IN WRITING.

PARCEL DATA

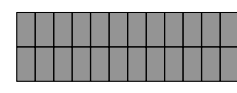
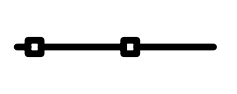





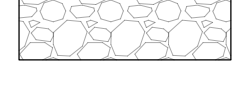

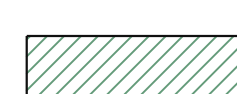


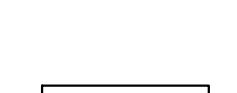
Owner: James and Kelly Curd
 ParcelId: 067 46A
 Total Area: 24.05 Acres
 Solar Panel Area: 8.14 Acres
 Impervious Surface Area: 2.71% Planned Construction
 2.98% Existing and Planned
 Open Space Area: 82.8% of Parcel

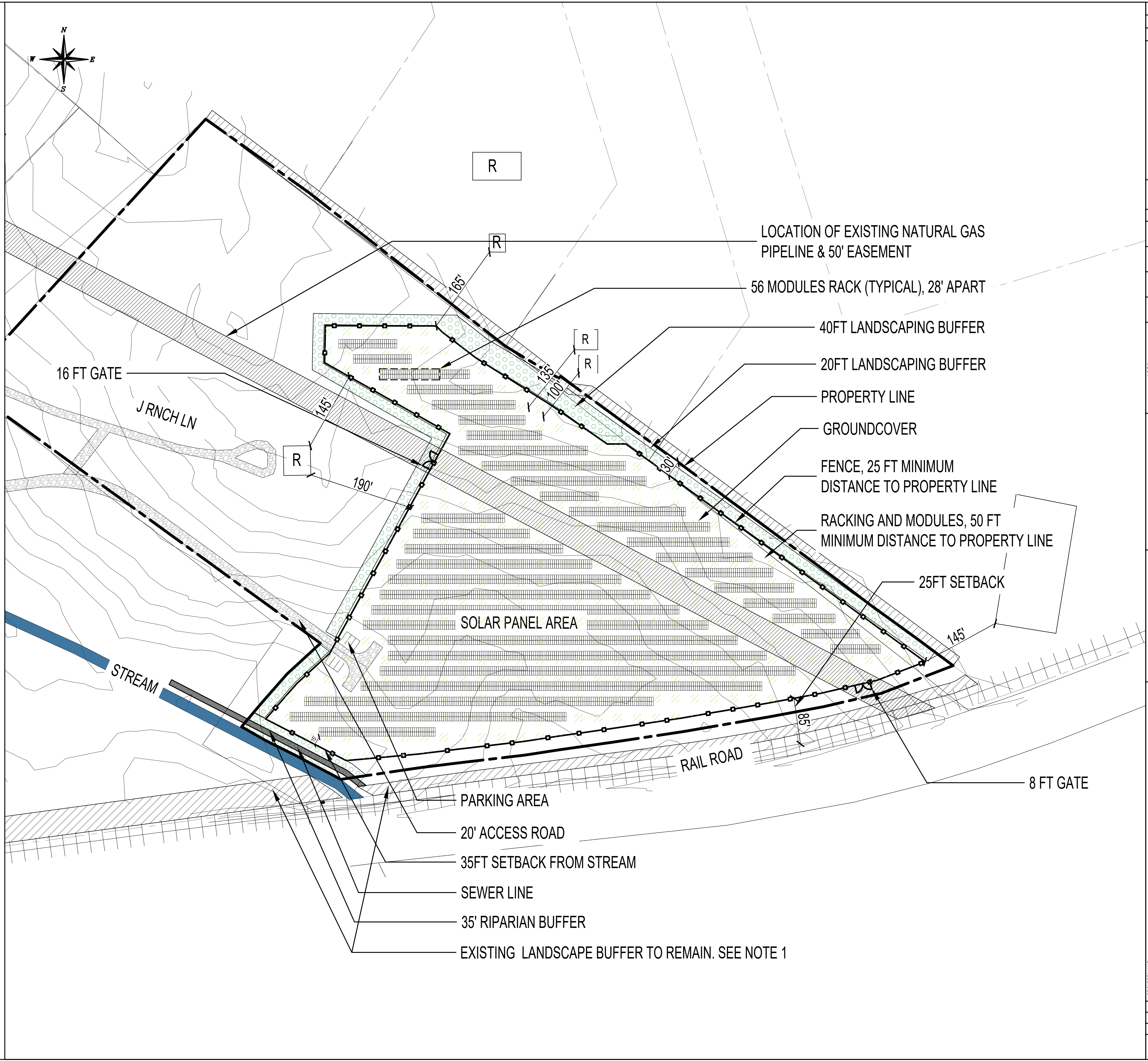
PV SYSTEM
 Details on page S- 1.0

Number of PV Modules (approx.): 5,726
 Peak Power: 2 MWac Solar
 Racking Technology: Fix-Tilt
 Module Tilt: 22°
 Solar Module Orientation: South
 Solar Module height : ~15 ft
 Approximate location of project disconnect is:
 (38.100090, -78.957408)

This site plan is preliminary and NOT FOR CONSTRUCTION; layout is based on GIS data, not a survey. A final site plan will be submitted before construction based on a final survey.
 Topography data obtained from Augutsa County.

LEGEND

-  MODULE RACK OF 24
-  FENCE
-  GATE
-  PROPERTY LINE
-  SEWER LINE
-  50' EASEMENT
-  GRAVEL
-  LANDSCAPING BUFFER- SUPPLEMENTED
-  EXISTING VEGETATION TO REMAIN
-  GROUNDCOVER
-  STREAM
-  BUILDING
-  RAILROAD



LOCATION OF EXISTING NATURAL GAS PIPELINE & 50' EASEMENT

56 MODULES RACK (TYPICAL), 28' APART

40FT LANDSCAPING BUFFER

20FT LANDSCAPING BUFFER

PROPERTY LINE

GROUNDCOVER

FENCE, 25 FT MINIMUM DISTANCE TO PROPERTY LINE

RACKING AND MODULES, 50 FT MINIMUM DISTANCE TO PROPERTY LINE

25FT SETBACK

8 FT GATE

PARKING AREA

20' ACCESS ROAD

35FT SETBACK FROM STREAM

SEWER LINE

35' RIPARIAN BUFFER

EXISTING LANDSCAPE BUFFER TO REMAIN. SEE NOTE 1

REVISION	DATE	DESCRIPTION
01	2023-06-28	SITE DEVELOPMENT
02	2023-06-28	SITE DEVELOPMENT
03	2023-06-28	SITE DEVELOPMENT
04	2023-06-28	SITE DEVELOPMENT
05	2023-06-28	SITE DEVELOPMENT
06	2023-06-28	SITE DEVELOPMENT
07	2023-06-28	SITE DEVELOPMENT
08	2023-06-28	SITE DEVELOPMENT
09	2023-06-28	SITE DEVELOPMENT

APPROVED	DATE <td>BY <td>FOR </td></td>	BY <td>FOR </td>	FOR
DC	2023-06-28	DAVID K. CLICK	PROFESSIONAL ENGINEER

CHECKED	DATE <td>BY <td>FOR </td></td>	BY <td>FOR </td>	FOR
SM	2023-06-28	DAVID K. CLICK	PROFESSIONAL ENGINEER

DRAWN	DATE <td>BY <td>FOR </td></td>	BY <td>FOR </td>	FOR
SM	2023-06-28	DAVID K. CLICK	PROFESSIONAL ENGINEER

REGION	09
ENGINEER	DAVID K. CLICK, PE VA LIC# 0402062143 NABCEP PV/PE #0417048

PROJECT NAME	Fishersville Road Solar Farm, LLC
ADDRESS	282 FISHERSVILLE RD, FISHERSVILLE, VA 22039
COORDINATES	38.100090, -78.957408
SHEET TITLE	SITE PLAN

SCALE	1:1000
FULL SHEET	24" x 36"
DATE	2023-06-28
SHEET No.	G 1.0

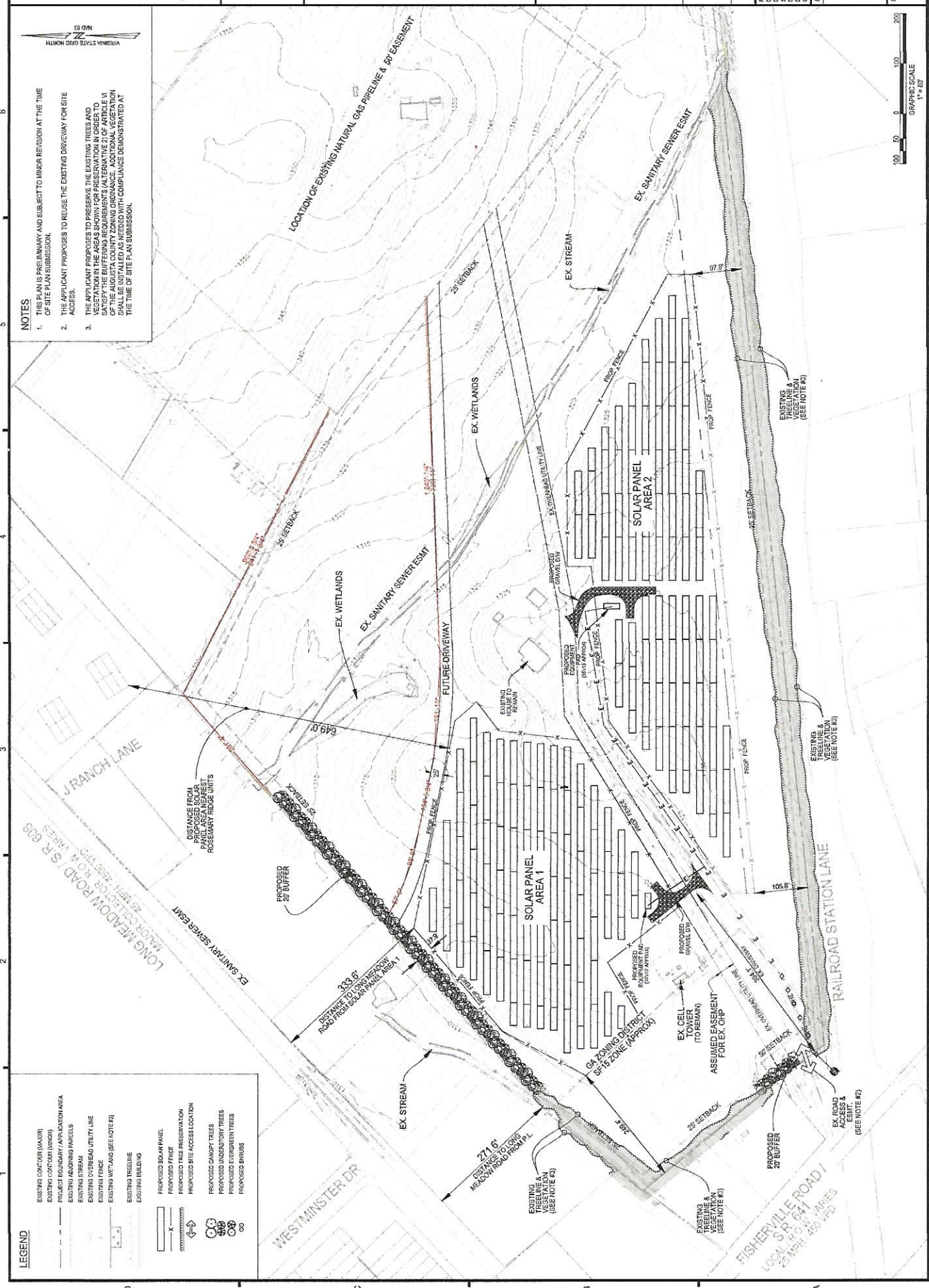


MARK	DATE	DESCRIPTION

PROJECT No. 2403.02A
 DRAWING No. 110917
 DATE: 10/15/24
 SCALE: 1"=40'
 SHEET: 50
 CHECKED BY: [Signature]
 DRAWN BY: [Signature]

SHEET TITLE
SITE PLAN AND LANDSCAPE PLAN
 SHEET No. **C300**

- NOTES**
- THIS PLAN IS PRELIMINARY AND SUBJECT TO MINOR REVISION AT THE TIME OF SITE PLAN SUBMISSION.
 - THE APPLICANT PROPOSES TO REUSE THE EXISTING DRIVEWAY FOR SITE ACCESS.
 - THE APPLICANT PROPOSES TO PRESERVE THE EXISTING TREES AND VEGETATION IN THE AREAS SHOWN FOR PRESERVATION IN ORDER TO SATISFY THE BUFFERING REQUIREMENTS ALTERNATIVE OF ARTICLE 10.1-10.1.1. THE APPLICANT SHALL BE INSTALLED AS NEEDED WITH COMPLIANCE DEMONSTRATED AT THE TIME OF SITE PLAN SUBMISSION.



LEGEND

- EXISTING CONTOUR (HATCH)
- EXISTING CONTOUR (NUMBER)
- PROJECT BOUNDARY/APPLICATION AREA
- EXISTING ADJACENT PARCELS
- EXISTING OVERHEAD UTILITY LINE
- EXISTING FENCE
- EXISTING WETLAND (SEE NOTE #1)
- EXISTING TREE LINE
- EXISTING BUILDING
- PROPOSED SOLAR PANEL
- PROPOSED FENCE
- PROPOSED TREE PRESERVATION
- PROPOSED SITE ACCESS LOCATION
- PROPOSED CANOPY TREES
- PROPOSED BARRIERS/TREES
- PROPOSED PERENNIAL TREES
- PROPOSED BARRIERS

1
2
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A
B
C
D



Department of Administration
Memorandum

To: Augusta County Planning Commission
Augusta County Board of Zoning Appeals

Cc: Timothy Fitzgerald, Augusta County Administrator
Augusta Water Board of Directors
Doug Wolfe, Director of Community Development
Elizabeth Goodloe, Planner I

From: Phil Martin, Executive Director *PM*

Date: July 31, 2023

Subject: Potential Impact of Proposed Fishersville Road Solar Farm, LLC Project on Augusta Water Rate Payers

Augusta Water offers the following comments on the request for a Substantial Accord Determination relating to a Special Use Permit as applied for by Fishersville Road Solar Farm, LLC. The Special Use Permit is to construct and operate a solar energy system known as the Fishersville Road Solar Farm, LLC (Project) at 74 J Ranch Lane, Fishersville, in an Urban Service Area.

This Project would be located within a portion of 1 parcel with a total area of approximately 24 acres for which existing sewer infrastructure is currently available for connection. Public water infrastructure would require a main line extension from the 12" water main in Long Meadow Road, approximately 1,000' northwest of the site. Water is supplied through the South River Water System. Sewer service is provided by a 12" sewer main that crosses the southerly corner of the property. The sewer lines run to the Fishersville Wastewater Treatment Plant, which has ample unused capacity to handle substantial additional wastewater.

The Augusta County Comprehensive Plan shows a Future Use of this parcel as Planned Residential with a density of 4 – 8 dwelling units per acre. If the parcel is developed over the next 35 years in accordance with the County's Comprehensive Plan, then the proposed Project has a likelihood of some long-term economic impact to the rate-payers of Augusta Water. We have conducted an analysis of this potential impact due to a proposed reduction in property available for future residential development and connection to public water and sewer infrastructure over the duration of the Project.

Our understanding of the proposed Project is that it would remove from potential residential development approximately 24 acres of property that is currently designated as Urban Service Area. However, only approximately 10 acres of the parcel is proposed to be fence-enclosed for photovoltaic panels. Additionally, our understanding is that there may be issues that make development of this property as envisioned in the Comprehensive Plan challenging, including a 50' wide existing Natural Gas Pipeline easement which crosses the northeast portion of the Project. Since this potentially reduces the area that would be otherwise available for development, we have limited our analysis to the approximately 5.5 acres to the southwest of the existing easement. Considering a 6 units-per-acre average future density as shown on the Comprehensive Plan, that equates to 33 units.

Residential development creates water and sewer customers for which public sewer is currently available and public water would need to be extended. Augusta Water's previous and continued investments in infrastructure to provide service availability to this property and maintaining that service, including expansion to the Fishersville Wastewater Plant, are in accordance with the County's Comprehensive Plan. These investments were made as a plan that water and sewer customers would locate on properties within the Urban Service Area, thereby recuperating, in part, the rate-payers' investments. Augusta Water has analyzed the potential impact due to a removal of the approximate 5.5 acres of this property available for connection to public water and sewer infrastructure over the duration of the Project.

In analyzing the potential impact to Augusta Water rate-payers, we contrasted potential net revenue if the Special Use Permit for the Project were approved against potential net revenue if this parcel was to be developed as envisioned in the Comprehensive Plan.

Clearly, if the Special Use Permit for the Project is approved and the Project continues for 35 years, there will be no new water or sewer customers on the approximate 5.5 acres of this property for the duration of that term and therefore no revenue will be generated from water and sewer connections on the 5.5 acres of this property for Augusta Water over those 35 years. Conversely, Augusta Water recognizes that if the Special Use Permit for the Project is not approved and the 5.5 acres remain available for development as envisioned in the Comprehensive Plan and Small Area Plan, there is the possibility that no development would otherwise occur on the 5.5 acres over the next 35 years and there would be no difference in impact on Augusta Water rate-payers.

However, if residential development were to occur on the 5.5 acres of this property at any time during the next 35 years (as is anticipated in the Comprehensive Plan and Small Area Plan), Augusta Water projects that this could generate net revenue of approximately \$360,000, depending on when the development occurs. This figure was derived by assuming no development for the first 14 years, then up to 6 units per year for years 15 through 19 with the final three units being developed in year 20. The analysis includes current availability fees and our current annual net revenue per combined water and sewer residential customer.

Therefore, our analysis indicates the potential impact to Augusta Water rate-payers could be a net revenue loss on the order of \$360,000 over 35 years (roughly equivalent to \$10,300 per year) depending on whether and/or when the 5.5 acres might be developed as envisioned in the Comprehensive Plan and Small Area Plan.

In deliberations on the Special Use Permit requested by Fishersville Solar Farm, LLC, Augusta Water requests the Augusta County Planning Commission and Augusta County Board of Zoning Appeals consider the potential future financial impacts to the rate-payers of Augusta Water as identified in this memorandum.

Best regards