

COUNTY OF AUGUSTA, VA.

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TIMOTHY K. FITZGERALD – COUNTY ADMINISTRATOR

AUGUSTA COUNTY GOVERNMENT CENTER


P.O. BOX 590, VERONA, VA 24482-0590

(540) 245-5610 FAX (540) 245-5621

coadmin@co.augusta.va.us

MEMO

TO: Timothy Fitzgerald, County Administrator

FROM: Jennifer Whetzel, Deputy County Administrator 

DATE: May 19, 2020

RE: CDBG Grant Opportunity – COVID19

The Virginia Department of Housing and Community Development (DHCD) is making available current Community Development Block Grant (CDBG) funding to small cities, towns, and rural counties to respond to local needs related to COVID-19 response. Up to \$6,550,000 in CDBG funding during the 2020 funding cycle is available to assist units of local government in addressing issues created or worsened by COVID-19.

DHCD is particularly interested in supporting communities with their COVID-19 related projects that can be implemented and deliver benefits quickly. Projects seeking CDBG funding must meet at least 1 of 3 national objectives. Projects must:

- o Benefit low- and moderate-income households
- o Aid in the prevention and elimination of slums and blight, or
- o Meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the community.

The hospital project addresses the last national objective; it is an urgent need. The CDBG funding will be used toward the purchase of tele-health equipment and conversion of space for an assessment and respiratory center for the hospital.

The project application and approval process includes:

- o A letter of interest providing a summary of the project
- o A completed application of about 3-4 questions.
- o 2 public meetings.
- o Announcement of a CDBG award by the Governor.
- o Completion of the Environmental Review process. This type of project likely would be a Categorical Exclusion but still must go through the public notice and comment period. This takes a minimum of 30 days.
- o Execution of a contract with DHCD.
- o Although fast-tracked, the entire process will take at least 30-60 days.

Augusta County has completed CDBG projects in the past, such as being the applicant for the regional Fields of Gold planning grant in 2011. Staff has talked with DHCD staff and that they encouraged Augusta County to proceed with a letter of interest. As of today, we have received follow-up questions on the project.

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April 30, 2020

Mr. Matthew Weaver
Associate Director of Community Development Policy
Virginia Department of Housing and Community Development
600 East Main Street, Suite 300
Richmond, Virginia 23219
matthew.weaver@dhcd.virginia.gov

RE: Letter of Interest – CDBG Opportunity – COVID-19

Mr. Weaver:

Established in 1738, the County of Augusta is located in the Shenandoah Valley and is the second-largest county in Virginia (967 square miles). Surrounded by the Blue Ridge and Alleghany mountain ranges, Augusta County is home to nearly 75,000 people, a diverse business and manufacturing base, a rich agricultural history, and a strong educational system benefitting from 12 area colleges and universities. The County footprint includes the Cities of Staunton and Waynesboro and contains small pockets that are dense in population.

The county sits at the intersection of I-81 and I-64 and its hospital, Augusta Health, is located in Fishersville off I-64. Augusta Health, a 501(c)3 nonprofit hospital, is one of only five independent, community-owned hospitals left in the Commonwealth of Virginia. It was established in Fishersville in 1994 following the merger of two community hospitals in Waynesboro and Staunton. The hospital's location allows residents from Augusta, Staunton, Waynesboro, and Western Nelson immediate access to emergency, surgical, clinical, cardiac, and cancer facilities. Augusta Health has 225 full-time physicians, 255 beds, 12,000 annual admissions equaling 52,000 days of care, 62,000 emergency visits per year, and more than 500,000 visits served by outpatient and physician practice groups annually.

Augusta Health also serves residents of West Virginia, Bath, Highland, Rockbridge, and Nelson counties for services not offered at the smaller hospitals. Augusta Health operates thirteen outpatient offices and clinics located in Staunton, Stuarts Draft, Crozet, Waynesboro, Lexington, and Weyers Cave. The Waynesboro clinic has been converted to the COVID-19 Assessment and Respiratory Center.

As a community health provider, Augusta Health has a robust "community benefit" program and provides a host of community health and wellness programs and health screening services aimed at improving the health of the population - many at no cost to the patient. In 2019, Augusta Health provided nearly \$15 million in uncompensated care to individuals in our community who needed medical care and whose income was up to 400% of the federal poverty level.

The Augusta Health Foundation secures philanthropic support for patient services and programming in the following areas: diabetes management, cancer, hospice, cardiac care, medication assistance to the uninsured, and special programs for the deaf and hard of hearing in our community.

Augusta County and its surrounding counties are rural in nature and have large pockets with limited or no access to high speed internet services. In order to have essential and immediate service to all county residents, Augusta County had to purchase software and hardware to enable 40 staff members to telework, whether at the Government Center or from home. Several EMS, police, and fire stations are in areas with spotty cell and/or internet service. Ensuring that all essential services could meet demands in this shelter-in-place environment required equipment for improved connectivity at a cost of \$4,080.48.

This problem also prohibits immediate access to medical care to patients in remote areas during this time of crisis. The first telemedicine cart was purchased for COVID patients admitted into the ICU to allow access to specialists across the Commonwealth for current best practices. Nineteen iPads were distributed to 13 specialty clinics and 6 to the Emergency Department. Webcams were deployed to specialty clinics, testing sites, Primary Care and Forensics. The next phase is to purchase carts for the outpatient clinics to improve access to clinicians and specialists for primary care physicians and their patients. This would allow for enhanced communications for the coordination of care between patients, primary care physicians and specialists. It would provide an optimal way for physicians, caregivers and patients to discuss symptoms, current medications and potential changes to those medications, possible treatment options and the overall desired outcome for the patient. The first telemedicine cart, webcams, and iPads totaled \$35,265.30.

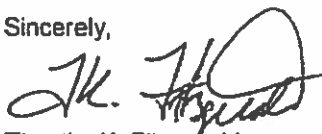
Once the onset of cases began in Augusta County, the Augusta Health Outpatient Center in Waynesboro outpatient was immediately converted to the COVID-19 Assessment and Respiratory Center. This allowed for immediate assessment of patients in the community, and testing to those who presented and exhibited symptoms related to severe respiratory illness or those symptoms related to suspected COVID-19. The COVID-19 Center provided an off-site location for patients to be assessed and tested, rather than having them come on site where COVID-19 cases were present and growing. Those patients with suspected or confirmed cases were then sent home to be monitored remotely by Augusta Health staff or admitted to a COVID-19 ward at Augusta Health. Patients that required respiratory treatments were also treated or admitted for treatment. Conversion of the Assessment and Respiratory Center included construction expenses to improve patient seclusion, HVAC modifications to provide increased air filtration and return, information technology and telecom/data equipment to communicate with physicians at the main campus, personal protective equipment (PPE), signage and traffic safety supplies, and a retrofit of the drive-through area for the safety of personnel at a total cost of \$66,451.

As of April 29, 2020, Augusta Health's primary service area (Staunton, Waynesboro, and Augusta County) has 64 confirmed cases of COVID-19. Augusta Health has three inpatients with coronavirus and has had one COVID-19 related death. Augusta Health has engaged community leaders to create a COVID-19 Private-Public Partnership comprised of local physicians, Augusta Health leadership, representatives from the Virginia Department of Health, the Community Foundation of the Central Blue Ridge, the Greater Augusta United Way, the Greater Augusta Chamber of Commerce, EMS personnel, and other integral community partners to address concerns related to care after discharge, sheltering for homeless individuals, and PPE for those discharged. The hospital has entered into an agreement with two local organizations to lease their facility for step-down care as the expected peak draws near. Initial payments to secure the facility for the timeframe required has already been paid; additional expenses will be incurred as the facility goes online for patient care.

Augusta County is communicating with Augusta Health to keep a real-time communication and plan in place. The equipment already in place ensures that this communication can continue moving forward.

Please consider the above as viable projects that can utilize CDBG funds for COVID-19. If you have questions or need further information related to this Letter of Interest, please contact Jennifer Whetzel at jwhetzel@co.augusta.va.us.

Sincerely,



Timothy K. Fitzgerald
County Administrator



Using CDBG Resources in Response to COVID-19

CDBG Resources



The Community Development Block Grant (CDBG) program will assist units of local government and communities in response to the health and economic impact of COVID-19 by supporting planning grant, open submission and urgent need recovery activities.

Eligible Activities

1

Construction or rehab of structures to be used for shelters, testing or equipment manufacturing



2

Training programs for healthcare workers or service industry jobs transitioning to food/pharmaceutical delivery systems



3

Acquisition costs for telework/telemedicine services



4

Job creation or business development for manufacturing of COVID-related materials, supplies or equipment (PPE)



How to Apply

Eligible localities (small cities, towns and rural communities) should submit a letter of interest describing the project need and its activities to DHCD. Information will continue to be provided as any additional funding is made available through the CARES Act.

Contact Us:

804-371-7011 or 804-371-7076
matthew.weaver@dhcd.virginia.gov or rachel.jordan@dhcd.virginia.gov
www.dhcd.virginia.gov

Community Development Block Grant (CDBG) Virginia Funding Opportunities for COVID-19 Response

DHCD is making available current CDBG funding to small cities, towns, and rural counties to respond to local needs related to COVID-19 response. See pages 62-63 of the 2020 Virginia CDBG Program Design for a listing of eligible localities (www.dhcd.virginia.gov/sites/default/files/Docx/cdbg/cdbg-program-design.pdf).

DHCD is also closely monitoring availability of funding for all localities through the recently passed CARES Act (federal stimulus) and will post additional details when this funding becomes available.

Goals:

1. Assist units of local government and communities respond to the health and economic impact of COVID-19 by supporting Urgent Need recovery activities.
2. Collect best practices and create a network of resource sharing.
3. Provide up to \$6,550,000 in Planning and Open Submission (including urgent need) Community Development Block Grant (CDBG) funding during the 2020 funding cycle to address issues created or worsened by COVID-19.

About the Initiative:

Using Program Year 2020 CDBG funds, in accordance with DHCD's 2020 CDBG Program Design, DHCD can immediately accept applications for COVID-19 related Planning Grants and for COVID-19 related Open Submission applications, including Urgent Need Applications. All application information in the Program Design applies to the COVID-19 environment, except as noted below with an asterisk (*) and further described at the end of this document.

Planning Grants	Community Organizing, Needs Assessment, Project Planning	\$10,000 - \$45,000 per grant, up to \$1,000,000
Open Submission Program: Urgent Need Grants	Community Service Facilities, and Public Services. Preference for projects that can benefit 51% Low- and Moderate-Income (LMI) benefit.	\$1,000,000 Total. Requests for Community Service Facility grants will not exceed \$800,000.
Open Submission Programs: Innovation Fund, Construction-Ready Water and Sewer, and Community Economic Development Grants	See 2020 Program Design. Focus on solutions to COVID-19-related circumstances and on circumstances made worse by COVID-19. Must document 51% LMI benefit.	Up to \$4,650,000 Total. See Program Design for individual project type caps
TOTAL		\$6,650,000*

DHCD is particularly interested in supporting communities with their COVID-19 related projects that can be implemented and deliver benefits quickly. Following are examples of projects in which DHCD is hearing of immediate community needs, but please approach DHCD with all project ideas and needs, as these examples are not all-encompassing:

Homelessness and Health Care:

- Construct (longer term) or rehab and retrofit (shorter term) structures that can be used as (for example) shelters for persons experiencing homelessness (especially shelters needing upgrades and retrofits to increase ability to follow social distancing best practices), or testing centers, emergency inpatient health care facilities, outpatient treatment clinics, and quarantine sites;
- Cover acquisition costs for buildings to be used as outlined above;
- Cover acquisition costs for equipment that can be used for telemedicine purposes;
- Provide supportive services, on-site, at supportive housing residences; and
- Provide emergency payment of rent and utilities (paid directly to the landlord and utility provider over a limited period of time) related to homeless assistance.

General Community Support in the COVID-19 Environment:

- Develop programs to keep individuals employed, for example, transitioning food and beverage industry workers into providing delivery services for food banks and pharmacies;
- Repurpose manufacturing equipment or facilities to create Personal Protective Equipment (PPE) products;
- Cover acquisition costs for digital equipment that would allow units of local government to conduct public business online; and
- Create small business assistance grants/loans for communities.

Project Development Notes:

DHCD strongly recommends working with local social service agencies, your Continuum of Care (CoC) homeless providers, health departments, and other providers to identify specific local needs. COVID-19 projects will not 'count' towards local funding caps, although DHCD will closely assess progress on funded projects before committing additional funds. Applications will be submitted through CAMS and will be collected and reviewed bi-weekly or more often if necessary.

Localities planning to apply for COVID-19 CDBG funding are strongly urged to contact Matt Weaver at 804-371-7011 or matthew.weaver@dhcd.virginia.gov early in the planning process and to send a letter of interest to DHCD (attach letters via email to Matt Weaver).

** This is the minimum funds available. DHCD is working to utilize existing funds for this announcement and will evaluate if more current year funds can be provided and what additional funds will be available with CARES Act (Stimulus funds).*

*** Planning and Open Submission applications are accepted through the year until September 30, 2020. Competitive CDBG funding could assist COVID-19 response efforts in addition, including Public Services as described above, although the competitive application closes April 24, 2020. As stated in the 2020 CDBG Program Design, a new second round CDBG Competitive Grant Cycle will be opened September 1, 2020, closing November 30, 2020, if funds are available.*



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



MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Tate, Senior Planner *Leslie*
DATE: May 18, 2020
SUBJECT: Update on Utility Scale Renewable Energy Comprehensive Plan Amendment Committee

Below is a recap of the memo provided to the Board in April concerning the Utility Scale Renewable Energy Committee's process and report.

Staff scheduled, planned, and facilitated three Utility Scale Renewable Energy Comprehensive Plan Amendment Committee meetings from October of 2019 to February of 2020.

A significant portion of the first meeting was staff presenting on the central elements of a Comprehensive Plan in general, and more specifically what are the fundamental elements of Augusta County's Comprehensive Plan, including the Vision Statement, Planning Policy Areas, and overall Strategies for Growth. The discussion also focused on the purpose of the committee: which was defined as analyzing, discussing, and recommending siting criteria and other design guidelines upon which utility scale renewable energy projects, and more specifically, utility scale solar projects, should be evaluated.

A second meeting built upon the discussion started in the kick-off meeting as staff encouraged the committee to think of utility scale renewable as another land use. What impacts are associated with such a land use? What adjacent land uses or development patterns do you think are most compatible with utility scale solar as a principal land use? Staff provided some draft language to the committee during this meeting to give them something upon which to react and respond.

Staff encouraged committee members to take the draft language, which staff further fleshed out prior to the third meeting, and provide comments and feedback so as to hopefully identify some common themes and areas of consensus among the committee at the third meeting.

During the third meeting, it was apparent to staff that a consensus among the committee was unlikely. For that reason, staff requested that committee members

Staunton (540) 245-5700

TOLL FREE NUMBERS

Waynesboro (540) 942-5113

From Deerfield (540) 939-4111

From Bridgewater, Grottoes

Harrisonburg, Mt Solon & Weyers Cave (540) 828-6205

FAX (540) 245-5066

provide their thoughts and comments to staff by April 1st. Staff told the committee that they would provide all of the comments, minutes from the meetings, and other relevant information to the Board in an elongated report (Attached). Staff ensured the Committee that, although a unified list of criteria did not come from the process, the thoughts, questions, and considerations grappled with by the Committee would be very valuable to the Board as you consider potential Comprehensive Plan Amendments related to the topic.

Staff will be briefing the Board on this committee process at your May 26th briefing and asking for direction on Comprehensive Plan amendment language and areas within the ordinance that staff recommends evaluating.

**COMMITTEE
MEETING MINUTES
OCTOBER 2019
DECEMBER 2019
FEBRUARY 2020**

PRESENT: Wendell Coleman, Board of Supervisor (Wayne District)
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
Steve Bridge, Planning Commission representative
Phil Martin, Executive Director of the Augusta County Service Authority
Mike Rose
Charlie Burton
Paula Figgatt
Steve Bridge
Dr. Ed Long
Jeff Gentry
Nancy Sorrells
Susan Byerly
Charlie Burton
Mike Moneymaker
Bobby Eavers
Patsy Earhart
Dick Halterman
Danny Shreckhise
Stan Sikorski
Eric Obaugh
Jack Wilson

VIRGINIA: At the Called Meeting of the Utility Scale Renewable Energy Committee held on October 29, 2019 at 5:00 p.m. in the Smith West Room, Augusta County Government Center, Verona, Virginia.

Mrs. Tate introduced herself as County Senior Planner and Mr. Wilkinson introduced himself as Community Development Director.

Members of the committee introduced themselves.

Mrs. Tate stated that everyone may have different expectations of this committee's process and potential outcomes. She stated that in order to get everyone on the same page, it is important to understand what the purpose of this committee is as it relates to why the Board of Supervisors formed the committee and what they tasked the committee with accomplishing. Mrs. Tate stated that such purpose was to evaluate utility scale solar as a principal land use in Augusta County and to provide recommendations to the Board regarding

where such facilities should be located and upon what criteria they should be reviewed when applications for Special Use Permits are received.

Mrs. Tate also expressed her desire to not limit the committee to solar alone, while also trying to not cast the net too wide, losing focus. Mrs. Tate asked the committee to consider other up and coming renewable energy land uses. Mrs. Tate referenced the Commonwealth of Virginia's Energy Plan, included in the meeting packets, as a good reference.

Mrs. Tate gave a brief overview of the difference between Comprehensive Plan language and amendments and ordinance amendments. She stated that Comprehensive Plan amendments would likely lead to future ordinance amendments and that ordinance amendments deal with more regulatory specificity than does Comprehensive Plan language.

Mrs. Tate mentioned battery storage as a potential component to renewable energy land uses that should likely be considered. Do battery storage facilities pose different land use impacts than renewable energy land uses that do not have a battery storage component.

Mrs. Tate stated that a potential outcome of this committee may be a list of criteria upon which utility scale solar projects should be evaluated. Mrs. Tate highlighted that a project may not check every box on that criteria list, but the criteria should be seen as important values of the community and worthy of consideration.

Mrs. Tate spoke about the importance of consistency throughout the Comprehensive Plan in the fact that all policies should work together to support the overarching vision statement. Mrs. Tate reviewed the County's Comprehensive Plan Vision Statement and Strategies for Growth, which are directly achieved through the Planning Policy Areas. Any recommendation and criteria list should support the overarching vision statement of the Comprehensive Plan.

Mrs. Tate, using a map visual, showed the committee the various Planning Policy Areas and Future Land Use Designations throughout the entire County. Mrs. Tate gave an example of a landowner wanting to develop a residential subdivision in an area designated for Agriculture Conservation as an example of how the plan would not support such development in those areas. Mrs. Tate explained the types of development envisioned in the different Planning Policy

Areas and the extension or lack of extension of public water and/or sewer which makes up these different areas.

Mrs. Tate reviewed the following Strategies of Growth: promote a compact, orderly, coordinated and balanced pattern of development in order to preserve farming and rural areas of the County and to make more efficient use of public facilities and services, establish distinct areas for urban development as well as distinct areas for agriculture and forestal uses, implement Planning Policy Areas using a reasonable combination of voluntary and mandatory measures.

Mrs. Tate showed the committee an acreage breakdown of the Planning Policy Areas within the County: 6.6% Urban Service Area, 5.6% Community Development Area, 34.6% Public Land, Rural Conservation Area 13.4%, and Agriculture Conservation Area 39.8%.

Mr. Burton asked how much the percentages have changed in the past two years. Mrs. Tate stated that these percentages come from the 2015 Update of the Comprehensive Plan. She didn't know the specific Planning Policy Area changes that occurred as a result of that update, but clarified the difference between Planning Policy Area designations and the percentage of land zoned for agriculture and various residential, business, or industrial uses.

Mrs. Sorrells reiterated that point by stating that 95% or so of land in the County is still zoned General Agriculture.

Mrs. Tate opened the meeting up for questions regarding the overview presentation on the fundamental elements of the Comprehensive Plan.

Mr. Coleman discussed infrastructure, beyond water and sewer that is intended for the Urban Service Areas including: power, schools, roads, etc. He discussed the competitiveness of attracting new business and industry or expanding existing industry with available infrastructure in designated areas.

Mrs. Tate explained to the committee the policy for conservation easement placement within Urban Service and Community Development Areas. Mrs. Tate also explained the use of small area plans for more detailed planning efforts within areas designated for growth and development. Lastly, Mrs. Tate reviewed regional and statewide transportation planning efforts that are very much linked to and affected by areas designated for growth and development within the Comprehensive Plan.

Mrs. Figgatt asked if individual landowners were included in the decision-making process of the Comprehensive Plan.

Mrs. Tate described the history of the Comprehensive Plan in Augusta County, its various updates, and the use of public information meetings, surveys, etc. to gather public input. Mrs. Figgatt asked if personal property owners were consulted for decisions impacting specific properties. She asked if landowners had agreed to have infrastructure investments made on their property to accommodate growth.

Mrs. Tate stated that the existence of public water and sewer lines on individual properties was the result of coordinated and negotiated easements by the Augusta County Service Authority and the landowner.

Mrs. Sorrells discussed the differences between the Comprehensive Plan's future land use designations and the regulatory nature of the zoning district which currently applies to property. She stated that the Comprehensive Plan is clear in protecting individual property rights. She said that ordinances are the "teeth" of the Comprehensive Plan.

Mrs. Figgatt asked how solar was zoned prior to the establishment of this committee. She asked if it was considered as an agricultural use or if it could go into any type of zoning area.

Mrs. Tate stated that it is permitted through a Special Use Permit, which can be approved upon agriculture zoned property or business zoned property.

Mrs. Tate clarified for the committee the difference between accessory applications of solar and solar as a principal land use.

Mrs. Tate referenced the public survey data results that were included in the committee member packets, addressing some of the highlights.

Dr. Long asked if the raw data from the public input survey would be made available rather than a summary of the data. Mrs. Tate stated that she could provide individual responses

Mrs. Tate highlighted for the committee that the public input survey was not done in a statistically empirical fashion but is a representation of citizen input on the matter.

Mrs. Tate provided a percentage breakdown of responses regarding where utility scale solar should be located from the survey results.

Mrs. Tate showed the committee members a map of areas zoned industrial with the location of various electric substations throughout the County. She made the caveat that the map did not share capacity of the various substations which may be an important decision factor regarding the location of renewable energy sources within proximity to those substations.

Mrs. Tate discussed survey results regarding size considerations, setbacks, etc.

Mr. Coleman asked the number of respondents for the survey. Mrs. Tate said that 217 people completed the survey. So if 66% of respondents said they do not support a maximum size for the use, that represents roughly 143 people.

Mr. Coleman stated that he represents over 10,000 people with only some of those individuals taking the time to be involved in public meetings, while it is still important for him to represent all those within his district.

Mr. Moneymaker pointed out that statistically, the survey is a flawed sample because it is not random but representative of the 217 people that are interested in the topic and chose to respond. He clarified that the feedback is helpful but it is important to keep the results within context from a statistical standpoint.

Dr. Long asked for an explanation of setbacks from a public right of way. Mrs. Tate explained that was how far the fenceline for a project would be setback from a public road.

Mr. Obaugh asked what the current solar ordinance setbacks were. Mrs. Tate stated they were currently 200' from adjacent property not zoned residentially and 1,000' from property zoned residentially, with the ability for the Board to reduce. Mr. Obaugh asked how setbacks differed from other uses such as a barn. Mr. Wilkinson stated the setback for a barn in agriculture would be 25 ft. He asked what the setback was for residential zoned property. Mr. Wikinson stated the setback is 15 ft. Mrs. Figgatt said that a pig farm could be placed right against the property line under current agriculture zoning and she would rather have a solar panel adjacent to her.

Mr. Burton discussed the placement of panels on his farm, which considered giving enough space to prevent individuals from trying to damage the panels. He

stated he placed his panels 180 ft. from the road. Mr. Burton said that his panels were a very practical decision for his farm operation.

Mr. Burton discussed various acreages sizes. He asked the committee if they realized how much land made up 10 acres. He discussed his concerns with runoff when considering 100 or 200 acres of panels.

Mrs. Tate said that the next item on the agenda was a break-out session to discuss a specific set of questions. She pointed the committee's attention to four boards around the room for smaller discussions to answer a list of distributed questions. She stated that her goal of the discussion was to get people thinking of utility scale solar as a land use and to hopefully begin to glean some consensus from the committee around certain themes.

Mrs. Figgatt expressed concern in providing information in a breakout session without having enough time to completely review the materials sent out to the committee members.

Dr. Long asked how long the committee would last and if this committee would operate as a panel beyond today. Mrs. Tate stated that committee produced recommendations were not going to be achieved today, but hopefully over a series of meetings. She stated that this initial breakout discussion is more about getting ideas out there and seeing if there are some overarching themes around which the committee agrees. Mrs. Tate also asked the committee if they had suggestions on ways to achieve an end result that are different than the process she has described.

Ms. Byerly said that she sees the bottom line as location criteria and in order for her to assess that, she needs to understand scale. She wanted a size reference and output reference for utility scale solar. Mrs. Tate explained that it varies. There can be projects that are 100 or 200 acres or 1000 acres or larger. Mrs. Sorells asked what the largest individual pod was in the Augusta Solar application. Mrs. Tate did not know the exact numbers.

Mrs. Tate explained that guidelines from this committee might be used in identifying what that size consideration should be for the County. Mrs. Tate expressed that she could not give a limit on the maximum size that a project could be. Mr. Wilson said that his answers to many of the questions regarding siting and design guidelines for projects would be very different when referring to drastically different sized projects. He felt that it was important to determine what

the committee is talking about in terms of size of projects before trying to assess impacts of the land use.

Mrs. Tate reminded the committee that all of these considerations are relevant to the committee as they work through potential impacts regarding various sizes.

Mrs. Sorrells felt the committee may need to come up with questions they need answered prior to a more in depth discussion. She discussed considerations such as prime soils, forested areas, water quality as it relates to erosion and sediment control. She said that the solar land use is not any different in a lot of ways than other types of development considerations.

Mrs. Tate encouraged the committee to think of some themes they may want to see considered/discussed at subsequent meetings. She encouraged the committee to get some thoughts out on the table to better help staff know how to facilitate future discussions.

Mrs. Sorrells brought up a recent utility scale solar workshop that she and Mrs. Tate attended with several presenters, including Mrs. Tate. She asked if it would be possible to arrange some speakers to come and speak to this committee regarding different aspects of utility scale solar development. Mrs. Sorrells specifically referenced communities that have seen utility scale solar development to hear about some of their successes and weaknesses as we move forward.

Mr. Wilkinson said staff had been told by a solar developer that roughly 100 acres was the smallest viable project from a utility scale standpoint, although in Virginia 200 acres is probably the smallest projects we have seen, referencing Buckingham County nearby.

Ms. Byerly referenced the importance of reviewing existing efficiency impact analyses and environmental impact analyses with regards to a minimum size requirement.

Mr. Wilkinson discussed the requirement to meet state stormwater and erosion and sediment control regulations. He said that development of these projects includes denuding the site. Mrs. Sorrells said there were multiple way of developing. She felt that the County was forward thinking in their decommissioning plan requirements.

Mrs. Tate referenced the draft conditions that were presented to the Board in consideration of the Augusta Solar project. She felt that it would be important for the committee to review those to see what considerations were already on staff's radar. Mrs. Tate stated that the development of those conditions was born out of a lot of research, back and forth discussions with the industry, and reaching out to various other agencies for input and comment around several of the themes we have discussed tonight.

Mrs. Sorells reiterated the difference between a vision and Comp. Plan language and more specific ordinance and condition recommendations.

Mrs. Figgatt asked if the County had ordinances for other utility uses such as substations or telecommunications towers that we could mirror. Mrs. Tate explained the Public Use Overlay zoning designation. Mrs. Figgatt said that telecommunications towers were similar to solar in their non-permanency and lease term structure. Mrs. Tate stated that the County does have a specific ordinance for telecommunications towers.

Mr. Obaugh asked if the committee could have more information regarding the Augusta Solar application that the Board had previously considered as that is the reason the committee was formed. He felt that lessons could be learned from the process.

Mrs. Tate expressed that it would be up to the committee what parts of that process and how much of that process they would like to receive. She explained that the file for that public process is quite large. He asked for a flip note version, not necessarily the whole thing. Mrs. Figgatt asked for staff's recommendation, the recommendation of the Planning Commission, and then the decision of the Board of Supervisors.

Mrs. Tate also said that the dropbox link to the Augusta Solar application can still be accessed. Mrs. Figgatt felt that she needed to review this information prior to having a break-out discussion. Mr. Wilson felt he needed some kind of upper limit size determination before beginning to provide recommendations. Mr. Wilson showed an aerial of the Stuarts Draft area and pointed out the Target Distribution center, visible in the aerial. He identified that the Target Distribution center represented 37 acres. He said that his answers to the impact questions would be vastly different when considering a project of 1,000 acres.

Mrs. Tate felt that discussions of scale would need to be formulated by this committee. Is there a maximum size that the County should identify or not?

Mrs. Sorrells felt it was important to not lock the committee into a box. She told the committee about a white paper of recommendations that was developed by the Alliance for the Shenandoah Valley regarding solar. Mrs. Sorrells felt that such recommendations did not create black and white areas of approval or denial but recommendations to consider for various projects on a case by case basis. She encouraged flexibility. She said that we didn't want to entirely pave over our growth areas and said that we want open space and we could run water and sewer through farm fields. She said that maybe 1,000 acres would make sense in some areas and potentially not in others but thought that the recommendations should have flexibility and not be regulatory in nature.

Discussion ensued regarding how much of a site would be denuded for development, compatibility of agriculture practices amongst solar land uses, and pollinator plant specific solar projects, and if projects could be developed without denuding the site.

Ms. Byerly summarized that the committee would like to see the solar ordinance, documents from the Augusta Solar application, and input from other localities regarding good draft conditions.

Mr. Moneymaker pointed to the information provided by staff regarding how other Virginia localities have incorporated the solar land use into their Comprehensive Plans. Mrs. Tate highlighted some language from these other localities to give the committee examples.

Mrs. Figgatt asked for a summary of the Augusta Solar application. Mrs. Tate stated that the project was 1,000 acres under panel, in the Stuarts Draft and Lyndhurst area, within Community Development and Urban Service areas planned for development but currently zoned General Agriculture. Mrs. Tate began summarizing the Planning Commission and Board of Supervisors' actions on the Special Use Permit request.

The committee asked questions concerning the size of each individual pod proposed in the Augusta Solar project. Mrs. Tate was not sure of exact sizes but thought that most pods were under 100 acres. The committee discussed the landowners intentions to remain in farming and not sell their land for development.

Mrs. Sorrells asked about the East Stuarts Draft Sewer Feasibility Study. Mrs. Tate stated that the study did lead to changes to the Comprehensive Plan for areas east of Lipscomb road and south of the river, based on the lack of probable sewer extensions.

Ms. Sorrells discussed the probability that current or future industry would likely add solar arrays to power their operations. She made the point that whether the area planned for development were to remain farms or develop as industries, solar arrays are likely, drawing aesthetic similarities. She also stated that water and sewer can be run under solar arrays.

Mrs. Tate finished her summary of the process for the Augusta Solar project. She stated that the Planning Commission heard the request under the necessary state code provision and made a determination that the application was in accord with the Comprehensive Plan or parts thereof concerning location, character and extent. She then stated that the Board disagreed with the Planning Commission as they felt that the development pattern of a fragmented solar installation in an area designated for compact, interconnected, pedestrian-oriented development on public water and sewer were not in accord.

Mr. Wilkins told the committee we would provide them a copy of the solar ordinance and draft Special Use Permit conditions considered.

Mrs. Tate also stated that she would provide the committee with Culpeper County's recently amended solar development policy. Mrs. Tate highlighted that their amended policy included a maximum percentage of land area to be placed in solar.

Mrs. Sorrells asked if utility scale solar had to be located close to a substation. Mrs. Tate said that staff has heard that projects typically locate within 5 miles of a substation. Mrs. Tate said that she had done some mapping of existing substations and 5 mile radii and could provide to the committee.

Mr. Sikorski asked how things had changed from when the Board voted to deny the Special Use Permit until this meeting. Mrs. Tate stated that the Board appointed this committee to provide them with recommendations for amendments to the Comprehensive Plan regarding solar development. Mr. Sikorski said that the "vision side" of the Comprehensive Plan is what should be driving this process.

Dr. Long asked if he was correct in saying that Accomack County got rid of their Special Use Permit provision. Mrs. Tate said that they no longer permit utility scale solar development on agriculture zoned property. Ms. Tate felt the change was based on a desire to protect agriculture land for farming purposes.

Mrs. Tate and the committee discussed how other Virginia localities were evaluating utility scale solar development. She pointed out specifics from Culpeper County, Spotsylvania County, and Mecklenburg County. Mrs. Tate said that there is not a one size fits all and we need to determine what is important to our community and how that fits into the overall vision of the Comprehensive Plan.

Mr. Moneymaker said the vision statement is clear that population and employment should steadily increase in the Urban Service Areas. He also stated that after reviewing other localities in Virginia a common theme he saw was locating these types of projects outside of areas planned for and conducive to growth and development.

Mr. Coleman talked about visiting a utility scale solar development and his observation was that you had to drive miles to get to the location and there was not a house in sight. Mr. Coleman said he would have a hard time turning his back on all of the investment made in consultation with the Comprehensive Plan. He discussed ratepayers of the Augusta County Service Authority and the costs to upgrade systems that did not have available capacity. Mr. Coleman discussed the investment in LifeCore and importance of a return on that investment through development.

Mrs. Sorrells said that solar development and Urban Service patterned development are not mutually exclusive and could co-exist. Mr. Moneymaker stated that they can be mutually exclusive. Mrs. Sorrells said that you could have farms continue next to a factory. She stated that Augusta County is the second largest agriculture producer in the state and all development is about balance. She said that the best soils for farming are in Stuarts Draft. She said that industrial development brings revenue and that farmers pay more in taxes than they get back in public services and residential development is a huge loss. She said you can run infrastructure needed for development through farms.

Mr. Bridge raised concerns that if Mr. Coleman and other supervisors had already made up their mind about where these projects should be sited then the committee was a waste of time.

Mr. Burton felt the use of the term "solar farm" was misleading considering the large size of some projects. Mr. Burton said that some solar farms have compatible agriculture operations and others do not.

Ms. Sorrells asked about land use taxation. Mrs. Tate said that the area under panel would come out of land use taxation. Mrs. Sorrells said that the County needs to ensure that as many farms as possible remain viable in order to keep County taxes low. She believes that solar project development gives landowners another option to keep their land in farming.

Mr. Coleman clarified that he was very open to committee discussion and input. He said that his comments about LifeCore shouldn't be generalized to all Urban Service Areas but were specific to that public infrastructure investment.

Mr. Obaugh said that farmers need a way to supplement their incomes and people aren't knocking on farmers doors to buy their land. He said that the Comprehensive Plan is a living, breathing document that can change over time. He said farmers need to have solar as an option for their land so they aren't pigeon-holed into one thing.

Mrs. Tate discussed that some Urban Service Areas currently have public utilities and others would require extension.

Mr. Martin from the Augusta County Service Authority pointed out that the upgrades to treatment plants are enormously costly.

Ms. Sorrells said the treatment plant upgrades were mandated by state law because of the Chesapeake Bay not because of development pressure. Mr. Martin discussed the difference between upgrades needed today and those planned for future development. Mrs. Sorrells said farmers should not be penalized for these upgrades as far as their range of land use options are concerned. Ms. Sorrells said that open space within Urban Service Area's should be encouraged, especially for walkable, quality communities.

Mr. Gentry pointed out that land designated as Urban Service or Community Development Area may not be practical for development for various reasons.

Mr. Moneymaker discussed evaluating the acreage that is not prime farm or forestry land and within 5 miles of a substation. Mr. Moneymaker talked about the increased land values for designated Urban Service Areas.

The Committee discussed taking the "break-out" questions and answering them prior to the next meeting as the basis for next meetings discussion.

PRESENT: J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
Steve Bridge, Planning Commission representative
Wendell Coleman, Board of Supervisor (Wayne District)
Charlie Burton
Nancy Sorrells
Susan Byerly
Mike Moneymaker
Bobby Eavers
Patsy Earhart
Danny Shreckhise
Stan Sikorski
Eric Obaugh
Jack Wilson
Mike Rose
William Monroe, Augusta County Service Authority

ABSENT: Paula Figgatt
Dick Halterman
Phil Martin, Executive Director of the Augusta County Service Authority
Dr. Ed Long
Jeff Gentry

VIRGINIA: At the Called Meeting of the Utility Scale Renewable Energy Committee held on December 12, 2019 at 5:00 p.m. in the South Board Room, Augusta County Government Center, Verona, Virginia.

Mrs. Tate had the committee members re-introduce themselves.

Mrs. Tate said in order to build upon last meeting's discussion she would like to spend the majority of the meeting addressing the question list that was previously distributed, but did review some of the Comprehensive Plan basics that were covered extensively in the first meeting.

Mrs. Tate reminded the committee of their purpose, specifically stating that the purpose is not to address the merits of utility scale solar as a land use but rather to evaluate where such land use should be located and by what criteria in Augusta County.

Mr. Wilson reminded the committee that there is a big difference between a half-acre and a project larger than 1,000 acres. He discussed a Georgia solar ordinance that identified small, medium and large sized projects.

Mrs. Tate agreed that the locational considerations and potentially other design considerations could be very different depending on the project sizes, which have varied throughout Virginia and the entire country. Mrs. Tate said that the committee recommendations could be different based on varying size ranges.

Mrs. Sorrells asked if the term utility scale solar meant that the power was going back into the grid. Mr. Wilkinson clarified that it was power generation for sale not power generation to meet power demand of an existing business. Mrs. Sorrells said that Target could put up a solar array to run their operations and it could be 1,000 acres and not be subject to utility scale county regulations. Mrs. Sorrells said that if farmers within the Urban Service Area sold their farms for industrial development, and each industry put a couple of hundred acres to power their operations, then you would have the same thing proposed with the Augusta Solar project.

Mr. Wilkinson discussed the need to continue to modify the ordinance as more and more information is gained. Staff has thought of several ordinance amendments since going through the process of our first utility scale solar application. Mr. Wilkinson reminded the committee that a developer shared that 100 hundred acres was the minimum size for a viable utility scale project. He stated that the ordinance sets a standard for greater than ½ acre, which isn't realistic for utility scale.

Mr. Burton asked the committee if they realized how big 100 acres is.

Mr. Wilkinson explained the difference between an accessory and primary use of solar. He explained that wind energy systems were something we saw several years ago to supplement electricity needs of existing farms or residences.

Mrs. Tate reminded the committee that the utility scale solar is a land use for which the state has said localities can adopt reasonable regulations. Mrs. Tate said that this committee is tasked with creating recommendations for the standards by which these projects should be evaluated by staff, Planning Commission and the Board of Supervisors, recognizing the standards as the values important to the citizens of Augusta County.

Mr. Moneymaker asked if we had received any requests for accessory solar applications that were more than 10 acres. Mr. Wilkinson and Mrs. Tate said they had not. Mr. Moneymaker made the point that accessory use applications were not going to be very large. Mrs. Sorrells said that they could.

Mrs. Tate, in response to a question from Ms. Byerly, clarified that accessory applications had to apply for building permits but did not require a land use permit and a public hearing process like primary land use solar applications. Mr. Wilkinson added that accessory applications would have to submit a site plan for review and approval.

Mr. Wilson discussed net metering. He said that the 100-acre standard may be the smallest size a utility company is interested in planning, building, and taking control over but there are smaller solar applications that are going to the grid.

Mrs. Earhart asked if other solar projects had located near residential or commercial areas. Mr. Wilkinson said that others were in rural areas not in urban areas. Mr. Wilkinson told the committee about a project located off Rt. 29 that is developed on rolling topography similar to ours and it is about 200 acres in size. Mrs. Sorrells said that she thought the project proposed for Stuarts Draft did not have any one pod that was over 150 acres. Mr. Wilkinson said that was probably correct but they were all within a 5 mile area. Mrs. Earhart agreed that they were all together.

Mrs. Tate showed the committee an aerial picture of the Southampton County project that was also separated into pods, although more contiguous than the project proposed in Stuarts Draft. Mrs. Sorrells asked the population and economy type of Southampton County. Mr. Wilkinson explained that they are a farming community about 8 miles from the North Carolina border with flat terrain. He said that they were big in peanut production along with cotton and corn. Mrs. Sorrells asked if they even had Urban Service Areas. Mr. Wilkinson said they had a little community but it is very small. Mrs. Sorrells said that their land use pattern is not compatible with ours. Mr. Wilkinson said that some in Southampton County were concerned that solar would take away productive farmland from farmers that leased property.

Mr. Moneymaker said that projects in Virginia, not just in Southampton County, appear to all be outside of designated growth/development boundaries.

Mrs. Tate reminded the committee that she provided them with policy guidelines adopted by Culpeper County. She stated that those guidelines are not intended to be a recommendation but to get the committee thinking about what types of guidelines, recommendations, criteria this committee may begin to develop.

Mrs. Tate reminded the committee that they shouldn't focus on the nitty gritty conditions, as is evidenced by the draft Special Use Permit conditions, but addressing overall land use impacts for various sizes. Mrs. Sorrells asked what is the issue with larger sized projects. She asked if it was because it is something that the community isn't used to seeing and considers jarring. She said she knows that it is big and different but what exactly are the pros and cons.

The committee continued to discuss size and trying to define size ranges as a means of assessing impacts. Mr. Burton asked questions about land use taxation related to solar projects.

Mrs. Tate asked the committee to get back to evaluating the land use impacts and to not get caught up with tax implications. She asked the committee to discuss the visual impacts. She asked the committee to think about, like any land use, what are the areas where their location makes the most sense while meeting the growth strategy to maintain the majority of land in Augusta County for farming by concentrating growth and development into designated areas.

Mrs. Tate gave the example that you wouldn't locate a dense apartment development in an area that doesn't have good road access, school capacity, or public water and sewer. Mrs. Tate asked the committee to think about the infrastructure needs of solar. Mrs. Sorrells reminded the committee that the Comprehensive Plan speaks to future land use and rezonings. She said to limit a property for a specific land use because of future land use designations is not correct.

Mrs. Sorrells discussed the fact that infrastructure planning, specifically sewer line easement planning was necessary whether it was through a solar project or to accommodate placement of buildings for industrial development.

Mrs. Sorrells asked staff about two studies related to the Augusta Solar LLC project, one regarding economic benefits and a sewer feasibility study. Staff confirmed the studies and said they could provide a copy to the committee members.

Mr. Moneymaker discussed the overarching and fundamental vision statement which is about population and employment steadily increasing. He stated that an industry would be directed to Urban Service Areas as such location would be consistent with the vision statement. Mr. Moneymaker said solar doesn't create jobs or stimulate employment and he feels it has its place but not within the Urban Service Areas.

Mrs. Sorrells said that solar development does not constitute a rezoning.

Mrs. Tate said that County Code does require that Special Use Permits be consistent with the Comprehensive Plan.

Mrs. Tate highlighted one of the questions provided to the committee for discussion that deals with evaluating solar from a temporary vs. permanence lens when discussing location considerations. Mrs. Tate discussed the general lease timeframe and the required decommissioning plan but also pointed out the unknowns of if projects would be renewed, new technology made available to alter the project size, or that the project would be removed after the initial lease.

Mrs. Tate asked the committee if they saw utility scale solar as more of an urban land use development pattern or rural land use pattern. Mrs. Tate said that areas of the county that have seen growth and development have been because of plans and infrastructure development, pointing out that development will continue in those areas designated for growth, asking the committee how utility scale solar may fit into such development patterns. She asked the committee if utility scale solar could be compatible in both rural and urban areas and if so under what varying conditions.

Mrs. Sorrells agreed with the latter statement that it should not be an either or scenario. She discussed a weighted list of criteria amongst different planning policy areas.

Mr. Burton said he did not feel like he or the committee had the right to affect the ability for an individual to make income from a utility scale solar project based on location criteria. Mrs. Sorrells followed up that then it would be important for the committee's recommendations to create a list of good criteria that could make the land use compatible in all areas of the county. Mr. Burton discussed a standard setback for all uses to simplify the rules.

The committee discussed setbacks, general acreage sizes for utility scale, and current solar technology. Mrs. Sorrells asked if outside perspective from Spotsylvania County would be helpful for the committee.

Ms. Byerly asked the committee if they could agree that the use should not be limited to one specific area or another but should be permitted in both. She felt that if the committee could agree on that statement, then they could begin to develop appropriate criteria.

Ms. Sorrells said she felt it was more about criteria than it was about a place on the map. Ms. Byerly agreed.

Mr. Wilson asked if they were referring to utility scale solar. They said that they were.

Mr. Obaugh said he is currently working on a project on his land. He said that the companies are putting multiple property owner acreages together to make up the sum of their projects. He felt that companies were not going to just limit themselves to 100 acres. He felt that it is a landowner's right to work with the utility companies and solar development companies to see if their land is suitable for a solar project. He also said that the leases are often 30 to 35 years which is a significant amount of time when talking about the land being returned to agriculture after the life of the project.

Mrs. Sorrells said that location is somewhat self limiting based on substation proximity and capacity. Mr. Obaugh said that isn't necessarily the case, while you need to be within some distance of a substation, you do not necessarily need to be that close. Mr. Obaugh said that it should be a landowner's decision if they want to take on a 35 year lease.

Mr. Moneymaker disagreed that utility scale solar projects fit within the Comprehensive Plan vision statement if located in Urban Service Areas. Mr. Moneymaker felt that the rural areas could benefit from the ability to locate solar in an area that is otherwise not conducive to other types of development. He feels that the money investment and infrastructure investment could best be used by not placing such projects in our urban designated areas.

Mrs. Sorrells said the Comp Plan is only for rezonings. She discussed the importance of keeping land in farming, no matter what planning policy area, to keep our taxes low.

Mrs. Earhart asked about the thousands of people who invested their lives, and homes, and futures within the Stuarts Draft community. Mr. Eavers agreed and discussed the home values for these individuals.

Mrs. Tate stated that individuals choose to locate in certain areas based on the amenities and services of those areas such as: sidewalks, trails, public transit, close proximity to businesses, etc.

Mr. Rose said if the committee could begin to develop some qualifying criteria, then he felt the locational considerations would figure themselves out. Mr. Rose discussed the aerials shown of various projects, pointing out that they were buffered by forests and you didn't see any homes or schools nearby. He felt that it would be best to have utility scale solar projects that you didn't even know were there as he felt a lot of the aerials demonstrate and would be possible in Augusta County on certain sites.

Mr. Sikorski discussed the difference between a 100 acre sized project or 45 separate 100 acre plots. He felt that communities within these areas would be more attractive to additional solar development as some development might not see existing solar development as a good neighbor. He is worried that overtime, the spread out 100 acre plots would be consolidated into one ginormous solar complex. Mrs. Tate followed up that the committee may want to consider provisions for the clustering of projects and discussed the inability of staff to pick and choose projects. Staff must evaluate projects on the same criteria.

Mrs. Sorrells said that is why a list of criteria is so important as it would be assessed for its individual pros and cons. Mrs. Sorrells addressed the possibility of business, industry, and residential development all utilizing solar arrays.

Mr. Wilson discussed the use of outside, temporary labor to construct large, utility scale solar projects. Mr. Wilson felt that smaller, distributed solar projects could be supported by local labor. Mr. Wilson discussed tax breaks for utility scale solar that has an impact on local governments. Mrs. Sorrells said that the land use tax received, once the property goes out of land use taxation, would be significant.

Mrs. Tate told the committee that she had worked on drafting some ideas for criteria that the committee may want to consider. She made it clear that this was certainly not final and she was looking for the committee to critique and add additional thoughts, but was hoping it would be helpful to give the committee members language to which to respond.

Mrs. Tate read the following examples from a PowerPoint slide:

- The County desires 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 overwhelm the existence of nearby developed residential, commercial or mixed use communities.
- The County desires to maintain rural viewsheds, but sees synergy among agricultural and rural land development and utility scale solar development so long as the clustering of such facilities does not overwhelm the existing landscape and character of an area.
- When located within planned growth areas, projects should not overwhelm the developed landscape but act as "pockets" that contribute to the growth areas natural and open space features.
- Projects within established development areas should not detract from the compact, interconnected, pedestrian-oriented development pattern.
- The County encourages the development of renewable energy land uses, including utility scale solar land uses throughout the county on a case by case basis with the following criteria of worthy consideration and value:
 - Natural resource buffers should provide environmental, aesthetic and possibly recreational value to the existing community.
 - Explore possibilities for synergies among existing agricultural operations and renewable energy facilities
 - Development of projects should be held to standards that mitigate impacts to adjacent property owners and protect the natural resources of our community.

Mr. Rose pointed out that the drafted criteria reviewed would not necessarily exclude projects from designated growth areas. Mrs. Tate fleshed out the idea that perhaps smaller "pockets," defined by the committee, could be permitted in development areas with specific criteria. Mrs. Tate also discussed the evaluation of existing development patterns. For example, if there were two residential subdivisions with undeveloped land in between them, how should the project be constructed? Could it be done in a way that it was considered an amenity to those developments? Mrs. Tate pointed out the above language that referred to possible recreational amenities with the development of solar projects.

Mrs. Tate said that it is a difficult determination to decide how vague vs. how specific the Comprehensive Plan language should be.

Mr. Burton shared some specifics of his solar arrays that power his property. He asked about putting solar on rooftops. Mrs. Tate clarified that a rooftop installation would require a building permit but not a zoning permit.

Mrs. Tate stated that a list of criteria should be a list of items that the community values, so that the Board can evaluate their decision upon criteria that the community has said is important when siting and designing such projects.

Mrs. Tate asked the committee if they wanted to take time outside of the committee meeting, prior to the next committee meeting, to review and respond to the list of draft criteria presented by staff.

Mrs. Sorrells said she thought the drafted language was a good starting point. She liked the idea of projects within different Planning Policy Areas, rural or urban designated, to tailor their project to make it compatible with the development pattern of those areas.

Mr. Moneymaker pointed out the first bullet read by staff and asked if the 1,000 acre project in Stuarts Draft/Lyndhurst overwhelmed the existence of nearby residential, commercial, and industrial development. Mrs. Tate stated the inability to answer that question may be why more specifics are needed. Mrs. Tate said the committee could help define those specifics.

The committee discussed limiting pockets within Urban Service Areas or defining a certain percentage.

Mr. Wilson asked if staff gave an opinion on a project's qualifications against the Comprehensive Plan, and then the Board made the final decision. Mrs. Tate stated that if left vague, staff would give a recommendation and the Board would be left to interpret the language of the Comprehensive Plan.

Mr. Sikorski felt that we do not know what the land use impacts of these projects will be. He pointed out the variations in construction and long-term operation. Mr. Sikorski feels that land use impacts gets into a debatable discussion. He felt that the committee should go through some of the other break-out questions provided by staff to avoid getting into a personal or political debate.

Mrs. Tate discussed the differing opinions concerning the visual impacts of a project. Mrs. Tate stated that the questions concerning compatibility with urban or rural framework has been discussed in the committee and it seems that some people feel it could be compatible in both, but what are the criteria that make it compatible in both.

Mr. Coleman asked how you reconcile the infrastructure that is already in certain areas. Mrs. Tate stated that investments are made because of the Plan. She discussed planning from a countywide perspective.

Mr. Bridge said that from his perspective, in a perfect world, solar projects would not be located in Urban Service or Community Development Areas. He stated that "by a perfect world" he meant landowners that wished to sell and developers that wished to develop. He stated that if landowners were not willing to sell, then that perfect world goes away. He felt for that reason, there needs to be some effort to incorporate solar into various areas.

Mr. Moneymaker said he thinks solar projects fit best in rural areas because there are fewer people located around it who may be visually impacted and it isn't competing with development that aids in the increase of population and employment within the development areas. He said what appears to hold the committee up is the idea of "taking away" landowner rights within the Urban Service Area. Mr. Moneymaker feels that landowners within the Urban Service Area have benefited from that designation through increased land values.

The committee discussed how some land designated within the Urban Service Area is still very rural. Ms. Sorrells asked if one of the agricultural and forestal districts in Weyers Cave was located within an Urban Service Area. Mrs. Tate said she did not think so. Ms. Sorrells said maybe they adjoin each other.

The committee discussed how they can't determine the usefulness for every plot of land in the County for solar development but instead needed to look at generalities. Mrs. Tate reminded the committee that the language drafted by staff is general in nature and she hopes to get feedback from the committee to flesh out some of the bullets or potentially add new items for consideration.

Mrs. Tate told the committee that the list of criteria/recommendations may not be a consensus from the committee but rather a list of several topics that various members thought should be considered.

Mrs. Sorrells reiterated the idea of a checklist for Urban Service Area projects and a checklist for rural area projects that would identify what makes a project compatible with the Comprehensive Plan. She discussed certain buffers may be needed in the urban areas. She added thoughts on rolling terrain and if a project incorporates a compatible agriculture operation. She said that the criteria checklist may change depending on the Planning Policy Area.

Mrs. Tate said that she envisions a list of criteria that balances utility scale solar with other development land uses within Urban Service Areas. She sees a separate list of criteria that balances utility scale solar with farming and rural land uses for areas planned to remain in farming and potentially an overarching list of values/resources that are important no matter what policy area designation in which a project locates.

Mr. Burton talked about the importance of decisions affecting the future for kids and grandkids.

Ms. Byerly said the technology continues to change and these are very short-term discussions.

Mrs. Sorrells discussed self-limiting factors such as location to substations, terrain, and willing landowners.

Mrs. Tate reminded the committee that staff has had discussions with other companies concerning locating projects in the County and that it isn't unlikely the County will receive requests for multiple projects. She asked them to keep this in mind when working through criteria ideas as each project will be evaluated upon the same criteria.

Mr. Wilson asked if an appropriate criteria may be a goal level of production. He mentioned residential solar use. He discussed the idea of identifying what County usage of electricity is currently as a means of creating self-sufficiency. Mrs. Tate reminded the committee about the Culpeper County policy that projects their county's future demand for electricity as a means of setting a maximum output on utility scale solar projects.

Mr. Wilson identified it more in terms of a goal rather than a limiting factor. He stated that a majority of that production could be done on rooftops. He asked if staff had data as to the amount of solar electricity Augusta County is currently producing. Mrs. Tate stated that she did not know of data regarding individual rooftop or personal solar installations.

Mr. Coleman brought up the proximity to substations as an important point to remember. The committee discussed the difference between accessory and utility scale solar. Mr. Wilson said we should evaluate the amount of energy being produced in the County by accessory solar installations. Mrs. Tate said she did not think there was a database with that information.

Mr. Bridge discussed 5 miles from a substation as one of the criteria. Mr. Obaugh said it wasn't necessarily a deal breaker for land outside of a 5 mile radius. Mr. Obaugh said it is a cost analysis of the individual company.

Ms. Sorrells said that maybe projects within 5 miles of a substation would get "extra points" on the criteria checklist. The committee discussed the merit or basis for such a criteria. Mr. Burton said he did not think there should be a consideration for distance.

Mr. Moneymaker asked about projects outside of a certain distance of a substation, if they need to build transmission lines, does it give them the right of eminent domain. Mrs. Tate said she is not quite sure of the answer, and that it may depend on whether it was permitted as a public utility through the state corporation commission, but she is not an expert and would need to look into it further.

Mrs. Sorrells said she saw the criteria almost as a way of grading various projects.

Mrs. Tate wrapped up the meeting by telling the committee members to take some time to review the draft language by staff and be prepared to provide comments, thoughts, and critiques at the next meeting. Mrs. Tate encouraged the committee members to drive around the County and evaluate the solar land use among the other land use patterns that exist.

Mr. Rose said he thought the language drafted by staff was a good start as it doesn't say "no" to anything. He said he thought the words "overwhelm" and "pockets" would likely need to be further defined. He said it would be helpful for him to get a page of bullets of the various values/resources for consideration. Ms. Sorrells said staff may want to re-send the white paper prepared by the Alliance for the Shenandoah Valley as a good resource for various values/resources to consider. Ms. Sorrells agreed that staff's language was a good start and it gave the committee something concrete to think about.

Ms. Byerly said that she had been around many different sizes of solar fields and felt that visuals were very important. She encouraged committee members to utilize google earth to visualize existing projects. Staff said they would collect some various sized

project visuals and send out to the committee. Mrs. Tate summarized the information she would be sending out to the committee for them to review prior to the next meeting. She said she would send out possible meeting dates for the next meeting during the beginning of the new year.

Mr. Shreckhise encouraged staff to send out information related to the specific goal of the committee as he felt the committee was getting a bit lost and off track. He agreed that a list of bullet points was very important to provide some guidance to the committee's discussions. Mr. Sikorski agreed that staff had done a good job putting together example criteria. Committee members asked that staff send out a map showing the various substation locations throughout the County. Staff said that they would, and at that, the meeting ended.

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PRESENT: J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
Steve Bridge, Planning Commission representative
Mike Shull, Board of Supervisor (Riverheads District)
Charlie Burton
Nancy Sorrells
Mike Moneymaker
Bobby Eavers
Danny Shreckhise
Jack Wilson
Mike Rose
Dick Halterman
Phil Martin, Executive Director of the Augusta County Service Authority

ABSENT: Paula Figgatt
Dr. Ed Long
Jeff Gentry
Eric Obaugh
Patsy Earhart
Susan Byerly
Stan Sikorski

VIRGINIA: At the Called Meeting of the Utility Scale Renewable Energy Committee held on February 19, 2020 at 5:00 p.m. in the Smith West Room, Augusta County Government Center, Verona, Virginia.

Mrs. Tate opened the meeting by telling committee members there were extra agendas and written comments received from committee members, some that could not attend the meeting tonight, on the table at the door.

Mrs. Tate gave the committee a brief recap of the previous two meetings. She said the first meeting was a lot of Comprehensive Plan overview and discussing the process and purpose of the committee. She reminded the committee that at the second meeting, there was some committee engagement of draft, staff prepared language.

As a follow-up to the second meeting, staff sent out the draft dialogue, a bit more fleshed out than what was shared at the second meeting, and asked for committee

members to provide written comments or come prepared to discuss their thoughts tonight.

Mrs. Tate stated that the additional fleshed out draft language provided by staff was grounded in planning knowledge and practice but was also an attempt to put forward some of the discussion points that staff has gleaned from the previous committee meetings. She made it clear that the draft language was not a final product as the input from the committee is supremely important in refining these points.

Mrs. Tate reminded the committee of the importance of the vision statement of the Comprehensive Plan and shared it again with the committee members.

Mrs. Tate said that the focus of tonight's meeting was to discuss committee members responses to the draft language provided by staff. Mrs. Tate reminded the committee that the individual comments might not lead to a committee consensus but are worthy of discussion and are helpful in getting everything out on the table so to speak. She clarified that she hopes that a report to the Board from the committee may include some topics upon which the committee reached some consensus, while also providing to the Board the areas where the committee did not achieve consensus but had valuable and engaging discussion, which the Board can also consider.

Committee members took roughly seven minutes to read the written comments provided by some committee members. After that time, Mrs. Tate pointed out that on the presentation screen she had put up the staff prepared, draft conditions for the committee to see.

Mrs. Tate highlighted that from the various written comments received, there were obviously going to be some sticking points upon which agreement will likely not be reached. She identified having an elongated report provided to the Board with the range of topics and discussion points had by this committee.

Mrs. Tate read the first staff drafted bullet point that was included in the meeting packets, which deals with protecting Augusta County's natural resources (streams, rivers, wetlands, fertile soils, natural habitats, native vegetation and forests) through the siting and design of projects. She asked for committee feedback. Ms. Sorrells said she would add historic and archaeologic resources. Ms. Sorrells felt the language could be expanded to make clear that all development should be considered on a site-specific basis.

Mr. Wilson asked if there was a way to add the protection of Augusta County citizens to the language, regarding jobs and quality of life, etc. Mrs. Tate stated that the draft, staff provided language utilized various components of the County vision statement and she felt that perhaps more focus could be given to the vision statement elements regarding population and employment increasing as well as character of neighborhoods.

Mrs. Sorrells reminded the committee that the current Comprehensive Plan states that the overall common good will be kept in balance with the freedom and rights of the individual landowners. Mrs. Sorrells talked about the possibility of using carrots and sticks when evaluating a particular project, identifying what would make a project better and what siting or design components of a project are discouraged.

Mrs. Sorrells encouraged adding some language recognizing that the County encourages both utility scale and distributed solar installations as well as other renewable energy sources. Mrs. Sorrells said that state mandates for renewable energy will need to be met and she would like to see the Board of Supervisors encourage both types.

Mr. Shreckhise said that the "protect and preserve" term for natural resources leads him to wonder what land is left for utility scale solar development. He felt like all of the natural resources listed, essentially takes all of the land in the County off of the table. Mrs. Tate addressed the nuances in the Comprehensive Plan as we balance protection of resources and needed development. She gave the example of the Comprehensive Plan discouraging development on steep slopes but identified that an ordinance has never been adopted which would preclude development on steep slopes. She encouraged the committee members not to think of the language as "rules" but as goals and aspirations.

Mrs. Sorrells gave the example of an impaired stream potentially improving if a solar array was placed on land as opposed to cattle even though the Comprehensive Plan encourages and supports agriculture.

Mrs. Tate summarized some of the changes to be made to the first bullet but said she felt that the committee seemed to have a consensus on the importance of protecting our natural resources in the development of utility scale solar.

Mrs. Sorrells said she felt that some of the language drafted by staff was a bit too micro-managing in a way that wouldn't be done for other types of development and businesses. She said the comments she provided tried to re-work some of those areas to make it more of a goal rather than a discouragement.

Mrs. Sorrells highlighted some of the language changes she would recommend. She felt the language could be softened to allow for farmers to make the ultimate decision for what their diversified business plan may entail. She said the point about creating pedestrian accommodations was an excellent goal but it is talking about private land. She made the point that we want to encourage pedestrian connections in other kinds of develop also, not just utility scale solar or other forms of renewable energy.

Mr. Rose said that the size of the projects at 1,000 or more acres would be located in some kind of agriculture setting because of the land mass that is involved. He identified that other projects throughout Virginia were on agricultural land. Mr. Rose brought up the aerial photographs of projects in other parts of Virginia. He commented on how these projects were in remote areas, some of which you don't even see a house nearby. He commented how you could live in Accomack County and not even see their utility scale solar project shown in the aerial image. He brought up the property rights of the individual who puts a solar project on their property but also the property rights of the landowners that lives across the street from such development. Mr. Rose asked if you would want to look at solar panels for 30 years. Mr. Rose said if the projects were sited in certain locations with the right barriers and adjacent development pattern, he did not see how you would get too much resistance from anyone.

Mrs. Tate talked about the difference between natural, existing buffers of forested areas as opposed to landscaped plantings. Mrs. Tate said that the staff drafted language elevates projects that can utilize existing forests and robust vegetation as buffers, but does not exclude projects that will need to plant buffering in some locations.

Mr. Wilson discussed scale. He felt that the definition linking utility scale solar to projects that hook to the grid is not true as small projects that power existing businesses or homes are hooked to the grid. He sees different impacts between a giant solar field and a much smaller project you could live around. He said large projects should be held to the same standards as other utility scale power generation uses and the siting of large solar facilities should not have a negative effect on County citizens. Mr. Wilson discussed viewing large projects the way you would other land uses. He compared a 1,000-acre solar farm to a 1,000-acre chicken house to make his point.

Mrs. Tate felt that the language concerning "overwhelming the landscape" provided in the staff drafted language needed more clarification. She asked whether a contiguous project or a more spread out, fragmented project was more or less overwhelming to the landscape. She discussed evaluating such a term from the human scale as if you were on the ground driving or living next to a proposed project. What would be considered

overwhelming and balanced with other land uses and development types important to the community. Mrs. Tate asked the committee if they could respond to those questions.

Mrs. Sorrells said she thinks it would be a slippery slope to try and define it in acreage sizes or anything more concrete. She said she thinks discussion of overwhelming the landscape is a slippery slope when talking about someone else's property.

Mr. Burton felt that a smaller acreage scale should be identified. He pointed out that it could always be changed but felt it was better to start small. He asked if land values for adjacent property owners of completed projects was affected negatively or positively. Mr. Burton threw out 200 acres as a potential maximum size to suggest now unless something else could be justified. He said it could be increased but he felt that starting off with 1,000 acres was too large.

Mrs. Tate said there are studies out there that show that adjacent solar development does not affect land values, but it is relatively early in the data collection with less deployment of solar projects in Virginia for study comparisons. Mrs. Sorrells reminded the committee that land values would not be a consideration within the Comprehensive Plan.

Mr. Wilson said scale is very important and utility scale energy generation is much different from a small 3-acre project. He pointed out that the large projects, as shown on the aerials, very much affect the land. He felt compelled to not just say "all solar is good," but to define the various scales.

Ms. Sorrells said she would be cautious about regulating "scale" on someone else's land. She asked if we would limit a farmer from 500 acres of corn because it is too large a scale or if we would prohibit a development like Target because it is too large of a scale.

Mr. Wilson discussed going before a very understanding zoning review board to be able to accommodate certain land uses on his property. He said that such a review process works and that scale is considered.

Mr. Moneymaker questioned land value impacts. He discussed 50% reductions he has heard of adjacent to wind mills because of viewshed impacts. Mr. Moneymaker felt that in keeping with the vision statement for development areas, 50 acres might overwhelm the development pattern. Mr. Moneymaker reiterated the earlier comments about other projects in Virginia all being located in remote, rural areas.

The committee discussed what acreage would be needed to make a dent in all of the electricity demand of residents and businesses of Augusta County. Mr. Wilson discussed the amount that could be on rooftops. He said if Augusta County needs 1,000 acres distributed on rooftops throughout the County to meet the demand our citizens have for electricity, then utility scale solar may not be a good fit. He discussed taking care of our own demand for starters. Mr. Moneymaker and Mr. Wilson discussed how utility scale projects are not specifically covering local energy demand but going to the electrical grid. Mrs. Sorrells said that the grid comes back to Augusta County. Mr. Moneymaker said we should support the pipeline then because it also comes back to overall energy demand.

Mrs. Sorrells said this discussion is anti-pipeline which uses eminent domain.

Mr. Wilson said Essex County utility scale solar development was a disaster. Mrs. Sorrells said it was a regulation disaster not a solar disaster. Mr. Wilson said it is also a job loss because agriculture land is being covered up. He questioned the economic impact analysis done on the previous solar project application, stating he didn't think you needed 12 people to monitor a solar array. Mr. Wilson said he is a supporter of solar energy generation but large scale energy generation should be regulated and addressed in the Comprehensive Plan.

Mr. Rose said that developers will come in and make the ultimate decision of whether or not to locate a project in Augusta County. He said if the recommendations made by the committee are of no interest to the developers, then it is moot.

Mrs. Tate pointed out to the committee that there are developers doing projects smaller than 1,000 acres. Mrs. Tate said that a scale consideration isn't precluding the development of solar from our County.

Mr. Moneymaker said if a 1,000-acre project is going to locate in Augusta County and not overwhelm the landscape or be detrimental to the vision statement, then it will be located in a remote area of the County where there is a lot of land with little development. He said the committee needed to think about the County as a whole as one of the largest land area counties in the State.

Mrs. Sorrells asked Mr. Moneymaker if he wanted every bit of the Urban Service Area paved. He said he would leave that up to the Augusta County Supervisors. Mrs. Sorrells said that open space is necessary in Urban Service Areas.

Mrs. Tate gave an example of a Comprehensive Plan policy which requires conservation easements proposed in Urban Service Areas be reviewed by the Board. Mrs. Tate questioned if community members within an Urban Service Area would feel that a solar field of panels was open space. Mrs. Tate said that was the reason staff tried to develop some language for considerations that differed in the Urban Service Areas. For example, projects in those areas may have a scale consideration.

Mrs. Tate discussed Board review of conservation easements in Urban Service Areas for the purpose of potentially evaluating the need for utility or access easements.

Mr. Rose pointed out staff's use of the word "pockets" within the Urban Service Areas.

Mrs. Sorrells said the bottom line is land zoned agriculture and operating as a farm within an Urban Service Area should be able to continue to be a viable farm by exploring different options and different ways of farming. Without that flexibility, they will sell it and it will be rezoned for residential or industrial development.

Mr. Wilson said if a farmer had a small 100 acre farm and puts one acre into solar production it was money back into the farm. Ms. Sorrells said it isn't the committee's job to micro-manage a farm business operation. Ms. Sorrells said we don't micro-manage McKee or Hershey's business plans.

Mrs. Tate told the committee that there is obviously some disagreement among the committee regarding various discussion points. Mrs. Tate said she has thought a lot about ways to overcome those differences, but at this point feels that accumulating an elongated report to the Board that highlights the various discussion points had by the committee, is the best outcome. She discussed those that don't want utility scale projects in Urban Service Areas, those that would rather have each project evaluated on a case by case basis regardless of planning policy area, and those that may be somewhere in the middle as far as size limitations within certain planning policy areas.

Mrs. Tate summarized some of the other discussion points including: buffering, balance of individual landowner and overall common good for all citizens, solar as a reversible land use, preservation of farming, decommissioning, recognition of distributed solar/rooftop solar, value of solar as a way of diversifying economy without certain negative impacts, and regulation and management of erosion and sediment control.

Mrs. Tate said that an elongated report to the Board will essentially bring them along on the journey of this committee so they are aware of the various ideas and perspectives that were discussed and grappled with. It would include some ideas from staff and

responses to those ideas from committee members. Mrs. Tate encouraged those who haven't been as vocal to provide written comments for the committee report.

Mr. Shreckhise agreed that he thought that was the best the committee could do after having three nights of discussions. Mrs. Sorrells said then the Board could take that report and work with staff to come up with desired language. Mrs. Tate encouraged members to provide written comments and their input would be very important for the Board. She said in the meantime she will work on compiling minutes of the meetings to also be included in the Board's report. Mrs. Tate also encouraged committee members to come to future public meetings on the topic.

A citizen, not on the committee, asked a question about size limitations for accessory solar uses. The committee members discussed the differences between utility scale solar and solar used to power existing uses of which you obtain a credit for what you produce. Mr. Burton said he could not produce over 20% in excess of his yearly electricity demand in a calendar year without being considered a utility.

The committee discussed land use taxation implications related to utility scale solar.

Mrs. Tate requested that committee members provide their written comments by April 1st to be included in the report to the Board.

**STAFF DRAFTED
COMPREHENSIVE
PLAN LANGUAGE FOR
COMMITTEE
FEEDBACK**

UTILITY SCALE SOLAR PROJECTS – AUGUSTA COUNTY

To further increase the environmental benefits of renewable energy development...

- o **Projects should be designed, sited, and constructed in a way that protects and preserves the County's natural resources including:**
 - o **Streams, rivers, wetlands**
 - o **Fertile soils**
 - o **Habitats**
 - o **Native vegetation**
 - o **Forests**
- o **The County sees value in projects that create additional natural resource benefits through the use of native vegetation and pollinator species in buffer areas and underneath panels.**

To preserve agriculture as a predominant land use in Augusta County...

- o **The County desires 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 of such facilities does not overwhelm the existing landscape and character of an area.**
- o **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.**
- o **The County sees value in projects that innovatively combine agricultural practices with utility scale solar generation to continue the vibrancy of the agricultural economy of Augusta County.**
- o **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.**

To preserve the rural landscape and scenic views of Augusta County...

- o **Siting of projects should take into consideration surrounding neighborhood developments and how visual impacts to those neighborhoods can be mitigated through appropriate buffers.**
- o **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.**

To encourage compact, interconnected, pedestrian-oriented development areas ...

- o **The County desires 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 overwhelm the existence of nearby developed residential, commercial or mixed use communities.

- **Projects within Urban Service and Community Development Areas should not detract from the compact, interconnected, pedestrian-oriented development pattern.**
- **Siting, size, and design of projects within Urban Service and Community Development areas should provide for natural, open space, and/or recreational opportunities for those living and working within the community.**
- **Projects that provide for trails and linkages to adjacent land planned for development or already developed should be encouraged.**

**INDIVIDUAL
COMMITTEE
MEMBER
FEEDBACK**

**Additional thoughts for the Board of Supervisors regarding solar (distributed and utility scale) in Augusta County and the work of the citizen solar committee.
(Nancy Sorrells, April 1, 2020)**

First, I very much appreciate the opportunity to serve on this committee and to contribute to Augusta County's planning as it goes forward with embracing renewable energy options as part of the future of Augusta County's communities and landscapes. That said, I had some concerns about whether or not the committee meetings were structured in such a way as to actually provide some useful planning material for the board of supervisors to move forward and act upon. Therefore I have offered some general thoughts, followed by specific input to the committee summation PowerPoint that was presented at the final meeting.

GENERAL THOUGHTS

The committee was rightly made up of members with a variety of opinions and thoughts about solar. That is a very good thing, however, most of the members have only a vague understanding of what a comprehensive plan is and isn't, and how ordinances work in general. Most of the committee members, through no fault of their own, don't understand the basic fundamentals of good planning and zoning practices. Further, again most members had little or no understanding of the different types of solar, how the economics of solar works, or what specific concerns and potential solutions have been developed for solar projects in general.

Three meetings probably did not give enough time to expect concrete language and direction to emerge from such a group, even if there had been some education beforehand. Without the proper groundwork, however, to launch into a general discussion in meeting after meeting devolved generally into the expression of opinions, often not based in fact or not focused on the task at hand, which was to provide recommendations for the county's comprehensive plan.

A trained facilitator would have helped the process considerably. In addition, it would have been helpful to have knowledgeable people lead the group through the process of understanding the planning principles and ideas behind comprehensive plans and ordinances. In addition, it would have been helpful as well to bring in some experts on solar projects to help us better understand pros and cons, impacts and mitigations, successes and failures, etc.

The committee was not provided the proper context for evaluating how information about solar should be woven into the current Comp Plan language that was developed a number of years ago with citizen input. The Comp Plan very clearly says on page 281, *"It is important to understand that the policies set forth in the Comprehensive Plan are not land use regulations. These policies are not requirements for future development in the Planning Policy Areas. It is the current Zoning Ordinance that determines the type and nature of development within the Planning Policy Areas and any other zoned portion of the county. The Comprehensive Plan Planning Policy Area future land uses and densities are a set of guidelines that are referred to by the Planning Commission when considering rezoning."*

Approximately 90% of Augusta County's land is zoned agriculture and such land exists in large amounts in all of the planning areas on the comprehensive plan map. It is important to remember that there are "by right" uses of that land as well as potential special use permits that can be

considered without rezoning regardless of the planning area. The comprehensive plan serves as a guide for what should happen if an owner requests that the land be rezoned, not necessarily if it is being considered for a special use permit.

Further, in a place such as Augusta County, where agriculture is, collectively, the number one business, it would have been extremely useful to bring in some professionals, such as staff from Virginia Tech and N.C. State, who have experience and understanding of the economic relationships between utility scale solar and agriculture, both in its use in maintaining the fiscal viability of farmland and in finding compatible and complementary agricultural uses to solar arrays. And, finally, it would have been a useful exercise to hear from some other experts and other local governments who have experience in this area about ways in which Augusta County's governing leaders could set goals and expectations for renewable energy use of all types in the county.

LANDOWNER RIGHTS

Landowner rights have been mentioned several times in the meetings, yet only appear in the presentation once (as PowerPoint presentation slide 9 out of 17 in the Committee Member Feedback portion).

Landowner rights are an important value in Augusta County and the Shenandoah Valley. The current version of the Comprehensive Plan puts these rights in the proper perspective when it says on page 51 (a statement that was not brought up by staff during the committee meetings): *"In regulating development, ensure that the overall, long-term common good of the community is kept in balance with the freedom and rights of the individual landowner."*

Almost certainly, a majority of Augusta County landowners would agree that any vision for the future of the County must include the policy of respecting landowner rights. The county might want to consider elevating the priority of this issue and perhaps including it in the Comprehensive Plan Vision Statement.

It is important to note that most committee members agreed that if a farmer didn't want to sell his land, then he or she shouldn't be deprived of the opportunity to put solar on their land even if in USA or CDA.

GOING BEYOND THE COMMITTEE PURPOSE

The committee's role was to look at the appropriateness of large solar projects (whether distributed or utility) in different planning areas of the county and to suggest language that would guide the county in ensuring that such projects enhanced and were compatible with the county's vision as spelled out in the comp plan that was developed with extensive citizen input.

The purpose of the comprehensive plan is not, nor has it ever been, to weigh in on the economic feasibility or the business plan of any specific business, be it solar or anything else. Thus it is not the committee's job to decide whether or not a solar project is going to be a profitable business any more than it is the county's job to decide if a restaurant or factory, or big box store is going to be a profitable business venture or not. Special use permits and rezonings are not decided on the viability of a business plan.

To that end, it should also not be of importance to the committee or the county regarding whether a solar project is distributed, i.e. the electricity goes directly back to the individual or whether it is fed into the electric grid via a utility. Although this was not the intended focus of the meeting, there was extensive discussion on these differences with some making the statement that “the electricity we produce in Augusta County should be for Augusta County.” In my opinion, that is a very naïve statement to make in a global world where we rely on products for our computers and phones that contain parts from around the world and we ship items grown and produced in Augusta County around the world. Saying that we don’t want to ship our electricity into the grid is akin to saying that a farmer’s soybeans can’t be shipped out of Augusta County or that Hershey’s chocolate can’t leave Augusta.

IMPORTANCE OF OPEN SPACE IN URBAN SERVICE AREAS

(Slides 3-4)

While Urban Service Areas (USAs) are the places where the most dense growth is designed to go, it is important to remember that even in such places that the preservation of open space is important (think of Central Park in New York City and of working farms in Virginia Beach). Open space takes many different forms, and one such “form” can be a properly buffered solar project.

If Augusta County wants to avoid looking like northern Virginia then it needs to come up with build-out calculations for future projections of what the proposed planning area densities will look like, institute phased rezoning, and explore transfer of development rights options. It also needs to have an accurate calculation of how much potential land is available for development (either residential or business) or is available for rezoning for development within each of its USAs and CDAs.

Several facts must be recognized when considering solar in USAs.

- The majority of the land, even in USAs, is zoned agriculture and that carries with it certain rights and responsibilities. The Stuarts Draft area contains some of the best farmland in the county. It also contains some of the county’s most important factories.
- Maintaining viable farmland in Augusta County, including in the USAs, keeps the county’s taxes low and the quality of life high. That is fact, not wishful thinking.
- Landowners on farmland have a lot of “by right” possibilities for their agriculturally zoned land that might negatively affect density goals or be less compatible with a neighboring subdivision or factory in an USA area than in the more rural areas of the county. For instance, farmer in an USA could cut off many five-acre lots for houses or put in multiple high intensity agricultural operations by right.
- Farms in USAs can continue pursuing agricultural activities in perpetuity if they so choose. However, landowners who want to discontinue agricultural operations have the right to request a rezoning to residential or commercial land use designations and that is probably compatible with the comp plan. Such a rezoning request is much less compatible in other planning areas and would likely be denied depending upon the planning areas.
- Unless a governmental entity is willing to use eminent domain to take private land for development, then farmers are free to continue farming on their agriculturally zoned land in an USA for as long as they want. The county’s comprehensive plan recognizes the benefits of encouraging agricultural vitality regardless of the location of the farm, thus a solar project is one such way to encourage the continuance of working family farms.

ADVANTAGES OF PROPERLY SITED LARGE SCALE SOLAR PROJECTS

- Helps promote the continuance of family farms by allowing the opportunity to stay economically viable by providing diversification and flexibility, while supporting the county's vision of an area that maintains agriculture as the predominant land use. It also provides opportunities for a type of development that has compatible agricultural uses.
- Promotes the scenic beauty and natural environment by providing a temporary development that is low lying, preserves open space, and is easily buffered. Solar improves air quality and river health, water quality.
- Because solar arrays are long-term, low impact, temporary land uses, the land can be returned to other agricultural production (or development if that is what is desired in the county's development areas) at a later date. Solar is a temporary land use. Well-designed solar projects follow natural features and tend to have openings /gaps for floodplain, non-flat terrain, and areas for other uses. There are opportunities for walking paths through project "pods" and in the buffer areas. Land underneath the arrays can often be used for complementary agricultural projects (such as pollinator plant species), but can also be allowed to lie fallow and replenish itself.
- Solar arrays provide a low impact, temporary type of development that is noise and odor free and does not impact air quality or create light pollution.

MITIGATION MEASURES

(In my previous submission to the committee, I have offered language that addresses this in more detail as well.)

- Solar projects should complement the rural landscape and scenic views of Augusta County. Siting of projects should take into careful consideration surrounding neighborhood developments and consider 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.

CONCERNS REGARDING COMMITTEE FEEDBACK AND FINAL REPORT

(Slides 7-9 Committee Member Feedback)

In this portion of the PowerPoint presentation there does not appear to be any weighting of the discussion or distinction between ideas and feedback that were based on factual information as opposed to misinterpretations or assumptions.

Many of the statements do not appear to make sense. I would suggest that these slides in their present iteration serve no purpose except to muddy the waters and confuse the process. I have provided some feedback on each point made in slides 7-9.

For instance, point number one says:

1. Opposed to locating in Urban Service and Community Development areas

Why is this even here? The majority of the committee was not opposed to locating solar in USA or CDA. This bullet gives the impression all of the committee members were opposed to locating solar in USA and CDA. This was not the case. Further, there is no complementary bullet point that says: "Should be encouraged in all planning areas with appropriate siting and planning requirements."

2. Would rather see them located in remote areas of the County

Again, this point does not make a lot of sense and how does one define remote areas? Many on the committee see solar as a great neighbor - only some would rather see it located in remote areas.

3. Comply with all 5 Comprehensive Plan vision statements

What does this mean? Does it mean that solar complies with all 5 statements? Doesn't comply? If the former, how does it comply? If the later, how does it not? Again, this is at odds with the fact that the comp plan is a guide and not an ordinance and that it is a tool used in rezoning, which this is not.

4. Long-term job creation – beacon for future population growth

Again, what does this mean? Is this saying that an USA is not appropriate for solar because it is the area for future population growth? The two halves of this statement don't even seem to link together in a logical manner. How is this statement even useful for the Board of Supervisors?

5. Areas designated specifically for utility scale power generation – more of a global land use question (national, regional, state, local level?)

Again, this does not seem to have any logical connection to the task of the committee. Is the comp plan's purpose to serve as an economic standard for the profitability of businesses? Aren't many of our businesses connected on multiple levels from local to global? (We have multiple businesses in the county that trade within a global market.)

6. Concerns about buffering – what standards do we envision for buffering of projects – how does that standard differ in different locations?

7. What are appropriate buffers? What is the purpose of a buffer? What impact is it mitigating?

To the extent appropriate for the task of developing comprehensive plan language, some members of the committee have created appropriate "buffer" language for use by staff to give to the board of supervisors. However, it should be remembered that the county has already developed an extensive ordinance that deals with this and gives the planning staff and the board of supervisors the latitude to develop further site specific language on individual projects.

8. Recognition of Comprehensive Plan as a guide – not land use regulations

This is a great point, but it belongs in the overarching conclusion of this report, not as committee member feedback except as a recognition and affirmation of this fact.

9. Ensure that the overall, long-term common good is kept in balance with the freedom and rights of the individual landowner

This is an important and, perhaps a defining point. It rises above being thrown into a generic list of “feedback,” which is why I pulled it out in a separate discussion on an earlier page.

10. Importance of agriculture – sees reversible land use as way of preserving land

This, together with #13, are certainly important points that are dealt with generally in the proposed comprehensive language that I submitted to you. And, of course, the county already has a strong decommissioning policy in its ordinance.

11. Recognize distributed and utility scale solar

What does this mean? Again, I provided you with some recommended language about this. I think the point being that both have an important role to play in the future vision of Augusta County and that there are ways that the county can make sure that those roles as they develop do so in concert with the vision and high quality of life that has always made Augusta County special.

12. Value in encouraging economic diversification without negative impacts of traditional development – noise, lights, odors, impermeable surfaces

Solar was seen by many on the committee as a way for landowners, especially farmers but also other businesses; to diversify income and contribute to a future that has more reliance on renewable energy. Again, rather than putting this in a list where everything is weighted equally, incorporate it into suggested comp plan language.

13. Supports strong decommissioning policy

See my point on number 10.

14. Stringent regulation and management of erosion and sediment control issues

This is not something that is specific to a discussion of solar. It must be recognized that solar projects, especially those on a large scale are construction projects and must be managed in a manner consistent with the management of any large scale construction project that the county is faced with. Other than inserting language to that effect in the comp plan, nothing more needs to be said about this. Some have pointed to very visible E&S failures of solar projects in other parts of the state. It must be remembered that those are failures of the E&S regulation and enforcement, not failures of solar.

15. Supports the siting of projects in a manner that takes into account terrain and associated visual impacts and provides appropriate buffers to mitigate those impacts.

This is a very important point and outweighs most of the others. Again, I have provided suggested language that addresses this. In addition, the county has already addressed this in its current ordinance.

16. Pedestrian corridors, wildlife watching areas, fishing areas, especially in publicly accessible land and rights of ways – important to all Planning Policy Areas

There has been a problem with perspective when discussing this issue. Utility solar projects can support all of this and can, in many instances, enhance this. Industrial and residential development oftentimes cannot.

17. Projects adjacent public spaces or other planned developments, encourage projects that provide for trails and linkages to adjacent land planned for development.

As stated above ... solar projects can provide for trails and linkages – factories very often cannot do this.

SPECIFICS THAT DO NOT NEED TO BE IN THE COMP PLAN OR ORDINANCE

● A *properly buffered* solar project does maintain rural viewsheds and agriculture and will not overwhelm the existing landscape and character of an area. There should be no pre-set limits on “clustering” because properly buffered solar projects will be mostly invisible and landowners and developers should be allowed to take advantage of economies of scale. Developers will work with county staff to determine the appropriate size and scale of the project for the specific site that is in question.

● Siting of projects should *not* evaluate the agricultural landscape of the project area in order to assess the effects of a project on the agricultural economy. These are decisions that should be left to the landowners as to their preferences for how their land is used and what is likely to be the most financially viable use. This would include not including consideration of the presence of prime farmland soils, especially in an USA where the vision is for the land to be developed should the owner so desire. Further, because solar is temporary and reversible, land is not lost and in fact lying fallow will replenish the soils.

UTILITY SCALE SOLAR PROJECTS – PROPOSAL FOR ADDITIONAL LANGUAGE FOR THE AUGUSTA COUNTY COMPREHENSIVE PLAN
(Suggestions from Nancy Sorrells, Feb. 19, 2020, revised April 1, 2020)

Existing language in the Augusta County Comprehensive Plan

Language that is already in Augusta County's Comprehensive Plan that can be used as a guide to the development of specific language regarding utility scale solar:

Vol 2, pg. 281:

"It is important to understand that the policies set forth in the Comprehensive Plan are not land use regulations. These policies are not requirements for future development in the Policy Planning Areas. It is the current Zoning Ordinance that determines the type and nature of development within the Policy Planning Areas and any other zoned portion of the county. The Comprehensive Plan Planning Policy Area future land uses and densities are a set of guidelines that are referred to by the Planning Commission when considering rezoning."

In addition, Under the Land Use and Development Section of the Comprehensive Plan, one of the goals is this (pg. 51): *"In regulating development, ensure that the overall, long-term common good is kept in balance with the freedom and rights of the individual landowner."*

Also in the Comprehensive Plan regarding the Urban Service Areas, pages 8-9:

"It is also recognized that not every parcel of land in the Urban Service Area will be sold for development within the next 20 years and not every parcel, due to site specific considerations, is appropriate for development at the densities proposed."

IMPORTANCE OF AGRICULTURE IN AUGUSTA COUNTY COMPREHENSIVE PLAN

"The county should promote the continued and enhanced viability of the local agricultural industry, including innovative farming practices, new products and support businesses." (page 18) "...Provide a range of voluntary options for farmers and farmland owners for keeping their land in farming and open space land uses." (page 19) "...Ensure that the agricultural and forestry industry in Augusta County has available to it a wide array of methods for maintaining a viable agricultural economy," "...Identify opportunities for farms to diversify and grow their businesses," "...Support a variety of programs and strategies for farmers to ensure that their operations are fiscally and environmentally sound," and "...Support programs to help ensure the transition of agricultural land ownership from one generation of farmers to the next."

SUGGESTED NEW LANGUAGE FOR THE COMPREHENSIVE PLAN

To further increase the environmental benefits and quality of life for Augusta County by expanding appropriate renewable energy development, we would encourage the county to adopt language within the comprehensive plan that encourages both distributed solar, which directly benefits the individual owner and is allowed by right, and carefully-sited utility-scale solar, which is sold to a utility and fed into the grid and is allowed by special use permit. Both can have local and state-wide impacts that can bring economic opportunities for businesses, utilities, and landowners, while supporting the vision of Augusta County's Comprehensive Plan. Both can also be used to maintain the vision of making agriculture the predominant land use in the county that, in turn, maintains a high quality of life for the people of Augusta County. Further, solar, as a temporary and reversible activity, can help preserve agriculture by allowing farmers to diversify their incomes and support the transfer of land to the next generation. (pages 18&19 of the comp plan)

In regard to by-right distributed solar, we would encourage the county leaders to be more proactive in supporting this local clean energy option. While some of the economic benefits of utility scale solar are less immediate, such projects feed into the national electrical grid to which we are all connected. In addition, such projects help the state, utilities, and major employers meet targets, which are often mandated, to increase their proportion of clean energy. That, in turn, increases the quality of life for Augusta County's citizens.

According to Augusta County's report "Augusta Solar: Economic and Fiscal Contribution to Augusta County" (Magnum Economics, January 11, 2019), utility scale solar projects strengthen Augusta County's economy by diversifying it and providing significant immediate and long-term economic benefits both in the private and the public sectors. (This would also be true for individual solar projects)

The county sees value in encouraging the economic diversity and the provision of clean energy jobs, while providing development that does not include most of the negative impacts of more traditional development such as noise and light pollution, odors, and impermeable surfaces.

SUGGESTED GUIDELINES FOR CAREFULLY SITING UTILITY SCALE SOLAR PROJECTS

The county believes Utility Scale Projects are appropriate in all planning policy areas of the comprehensive plan. However, the County understands that analysis and mitigation issues are site specific and require cooperative planning and design accommodations to reduce potential impacts to resources, adjoining landowners, and the surrounding communities regardless of the planning policy area. Projects in all areas should be designed, sited, and constructed in a way that protects and preserves the County's natural, scenic, and cultural resources including:

- Streams, rivers, wetlands
- Fertile soils
- Habitats
- Native vegetation
- Forests
- Historic and archaeological resources
- As with any construction project, the County believes in stringent regulation and management of solar projects including, but not limited to, erosion and sediment control issues and water quality issues.
- The County supports a strong decommissioning policy to ensure a return of the land to other productive uses and to address the removal of materials and equipment.
- 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.
- The County supports the siting of projects in a manner that takes into account the terrain and associated visual impacts and provides appropriate buffering to mitigate those effects.
- The County supports the design of projects that strive to utilize existing vegetation and buffers that exist naturally when adjacent to public rights of way or other adjacent property.
- In all planning areas, the County supports 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 lands and rights-of-ways.
- In projects that are adjacent to public spaces or other planned developments, the County encourages projects that provide for trails and linkages to adjacent land planned for development or already developed.

I would like to thank the Supervisors and Staff for offering me the opportunity to serve on the committee. I would also like to thank my fellow committee members who put in the time to make a positive difference for Augusta County. It was disappointing to fail in our effort to provide guidelines.

The committee has spent significant effort in trying to define what constitutes Utility Scale Solar.

A. This was the definition used for most of the Committee's discussion.

"Utility scale solar, the subject of these recommendations, refers to installations that generate solar power to be sold to a utility and fed into the grid. The other type, distributed solar, is the production of energy for use on site (such as for a business, farm, home, or campus)." Alliance for the Shenandoah Valley

Under this definition, a private citizen with a single panel would be considered Utility Scale Solar if power in any amount is sold to the local utility or cooperative. This is already allowed in several states. In Virginia, a simple change by the legislature or even the State Corporation Commission and a homeowner with a handful of panels could become "Utility Scale" overnight.

This definition did not prove to be helpful in addressing the county's planning needs.

B. Much more useful is the following definition.

"Utility-scale solar refers to large scale electricity generation either through: A photovoltaic power station at a scale large enough to be classified as 'utility-scale'; or: Concentrated solar power. The utility-scale solar sector has led the overall U.S. solar market in terms of installed capacity since 2012." Wikipedia

For Augusta County the issue of "Utility Scale" power generation involves land use, agricultural and historical preservation, jobs, livability and conformance with the master plan.

Utility Scale Solar has many of the same impacts as other types of utility scale power generation and should be addressed accordingly.

It is my opinion this committee found it impossible to offer suggestions that could address 50 square feet of solar generation in a way that would be relevant to thousands of acres of power generation.

Any guideline must recognize scale in planning for Utility Scale Solar.

My recommendations would be to:

1) Regulate Utility Scale Solar in the same way any other large power generation project is regulated.

2) Actively engage, as a local government, to leverage Small Scale Solar.

An easy target would be to generate 100% of Augusta County's residential usage within the county.

Calculations below show that 100% of residential electrical generation would take less than 500 acres or 8 one hundredths of one percent of our 621,000-acre county. **

An opinion on "solar" is not the same as an opinion on "Utility Scale Solar". Those proposing to build Utility Scale Solar would not be interested in less than 100 acres. The proposed Stuarts Draft installation was about 1000 acres. Most of the sites reviewed were 1000 acres or more. Energy Generation Projects of this size would have a large impact on Augusta County and there was near-universal consensus that they would not make good neighbors. Our county has no experience with Utility Scale Solar. In fact, several committee members and staff have traveled to other parts of the Commonwealth to gain some initial familiarity with large Utility Scale Solar Arrays.

The solar arrays most of us are familiar with are much smaller than 1000 acres or even 100 acres. White's Wayside's 75KW array, one of the county's largest, is about 1/8 acre. Many homes and businesses have solar generation, and most are "on grid".

Augusta County should recognize that:

Utility Scale Solar is not well understood or well regulated.

1.a. Small Scale Solar arrays are common, well understood and an asset to Augusta County.

1.b There are no Utility Scale Solar arrays in Augusta county. Utility Scale Solar is new, rapidly changing and sparsely regulated. Our county has no experience regulating Utility Scale Solar arrays. There have been serious issues with neighboring Utility Scale Solar projects.

Utility Scale Solar does not directly benefit most residents of Augusta County

2.a Small Scale Solar is locally owned bringing financial rewards directly to farmers in the form of reduced cost^{***}, restaurant employees in the form of increased pay^{*} and homeowners in the form of reduced utility bills^{**}.

2.b Utility Scale Solar arrays are owned by utility companies, large investment groups or the very largest landowners.

3.a All solar power generated in Augusta County is small in scale and consumed within Augusta County.

3.b Utility Scale Solar as proposed in Stuarts Draft would be generated in Augusta County and consumed entirely outside Augusta County.

Utility Scale Solar is a job loss for Augusta County. Small Scale Solar has been a job gain.

4.a Small Scale Solar produces high paying local jobs, is expanding the local job base and provides a long-term infusion of cash into Augusta County.

4.b Utility Scale Solar cannot be built with local labor. Any economic boost would be temporary and include the same risks of a large transient labor force as a large gas pipeline. This is of particular concern during the current pandemic.

5.a Small Scale Solar is needed if Augusta County hopes to produce a significant amount of its own electrical needs renewably.

5.b Utility Scale Solar is not needed for local sustainable electrical generation, nor has it been the intent of those projects reviewed by the committee.

I believe I was asked to be on this committee because White's Wayside Diner has one of the largest solar arrays in Augusta County. I am a vocal advocate for solar power. The committee assignment is important to me and I have put significant time into researching Utility Scale Solar.

I have also spent much time over the past 5 years learning about natural gas, particularly the pipeline Dominion Power has proposed through Augusta County. My study of the issues surrounding the ACP have left me strongly opposed to large scale gas pipelines. Surprisingly for me, Utility Scale Solar has many of the same drawbacks as the proposed pipeline.

Jack Wilson
White's Wayside
2175 Hankey Mountain Highway
Churchville, VA 24421

MillStone House (office): 540-712-0763

Notes:

*

White's Wayside has 240 panels 5153 sq. feet = .12 acres = 1/8 acre
These panels provide most of the electric power needed by the restaurant and event space.
One thousand dollars per month is added to the local economy every month and will be for the 20-30 year life of the panels.

**

With 26,738 households using an average of 13.5KWh/year, county residential consumption is about 360,963 KWh/year or 361 GWh/year. At 2.8 acres needed per GWh and 361 GWh needed, then 1,010.8 acres would be needed to produce 100% of residential needs. Most of Augusta homes are suitably situated to produce most of their electrical needs. Most Augusta chicken houses are suitably situated to produce a significant portion of their electrical needs. If just half produce by-right on-site then less than 500 additional acres would be required.

26,738 households * 13.5KWh/year = 360,963 KWh/year = 361 GWh/year
2.8 acres per GWh * 361 GWh needed = 1,010.8

1,010.8 acres needed to produce all of Augusta County's Residential electrical needs.
Half of that could be integrated into rooftop systems.

*** Farmer's return on one acre:

So, how much money can a solar farm make for property owners? Well, according to Landmark Dividend, the average solar farm profit per acre lands somewhere between \$21,250 and \$42,500

11 cents per KWH = \$110 per MWh residential rate
1/2.8 = 0.3571 GWh per acre = 357.1 MWh per acre
357.1 * .11 * 1000 = 39281.0
\$39,281.00 per acre per year, retail

March 27, 2020

To: Leslie Tate

From: Michael Moneymaker

Subject: Renewable Energy Utility Scale Solar Committee

1. **Mission Statement -- The county's population and employment will continue to steadily increase, but new growth will be located mainly in the designated Urban Service Areas, thereby preserving the county's agricultural industry and rural character**
 - **Underlying this Mission Statement should be a Comprehensive Plan inclusive of strategies, initiatives and policies that are supportive of this statement**
 - **As you consider the input from members of the Solar Committee, you should carefully look back to this Mission Statement and ask yourself is the feedback consistent with this Mission Statement or is it an expression of views to support a few landowners that look to capitalize on the solar projects to the detriment of the future growth of the county's population and employment.**

2. **The County has invested millions of dollars of taxes over the years to develop infrastructure to support this mission statement, including development and expansion of water and sewer systems and networks, with significant portions of the capital having been invested in the Urban Service Areas. These investments are supportive of the aforementioned Mission Statement.**
 - **Within the Urban Service Areas, "utility scale" solar projects would tie-up land for 35 or more years that otherwise might be developed for new businesses or residents (subject of course to landowner decision to sell, but over time history has shown that landowners sold all or portions of their land for commercial or residential development in the Urban Service Areas).**
 - **In addition to land that occupied by solar panels, any adjacent land would likely be less attractive for residents (i.e., if you have a choice, do you build a new house in a neighborhood immediately adjacent to a solar panel or a cell tower or do you look elsewhere -- obviously, some will argue it makes no difference, I say, just step back and ask yourself what would you prefer if you were looking at vacant property).**
 - **The last solar project that was turned down by the Board consisted of a patchwork of land that would have left adjacent vacant land of much smaller size that would have limited the possibilities for any commercial**

development that required any sizeable tracts of land, similar to almost every meaningful development in recent years (e.g., Target, McKee, Hershey, all required large tracts of land – and resulted in meaningful new jobs in the county)

- Greater likelihood of the viewshed of residents being directly impacted by solar projects within the Urban Service Areas based on the highest level of population centered around these areas.
- Detrimental impact to resident land values from solar projects nearby or in their viewshed. People may argue studies show impairment has not been proven. Again, ask yourself, if you are looking at two homes, one across from a solar project and one not adjacent, which location would you chose. Common sense should prevail here.

3. Only ~5% of the land area in Augusta County is located in the Urban Service Area. Landowners within the Urban Service Areas have benefited greatly over the years from the significantly higher land values as a result of the infrastructure that the County invested in these areas and the resulting demand for property by residents and businesses.

- Doubt the Supervisors are ready to invest additional capital in the more rural areas of the county that would benefit landowners outside of the Urban Service Areas – probably would be inconsistent with the Mission Statement, so I understand why that likely can't be done.
- However, what could be done, is to encourage deployment of solar projects in the more rural areas, thus benefitting landowners that have larger tracts of land, are more isolated, thus impacting fewer residential property owners.
- Indirectly this could be done by restricting, if not prohibiting, deployment of any large utility scale solar projects in Urban Service Areas. This would push solar project developers to look elsewhere to these more rural parts of the county, thus supporting these landowners/farmers in areas, with limited impact to viewshed and residences.

4. "The size/extent of projects should be considered in proximity to other developed land uses so as not to overwhelm the existence of nearby developed residential, commercial or mixed use communities"; "The County desires to maintain rural viewsheds, but sees synergy among agricultural and rural land development and utility scale solar development so long as the clustering of such facilities does not overwhelm the existing landscape and character of an area"

- "Overwhelm" – has multiple meanings, including "defeat completely"; "be too strong for; overpower"; "upset"; "overthrow"; "to cover over completely"
- Overwhelm is way too high of a bar to be raised before the Board can say no to any project – you could install a substantial number of solar panels in a given area and the applicant would simply argue that it did not "cover

over completely". For example, if out of 1,100 acres of vacant land, an applicant put solar panels on 1,000 acres, the applicant would argue leaving a few vacant areas mean the land in question was not "covered over completely". I hope this was not your intent, but I could see an applicant arguing this definition.

- Based on the term "overwhelm", the Board could find themselves in a similar situation as last year when the attorneys for a solar project tried to push through approval focused on whether the project was in compliance with the Comprehensive Plan or "any part thereof". One could argue, they left a part thereof of the land in an area undeveloped, so the project does not overwhelm the area and should be approved. Again, I can only hope that is not your intent.
 - The burden of proof should be on the applicant to prove a project is in compliance with the Comprehensive Plan; not that you have to prove that the project is not in compliance with any part thereof.
5. Some argue that landowners have the right to do whatever they want with their land and if we say they can't install utility scale solar projects on their land we are attempting to force them to either sell their land or quit farming.
- The County frequently considers land development projects or developments and may turn down or limit a given project based on the specific terms and conditions. Saying no to one alternative use of land is not the same as telling a landowner they must sell or, as some have said, "cover over their land with asphalt". A landowner has every right to not sell their land, farm their land or develop their land in keeping with other development guidelines and principles approved by the Board.
 - While I understand the plight of many farmers that have found it difficult to make a decent living farming. During my lifetime I watched apple orchards in Augusta County slowly die out because of escalating cost of production and harvesting and the depressed crop prices. I've also seen a significant decline in hog farming in Augusta County, that too due to costs and depressed pricing. However, apples continue to be grown and harvested and hogs are raised in different parts of the state or country. Sometimes the economics mean a farmer has to adjust or relocate. It is the reality of what farmers face -- but this does not mean their only alternative is to pursue utility scale solar panels. Locally some have chosen to swap land in high value areas (such as in Stuarts Draft) for farmland elsewhere in the county at more favorable land prices.
 - We should be limiting the size and location of utility scale solar projects to areas within the county where they have the least disruption to the viewshed, nearby neighborhood or economic growth areas
6. Urban Service Areas – The Board should limit or prohibit utility scale solar projects in the Urban Service Areas for the reasons previously indicated – to do so would be consistent with the County's Mission Statement.

- However, it would be very appropriate to revisit what land should be included or excluded from a defined Urban Service Area.
7. Best Practices – wow, if ever a set of pictures were worth a thousand words, the pictures provided to the solar committee of utility scale solar projects in other jurisdictions in the State clearly demonstrate the foresight of its county leadership to require and/or promote deployment in the most rural areas.
- Leadership will require saying no in situations where development is contra to what is best for the county and its citizens.
 - Aside from one picture that showed a farmhouse next to a field of solar panels (my speculation would be that house was the landowner that benefitted from the solar panels and made enough money to look the other way than out their front door!), almost all of the examples were in extremely isolated rural parts of their counties.
 - The Comprehensive Plans of other jurisdictions that were provided to us in past meetings, greatly restricted the deployment of utility scale solar panels that adversely impacted the viewshed, neighborhoods or development areas. The Board should consider look to the more restrictive wording in these other plans in updating our county's plan. My guess is the Board can always approve something that is an exception to the wording in the Plan based on the specific facts and circumstances behind a request. What we should not have is, as I noted above, a situation where an applicant attempts to force your approval using "loopholes" in the Plan for terms such as "overwhelm" or "any parts thereof".

Leslie Tate

From: Phil Martin
Sent: Wednesday, March 25, 2020 10:06 AM
To: Leslie Tate
Cc: John Wilkinson
Subject: Comments on Utility Scale Solar

Good morning, Leslie.

I wanted to give you my thoughts on the development of Utility Scale Solar(USS).

1. This is not a discussion about the merits of USS, nor is it about whether USS is profitable or sustainable without governmental subsidies. It is about fitting USS into the County's comprehensive plan.
2. The County must have a comprehensive plan that is reasonable, realistic and has buy-in from the residents.
3. The County must stick to that comprehensive plan, while allowing reasonable exceptions which do not substantially change the character of the overall plan.
4. The current comprehensive plan has been used, both by the County and other organizations, to direct time and money expenditures. There has been significant investment, in good faith, based on the plan.
5. If the County (as well as other organizations) has expended time and money to create improvements that help a land-owner market their property, whether that be improvements to roads, utilities and schools or giving assistance in marketing and promoting the property, there is a reasonable expectation that there will be some sort of return (increased tax revenue, user fees, etc.).
6. If there is no reasonable expectation of a return, it results in extremely short-sighted planning and harms the County as a whole. The County and other organizations will be far less likely to expend time and money to make improvements. Those improvements are critical to attracting industries which will provide jobs, create customers and bolster the tax base.

With that underlying basis, I would recommend the following:

1. Revise the County's comprehensive plan, particularly what is designated as Urban Service Area. These revisions should take special care to be realistic and to consider prior investments in time and money.
2. Urban Service Areas should not have USS located within them. We saw many examples of other localities and they had USS in more rural areas. I don't believe any of the photos included had any other kind of development (residential, commercial, industrial) located anywhere near the USS site.
3. Community Development Areas could have USS located within them, provided that those USS developments are compact and on contiguous parcels, not a "patchwork" with parcels that are not part of the USS development scattered throughout.
4. Rural Conservation Areas would allow for the more scattered "patchwork" style of USS developments.

Phillip A. Martin, P.E., L.S.
Executive Director
Augusta County Service Authority
Voice: 540-245-5688
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STUARTS DRAFT, VA 24477

(540) 337-1286 OFFICE
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March 31, 2020

Lesley Tate
Augusta County Community Development
P. O. Box 590
Verona, VA 24482

Dear Mrs. Tate,

It would be my recommendation that Solar Farms be placed in a rural area of the county and placed where they would not de-value any property.

Solar Farms should be hidden from roadways and not to exceed any more than 50 acres of land. Solar Farms need to be where there is no chance of access to public Water and Sewer or areas where development can occur in the future plans of the county.

Thank you,
Robert M. Eavers

H. C. Eavers & Sons, Inc.
17 Romaine Lane
P. O. Box 29
Stuarts Draft, VA 24477

March 31, 2020

**Ms. Leslie C. Tate, Senior Planner
Augusta County VA Government Offices
Community Development Department
P.O. Box 590
Verona, VA 24482**

Ms. Tate,

Thank you for the opportunity to provide feedback for the Comprehensive Plan as it pertains to Solar Projects and the insight I can bring as a community member and a licensed real estate appraiser in the Commonwealth of Virginia.

The recently denied application for a Solar Project has severely restricted the rights of the property owners and has cause to decrease the value of property although the applicant complied the Augusta County Ordinance.

The Bundle of Rights of a Property Owner includes the right of possession, control, exclusion, enjoyment and disposition.

Agricultural land makes up a substantial portion of Augusta County with most parcels being held in families for generations. Restricting the use of the agricultural land and limiting a stream of income strips the rights of a property owner and thereby their enjoyment. A solar project can co-exist with its surrounding neighbors with ample screening and additional space to resume like agricultural farming practices. Solar is good business and uses passive sun radiation to grow energy, much like growing crops.

Also, I am a neighbor of James Brenneman and Waynesboro Nursery properties and I'm pleased to advocate on their behalf for the Solar Project.

Sincerely,

**Paula Figgatt, CPM
Senior Real Estate Asset Manager
UVA Foundation
Augusta County, VA**

Leslie Tate

From: jakesamnhan@aol.com
Sent: Sunday, March 29, 2020 9:36 PM
To: Leslie Tate
Subject: [EXTERNAL] Utility Scale Solar Committee: Individual Comments: Mike Rose, Wayne District
Attachments: SYNOPSIS.docx

Hello Leslie,

Attached you'll find individual comments regarding my participation on the Utility Scale Solar Committee. The first two pages are a re-cap of previously distributed material; the final two pages convey some of my impressions and a recommendation for going forward.

It was a great pleasure meeting you and also working with you and the other committee members.

Mike Rose
Wayne District

SYNOPSIS

Objective:

This committee will be evaluating utility scale solar, and potentially other renewable energy land uses, to provide recommendations to the Planning Commission and Board of Supervisors regarding where utility scale facilities should be located within our County and what development/design guidelines should be considered when reviewing Special Use Permit requests.

Parameters: Comprehensive Plan Vision Statement

The County's population and employment will continue to steadily increase, but new growth will be located mainly in the designated Urban Service Areas, thereby preserving the county's agricultural industry and rural character.

Urban development will be encouraged to be compact, pedestrian-oriented, interconnected with a network of streets, sidewalks and trails, and protective of natural resources. New neighborhoods will be places with beauty, identity and charm, which citizens are proud to call home. A blending of uses, housing types, densities and costs will be available to the county's increasingly diverse population.

Agriculture will continue to be the predominant land use in the county and a major part of the economy. The small amount of residential development built within agricultural areas will be incrementally added and very low density, thereby causing minimal disruption to agricultural activities.

The county's scenic beauty and natural environment will be preserved, with farms, forest, mountains, rivers, and streams providing the framework and context for development in the urban areas, and continuing to define the landscape in the rural areas.

The compact, interconnected pattern of new development will allow the county to continue to provide high quality, efficient, and cost-effective public services and facilities. These may include transportation improvements that maintain and improve safety, capacity and overall mobility for pedestrians and bicyclists as well as motor vehicles, while improving the overall quality of life in the neighborhoods.

Committee Conclusions:

- 1¶ The County desires 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 overwhelm the existence of nearby developed residential, commercial or mixed use communities.
- 2¶ The County desires to maintain rural view sheds, but sees synergy among agricultural and rural land development and utility scale solar development so long as the clustering of such facilities does not overwhelm the existing landscape and character of an area.
- 3¶ When located within planned growth areas, projects should not overwhelm the developed landscape but act as "pockets" that contribute to the growth areas natural and open space features.
- 4¶ Projects within established development areas should not detract from the compact, interconnected, pedestrian-oriented development pattern.
- 5¶ The County encourages the development of renewable energy land uses, including utility scale solar land uses throughout the county on a case by case basis with the following criteria of worthy consideration and value:
 - a. Natural resource buffers should provide environmental, aesthetic and possibly recreational value to the existing community.
 - b. Explore possibilities for synergies among existing agricultural operations and renewable energy facilities.
 - c. Development of projects should be held to standards that mitigate impacts to adjacent property owners and protect the natural resources of our community.

PERSONAL IMPRESSIONS

The utility scale solar meetings were well conducted and inviting. Members felt free to express their opinions and voice concerns. Assigned readings and literature disbursed to members prior to each meeting were helpful and also provided an incentive to explore additional outside sources relating to the impact of utility scale solar upon Augusta County.

There are at least five general considerations that affected my understanding of solar and other forms of renewable energy as a result of serving on this committee: First, the sheer scale of solar, wind, and other renewables already in operation. Second, the rapidity of engineering and entrepreneurial development. Third, the pressure on local constituencies to move beyond “energy-project dramas” that hold back alternative fuel development. Fourth, resources—namely land—offered by the federal government to developers for the purpose of establishing long-term utility scale solar and wind projects. Fifth, the attractiveness of rural self-sustaining properties to home buyers.

SCALE: Berkshire Hathaway is the fifth largest publically owned company in the U.S. Twenty years ago Berkshire entered the regulated public utility business by incorporating a subsidiary, Berkshire Hathaway Energy. In 2021, it is anticipated that BHE, through wind power alone, will generate 25.2 million megawatt-hours of electricity (MWh) in Iowa. “That output will totally cover the annual needs of its Iowa customers.” That means BHE will have “attained wind self-sufficiency in the State of Iowa.” Further, BHE has promised customers there will be no base rate price increases through 2028. Although Iowa has an agricultural-based economy, three of BHE’s largest customers are “high-tech giants.” It is believed that the availability of low-cost renewable energy is one of the primary reasons these tech companies decided to site new plants in Iowa.

RAPIDITY OF INNOVATION: First Solar is a U.S. based leading manufacturer of “solar modules for use in the conversion of solar energy into every-day use.” In late 2016, the company scrapped the introduction of its Series 5 panels, (thus forcing customers to wait for not yet available Series 6 panels) because the “latest” technology built into their Series 5 panels had already become obsolete. This pronounced rise in solar efficiency drives the production of electricity up while reducing costs, which in turn enhances the demand for solar power – as the price of solar (and wind) undercuts traditional fossil fuel pricing. The solar power demand curve should continue to accelerate throughout the remainder of this decade.

PRESSURE ON LOCAL GOVERNMENTS TO APPROVE SOLAR PROJECTS: In February, 2020, New York Governor Andrew Cuomo, inserted language into his \$178 billion budget that would replace the multi-agency review process for the adoption of utility scale solar and wind farms in New York. In short, in order for New York State to meet its goal of drastically reducing carbon emissions, the state proposed to cut local representatives out of the approval process in order to avoid “energy-project dramas” that have hindered project completions. State mandates are driving the wider adoption of renewable energy projects going forward, and forcing communities to shorten the timetable for approvals.

FEDERAL LAND: The Trump Administration in early January, 2020, approved construction for a 7100 - acre solar farm to be built on federal lands. This billion-dollar project will be domiciled in the Mojave Desert, approximately 30 miles from Las Vegas. The 690 MW project will generate enough electricity to power 400,000 homes. Earlier, the administration approved two other solar farms to be housed on federal lands, (the Sweetwater Project in Wyoming and the Palen project in California). Several approvals for the Chokecherry and Sierra Madre wind project in Wyoming were also issued. When complete, this massive wind farm will incorporate the installation of 1,000 turbines producing 3,000 MWs of power.

PRIVATE SELF-SUSTAINING PROPERTIES: Sotheby's International Realty listed in March, 2020, a 350 acre off-the-grid "self-sustaining survivalist escape" in Virginia. The property offers "three residential cabins, multiple outbuildings, pastures, a pond, a helipad and a landing strip." Off-the-grid infrastructure includes solar, wind, and water. The asking price is seventeen million. "Whether it is the coronavirus or a future pandemic, secluded and off-the-grid properties are a safe haven." Selling agents said they are seeing an "uptick" in this kind of property.

RECOMMENDATION

Sustainable farm economies, from biblical times up to the present, have been dependent upon land, and lots of it. Renewable energy, especially wind and solar farms, mirrors a similar paradigm. With over 300,000 privately owned acres in Augusta county, committed to Rural and Agricultural Conservation, plus another 200,000 acres of public land, it is difficult to envision the present decade unfolding in the Shenandoah Valley without significant changes taking place in how we power our homes, our schools, our industry, and our growth. Renewable energy, because of our location and abundant resources, will likely drive our future forward in a significant fashion.

To this end, I offer the following recommendation:

The establishment of a much smaller and strategically focused renewable energy committee, to succeed the special Utility Scale Solar Committee. This proposed committee would continue to work under the direction of the county's Community Development and Planning Department for the purpose of providing a citizen based sounding board on current renewable energy issues affecting Augusta County, as well as spearheading research efforts to stay abreast of ongoing developments in renewable energy - in the specific areas of: municipal, county, state, and federal legislation; technological advances; commercial investment; and ongoing trends in the adoption of renewable energy by individuals, farms, schools, corporations, and government entities. Volunteer member backgrounds could possibly be in legislative affairs or capital markets or contracts or business development (including agriculture) as this committee would ideally serve as an impartial and non-political resource to support the county's goals for future growth as outlined in Comprehensive Plan Vision Statement.

Leslie Tate

From: Eric Obaugh <eobaugh@charlieobaugh.com>
Sent: Tuesday, March 3, 2020 10:27 AM
To: Leslie Tate
Subject: [EXTERNAL] Re: Renewable Energy - Utility Scale Solar Committee Meeting

Leslie,

As I have said in the two meetings I attended, I believe solar of any scale should be the land owner's right. I understand there is a comprehensive plan involved too, but as I said in both meetings a comprehensive plan is a living breathing document that can be amended or changed. One, if there have been infrastructure costs in play with the comprehensive plan then these costs should come into play if a land owner wants to do something that may not be in line with the plan. It gives landowners a decision of whether to proceed or not. Two, make the guidelines reasonable for landowners, i.e. 1000 foot setbacks are ridiculous in any setting.

3 stars

On another note, I thought the previous board did a poor job of showing proper representation on this committee. First off, there should have been a landowner or two on the committee from the Stuarts Draft/Lyndhurst solar project that was voted down by the previous board. Second, there were not enough large land owners on the committee that could support large scale solar projects.

In closing, I thought nothing was accomplished in these meetings and the county is where it is when it started at the beginning..... still searching for an answer. Plus, I'm still not sure why this committee was formed and 15 individuals were asked to sacrifice their time for nothing to come from it. The previous board had already made up it's mind where it wanted to go with large scale solar..... form a committee that served the purpose of showing itself that it wants to hear from county residents, but in the end already knew nothing would come from it. Very sad display of respect of one's time and views, in my mind.

Respectfully,

Eric Obaugh

On Thu, Feb 20, 2020 at 2:08 PM Leslie Tate <ltate@co.augusta.va.us> wrote:

Committee members,

Thank you for your time and participation on this committee. After three meetings, it is evident that a committee consensus is unlikely. For that reason, staff suggested that a committee report be prepared for the Board of Supervisors that includes minutes from our meetings as well as individual comments received from committee members and summary of important points of discussion. Staff feels that such a report will help give the Board a lot of great items and points to consider. As appointed committee members you each bring unique points of view to the issue and the Board will be better informed because of the topics with which you wrestled and the discussions you had. In an effort to include all of your thoughts and ideas in the report, we are asking that you provide us with your thoughts/ideas/suggestions by April 1st. Our tentative timeline will be

to present the report to the Board at their staff briefing in April. Any future action the Board takes on Comprehensive Plan amendments related to renewable energy, will be accompanied by public hearings and we encourage your continual involvement.

Please do not hesitate to reach out with any questions.

Thank you all for your time and effort.

Leslie Tate

Senior Planner

From: Leslie Tate

Sent: Wednesday, February 12, 2020 9:13 AM

To: Bobby Eavers <peavers_hce@verizon.net>; Charlie Obaugh <eobaugh@charlieobaugh.com>; 'dshreckhise@gmail.com' <dshreckhise@gmail.com>; Dr. Ed Long <vace@solanqui.com>; Jack Wilson <Jack@pedheart.com>; Jeff Gentry <jgentry@egsassoc.com>; Michael MoneyMaker <moneymaker.draft@gmail.com>; Michael Shull <mshull@co.augusta.va.us>; Mike Rose <jakesamphan@aol.com>; Nancy Sorrells <lotswife@comcast.net>; Patsy Earhart <plearhart@hotmail.com>; Paula Figgatt <pfiggatt@uvafoundation.com>; Richard Halterman <r.halterman@murphybusiness.com>; Stan Sikorski <ssikorski_lpc@mindspring.com>; Steve Bridge <snbridge43@gmail.com>; Susan Byerly <susancricks@gmail.com>; Phil Martin <pmartin@co.augusta.va.us>; William Monroe <wmonroe@co.augusta.va.us>

Cc: John Wilkinson <jwilkinson@co.augusta.va.us>; Jennifer Whetzel <jwhetzel@co.augusta.va.us>;

Timothy Fitzgerald <tfitzgerald@co.augusta.va.us>; Doug Wolfe <dwolfe@co.augusta.va.us>

Subject: RE: Renewable Energy - Utility Scale Solar Committee Meeting

Hello,

Please find attached a memo, agenda, and meeting materials for our upcoming Utility Scale Solar Committee meeting scheduled for Wednesday, February 19th at 5 PM. Please do not hesitate to reach out to me with any questions.

Thank you,

Leslie Tate

From: Stephen Bridge <snbridge43@gmail.com>
Sent: Monday, March 30, 2020 8:43 AM
To: Leslie Tate
Subject: [EXTERNAL] Re: Canceled - March 10th Planning Commission Meeting

Ms. Tate, Hope you and your family are well and happy. I did not receive any input from any of the other Commission members so the following comments are mine. This issue is one that is going to be controversial most of the time regardless of the proposed location. The staff proposal, I feel, gets to the basic issues of location but there will strong opinions on the definitions of some of the guidelines that are listed. I would suggest that the ordinance reflect the basics of the staff proposal, not automatically exclude any particular zoning designations and consider each request on their individual merits Thank you for the work you and your staff have put into this issue. Hope to see you soon.

On Wed, Mar 4, 2020 at 11:09 PM Stephen Bridge <snbridge43@gmail.com> wrote:
Thank you very much!!

On Wed, Mar 4, 2020 at 2:50 PM Leslie Tate <ltate@co.augusta.va.us> wrote:

Planning Commission members,

Please see attached information.

I have attached a DRAFT of the minutes from our February meeting, in order for the meeting to remain fresh in your minds. We will wait to approve the minutes at your April meeting.

I have also attached, as requested by Mr. Bridge, your representative on the Utility Scale Solar Committee, a draft of staff proposed language for the Comprehensive Plan regarding utility scale solar installations. Staff circulated this language to the committee and is asking for their feedback by April 1st. Staff sees this as a rough draft and is hoping for additional clarifications and refinements in order to strengthen the language for the Comprehensive Plan. Please provide Mr. Bridge with any input/thoughts (by email or phone) you would like to pass along as he formulates his comments/considerations.

Thank you,

Leslie Tate

Senior Planner

From: Leslie Tate

Sent: Tuesday, March 3, 2020 1:32 PM

To: Thomas Jennings (jenningsthom@gmail.com) <jenningsthom@gmail.com>; Greg Campbell (gregcampbell8@gmail.com) <gregcampbell8@gmail.com>; Greg Campbell (gcampbell@flyshd.com) <gcampbell@flyshd.com>; Steve Bridge <snbridge43@gmail.com>; Kitra Shiftett (skitra@hotmail.com) <skitra@hotmail.com>; Larry Howdysshell (lmhowdy@shentel.net) <lmhowdy@shentel.net>; Kyle Leonard (colebelle@msn.com) <colebelle@msn.com>

Cc: Sara Terry <sterry@co.augusta.va.us>; John Wilkinson <jwilkinson@co.augusta.va.us>; Angela Michael <amichael@co.augusta.va.us>

Subject: Canceled - March 10th Planning Commission Meeting

Good afternoon Planning Commission members,

I am writing to let you know that our meeting scheduled for March 10th is canceled. Staff did not have any items for your consideration this month. Please do not hesitate to reach out to me with any questions, and we look forward to seeing you at our meeting on April 14th.

Thank you,

Leslie C. Tate

Senior Planner

P.O. Box 590

Verona, Virginia 24482

540.245.5700 (P)

540.245.5066 (F)

ltate@co.augusta.va.us

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County of Augusta.

*** VIRGINIA FREEDOM OF INFORMATION NOTICE ***

Leslie Tate

From: Patricia Earhart <plearhart@hotmail.com>
Sent: Wednesday, February 12, 2020 10:30 AM
To: Leslie Tate
Subject: [EXTERNAL] Re: Renewable Energy - Utility Scale Solar Committee Meeting

Leslie,

Thank you for the staff summary report.

I regret that I will not be able to attend the meeting next week as we are out of town, so I will share my thoughts with you to be incorporated into the meeting.

After reviewing the staff summary, it is my recommendation , " Augusta County is a large County, there is plenty of land solar could locate on in other areas of the county.

As we reviewed at the meetings, other locations that have solar has located them in remote areas away from ALL urban service and community development areas, Augusta County should follow suit as well."

Thank you
Patricia Earhart

Patricia L. Earhart
Broker/Owner
Earhart & Associates Real Estate Inc.
Licensed to sell Real Estate in the Commonwealth of Virginia
Office: (540)337-2700
Cell: (540)290-2879
plearhart@hotmail.com

From: Leslie Tate <ltate@co.augusta.va.us>
Sent: Wednesday, February 12, 2020 9:13 AM
To: Bobby Eavers <peavers_hce@verizon.net>; Charlie Obaugh <eobaugh@charlieobaugh.com>; dshreckhise@gmail.com <dshreckhise@gmail.com>; Dr. Ed Long <vace@solanqui.com>; Jack Wilson <Jack@pedheart.com>; Jeff Gentry <jgentry@egsassoc.com>; Michael MoneyMaker <moneymaker.draft@gmail.com>; Michael Shull <mshull@co.augusta.va.us>; Mike Rose <jakesamghan@aol.com>; Nancy Sorrells <lotswife@comcast.net>; Patsy Earhart <plearhart@hotmail.com>; Paula Figgatt <pfiggatt@uvafoundation.com>; Richard Halterman <r.halterman@murphybusiness.com>; Stan Sikorski <ssikorski_lpc@mindspring.com>; Steve Bridge <snbridge43@gmail.com>; Susan Byerly <susancricks@gmail.com>; Phil Martin <pmartin@co.augusta.va.us>; William Monroe <wmonroe@co.augusta.va.us>
Cc: John Wilkinson <jwilkinson@co.augusta.va.us>; Jennifer Whetzel <jwhetzel@co.augusta.va.us>; Timothy Fitzgerald <tfitzgerald@co.augusta.va.us>; Doug Wolfe <dwolfe@co.augusta.va.us>
Subject: RE: Renewable Energy - Utility Scale Solar Committee Meeting

Hello,

Please find attached a memo, agenda, and meeting materials for our upcoming Utility Scale Solar Committee meeting scheduled for Wednesday, February 19th at 5 PM. Please do not hesitate to reach out to me with any questions.

Thank you,

Leslie Tate
Senior Planner

From: Leslie Tate

Sent: Tuesday, January 21, 2020 11:32 AM

To: Bobby Eavers <peavers_hce@verizon.net>; Charlie Obaugh <eobaugh@charlieobaugh.com>; 'dshreckhise@gmail.com' <dshreckhise@gmail.com>; Dr. Ed Long <vace@solanqui.com>; Jack Wilson <Jack@pedheart.com>; Jeff Gentry <jgentry@egsassoc.com>; Michael Moneymaker <moneymaker.draft@gmail.com>; Michael Shull <mshull@co.augusta.va.us>; Mike Rose <jakesamnhan@aol.com>; Nancy Sorrells <lotswife@comcast.net>; Patsy Earhart <plearthart@hotmail.com>; Paula Figgatt <pfiggatt@uvafoundation.com>; Richard Halterman <r.halterman@murphybusiness.com>; Stan Sikorski <ssikorski_lpc@mindspring.com>; Steve Bridge <snbridge43@gmail.com>; Susan Byerly <susancricks@gmail.com>; Phil Martin <pmartin@co.augusta.va.us>; William Monroe <wmonroe@co.augusta.va.us>

Cc: John Wilkinson <jwilkinson@co.augusta.va.us>; Jennifer Whetzel <jwhetzel@co.augusta.va.us>; Timothy Fitzgerald <tfitzgerald@co.augusta.va.us>; Doug Wolfe <dwolfe@co.augusta.va.us>

Subject: RE: Renewable Energy - Utility Scale Solar Committee Meeting

Hello,

I hope everyone's 2020 is off to a great start. It is hard to believe that January is almost behind us. With that being said, I would like to set our next Utility Scale Solar Committee meeting for **Wednesday, February 19th from 5-7 PM**. Please mark this date and time on your calendars. I will be sending out an agenda and any meeting materials prior to the meeting, but I hope you had a chance to review the follow-up materials I sent out after our December meeting. Please do not hesitate to reach out to me with any questions or requests for additional information as you come prepared to discuss a list of criteria recommendations to the send to the Board of Supervisors.

Thank you,

Leslie Tate
Senior Planner

From: Leslie Tate

Sent: Friday, December 20, 2019 1:34 PM

To: Bobby Eavers <peavers_hce@verizon.net>; Charlie Obaugh <eobaugh@charlieobaugh.com>; 'dshreckhise@gmail.com' <dshreckhise@gmail.com>; Dr. Ed Long <vace@solanqui.com>; Jack Wilson <Jack@pedheart.com>; Jeff Gentry <jgentry@egsassoc.com>; Michael Moneymaker <moneymaker.draft@gmail.com>; Michael Shull <mshull@co.augusta.va.us>; Mike Rose <jakesamnhan@aol.com>; Nancy Sorrells <lotswife@comcast.net>; Patsy Earhart <plearthart@hotmail.com>; Paula Figgatt <pfiggatt@uvafoundation.com>; Richard Halterman <r.halterman@murphybusiness.com>; Stan Sikorski <ssikorski_lpc@mindspring.com>; Steve Bridge <snbridge43@gmail.com>; Susan Byerly <susancricks@gmail.com>; Wendell Coleman <wcoleman@co.augusta.va.us>; Phil Martin <pmartin@co.augusta.va.us>; William Monroe <wmonroe@co.augusta.va.us>

Cc: John Wilkinson <jwilkinson@co.augusta.va.us>; Jennifer Whetzel <jwhetzel@co.augusta.va.us>; Timothy Fitzgerald <tfitzgerald@co.augusta.va.us>; Doug Wolfe <dwolfe@co.augusta.va.us>

Subject: Renewable Energy - Utility Scale Solar Committee Meeting Follow-up

Hello,

I wanted to thank you for your participation and discussion during last week's meeting. I believe as a committee, we have begun a forward motion with regards to developing a list of criteria by which the Planning Commission and Board of Supervisors can evaluate future utility scale solar requests. Please find attached the presentation slides I shared during the meeting which included some potential draft language that the committee may want to

To: Augusta County Board of Supervisors
From: Stan Sikorski
Date: April 8, 2020
Subject: My Thoughts/Ideas/Suggestions presented to the
Renewable Energy - Utility Scale Solar Committee Meeting

First, let me thank you for appointing me to this above-mentioned committee. Second, I also want to commend Ms. Tate for her patience, time and effort in guiding our disparate group on such a controversial matter.

I am attaching two documents that I presented to our Committee and now for your consideration.

2 Attachments

TO: Members of the Renewable Energy and the Comprehensive Plan Advisory Committee Meeting

FROM: Stan Sikorski

Permit me to address one of the three attachments that were distributed with the announcement for our next meeting on February 19th. The .pdf is entitled Staff Proposed Considerations and introduces some points that heretofore have not been addressed.

Point 1: "To preserve agriculture as a predominant land use in Augusta County..."

The County desires to maintain rural viewsheds and agriculture as a predominant component of our economy, but **synergy** among agricultural and rural land development and utility scale solar development so long as the clustering of such facilities does not overwhelm the existing landscape and character of an area."

This comes across as a "fait accompli". It is not. In my humble opinion, it would be better received as follows:

The County desires to maintain rural viewsheds and agriculture as a predominant component of our economy. **In support of that, any utility scale power development** must not overwhelm the existing landscape and character of an area.

Point 2: "To preserve the rural landscape and scenic views of Augusta County..."

- o Siting of projects should take into considerate surrounding neighborhood developments and how visual impacts to those neighborhoods can be mitigated through appropriate buffers.
- o 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."

This gives the impression that, as long as any proposal acknowledges using appropriate and existing vegetation and buffers, they can get a "pass."

In the December 20th Meeting Notes, we were provided a .pdf titled **Value and Resources pictures** which documents both aerial (birds-eye) and eye level views of what happens when the community lets down its guard and lets shrubs spaced at egregious heights and distances be defined as an adequate and "natural vegetative buffer."

Simply put, no one would opt exchanging our beautiful land for hundreds of thousands of automated solar panels otherwise the issue of buffers and berms would never enter the equation. Therefore, it should be done right. "Appropriate buffers" **must** be defined in our Comprehensive Plan and Ordinances.

The gold standard is that any objectionable construction should be **totally** hidden from top to bottom and side-to-side, with no gaps, from day one. To that end, I propose the following litmus test: "If we were to allow a community of 10,000 quiet nudists to occupy an area, what would the community's standard for buffers for those of us that do not want to be exposed to that?" A buffer is a buffer and should not be forgivable whether the buffed object is a metallic eyesore or a human eyesore.

To: Ms. Tate and Fellow Utility Scale Solar Committee Members

From: Stan Sikorski

I regret that I will not be able to attend our next meeting on February 19th and I appreciate this opportunity to communicate my thoughts on all of the critical points.

First, I recommend that we do not waste valuable time and effort in outlining any plan for decommissioning, mainly because it is all conjecture and goes against real life experiences. Once nature is attacked, be it by housing, a chemical facility or public highways, it never can be restored to its virgin state, even if it's possible to quantify the damages and identify who should atone for them.

Second, we've been asked to propose site criteria that should fit within the "larger vision, goals, objectives and policies of the Comprehensive Plan." To that aim, the Community Development Department has provided us excellent examples of questions and criteria for this process. Before I digress with my own point of view and recommendation, and staying within the boundaries of these examples, I suggest:

- 1) That any Utility Scale projects comply with all five of the Comprehensive Plan Vision Statements. (I have purposely dropped the word "utility" so that our site criteria addresses all utilities present and future).
- 2) Therefore, any Utility Scale project should not overwhelm the existing
 - a. nearby developed residential, commercial or mixed-use communities nor
 - b. the landscape and character of an area.
- 3) The Utility Scale project should be able to demonstrate a plan that supports a compact, coordinated, orderly and balanced pattern of development in order to preserve farming and the rural character of the County and make more efficient use of existing and planned public facilities and services.
- 4) In a nod to our land advocates, Utility Scale projects should address all legitimate conservation groups' impact questions.
- 5) Finally, the Utility Scale project should generate long-term job creation and be recognized as a beacon for future population growth.

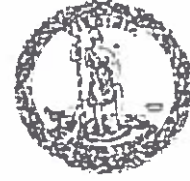
Third, having stated all the above, I fervently believe that there is no Utility Scale Project that can qualify to most or all of the above terms. By their very large-scale nature, they will dominate our land, water and sky while their proponents continue to mask the consequences. As one political opponent phrased, "You can't put lipstick on a pig."

Fourth, permit me to introduce a hitherto unmentioned concept or strategy:

Traditionally, there are five to six land use categories: agricultural, recreational, transport, urban, forest, and commercial. And now we are faced with trying to "shoehorn" proposals that beg categorizing. This has been achieved by shrewd parties who dressed a wolf in sheep's clothing, obfuscating large-scale land grabs as agricultural or other use and hoping that in 35 years those affected will not be there or object. Rather than invoking the "special use permit" exception clause within any of these categories, our governments from local to national need to be thinking of establishing a new designation for land use where all the legitimate energy providers can gather their resources and productively produce solutions for the benefit of all of us, *without destroying what we have*. Let us designate it as "utility" or "energy" land and let it be located where the impact is not on the other land categories of our County.



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



MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Tate, Senior Planner *Leslie*
DATE: May 19, 2020
SUBJECT: Discussion of Round 4 Smart Scale Pre-Applications Incorporation into Comprehensive Plan – Transportation Chapter

Staff updated the Board in March concerning the 5 pre-applications submitted for Smart Scale Round 4. Augusta County is limited to 4 projects for final submission, not counting the projects that can be applied for by the SAW-MPO. Summary of the pre-application projects below:

1. Weyers Cave Road (Rt. 256) Turn Lane Project – Improve Weyers Cave Road (Rt. 256) from the northbound I-81 ramps to Triangle Drive by adding a median, eastbound and westbound turn lanes and a 10 foot wide shared use path. This project includes approximately 0.2 of a mile of road improvements, as well as the construction of a park and ride lot (50 spaces) at the interstate interchange. The park and ride will be accessed by a new 2-lane entry road connecting to the existing intersection with Triangle Drive, as well as a right-in / right-out onto Route 256. [Already referenced in the County's Comprehensive Plan].

The County applied for this same project in Round 3 of Smart Scale, and for a much more comprehensive 4 lane divided Rt 256 project in Round 2 of Smart Scale, neither received funding. The SAW-MPO completed a pre-application for this project also, which means the final application may be submitted by them.

2. Route 254 (Hermitage Road) intersection safety improvements – VDOT, using a consultant, evaluated multiple intersections along Rt. 254 for safety improvements and recommended improvements to three intersections. Those intersections are RT 254/Rt 262 (Woodrow Wilson Pkwy / New Hope Rd), Rt 254/Rt 792 (Indian Mound / Balsley Rd), and Rt 254/Rt 640 (Old White Bridge Rd).

Route 254 and Route 262 improvements include constructing a westbound left-turn lane on Hermitage Rd as you approach New Hope Rd and eliminating the center island on New Hope Rd and realigning that approach. Route 254 and Route 792 improvements include constructing an eastbound left-turn lane, lengthening the westbound right-turn lane, and relocating the minor approach

Staunton (540) 245-5700

TOLL FREE NUMBERS

Waynesboro (540) 942-5113

From Deerfield (540) 939-4111

From Bridgewater, Grottoes

Harrisonburg, Mt. Solon & Weyers Cave (540) 828-6205

FAX (540) 245-5066

stop bars. The final intersection at Route 254 and Route 640 improvements include re-grading the berm in the southwest corner and eliminating the center island on the westbound approach and realigning that approach. **[Safety project – reference in the Comprehensive Plan does not affect scoring, but staff would recommend including in the Comprehensive Plan as a means of additional public input].**

3. **Wilson Workforce and Rehabilitation Center long-term improvements for a new alignment for secondary facility access. The County applied for this same project in Round 3 of Smart Scale, and did not receive funding. The SAW-MPO and Augusta County have both submitted pre-applications for this project. [Already referenced in the County's Comprehensive Plan].**
4. **US 250 access management improvements – results of a STARS study conducted by VDOT, Augusta County, City of Waynesboro, and consultants. This project includes access management improvements along Route 250 from the intersection of Old White Bridge Road to Lew Dewitt Blvd in the City of Waynesboro. The SAW-MPO has submitted a pre-application for a project on the portion of the study area within the City of Waynesboro. [Currently not referenced in the Comprehensive Plan].**
5. **US 11 access management improvements – results of a STARS study conducted by VDOT, Augusta County, City of Staunton, and consultants. This project includes access management improvements along US 11 from the vicinity of Harley Crossing at VA 262 to the intersection with Barterbrook Road in the City of Staunton. At this time, staff is not aware of a Smart Scale Round 4 submittal for the portion of the study area within the City of Staunton. [Currently not referenced in the Comprehensive Plan].**

Augusta County's final (up to four) applications are due by August 3, 2020.

The Smart Scale Technical Guide, amended in May of 2020, details this round's project scoring metrics and criteria. One of the metrics for the Economic Development category is a transportation project's reference in a local land use plan or regional economic development plan.

Two of our five projects identified above are already included in the County's Comprehensive Plan, if the Board chooses to submit final applications for the Route 250 STARS or Route 11 STARS projects, then inclusion of those projects in the Comprehensive Plan will give an additional 0.5 point for scoring purposes.

For this reason, staff recommends that the Board go ahead and ask that the Planning Commission review the projects for inclusion in the Comprehensive Plan's transportation chapter. Doing so does not require that the Board submit final applications, but does put the Board in the position to have review of the projects and

any potential Comprehensive Plan amendments in time for the final application deadline.

Staff is scheduling a VDOT presentation of the two STARS studies at your June 22nd staff briefing prior to your consideration of resolutions to support final applications for funding. As always, please do not hesitate to reach out with any questions.



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



MEMORANDUM

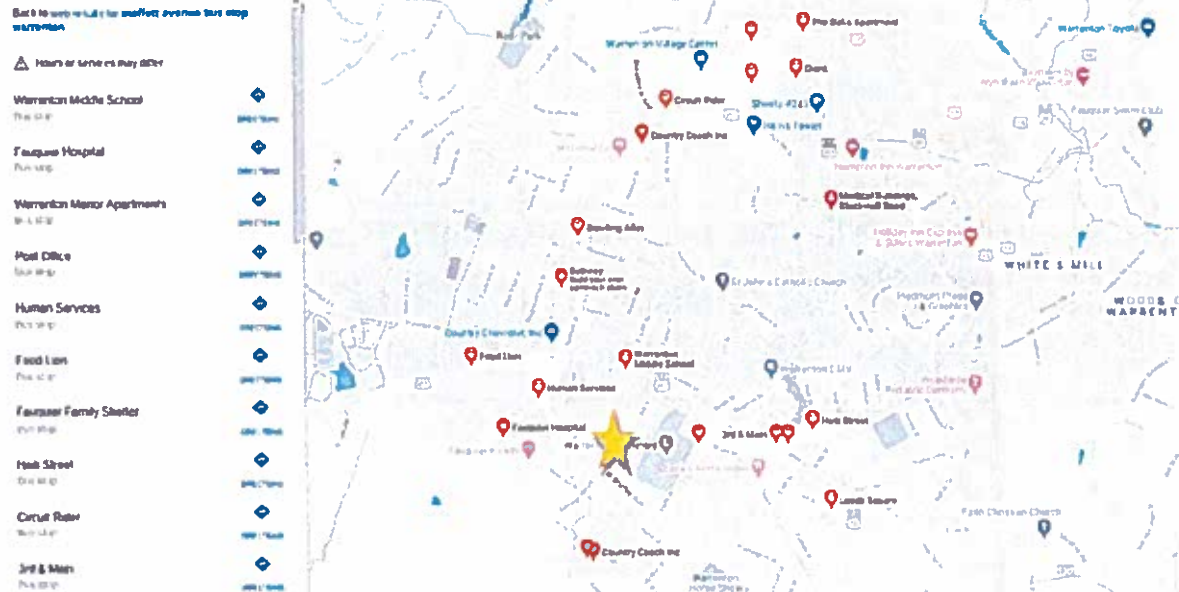
TO: Board of Supervisors
FROM: Leslie Tate, Senior Planner *Leslie*
DATE: May 14, 2020
SUBJECT: Gateway Senior Affordable Apartments – Parking Study – Waiver Request

Attached is a parking study and parking waiver request from William Park associated with the approved senior affordable housing apartment project along Pinnacle Drive in Fishersville.

The County's ordinance requires two off-street parking spaces per unit plus 10%, which is a ratio of 2.2 spaces per unit. Mr. Park is requesting a 1.1 space per unit ration of 88 off-street parking spaces per 80 units.

Staff has the following comments concerning the request and associated parking study:

1. The per unit usage numbers provided in the chart on page one are not correct as they divide the typical spaces used by the total number of spaces constructed rather than the total number of apartment units. For example, Parc Crest in Farmville has a per unit usage of approximately 1.5 spaces per unit rather than the shown 0.9. While the Fishersville area has more surrounding development than the location of Parc Crest in Farmville, the surrounding Fishersville development is not of the mixed use variety you typically see as a means of supporting a car free household. The surrounding development along the Life Core corridor is predominantly medical.
2. Staff has some concerns related to the ability to compare the Pinnacle Drive project with the other apartment complexes provided in the study, in terms of public transportation access as well as nearby, mixed use amenities. The below image shows the number of bus stops (in red with white bus symbols) and mixed use amenities within proximity to Moffett Manor apartments in Warrenton, Virginia. I have taken a similar picture for the proposed project along Pinnacle Drive for comparison, which shows the current concentration of nearby medical development.



Moffett Manor Apartments – Warrenton, Virginia



Pinnacle Drive – Fishersville, VA

3. While some parking reduction may be appropriate, staff is concerned that a 1:1 space per unit ratio may not be sufficient in a corridor that has yet to see the development of nearby food establishments and grocery stores. The addition of a bus stop at Pinnacle Drive will provide some access to various locations along the Stuarts Draft Link, although residents will need to walk along Pinnacle Drive

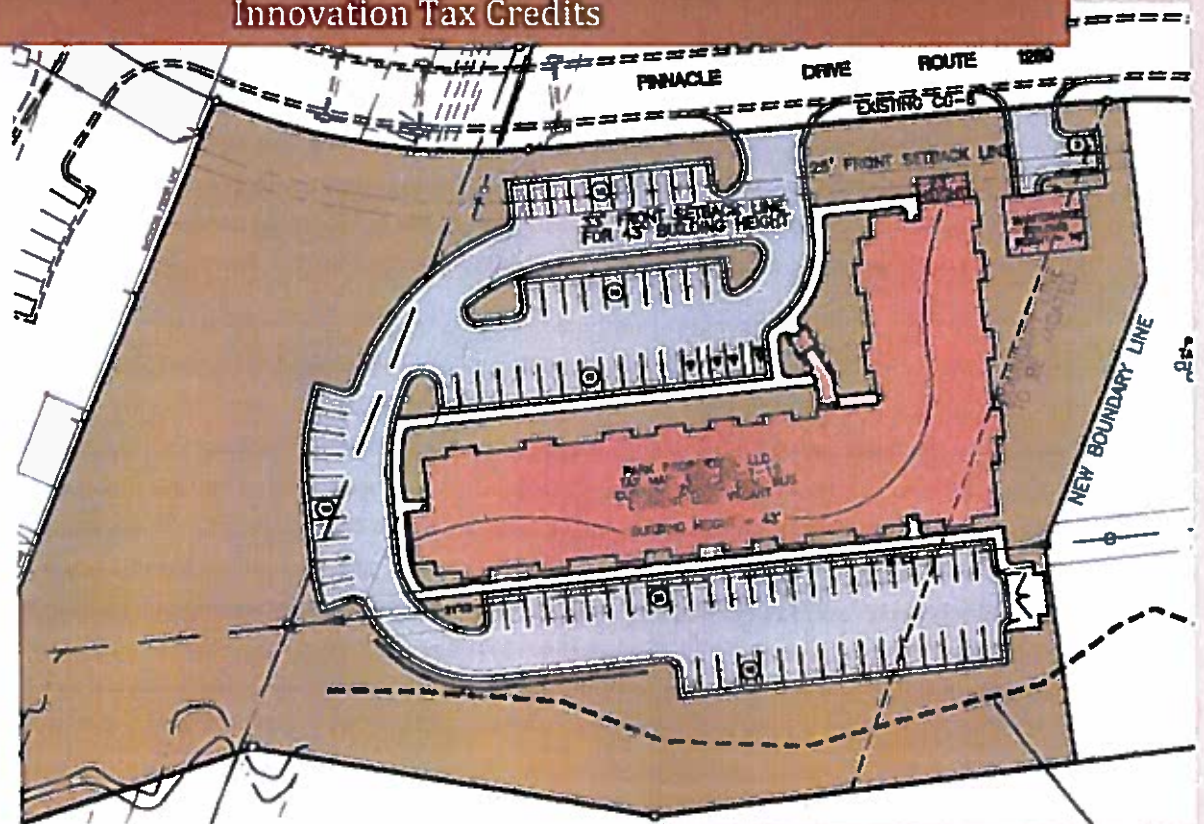
(no sidewalks) to reach the bus stop. One way to mitigate the lack of connectivity would be for the developer to provide a connection of Pinnacle Drive to Parkway Lane and provide pedestrian accommodations to Tinkling Spring Road to increase the ability of residents of the apartment complex to access future business development within the area.

In conclusion, staff does not feel that the provided parking study has risen to a level of analysis that gives staff the ability to make a recommendation to the Board regarding the reduction. With those concerns noted, staff would like to see multi-modal transportation options throughout the Life Core corridor, which may make parking reductions possible.

PARKING STUDY

Gateway Senior Affordable Apartments

Innovation Tax Credits



William N. Park

Gateway Residential Partners LP

5/5/2020

PARKING STUDY- GATEWAY SENIOR APARTMENTS

TMP 66E(6) 1 15

Pursuant to § 25-237.1. of the Augusta County Zoning Ordinance, we are requesting a waiver of the off-street parking requirements for Gateway Senior Apartments. To support this request, we offer the following parking study for similar projects.

On January 22, 2020, the Board of Supervisors unanimously approved rezoning this parcel from General Business to Multi-Family Residential. The planned development will provide affordable housing for seniors 55 and older through the Virginia Housing Development Authority (VHDA) Low Income Housing Tax Credit (LIHTC) program. The apartments will be reserved for seniors 55 + with income below 60% of the Area Median Income [AMI= \$64,300.00; 60% = \$38,580]. Most, if not all residents will be on a fixed income. This is one of two projects statewide which received funding through VHDA Innovation Tax Credits.

The current Zoning Ordinance requires a total of 176 parking spaces: 2 spaces per unit [160 spaces] plus an amount equal to ten percent (10%) of the required parking for guests [16 spaces] *Augusta County Code, Chapter 25 (Zoning) § 25-35, § 25-237.1.* We respectfully request a modification of these off-street parking requirements to allow 88 spaces for this development.

Park Properties Management Company manages multi-family residential communities throughout the Commonwealth. Although localities differ in their parking requirements, it has been our experience that parking supply exceeds demand in all affordable senior housing communities. To support our development objectives and to insure we are providing a product that meets the housing requirements for this population segment we routinely count and observe the parking usages at the properties we manage. *For all similar projects, with the same tenant profile, the actual per unit usage for parking is consistently below one space per unit.* Shown below is a summary table of unit count, parking count, and actual parking usage for these properties. The parking usage is based on numerous counts over various time periods like weekdays, Saturdays and holidays. We have actively managed these 504 units with a combined experience of 91 years, and we have not received any complaints regarding a lack of parking. Details on each community are provided in the Appendix.

Park Properties Senior Housing - Parking Space Analysis

Property	Location	# of units	# of parking spaces	# per unit	# used on average	% of usage	per unit usage
Moffett Manor	Warrenton	98	132	1.3	70	53%	0.5
Maple Manor	Chase City	26	25	1.0	17	68%	0.7
Mountain Run	Culpeper	26	23	0.9	15	65%	0.7
Parc Crest	Farmville	44	70	1.6	65	93%	0.9
Meadows	Culpeper	50	69	1.4	55	80%	0.8
Fieldstone Sr	Blacksburg	60	109	1.8	37	34%	0.3

The current zoning ordinance does not distinguish between residential unit types, per bedroom, or tenant population served while setting the minimum parking requirement of two spaces per dwelling unit for all housing types.

CHAPTER 25 (ZONING) AUGUSTA COUNTY CODE

<https://www.co.augusta.va.us/government/county-attorney/augusta-county-code>

§ 25-35. Number of spaces required.

A. The number of off-street parking spaces required shall be as follows:

Use	Number of spaces required
Dwellings	Two for each dwelling unit. Anything proposed in a Multiple Residential Dwelling district shall provide two per unit plus ten percent of the total number of required spaces for visitor parking. (see also §25-226 and 237.1)

The requirement for two parking spaces per dwelling unit for all housing types does not reflect the reality of vehicle ownership for a senior low-income tenant population. Vehicle ownership is an economic issue. Lower-income and senior households tend to own fewer than average vehicles. A study by the [Bureau of Transportation Statistics](#) shows that “[h]ouseholds living in a rented residence are almost six times as likely to be a zero-vehicle household compared to nonrenters. Similarly, households living in a condominium or apartment are almost five times as likely to be a household with no vehicle compared to those living in single family or other nonapartment dwellings.”

Our experience proves that apartments for low-income seniors have substantially less need for parking as compared to single family homes. Based on this experience, we expect that several of the residents at Gateway will not own a vehicle, some will own one vehicle, and only a few will possibly own two vehicles. With this expectation, a requirement of one space per unit is reasonable. Our request is for 88 spaces for 80 units, a 1.1 space per unit ratio.

In addition, studies consistently show that the cost of parking negatively affects housing affordability, and a number of localities have opted to reduce parking requirements for affordable housing.

- A report focusing on parking and housing affordability finds that: “[m]ost zoning codes and development practices require generous parking supply, forcing people who ...rent housing to pay for parking regardless of their demands. Generous parking requirements reduce housing affordability and impose various economic and environmental costs. ...

Since parking costs increase as a percentage of rent for lower priced housing, and low-income households tend to own fewer vehicles, minimum parking requirements are regressive and unfair. Various parking management strategies can increase affordability, economic efficiency and equity. [Parking Requirement Impacts on Housing Affordability](#). Victoria Transport Policy Institute updates March 2020

- The Urban Land Institute found that state and local regulations influence housing affordability and emphasized that parking minimums were the most noted barrier to affordable housing and recommended localities relax parking minimums: “municipalities can facilitate more efficient development time frames and reduce costs by enabling more by-right development. This can be accomplished by relaxing restrictions related to density, building height, unit size, and parking minimums, thereby freeing developers from the need to seek waivers, variances, or rezoning. [Bending the Cost Curve Solutions to Expand the Supply of Affordable Rentals](#) Urban Land Institute Terwilliger Center for Housing: 24. 2014.
- In 2016, a [Housing Development Toolkit issued by the White House](#) recommended actions to promote affordable housing, including elimination of off-street parking requirements. “Parking requirements generally impose an undue burden on housing development, particularly for ... affordable housing.... Such requirements can also waste developable land, and reduce the potential for other amenities to be included. ... These requirements have a disproportionate impact on housing for low-income households because these families tend to own fewer vehicles but are nonetheless burdened by the extra cost of parking’s inclusion in the development.”
- A study for the Mercatus Center at George Mason University on the effects of land-use regulations found that “[m]inimum-parking-space requirements set a floor on the ratio of parking spaces to residences for single-family homes or apartments. Like minimum-lot-size regulations, they have the effect of limiting density and pushing up housing prices.” [How Land Use Regulation Undermines Affordable Housing](#). Mercatus Center November 2015.
- The National Apartment Association studied multiple issues related to parking and noted that “[f]ew would argue that the cost of parking negatively affects housing affordability given both the cost to build a housing structure and the fact that local jurisdictions often mandate a minimum number of parking stalls. The report lists a number of cities that have reduced or eliminated parking requirements for apartment

development. [The Transformation of Parking](#), National Apartment Association July 20, 2018

Moreover, providing unnecessary and under-utilized parking spaces produces greater impervious surface which negatively impacts the environment, thus leading to larger areas for stormwater quantity and quality.

The proposed Gateway Senior project will be located on Pinnacle Drive. Pinnacle Drive has been accepted into the State Secondary Roadway System and has a right-of-way width of 50-feet and has a curb and gutter section 30-feet wide. The street width exceeds the VDOT standard of 29-feet. The street has minimal traffic and currently terminates with a cul-de-sac. We plan to request that VDOT post a 25 MPH sign which is the design speed for the street. The GS-SSAR VDOT standard this street was designed to meet allows parking on both sides of the street. Based on our other properties we do not feel it will be needed, however if an unexpected future event brings traffic from residents' friends and relatives that exceed the provided on-site parking, refer to the attached site plan from Hamrick Engineering. The attached site plan shows 12 parallel parking spaces along Pinnacle Drive strategically located to provide convenient access to the pedestrian facilities of the development. Employee parking is provided at the maintenance building.

The Central Shenandoah Planning District Commission (CSPDC) recently recognized the benefit to provide a BriteBus stop on Life Core Drive at Pinnacle Drive. In less than two weeks from our initial request for the stop, the Commission approved the stop at its March 11, 2020 meeting. The CSPDC determined the best route for the stop by reviewing existing routes and schedules. The fact that we have approval for an additional stop near the facility is a bonus as it provides an additional means of transit irrespective of the number of parking spaces. To the extent that a Gateway Senior resident needs additional assistance, the Regency transit bus could be made available to assist given proper notice.

The granting of the waiver request will not adversely affect the public health, safety or welfare of the residents. The modification is consistent with design practices for multi-family affordable senior housing.

In addition, this waiver request would only set a precedent for other multifamily projects that could demonstrate equivalent restrictions on age, income, and the utilization of innovation tax credits.

Respectfully submitted,

Gateway Residential Partners LP


William N. Park

Manager of General Partner

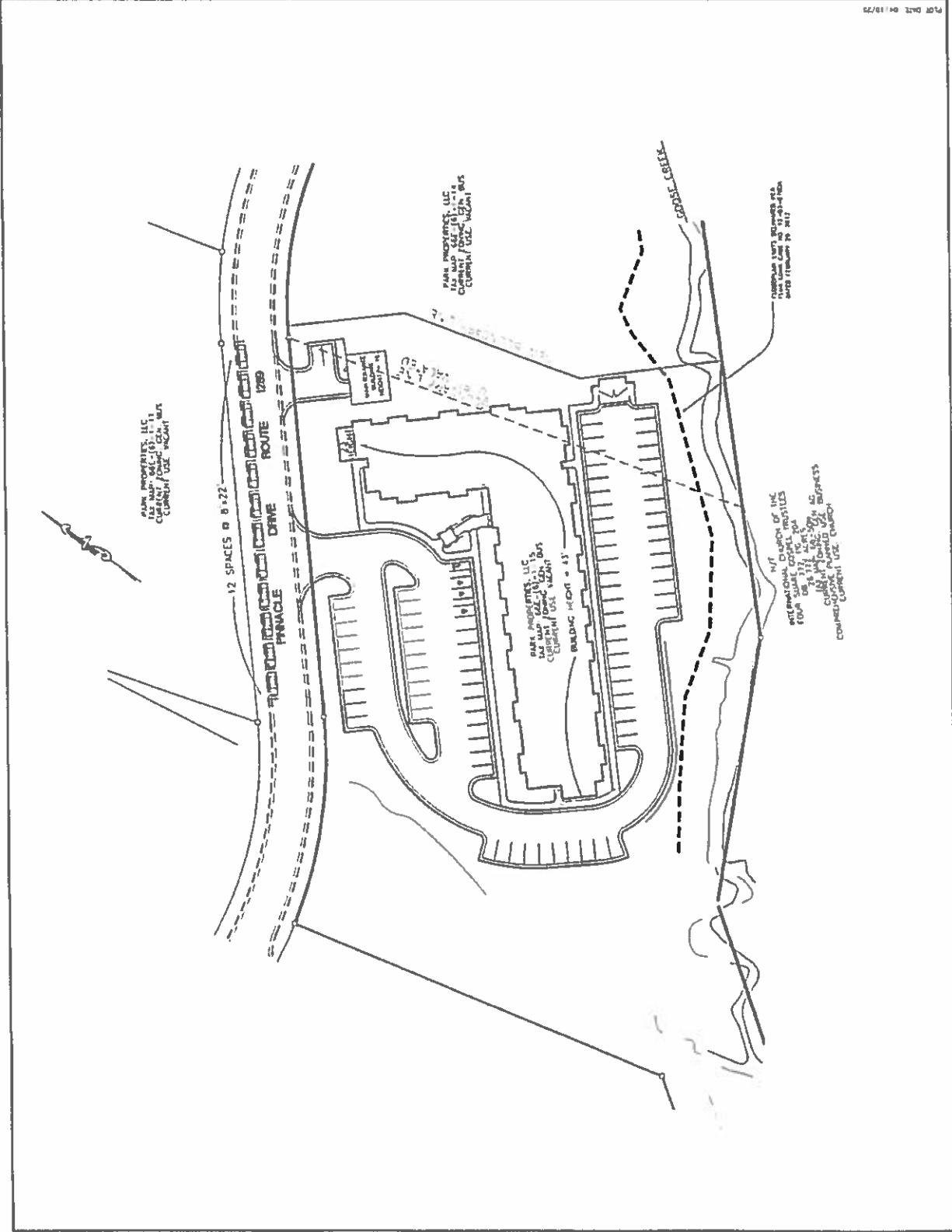
APPENDIX

- **Site plan**
- **Senior Affordable Housing Communities:**
 - **Moffett Manor**
 - **Maple Manor**
 - **Mountain Run**
 - **Parc Crest**
 - **Meadows at Northridge**
 - **Fieldstone**
- **Excerpt from Augusta County Code**

DATE	08/18/23
SCALE	1" = 50'
DATE	08/18/23
PROJECT	1 OF 1

GATEWAY SENIOR LIVING FACILITY
 WATKINS DISTRICT
 ALBERTA COUNTY, VIRGINIA

PRELIMINARY
 UTILITY LAYOUT



12 SPACES @ 8 x 22

ROUTE 1789
 PRINGLE DRIVE

STREET 13800

PARK PROPERTIES, LLC
 1500 W. GATEWAY RD.
 CURRENT ZONING: M-1
 CURRENT USE: VACANT

PARK PROPERTIES, LLC
 1500 W. GATEWAY RD.
 CURRENT ZONING: M-1
 CURRENT USE: VACANT

BUILDING HEIGHT = 41'

MT INTERNATIONAL CHURCH OF INC
 1004 S. STATE STREET, SUITE 204
 DEPT. OF 8171, NEW YORK, NY
 CURRENT ZONING: M-1
 CURRENT USE: CHURCH

CONTRACT NO. 17-03-1789
 THIS PLAN WAS MADE BY THE ENGINEER
 ON 08/18/23

MOFFETT MANOR, WARRENTON VA

Moffett Manor is located in Warrenton, Virginia. The community was developed for the Warrenton Volunteer Fire Department on the parcel adjacent to their service facility. Moffett Manor consists of 98 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 60% of the Area Median Income.

Construction was completed in 2007. Occupancy as of March 2020 is 98%. One hundred thirty-two parking spaces are provided, but typical usage has been 0.5 per unit. Shared parking is not available.

Bus service available through Virginia Regional Transit.

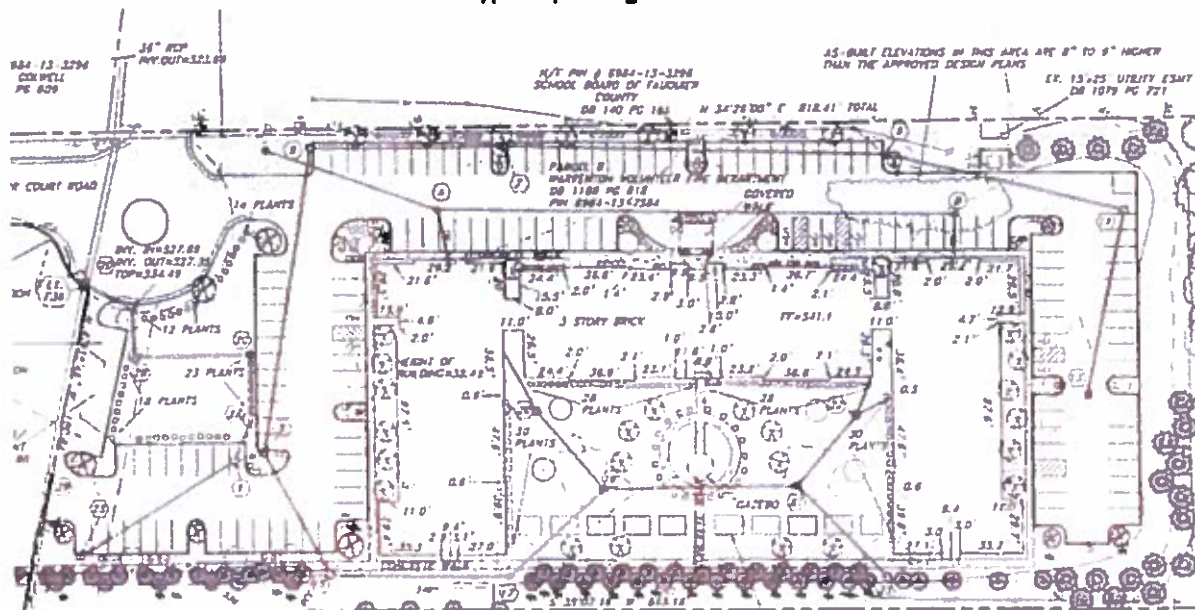
Residential Units:	98
Parking spaces provided:	132
Parking spaces per unit:	1.3
Parking spaces used (typical):	70
Percent of typical usage:	53%
Per unit typical usage:	0.5



MOFFETT MANOR, WARRENTON VA



Typical parking lot view.



Site plan

MOFFETT MANOR, WARRENTON VA



Google Maps aerial view with typical parking lot usage.

MAPLE MANOR, CHASE CITY VA

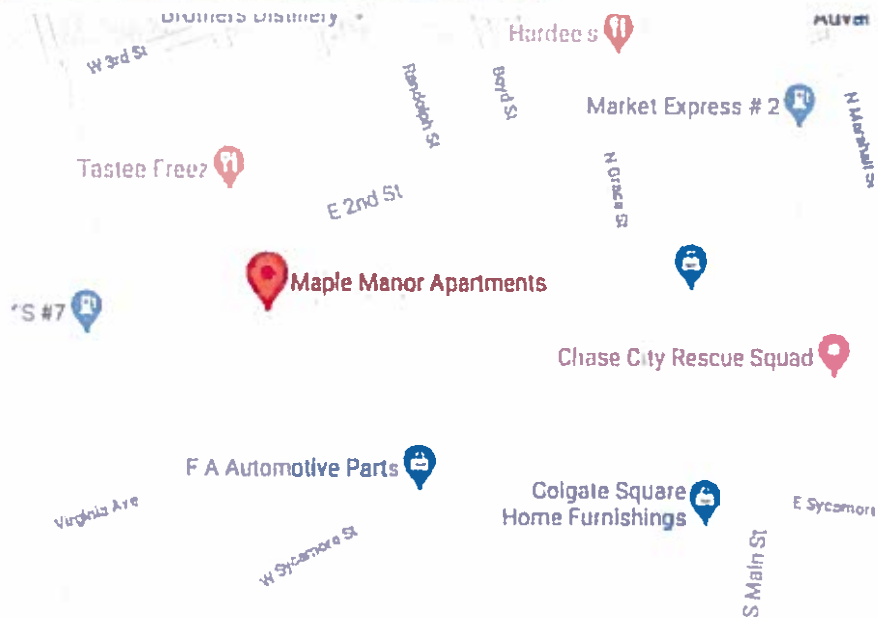
Maple Manor is located in Chase City, Virginia and is a rehabilitation and adaptive reuse of the historic local high school.

Maple Manor consists of 26 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 60% of the Area Median Income.

Construction was completed in 1992. Occupancy as of March 2020 is 100%. Twenty-five parking spaces are provided, but typical usage has been 0.7 per unit. Shared parking is not available.

Maple Manor is not served by a public transit system.

Residential Units:	26
Parking spaces provided:	25
Parking spaces per unit:	1.0
Parking spaces used (typical):	17
Percent of typical usage:	68%
Per unit typical usage:	0.7



MAPLE MANOR, CHASE CITY VA

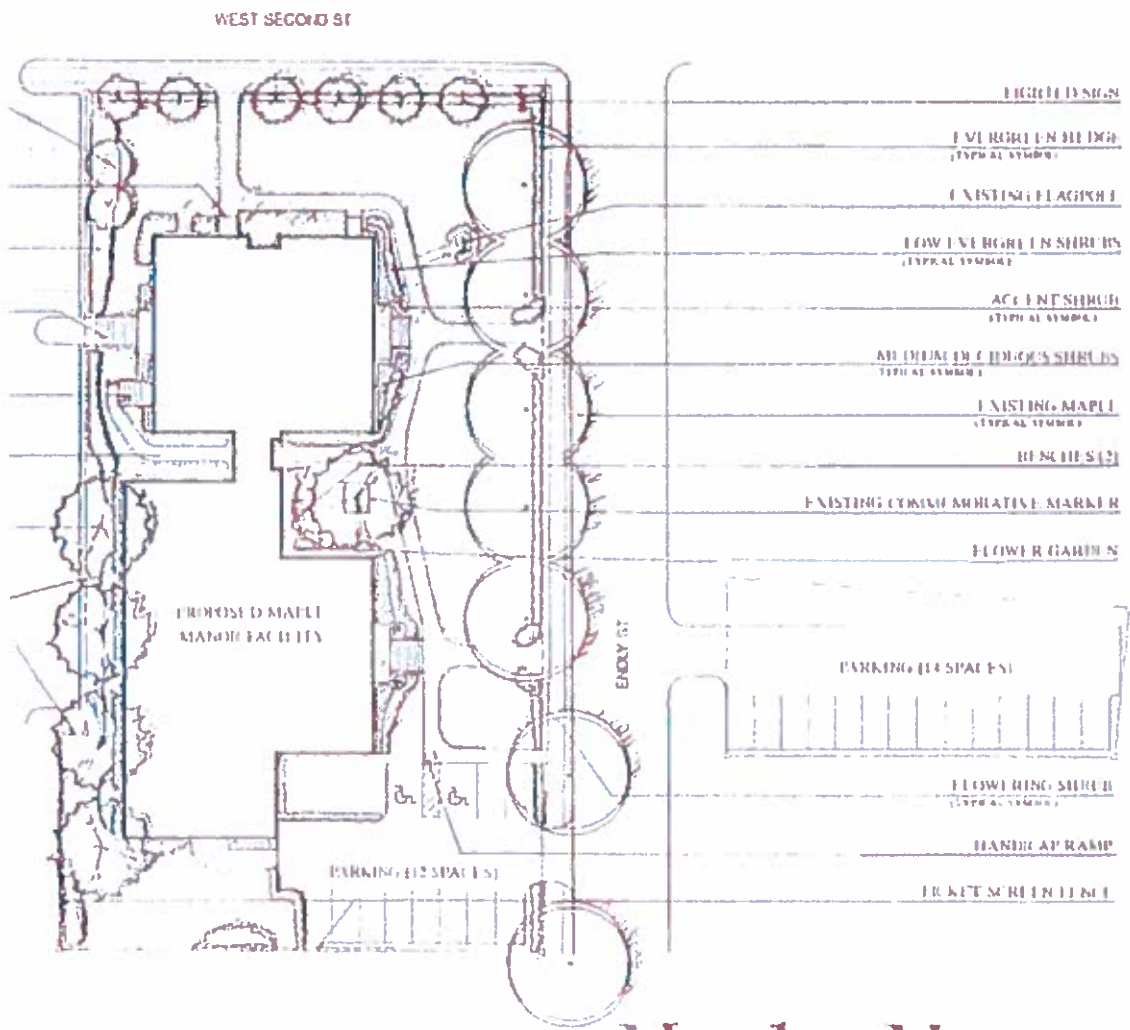


MAPLE MANOR, CHASE CITY VA



Google Maps aerial view with typical parking lot usage. Parking includes 14 spaces in lot across Endly Street.

MAPLE MANOR, CHASE CITY VA



Maple Manor

SITE PLAN

Park Enterprises, Inc.

Site plan

MOUNTAIN RUN, CULPEPER VA

Mountain Run is located in Culpeper, Virginia.

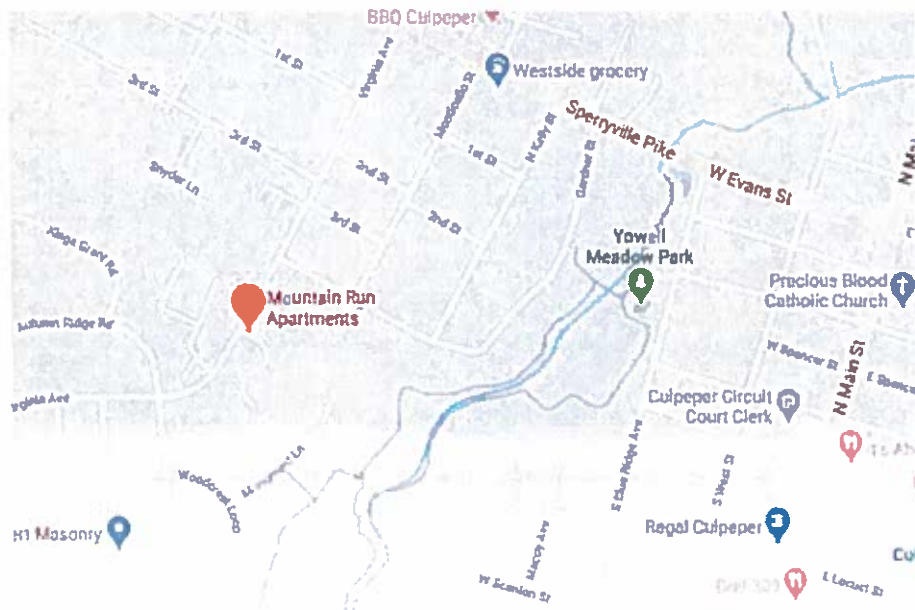
Mountain Run consists of 26 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 50% of the Area Median Income.

Construction was completed in 1999.

Occupancy as of March 2020 is 98%. Twenty-three parking spaces are provided, but typical usage has been 0.7 per unit. Shared parking is not available.

Trolley/bus service is provided by Virginia

Residential Units:	26
Parking spaces provided:	23
Parking spaces per unit:	0.9
Parking spaces used (typical):	15
Percent of typical usage:	65%
Per unit typical usage:	0.7

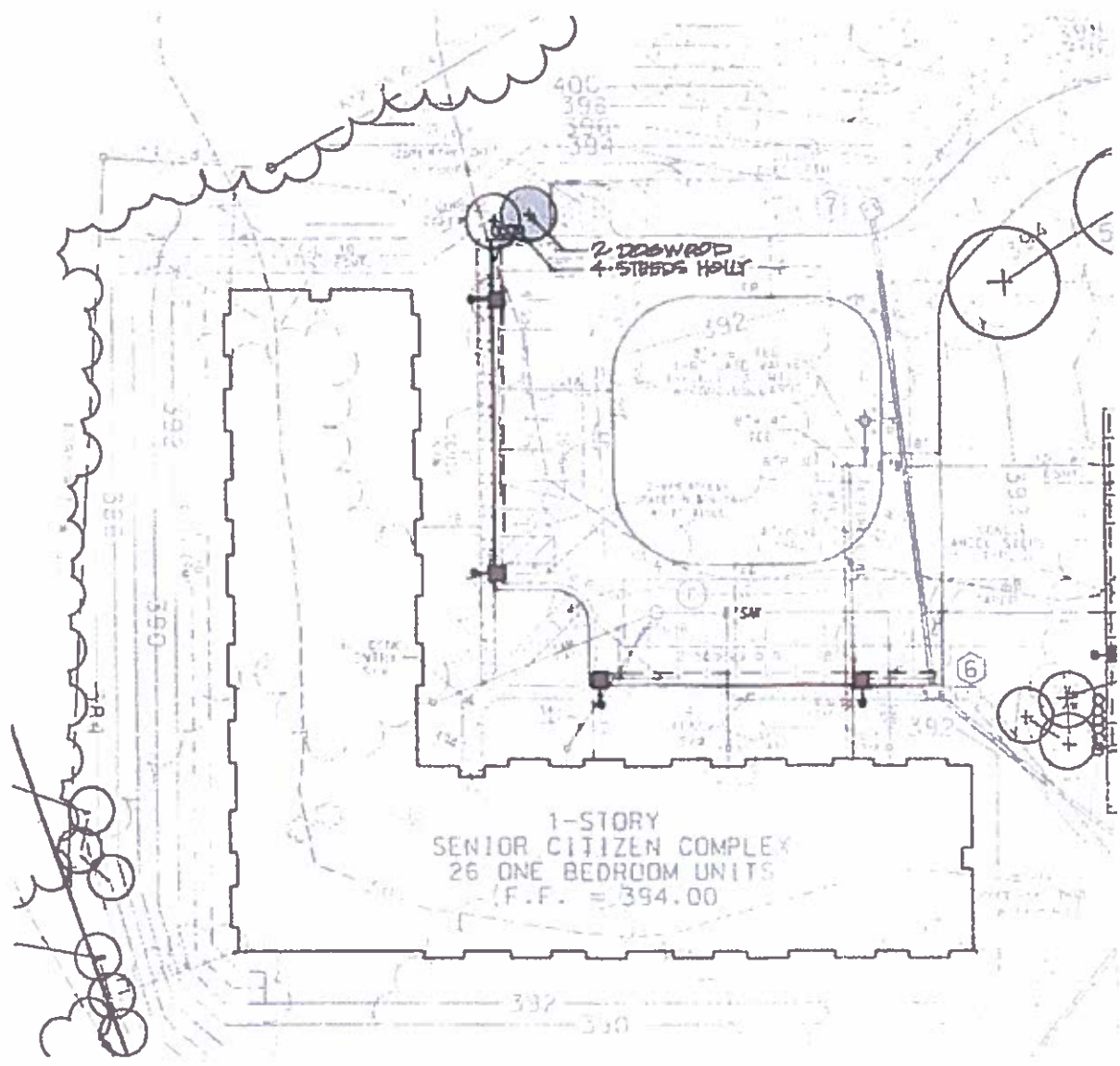


MOUNTAIN RUN, GULF PER VA



Google Maps aerial view with typical parking lot usage.

MOUNTAIN RUN, CULPEPER VA



Site plan

PARC CREST AT POPLAR FOREST, FARMVILLE VA

Parc Crest is located in Farmville, Virginia.

Parc Crest consists of 44 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 60% of the Area Median Income.

Construction was completed in 2008. Occupancy as of March 2020 is 98%. Seventy parking spaces are provided, but typical usage has been 0.9 per unit. Shared parking is not available.

Limited bus service is available through Farmville Area Bus.

Residential Units:	44
Parking spaces provided:	70
Parking spaces per unit:	1.6
Parking spaces used (typical):	65
Percent of typical usage:	93%
Per unit typical usage:	0.9

ocial Security Office

15

460

460

628

Prince Edward
County High School
Temporarily closed

Lowe's Home
Improvement

New Favers

Firemen's Sports Arena

Prince Edward
County Extension

628

Poplar Forest Apartments

628

PARC CREST AT POPLAR FOREST, FARMVILLE VA

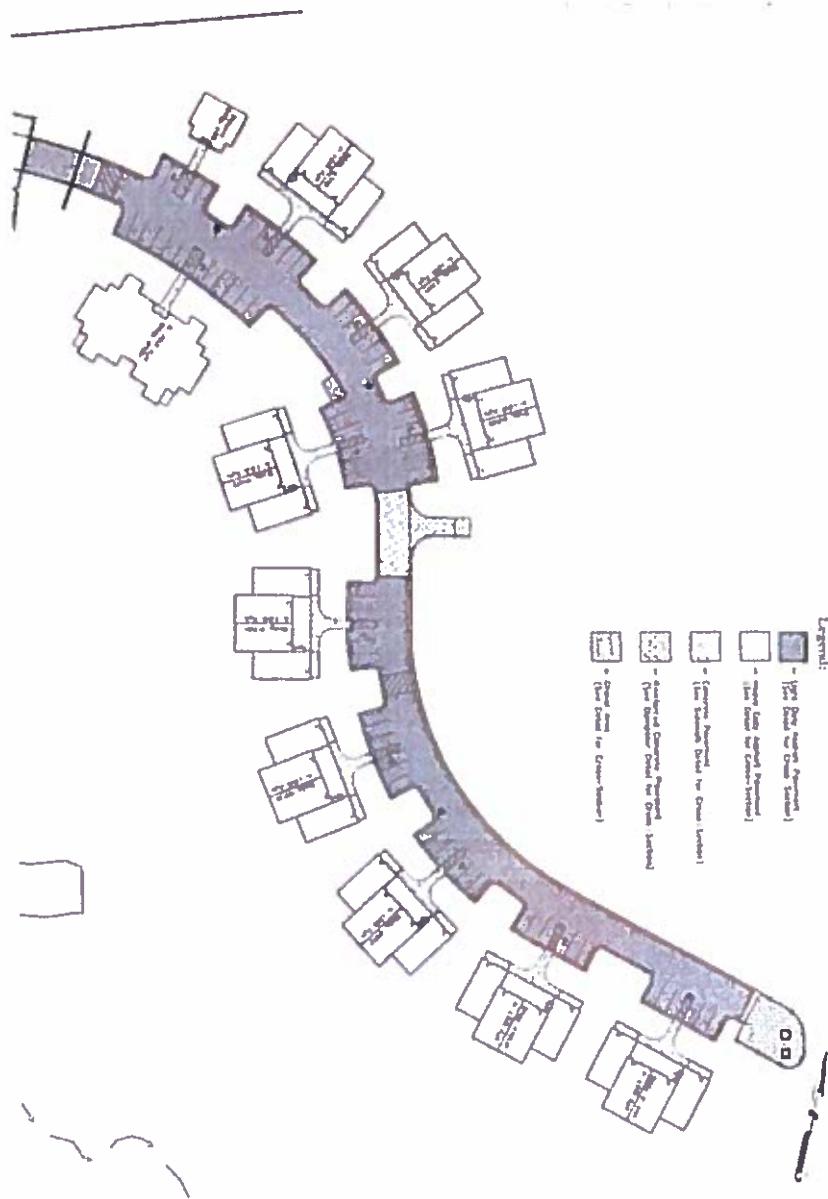


PARG CREST AT POPLAR FOREST, FARMVILLE VA



Google Maps aerial view with typical parking lot usage.

PARC CREST AT POPLAR FOREST, FARMVILLE VA



Site Plan

MEADOWS AT NORTHRIDGE APARTMENTS, CULPEPER VA

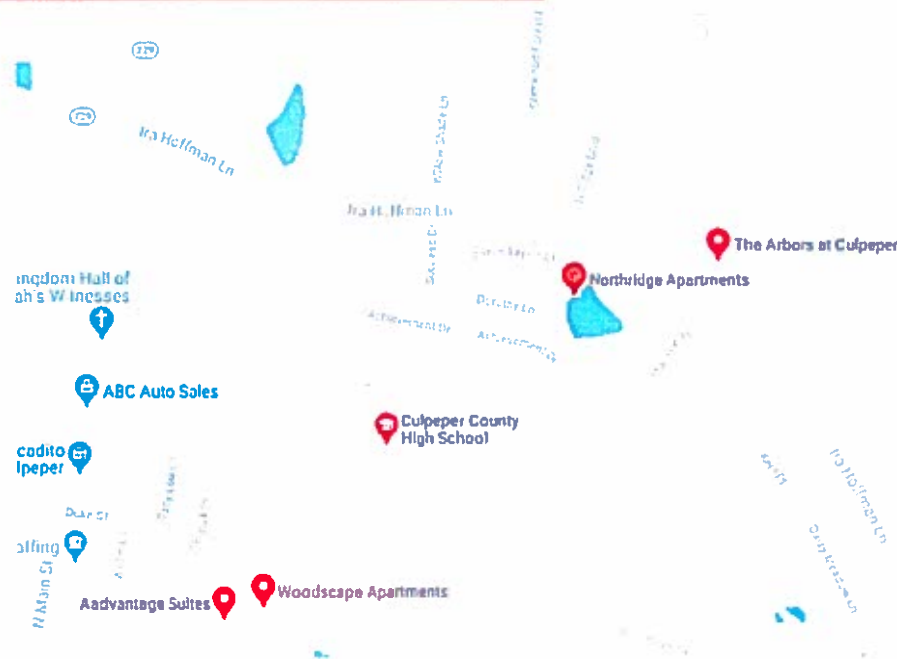
Meadows at Northridge is located in Culpeper, Virginia.

Meadows consists of 50 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 50% of the Area Median Income.

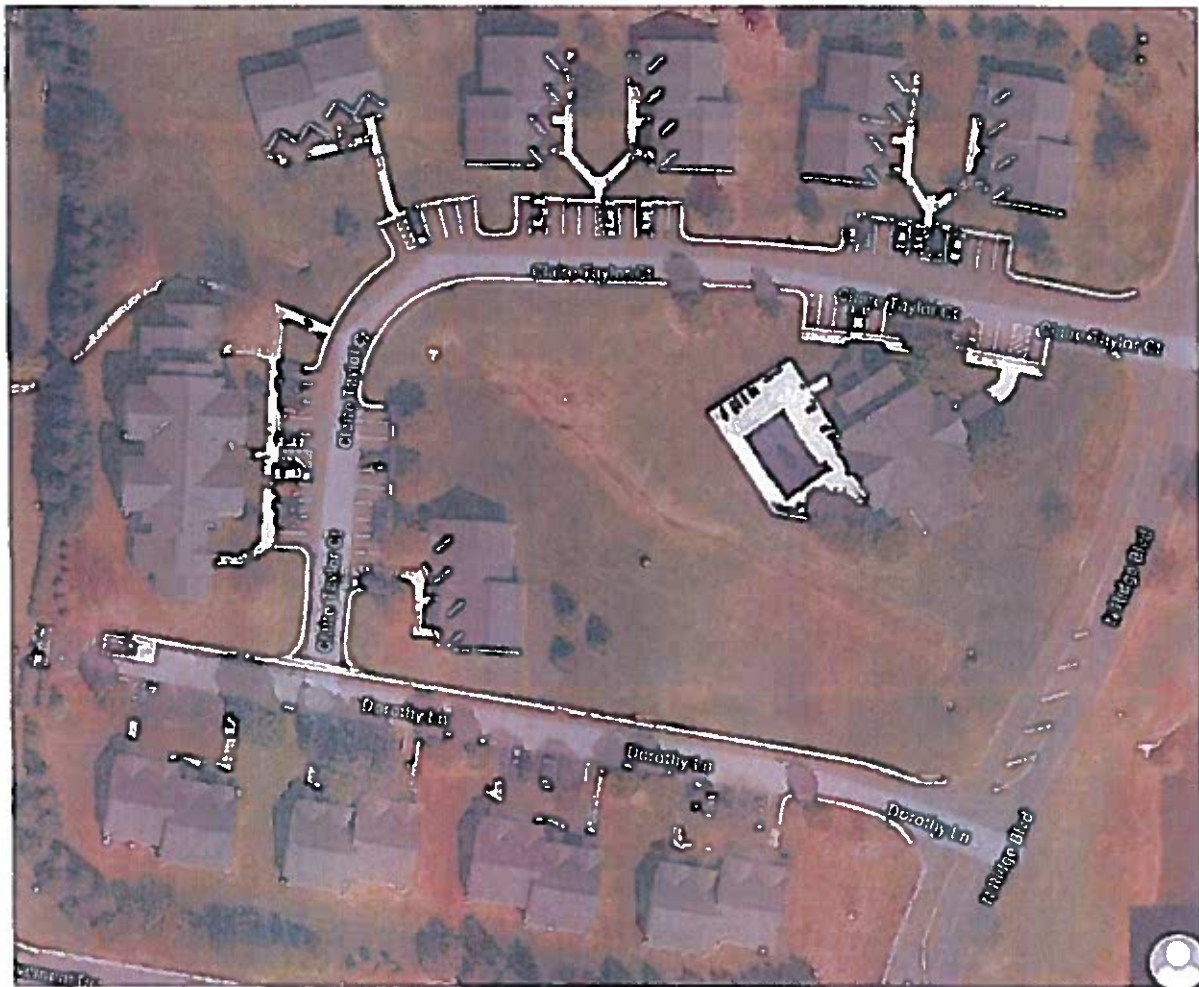
Construction was completed in 2005. Occupancy as of March 2020 is 98%. Sixty-nine parking spaces are provided, but typical usage has been 0.8 per unit. Shared parking is not available.

Bus service provided by Virginia Regional Transit.

Residential Units:	50
Parking spaces provided:	69
Parking spaces per unit:	1.4
Parking spaces used (typical):	55
Percent of typical usage:	80%
Per unit typical usage:	0.8

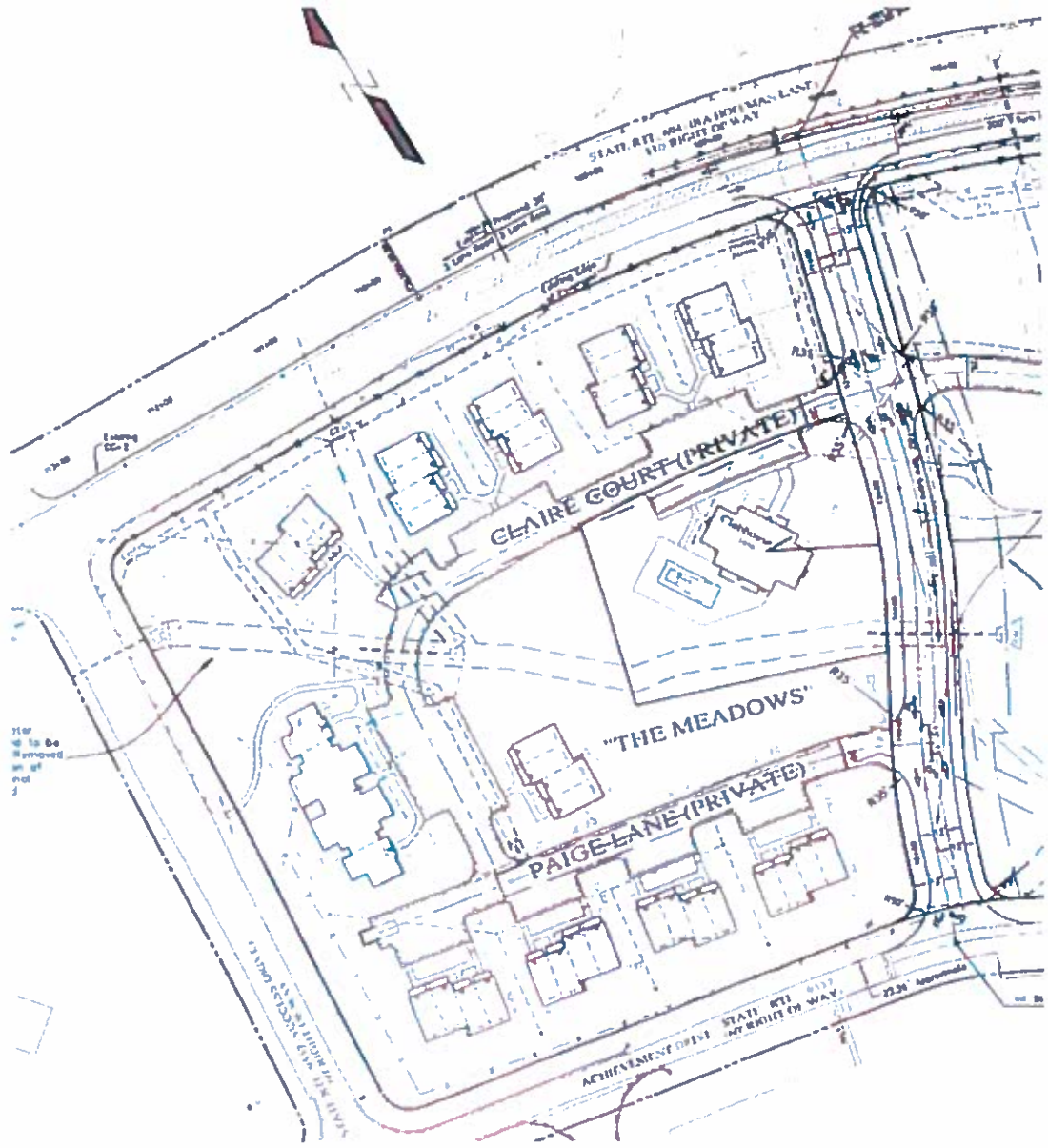


MEADOWS AT NORTHRIDGE APARTMENTS, CULPEPER VA



Google Maps aerial view with typical parking lot usage.

MEADOWS AT NORTHBRIDGE APARTMENTS, CULPEPER VA



Site Plan

FIELDSTONE SENIOR, BLACKSBURG VA

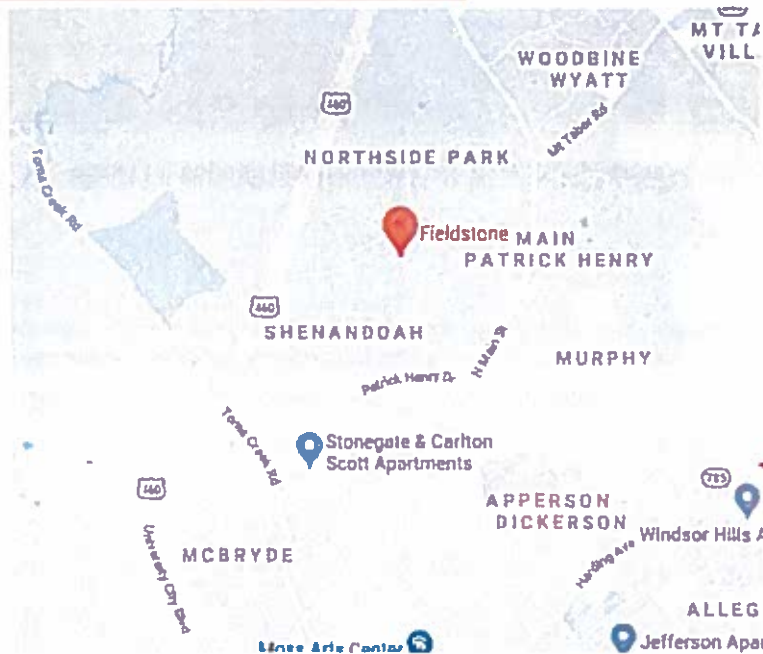
Fieldstone Senior is located in Blacksburg, Virginia.

Fieldstone Senior consists of 60 independent living units for seniors (55+) and provides affordable housing to residents with incomes not more than 60% of the Area Median Income.

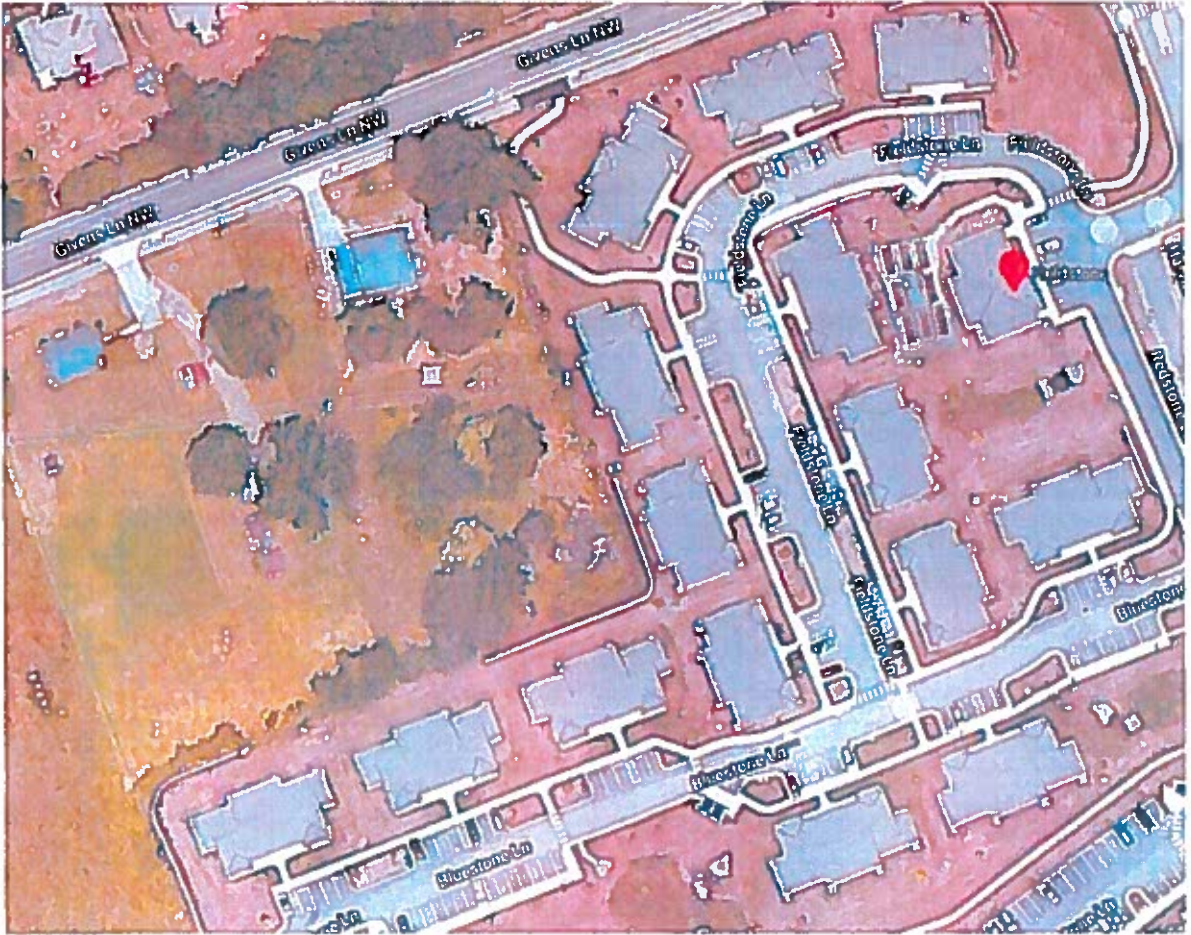
Construction was completed in 2018. Occupancy as of March 2020 is 93%. One hundred nine parking spaces are provided (1.8 per unit), but typical usage has been 0.3 per unit. Shared parking is not available.

Bus service is available through Blacksburg Transit.

Residential Units:	60
Parking spaces provided:	109
Parking spaces per unit:	1.8
Parking spaces used (typical):	37
Percent of typical usage:	34%
Per unit typical usage:	0.3

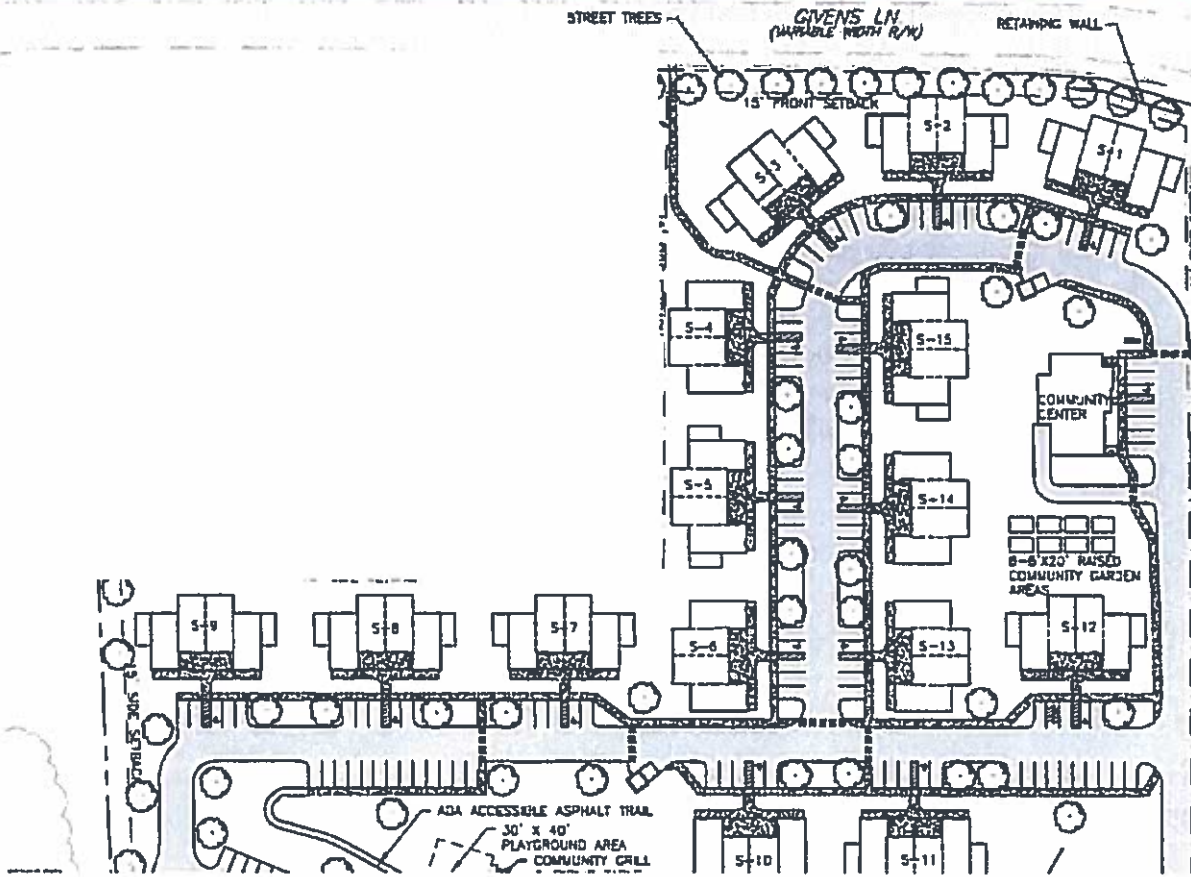


FIELDSTONE SENIOR, BLACKSBURG VA



Google Maps aerial view with typical parking lot usage

FIELDSTONE SENIOR, BLACKSBURG VA



Site Plan

Excerpts from [Augusta County Code](#):

25-237.1. Additional parking required.

In addition to the parking required in §25-35 A , guest parking and parking at the school bus pick-up point(s) shall be provided. In addition to the required parking for individual dwelling units, an amount equal to ten percent (10%) of the required parking spaces shall be provided. These requirements may be modified or waived in an individual case if the board of supervisors finds upon presentation of a parking study or similar documentation from the applicant that the public health, safety or welfare would be equally or better served by the modification or waiver; that the modification or waiver would not be a departure from design practice; and the modification or waiver would not otherwise be contrary to the purpose and intent of this chapter. In granting a modification or waiver, the board of supervisors may impose such conditions as deemed necessary to protect the public health, safety or welfare. (Ord. 09/28/11)

A G E N D A

REGULAR MEETING OF THE AUGUSTA COUNTY BOARD OF SUPERVISORS

WEDNESDAY, MAY 27, 2020, at 7:00 p.m.

Board Meeting Room, Government Center, Verona, VA

ITEM NO.	DESCRIPTION
7:00 P.M.	PLEDGE OF ALLEGIANCE INVOCATION - Public participation is optional; those who wish to join the Board of Supervisors in prayer are asked to remain standing after the Pledge.
5-14	<u>LIVESTOCK CLAIM</u> Consider a claim filed by Mary and Randolph Covington in the amount of \$394.00 Funding Source: Livestock Reimbursement Fund 35010-5802 \$394.00
5-15	<u>HAZMAT EMERGENCY RESPONSE PLAN</u> Consider adoption of the Staunton-Augusta-Waynesboro HAZMAT Emergency Response Plan resolution.
5-16	<u>MILL PLACE COVENANTS</u> Consider proposed revisions to the covenants.
5-17	<u>WAIVERS</u> Consider a parking waiver request for William Park's affordable senior apartments.
5-18 5-18.1	<u>CONSENT AGENDA (SEE ATTACHED)</u> <u>MINUTES</u> Consider minutes of the following meeting: <ul style="list-style-type: none">• Regular Meeting, Wednesday, April 22, 2020 <p style="text-align: center;">** (END OF CONSENT AGENDA) **</p>
5-19	<u>MATTERS TO BE PRESENTED BY THE PUBLIC</u>
5-20	<u>MATTERS TO BE PRESENTED BY THE BOARD</u>
5-21	<u>MATTERS TO BE PRESENTED BY STAFF</u>
5-22	<u>CLOSED SESSION (SEE ATTACHED)</u>

Regular Meeting, Wednesday, April 22, 2020, 7:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald Garber, Chairman
Pam L. Carter, Vice-Chair
Butch Wells
Michael L. Shull
Scott Seaton
Jeffrey Slaven
Steven Morelli
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
James Benkahla, County Attorney
Angie Michael, Executive Assistant (Via Electronic)

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, April 22 2020, at 7:00 p.m., at the Government Center, Verona, Virginia, and in the 244th year of the Commonwealth....

.....

Chairman Garber welcomed the citizens present.

.....

Mr. Morelli led the Pledge of Allegiance.

.....

Mr. Shull, Supervisor for the Riverheads District, delivered the invocation.

.....

PUBLIC HEARINGS – Director of Finance Presentation

Misty Cook, Director of Finance, announced that there would be two public hearings. One hearing is on the proposed tax rate and the second hearing is on the revised budget for 2019-2020 and the proposed budget for 2020-2021. Ms. Cook gave a PowerPoint presentation with the following highlights:

The Code of Virginia (§ 15.2503) does the following:

- Sets the fiscal year for localities (July 1 through June 30)
- Sets deadline for presentation of budget to Board of Supervisors by April 1 (Work session March 18th)
- Sets public hearing notice requirements (seven days before the public hearing)
- Sets minimum period before budget approval
- Sets deadline for State agencies to provide information to localities after General Assembly session (within 15 days)
- The County is required to approve a budget by July 1

April 22, 2020, at 7:00 p.m.

PUBLIC HEARINGS – Director of Finance Presentation (cont'd)

Budget process is a cooperative effort:

- Departments of the County
- Community Agencies
- School Board
- Shenandoah Valley Social Services
- Regional Agencies

The budget is a cooperative effort that is affected by many components. Departments/Schools/Regional entities draft a budget, Finance and Co. Admin compile a balanced budget within current revenue streams, the Board of Supervisors reviews and decides what to advertise. At the public hearing, the public input is shared with the Board of Supervisors and taken into consideration before approving the budget and setting a tax rate. The budget is set to be approved Wednesday, May 13, 2020.

School Funding Increase:

Formula Funding FY20	\$ 44,197,758
Funding School Capital-Buses	\$ 1,080,000
Total Funding FY20	\$ 45,277,758

FY20 Formula Funding	\$ 44,197,758
Formula Funding-Growth FY21	\$ 1,346,575
Total Formula Funding FY21	\$ 45,544,333
Plus Recurring CIP School	
Transfer-buses	\$ 1,080,000
Total Funding FY21	\$ 46,624,333

The advertised proposed tax rates for 2020 are:

Rate per \$100/assessed value as advertised:

	<u>2019</u>	<u>2020</u>
Real Estate	\$0.63	\$0.63
Personal Property:		
Vehicles	\$2.50	\$2.50
Other ⁽¹⁾	\$2.00	\$2.00
Other ⁽²⁾	\$2.50	\$2.50

(1) Business, large trucks and trailers, machinery & tools

(2) Campers, boats, boat trailers, horse trailers, airplanes and trailers

Total revenue in the FY20 Budget: \$202,177,315

Property Taxes	\$ 68,238,500
Local Revenue	\$ 41,878,649
State Revenue	\$ 80,038,528
Federal Rev.	\$ 11,175,452
Other ⁽¹⁾	\$ 846,186

⁽¹⁾non-revenue receipts

April 22, 2020, at 7:00 p.m.

PUBLIC HEARINGS – Director of Finance Presentation (cont'd)
Expenditures for the FY20 Budget: \$204,378,752

General Govt	\$ 4,957,761
Judicial	\$ 2,675,124
Public Safety	\$ 25,044,305
Public Works	\$ 4,634,556
Health & Welfare	\$ 20,421,062
Recreation	\$ 2,897,124
Community Dev.	\$ 2,293,133
Contributions	\$ 1,328,250
Education	\$123,313,948
School Capital Improv.	\$ 1,503,488
Debt Service	\$ 7,956,961
Capital Improvements	\$ 7,353,040

Creating a budget has been in process since December 2019. The advertised revenue estimates were completed prior to the COVID-19 crisis.

Potential Revenue Losses for FY20

Type of Tax	Projected loss %	Projected loss \$
Sales	10% June only	60,000
Meals	50% x 3 months	350,000
Lodging	50% x 3 months	100,000
Business License (due 3/1/20)	N/A	N/A
Interest Income	70%-Change in rate mid-March	175,000
Real Estate	1% decrease in collections	250,000
Penalty on Taxes	Penalty 0% from 6/5-6/30	50,000
Interest on Taxes	Rate reduced from 10% to 5%-6/5 to 6/30	16,500
	Total	1,001,500

April 22, 2020, at 7:00 p.m.

PUBLIC HEARINGS – Director of Finance Presentation (cont'd)

Proposed reductions for the FY20 budget include eliminating a capital transfer of \$442,000.00 and reduce the FY20 operating expenses by \$559,500 to include a hiring freeze, utilizing savings related to part time positions and non-personnel expenditure reductions.

Potential Revenue Losses FY21:

Type of Tax	Projected % Loss	Projected \$ Loss
Real Property	1%	460,560
Personal Property	5%	650,550
Sales	10%	640,000
Business License	25%	950,000
Lodging	25%	155,750
Meals	25%	637,500
All other	5%	1,699,387
	Total	5,193,747

Ms. Carter asked for examples of what qualifies as all other.

Ms. Cook stated that all other would include penalty and interest for the property taxes. Interest on investments is included in that category. There is also an allocation for state funding.

Proposed reductions for FY21 include the following:

- Eliminate proposed pay increase
- Continue hiring freeze on all open positions and re-classes in the recommended FY21 budget
- Reduce operating budgets of all departments by 5-10%
- Reallocate one-time capital funding, previously allocated to the courthouse
- Reduce regional contribution funding
- Analysis of potential adjustments in services

These proposed reductions do not affect any funding for the schools for FY21.

Mr. Fitzgerald stated that he is comfortable with the FY20 reductions. The FY21 budget is a harder goal to achieve. At the meeting in May, the Board will be considering the

April 22, 2020, at 7:00 p.m.

PUBLIC HEARINGS – Director of Finance Presentation (cont'd)

revised revenue numbers. This is an estimate. There is no way of knowing what the outcome will be. Also not included are the grant opportunities that will be available.

Ms. Carter asked what the references are that are being monitored to come up with projections.

Ms. Cook stated that Old Dominion University put out a survey based on the Commonwealth of Virginia with projections. That study will be updated periodically. VGLMA also put out a study.

Mr. Shull asked if there were suggestions from the state of what may be cut from the budget.

Ms. Cook stated that there were no projections from the state to date.

Mr. Fitzgerald pointed out that the schools would be making changes due to state funding being reduced.

Mr. Fitzgerald gave the call in information for citizens to be able to call in during the public hearing.

The Chairman declared the public hearing on the FY20 revised and FY21 budget to be open.

Tracy Pyles of Churchville made the following statement via telephone:

I am glad for the opportunity to address the Board. I am hoping that the Board has a change of heart in priority. Over the years, there has been a tax increase placed upon the citizens of Augusta County that totals more than \$7 million. This tax increase equates to more than \$100.00 per taxpayer in Augusta County. That was wrong to do and needs to be reversed. The assessment increase is acceptable. It is reflective of inflation and growing businesses and that is appropriate to take. The tax rate increase was something that should not have happened. The people of Augusta County work hard and more is being taken from them than is needed. The additional money is being taken to build a courthouse. Mrs. Carter has stated that she wanted to hear from the people. The people spoke very solidly three years ago about not wanting a courthouse and \$35 million. How that can be interpreted to a courthouse and \$70 million defies all logic. Defies the ability to access what the people want and how they should deliver it. This is taxation with poor representation. It is misrepresentation. When I look at the budget, I am not able to see the full budget, as I should be able to see as a member of the public. Many of the appendixes should have been included with details of where the money is going to go, but they are not. Ms. Cook spoke about the changes in revenue and that should have been included in the complete budget, but it was not. We are going to weigh in on budget tonight that is irreverent in terms of what money is coming in and how it is going out. It is unfair to the people. We cannot speak knowledgeably about the budget. It should be an open door. My belief is that you must return us back to \$.58 tax rate. The \$.63 is the largest in memory. When I was on the Board, \$.58 was considered what we had to live within for a sufficient budget. Everybody in the County has to limit what he or she gets. The ability to take people's money should always be a last resort not a first resort. As we see what is going on in the Nation today, we know that the average person is being hurt. The Board talks about the hits the budget is going to have. What are the hits that the people are going to have? The reason that the state budget is hurting is because the people are hurting. You can go around the county and look at the people who are not having the same revenue they had before. Look at the agriculture people. Lamb sales are not happening because restaurants are not buying lambs. Milk is being thrown away

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PUBLIC HEARINGS – Director of Finance Presentation (cont'd)

throughout the country and the prices are not good. People are out of work. I have been on social security for ten years. The tax increases over the past two years have been greater than my increases in social security over the ten years of receiving it. We need to start thinking about the people and shared burdens. I have sent ideas on how to lower the cost more. We should not have three emergency centers. Offer early retirement to employees with thirty plus years of service. Cut as necessary to meet your income that the citizens can afford to pay. To do less is to renege on the promise to the people to look out for them. If your first message is to look out for the government, you are in the wrong business. Too many of us struggle in our lives trying to make ends meet. You need to bring your tax rate down. If you want to do what is right, you will reduce the tax rate and adjust your spending to that.

Robin Hawks of Mt. Sidney submitted the following email for public record:

Dear BOS and Mr. Fitzgerald: I am concerned that you are presenting a pre-COVID-19 budget proposal. You know that there will be significant cuts in state and local revenue. By submitting an unrealistic budget, you are essentially removing the taxpayer's ability to comment or express concern about where the cuts will occur. This process does not allow any access, oversight, or input from the public regarding the "real" budget. To remedy this, I am requesting that you hold another public hearing when the actual budget is formulated. The taxpayer is at the top of your organizational chart. I ask that you honor this position by committing to another public hearing on the budget as soon as the budget figures are known. For the record, please include these comments in the public hearing. Thank you.

By the way- I applaud your efforts to correct the technology problems of the last board meeting.

Barry DeLange submitted the following email for public record:

Dear BOS and Mr. Fitzgerald: I am concerned that you are presenting a pre-COVID-19 budget proposal. You know that there will be significant cuts in state and local revenue. By submitting an unrealistic budget, you are essentially removing the taxpayer's ability to comment or express concern about where the cuts will occur. This process does not allow any access, oversight, or input from the public regarding the "real" budget. To remedy this, I am requesting that you hold another public hearing when the actual budget is formulated. The taxpayer is at the top of your organizational chart. I ask that you honor this position by committing to another public hearing on the budget as soon as the budget figures are known. For the record, please include these comments in the public hearing. Thank you.

Kristina DeLange submitted the following email for public record:

Dear BOS and Mr. Fitzgerald: I am concerned that you are presenting a pre-COVID-19 budget proposal. You know that there will be significant cuts in state and local revenue. By submitting an unrealistic budget, you are essentially removing the taxpayer's ability to comment or express concern about where the cuts will occur. This process does not allow any access, oversight, or input from the public regarding the "real" budget. To remedy this, I am requesting that you hold another public hearing when the actual budget is formulated. The taxpayer is at the top of your organizational chart. I ask that you honor this position by committing to another public hearing on the budget as soon as the budget figures are known. For the record, please include these comments in the public hearing. Thank you.

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PUBLIC HEARINGS – Director of Finance Presentation (cont'd)

There being no other speakers, the Chairman declared the public hearing closed.

END OF PUBLIC HEARINGS

AUGUSTA HEALTH CERTIFICATE OF PUBLIC NEED REQUEST RESOLUTION

The Board considered the following resolution:

WHEREAS, the County of Augusta, Virginia benefits greatly from a healthy community and the provision of healthcare services by Augusta Health; and
WHEREAS, Augusta Health has been providing access to high quality medical care to our (residents/employees) for more than 25 years; and
WHEREAS, Augusta Health has recognized an increasing need for additional diagnostic testing procedures for its patients; and
WHEREAS, Augusta Health is perfectly positioned to establish a freestanding diagnostic testing facility on its campus to further serve ours and the surrounding communities; and
WHEREAS, Augusta Health and its providers will be able to provide comprehensive outpatient diagnostic services with this facility and provide an enhanced level of care to its patients; and
WHEREAS, Augusta Health strives to provide comprehensive, local care for its patients and this project will allow it to deliver a full complement of services for the local patient population in their home communities; now, therefore, be it
RESOLVED by the County of Augusta, Virginia that it hereby supports and urges the Virginia State Health Commissioner to approve Augusta Health's project and allow for the establishment of an outpatient diagnostic testing facility on its campus, thereby meeting the community need and expanding its ability to provide optimal care for its patients.

Mr. Fitzgerald stated that there has been a request from Augusta Health for the Board to adopt a resolution of support for a Certificate of Public Need. A memo was included in the agenda packet from Augusta Health in regards to the project. Augusta Health has a new strategic plan called, The Journey 2025 Plan and as part of that plan, they are going to develop a dedicated outpatient pavilion for surgical and breast care and imaging services. This will be on the hospital campus, but in a separate building. As part of the project, there is a 13,000 square foot imaging center on site. They would like to include an additional MRI unit and CT scanner unit in the imaging center. This would complement the CT's and MRI's that are in the current hospital. Because this is a freestanding facility, a lesser amount is taken from insurance companies, which would allow lower costs for the patient. The facility can be built without the Certificate of Public Need if the imaging devices were not involved. Support of the Board is requested for the Certificate of Public Need. There is also a support letter that will require Mr. Fitzgerald's signature with Board authorization.

Ms. Carter stated that from what she has read, the area is adequately equipped with MRI and CT imaging. She would like to see a cost comparison that they are referencing as far as services being cheaper.

Dr. Seaton stated that by it being a freestanding facility you are only paying the one fee. When the services are performed in the hospital, you are paying additional hospital fees as well the fee for the service. Dr. Seaton would like more information on the matter before making a decision. He is concerned with who owns the building and who will make the rules of operation within the facility.

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AUGUSTA HEALTH CERTIFICATE OF PUBLIC NEED REQUEST RESOLUTION
(CONT'D)

Mr. Wells asked if there was a deadline.

Mr. Fitzgerald stated that there is a deadline of the first week of May for application submittal. Sentara has issued a COPN request as well. The Sentara request is for an MRI and a CT unit. This request is located at a facility in the City of Staunton. Sentara has made a request to the City of Staunton and Augusta Health has made a request to Staunton, Waynesboro and Augusta County. This will be a competitive project.

The Board agreed to move the resolution to the next Board of Supervisors meeting on May 13, 2020 to allow more information to be provided.

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LIVESTOCK CLAIM

The Board considered a claim filed by Ricky Fridley in the amount of \$150.00

Funding Source: Livestock Reimbursement Fund 35010-5802 \$150.00

Mr. Fitzgerald stated that Chapter 5 of the County's ordinance allows for the compensation of livestock or poultry that is killed by a dog. In the cases of the dog's owner being unknown, the County reimburses the landowner for the incident. Under the current County code it is required that the Board determine the claim is supported by the investigation and the Animal Control Officer before payment is made. There was a case on Estaline Valley Road in Craigsville where a dog killed two kid goats. The Animal Control Officers have completed an investigation and determined it was a stray dog. Mr. Fitzgerald requests that the Ordinance Committee review this section of the code for possible changes in the future.

Mr. Shull pointed out a discrepancy in the paperwork.

Ms. Carter moved, seconded by Dr. Seaton, that the Board approve livestock claim amount with the paperwork corrected and completed appropriately.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton and Morelli
Nays: None

Motion carried.

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HERSHEY PERFORMANCE AGREEMENT

The Board considered the Hershey Performance Agreement-2019

Mr. Fitzgerald stated that on May 9, 2019 it was announced that Hershey Chocolate of Virginia committed to expand its operation in the County. Construction of the Peanut Roasting Center of Excellence would be a 111,000 square foot expansion. The expansion included \$104.4 million investment in capital expenditures and 65 new jobs. As part of the incentive package to secure the expansion, a \$600,000 grant from the Commonwealth Opportunity Fund was given to Hershey as well as a \$400,000 grant from the Virginia Investment Performance Program. The Board of

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HERSHEY PERFORMANCE AGREEMENT (CONT'D)

Supervisors agreed to match these state grants with an additional \$1 million. The County's match was to be given in two parts, \$300,000 when the Certificate of Occupancy was issued and \$700,000 as a return on the company's machinery and tools tax. The final performance agreement is completed and lays out how the incentive is paid out to Hershey. This performance agreement will satisfy the County's commitment to Hershey Chocolate of Virginia for the expansion announced in 2019.

Mr. Morelli moved, seconded by Mr. Shull, that the Board approve performance agreement.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton and Morelli
Nays: None

Motion carried.

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WAIVERS--NONE

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MATTERS TO BE PRESENTED BY THE BOARD

Ms. Carter sent an email to the Board asking them to identify needs in their district regarding COVID-19. She is asking for this information for the COVID-19 Community Task Force.

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MATTERS TO BE PRESENTED BY STAFF

Timothy Fitzgerald, County Administrator discussed the following issues:

- 1) A resolution has been written in order to extend the real estate tax date from June 5 to June 26, 2020. Extending the deadline also effects penalty and interest. It is recommended that for 60 days beyond the June 26 deadline, the penalty would be 0% and the interest rate would be 5%. Currently it is 10% penalty and 10% interest if taxes are not paid on time. A public hearing is required to change the penalty and interest. Board authorization is needed to allow for advertising the public hearing.

RESOLUTION

At a regular meeting of the Board of Supervisors of Augusta County, Virginia (the "Board"), held in the Board Meeting Room in the Government Center at 18 Government Center Lane, Verona, Virginia on Wednesday, April 22, 2020, at which meeting a quorum was present and voting, the following resolution was adopted

WHEREAS, as a result of the potential spread of COVID-19, a communicable disease of public health threat, the Governor of Virginia declared a state of emergency on March 12, 2020, and directed local governments to render appropriate assistance to prepare for this event, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation operations and activities so as to return impacted areas to pre-event conditions as much as possible; and,

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MATTERS TO BE PRESENTED BY STAFF (CONT'D)

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency beginning March 1, 2020, due to the outbreak of COVID-19; and,

WHEREAS, on March 16, 2020, the Director of Emergency Management for Augusta County, in response to cases of COVID-19 and to prevent or alleviate the damage, loss, hardship, or suffering threatened by the potential spread of COVID-19, declared a local emergency. On April 8, 2020, the Board affirmed the Declaration, and said Declaration continues until the Board takes appropriate action to end the declared emergency; and,

WHEREAS, pursuant to authority granted by Virginia Code Section 58.1-3916 of the Virginia Code, the Board has established by ordinance a due date of June 5 for the first of two equal installment payments of real property taxes, and pursuant to that same code section, the Board may further provide by resolution for reasonable extensions of time, not to exceed 90 days, for the payment of such taxes whenever good cause exists; and

WHEREAS, the threat to the health, safety, and welfare of the citizens of Augusta County, Virginia, of a potential spread of COVID-19 resulted in national, state, and local declarations of emergency, and the economic circumstances resulting therefrom, constitute good cause, now, therefore be it RESOLVED, by the Board of Supervisors of Augusta County, Virginia, hereby extends the June 5, 2020 due date for the first installment payment of real property taxes until June 26, 2020, in accordance with its authority in Section 58.1-3916 of the Virginia Code

Ms. Carter contacted several banks to find out how it works when taxes are paid. She was informed that whatever due date is on the tax bill is what and when they will pay. Ms. Carter is not opposed to leaving the June 5 deadline because of this. She feels strongly that there should be zero penalty and zero interest for sixty days. This is the County's way to offer citizens some type of relief during this time.

Mr. Shull asked how many homes were under the mortgages within the County.

Ms. Whetzel stated that approximately 70% would be paid through mortgage companies.

Mr. Fitzgerald stated that he has spoken with the Treasurer regarding the issue. One concern is if there is no penalty and no interest until August even with the due date at June 26 then citizens will wait until August to pay. This will cause revenue issues for the County.

Ms. Whetzel stated that if the penalty is zero and the interest rate is 5% between the due date of June 5 to June 30, revenue would be reduced by \$16,500.00 for that period.

Dr. Seaton moved, seconded by Mr. Shull to adopt the resolution to change the tax due date to June 26, 2020.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None

Motion carried.

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MATTERS TO BE PRESENTED BY STAFF (CONT'D)

Ms. Carter moved, seconded by Dr. Seaton, that the Board approve advertising changes to eliminate the penalty and decrease the interest to 5% or less for sixty days.

**Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven, Seaton
and Morelli
Nays: None**

Motion carried.

- 2) Staff is working hard. Mr. Fitzgerald and Ms. Whetzel joined in on a conference call with the Planning District Commission in regards to multiple grant opportunities because of COVID-19.

Mr. Garber stated that Staff is busy on a daily basis keeping up with the rule changes and how that affects the County.

MATTERS TO BE PRESENTED BY THE PUBLIC –NONE

CLOSED SESSION

On motion of Ms. Carter, seconded by Mr. Shull, the Board went into closed session pursuant to:

- (1) the personnel exemption under Virginia Code § 2.2-3711 (A) (1)**
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:
 - a) Boards and Commissions: Youth Commission, Economic Development Authority, Ag & Forestal Dist., Planning Commission, Shenandoah Workforce Development

- (2) the economic development exemption under Virginia Code § 2.2-3711 (A) (5)**
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:
 - a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.

- (3) the real property exemption under Virginia Code § 2.2-3711 (A) (3)**
[discussion of the acquisition for a public purpose, or disposition, of real property]:
 - a) Verona Elementary School

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CLOSED SESSION (CONT'D)

(4) ~~the legal counsel exemption under Virginia Code § 2.2-3711(A)(7)~~ Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

a) Payment of water and sewer connection

On motion of Ms. Carter, seconded by Mr. Shull, the Board came out of Closed Session.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven
Seaton and Morelli
Nays: None

Motion carried.

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The Chairman advised that each member is required to certify that to the best of their knowledge during the closed session only the following was discussed:

Public business matters lawfully exempted from statutory open meeting

1. requirements, and
2. Only such public business matters identified in the motion to convene the executive session.

The Chairman asked if there is any Board member who cannot so certify.

Hearing none, the Chairman called upon the County Administrator/ Clerk of the Board to call the roll noting members of the Board who approve the certification shall answer AYE and those who cannot shall answer NAY.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven
Seaton and Morelli
Nays: None

Motion carried.

The Chairman authorized the County Administrator/Clerk of the Board to record this certification in the minutes.

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April 22, 2020, at 7:00 p.m.

CLOSED SESSION (CONT'D)
BOARDS AND COMMISSIONS

Dr. Seaton moved, seconded by Mr. Shull, that the Board appoint Robert Thomas to serve an unexpired term to the Planning Commission. Effective immediately and to expire on June 30, 2020.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven
 Seaton and Morelli
 Nays: None

Motion carried.

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ADJOURNMENT

There being no other business to come before the Board, Ms. Carter moved, seconded by Mr. Morelli that the Board adjourn subject to call of the Chairman.

Vote was as follows: Yeas: Garber, Carter, Wells, Shull, Slaven
 Seaton and Morelli
 Nays: None

Motion carried.

Chairman

County Administrator

REGULAR MEETING AGENDA ITEM NO. 5-22

CONVENE CLOSED SESSION

May 27, 2020

(In) MOTION: _____ SECOND: _____ VOTE: _____

(Out) _____

(Certify) _____

I move that the Board of Supervisors of Augusta County convene in closed session pursuant to:

(1) the personnel exemption under Virginia Code § 2.2-3711(A) (1)
[discussion, consideration or interviews of (a) prospective candidates for employment, or (b) assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific employees]:

- a) Boards and Commissions: Youth Commission, Economic Development Authority, Ag & Forestal Dist., Planning Commission, Shenandoah Workforce Development

(2) the economic development exemption under Virginia Code § 2.2-3711(A) (5)
[discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of its interest in locating or expanding its facilities in the county]:

- a) Proposed Office space, flex space, storage facilities, manufacturing facilities, utility and mixed use development.

