

**NOTICE OF PUBLIC HEARING
GLOUCESTER COUNTY PLANNING COMMISSION**

The Gloucester County Planning Commission will hold a Public Hearing in the Colonial Courthouse, located at 6504 Main Street, Gloucester, Virginia, on August 5, 2021 beginning at 7:00 PM to consider the following:

AN ORDINANCE TO AMEND AND REENACT APPENDIX B – ZONING OF THE CODE OF GLOUCESTER COUNTY, VIRGINIA, BY AMENDING ARTICLE 2 – DEFINITIONS, SECTION 2-2 – DEFINITIONS, AMENDING ARTICLE 5- DISTRICT REGULATIONS, SECTION 5-2 - OFFICIAL SCHEDULE OF DISTRICT REGULATIONS ADOPTED, AND REPEALING AND REPLACING ARTICLE 9 – SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 9-28 – SOLAR ENERGY FACILITIES

The proposed changes to the zoning ordinance modify the definitions for small-, large- and utility-scale solar facilities and add community-scale solar for commercial facilities up to 3 MW. The changes limit community- and utility-scale solar facilities to the Rural Countryside (RC-1) and Suburban Countryside (SC-1) districts by Conditional Use Permit (CUP). Furthermore, the supplemental regulations for solar facilities include general requirements for all solar facilities such as maximum heights and product safety standards, specific requirements for each type of solar facility such as setbacks and screening, and specific submission requirements for those facilities requiring a CUP such as a site concept plan including existing and proposed topographic information and environmental and cultural resource review.

The preceding summary is not intended to be a complete explanation of each and every change to the zoning ordinance language. Complete copies of the proposed ordinance and information pertaining to this amendment are available and may be reviewed in the Gloucester County Department of Planning, Zoning, and Environmental Programs located at 6489 Main Street, Gloucester, Virginia, or on the County's website at www.gloucesterva.info/planning. All interested parties are encouraged to study the proposed ordinance changes and invited to attend the hearing to express their views.

The meeting will be broadcast live through the County website meeting portal at: <https://www.gloucesterva.info/640/Meeting-Portal> and on Cox channel 48.

All interested parties are invited to attend the meeting and express their views on this matter. Citizen comments may also be submitted prior to the public hearing by three different methods:

- To submit comments online, complete the [Citizen Comment Submission](http://www.gloucesterva.info/citizencomment) form (www.gloucesterva.info/citizencomment). Please follow the instructions on the form to indicate the meeting or public hearing on which you want to comment. Comments may be submitted via this method until 4:30 p.m. on the day of the meeting. Comments submitted via this method will be read aloud during the appropriate comment or public hearing period up to the time limit set by the Chair.

- To submit comments via US Mail, send to: County Administration ATTN: Citizen/Public Hearing Comment, 6489 Main Street, Gloucester, VA 23061. Any mailed comments must include your name, your magisterial district, and the meeting and item you are commenting on clearly printed at the top. All such comments must be received by 4:30 p.m. on the day of the public hearing. Please type or print all comments legibly. Comments submitted via this method will be read aloud during the appropriate comment or public hearing period up to the time limit set by the Chair.
- Call 804-824-2760 and listen to the recorded menu. Instructions will be provided on selections to make in order to leave a recorded comment. Comments submitted via this method must be received by 4:30 PM on the day of the public hearing. Comments submitted via this method will be played during the appropriate comment or public hearing period up to the set time limit of 3 minutes.

Comments submitted through these methods must be received by 4:30 PM on August 5, 2021 and will be read or played during the public hearing.

“Form letters,” consisting of communications which are verbatim duplicates (other than the identifying information of the author/submitter) of one or more other communications received by the County pertaining to the matter to be considered at the public hearing or public comment period, shall be read only once per letter, along with the list of persons submitting the same comments pursuant to such “form letter.”

Persons requiring assistance to attend the hearing should contact the Department of Planning, Zoning, and Environmental Programs at (804) 693-1224 between the hours of 8:00 AM and 4:30 PM Monday through Friday.

Chris Poulson, Chairman
Gloucester County Planning Commission

AT A MEETING OF THE GLOUCESTER COUNTY BOARD OF SUPERVISORS HELD ON _____, 2021 IN THE COLONIAL COURTHOUSE, 6504 MAIN STREET GLOUCESTER, VIRGINIA: ON A MOTION DULY MADE BY _____, AND SECONDED BY _____, THE FOLLOWING ORDINANCE WAS ADOPTED BY THE FOLLOWING VOTE:

Phillip N. Bazzani, ___;
Ashley C. Chriscoe, ___;
Michael W. Hedrick, ___;
Christopher A. Hutson, ___;
Robert J. Orth, ___;
Kevin M. Smith, ___;
Michael R. Winebarger, ___;

AN ORDINANCE TO AMEND AND REENACT APPENDIX B – ZONING OF THE CODE OF GLOUCESTER COUNTY, VIRGINIA, BY AMENDING ARTICLE 2 – DEFINITIONS, SECTION 2-2 – DEFINITIONS, AMENDING ARTICLE 5- DISTRICT REGULATIONS, SECTION 5-2 - OFFICIAL SCHEDULE OF DISTRICT REGULATIONS ADOPTED, AND REPEALING AND REPLACING ARTICLE 9 – SUPPLEMENTARY DISTRICT REGULATIONS, SECTION 9-28 – SOLAR ENERGY FACILITIES

WHEREAS, at a Gloucester County Board of Supervisors work session held on February 16, 2021, the Board directed the Commission to consider and forward to the Board an ordinance limiting the districts in which utility scale solar facilities are permitted; and

WHEREAS, at that same meeting, the Board directed the County Administrator to establish a committee made up of two Board members and two Planning Commission members to discuss and reach consensus related to solar facilities in the County; and

WHEREAS, the solar committee met several times to discuss the Virginia Code and review ordinances from other localities and made recommendations for the Gloucester County Planning Commission to consider; and

WHEREAS, the Planning Commission discussed the committee’s recommendations but proposed changes to those recommendations; and

WHEREAS, at a joint meeting between the Board of Supervisors and Planning Commission held on May 11, 2021, consensus was reached to limit the districts in

which utility scale solar is permitted and to modify the regulations under which any such facility would be permitted; and

WHEREAS, the Gloucester County Planning Commission developed and reached consensus on recommendations which are consistent with several goals in the Gloucester County's Comprehensive Plan, including preserving rural character, protection of the environment, and encouraging economic development that is compatible with the physical and social development of the County and providing a balanced economy for future growth; and

WHEREAS, the Gloucester County Planning Commission reached consensus on a draft ordinance amendment and held a public hearing on _____, 2021, voting _____ to forward the ordinance amendment to the Gloucester County Board of Supervisors with a recommendation of approval; and

WHEREAS, the proposed ordinance ensures that the interests of public health, safety, and welfare would be served, the environment would be protected, and the County's rural character would be preserved when solar facilities are located in the County; and

WHEREAS, the Gloucester County Board of Supervisors has held a duly advertised public hearing, and is of the opinion that public necessity, convenience, general welfare, and good zoning practice will be furthered by such an amendment.

NOW, THEREFORE BE IT ORDAINED, by the Board of Supervisors of Gloucester County, Virginia, this ___ day of ___, 2021, that the Gloucester County Code, Appendix B, Article 2 – Definitions, Section 2-2, and Article 5 - District Regulations, Section 5-2 be amended and Article 9 – Supplementary District Regulations, Section 9-28 be hereby repealed and replaced as follows:

ARTICLE 2. DEFINITIONS

Sec. 2-2. Definitions.

Amend the following definitions:

*Solar energy facility, **private small-scale** system:* A private solar energy conversion system consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has the rated capacity to produce not more than ~~20~~ **25** kilowatts (kW) of electrical power.

~~*Solar energy facility, large scale:* A private solar energy conversion system consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has the rated capacity to produce more than 20 kilowatts (kW) of electrical power but not more than one (1) megawatt (MW) of electrical power.~~

Solar energy facility, utility-scale: An energy conversion system, whose primary purpose is to produce power for consumption by a utility provider or other purchaser authorized under Virginia law to purchase such power, consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has the rated capacity to produce more than ~~one (1)~~ **three (3)** megawatts (MW) of electrical power.

Add the following definitions:

***Solar energy facility, commercial community-scale:* A commercial solar energy conversion system consisting of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has a rated capacity to produce no more than three (3) megawatts.**

***Solar energy facility, private large-scale, ground mounted:* A private solar energy conversion system installed on the ground, which consists of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has the rated capacity to produce more than 25 kilowatts (kW) of electrical power but not more than three (3) megawatts (MW) of electrical power. The primary purpose of large-scale facilities is to serve the electricity needs of the property upon which such facilities are located, and/or adjacent parcels under common use, ownership, and control.**

***Solar energy facility, private large-scale, roof top/solar canopy:* A private solar energy conversion system installed on a roof or as part of a canopy, which consists of photovoltaic panels, support structures, and associated control, conversion, and transmission hardware which has the rated capacity to produce more than 25 kilowatts (kW) of electrical power but not more than three (3) megawatts (MW) of electrical power. The primary purpose of large-scale facilities is to serve the electricity needs of the property upon which such facilities are located, and/or adjacent parcels under common use, ownership, and control.**

ARTICLE 5. DISTRICT REGULATIONS

Sec. 5-2 Official schedule of district regulations adopted.

List *Solar energy facility, private small-scale* as a permitted use in all districts.

List Solar energy facility, private large-scale, roof mounted/solar canopy as a permitted use in all districts.

List Solar energy facility, private large-scale, ground mounted as a permitted use in the RC-1 and I-1 districts and as a permitted use by Conditional Use Permit in all other districts.

List Solar energy facility, commercial community-scale as a permitted use by Conditional Use Permit in the SC-1 and RC-1 districts.

List Solar energy facility, utility-scale as a permitted use by Conditional Use Permit in the SC-1 and RC-1 districts and remove it as a permitted use in all other districts.

Remove Solar energy facility, large-scale as a permitted use in all districts.

ARTICLE 9. SUPPLEMENTARY DISTRICT REGULATIONS

Sec. 9-28. Solar energy facilities.

- 1. The following general requirements shall apply to all solar energy facilities, unless otherwise provided:**
 - a. The maximum height of all ground mounted solar facilities, including any mounts, shall not exceed twenty (20) feet above the ground when oriented at maximum tilt (except for the poles and wires associated with the interconnection to the Dominion Power distribution system) unless otherwise approved by the Board of Supervisors as a condition of approval for a conditional use permit. Roof-mounted solar energy facilities shall be exempt from the building height requirements for the zoning district in which they are located.**
 - b. All solar projects shall comply with generally accepted current national environmental protection and product safety standards for the use of solar panels for solar photovoltaic (electric energy) projects, such as those developed for existing product certifications and standards including the National Sanitation Foundation/American National Standards Institute No. 457, International Electro technical Commission No. 61215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2. All site plans for solar facilities shall make reference to the specific safety and environmental standards being met.**

- c. Battery storage facilities associated with a solar facility or standalone battery storage facilities shall comply with generally accepted current national environmental protection and product safety standards for the use of battery technologies projects, such as those developed for existing product certifications and standards including the National Sanitation Foundation/American National Standards Institute No. 457, International Electro technical Commission No. 61215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2. All site plans including battery storage facilities shall make reference to the specific safety and environmental standards being met.**
- d. The following maximum percentages of total land area devoted to community- and utility-scale solar facilities have been established within the districts identified below. The total developed solar acreage shall be calculated and updated by the Department of Planning, Zoning, and Environmental Programs upon approval of the site plan for a solar facility. The land area devoted to solar shall be derived from approved site plans that are currently valid for solar facilities and shall only include those portions of the parcel(s) on which the solar panels and associated elements such as inverters and switching facilities that exist or are approved to be located (typically the area within a perimeter fence) and shall not include other acreage associated with a project on which the panels and associated elements are not placed including but not limited to buffers, wetlands, and stormwater management areas.**

 - i. Suburban Countryside (SC-1) district – Two (2) percent.**
 - ii. Rural Countryside (RC-1) district – Two (2) percent.**
- e. All large-, community-, and utility-scale solar facilities shall develop a decommissioning plan, which shall include the following: (1) the anticipated life of the project; (2) the estimated decommissioning cost in current dollars, not including any salvage value; (3) how said estimate was determined; (4) the manner in which the project will be decommissioned including the submittal of a site plan for review and approval prior to the start of decommissioning; and (5) a surety, in a form acceptable to the County Attorney, sufficient to cover the cost of preparing the site plan for and the completion of decommissioning the solar energy facility. The decommissioning plan shall be submitted for review concurrent with the site plan and shall be re-reviewed not less frequently than every five (5) years after initial approval; the decommissioning surety shall be updated as needed based on plan**

re-review and revised estimates provided by owner, lessee, or developer.

- i. As used in this section, the term “decommission” means the removal and proper disposal of all solar energy equipment, facilities, and devices. Decommissioning also includes the restoration of the real property, including soil stabilization and revegetation of the ground cover of the real property disturbed by the installation and removal of such equipment, facilities, and devices when applicable. Buffers, roadways, stormwater basins and other site conditions associated with the use of the site as a solar facility may remain based on these features being included on the approved site plan and any required maintenance agreements in place prior to decommissioning.**
 - ii. The decommissioning plan shall be approved and a surety shall be posted prior to obtaining a land disturbance permit (LDP) or zoning permit for the project; or in the case of a multi-phase project, a separate decommissioning surety may be submitted prior to land disturbance permitting or zoning permit for each individual phase of the project provided that the plan is also broken into phases so that the surety can be calculated for each phase.**
- f. Prior to the approval of a zoning permit for a by-right large-scale facility and as a condition of the approval of a site development plan for any other large-, community-, or utility-scale solar generation facility, the owner, lessee, or developer of the project (the “responsible party”) shall enter into a written project development agreement with the county, setting forth, at a minimum, that:**
- i. If the facility ceases generating electricity for more than 12 consecutive months, the responsible party will provide for its decommissioning;**
 - ii. If the owner, lessee, or developer defaults in the obligation to decommission the facility, the county has the right to enter the real property without further need of consent of the owner to engage in decommissioning; and**
 - iii. The decommissioning surety shall be based upon an estimate by a professional engineer licensed in the Commonwealth, who is engaged by the responsible party and who has experience in preparing decommissioning estimates. The estimate and surety shall be approved by the county. The estimate shall equal the total projected cost of**

decommissioning, including the cost for preparation of a site plan for decommissioning, a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor. The decommissioning estimate shall not include salvage value of the materials being removed.

- iv. Prior to decommissioning, a site plan detailing the decommissioning process and final site conditions shall be submitted for review and approval pursuant to Chapter 15.5 of the County Code.**
- g. The following testing shall be required for all ground-mounted large-, community-, and utility-scale solar facilities:**
 - i. Post-land disturbance soils testing, utilizing a standardized methodology for determining soil composition, shall be required for each phase or sub-phase of development in order to formulate the proper seed mixture for the establishment of permanent ground cover at the solar facility site.**
 - ii. The county may require the owner to engage a qualified neutral third party to perform soil and ground water sample testing subsequent to an event causing damage to the panels due to wind, hail, or other similar hazards. Developers shall provide to the county the results of these tests and be responsible for remediation of any contamination or other adverse environmental conditions as required by law.**
- h. All solar equipment and facilities shall include warning signage per industry standards. Solar equipment shall not be used for the display of advertising, except for reasonable identification of the photovoltaic equipment manufacturer or operator of the solar energy facility. All signs, flags, streamers or similar items, both temporary and permanent, are prohibited on solar equipment except as follows: (a) manufacturer's or installer's identification; (b) warning signs and placards; (c) signs that may be required by a federal or state agency; and (d) signs that provide a 24-hour emergency contact phone number and warn of any danger. Educational signs providing information about the project and the benefits of renewable energy may be allowed as provided in article 12 of the Zoning Ordinance.**
- i. Gloucester County may engage the services of county-contracted inspectors, as deemed appropriate by the county, to ensure compliance with applicable codes and ordinances. Developers of large-, community-, and utility-scale solar energy facilities shall be financially responsible for all inspections necessitated by their projects.**

- 2. All private small-scale solar energy facilities shall meet the following requirements in addition to the general requirements:**
 - a. Roof-mounted small solar energy facilities shall meet the building setback requirements for the structures to which they are affixed.**
 - b. Ground-mounted small solar energy facilities shall meet the minimum setbacks for principal structures in the zoning districts which they are located.**
- 3. All private large-scale solar energy facilities shall meet the following requirements in addition to the general requirements:**
 - a. Facilities shall not be constructed to generate more than one-hundred thirty (130) percent of the estimated need of the facility. Applicants shall provide utility load letters or similar documentation detailing the electrical needs of the facility solar is serving. However, these regulations do not prohibit the transfer of surplus power to the electrical grid to serve facilities that are not adjacent or under common use, ownership, or control.**
 - b. Roof-mounted solar facilities shall meet the setback requirements for the structures on which they are affixed. Solar canopy facilities shall meet the setbacks for accessory structures in the zoning districts which they are located.**
 - c. Ground-mounted facilities shall meet the following requirements.**
 - i. No land disturbing activity as defined in the County's Erosion and Sediment Control Ordinance shall occur on slopes greater than eight (8) percent when the eight (8) percent slopes are greater than or equal to a contiguous area of 5,000 square feet. Those areas shall be preserved in their existing state. This does not include slopes on areas that have been in agriculture crop, pastureland, or grassland for the previous five (5) years.**
 - ii. The following setbacks shall be met for all buildings, structures, and above-ground ancillary equipment related to the solar facility including fences and all facilities necessary to transmit the electricity generated at the facility to the grid, if applicable:**
 - (1) The front yard setback and setback adjacent to any public or private road shall be a minimum of seventy-five (75) feet. This shall not include sections of private roads exclusively serving the solar facility.**

- (2) Side yard setbacks shall be a minimum of fifty (50) feet.**
- (3) Rear yard setbacks shall be a minimum of one hundred (100) feet.**
- iii. Landscape buffers are required that minimize impacts year-round on the view from an existing public right-of-way (ROW), historic properties listed in Appendix B - Zoning, article 6, section 6-1, the Virginia Landmarks Register, the National Register of Historic Places, and adjacent parcels. Required buffers shall be placed or preserved between the solar facility and adjoining properties and adjacent public or private rights-of-way.**
- (1) The use of existing vegetation shall be allowed in place of required new plant material provided the vegetation to be used adequately screens the solar panels from view from the right of way and adjacent parcels, is a minimum of twenty-five (25) feet in width, and is located entirely on the applicant's property. The applicant shall submit a landscape plan drawn by a professional landscape architect showing the location, size, and type of the existing plant material in the buffer area that is being used to meet the screening requirement. The plan shall include supplemental plantings wherever needed to ensure year-round screening. Should the buffer be damaged or destroyed at any time during the operation of the solar energy facility, additional vegetation shall be planted to restore the required vegetative buffer based on the approved or an amended plan.**
- (2) Where adequate vegetative screening does not exist, buffers shall consist of a continuous landscaping strip of not less than twenty-five (25) feet in width planted with a mix of large deciduous trees, large evergreen trees, and shrubs forming a continuous screen. At least seventy-five (75) percent of the plantings shall be evergreen. The required screening shall be placed within the twenty-five (25) feet closest to the perimeter of the site area. The applicant shall submit a landscape plan drawn by a professional landscape architect showing the location, size, and type of the plant material in the buffer area that is being used to**

meet the screening requirement and demonstrate compliance with this section.

- (3) The zoning administrator shall require a surety prior to site plan approval in an amount sufficient and with conditions satisfactory to secure to the county compliance with the landscaping requirements set forth above. The landscaping surety will be held for the life of the project and will be released upon completion of decommissioning.**
 - (4) The buffer shall be maintained for the life of the facility. Dead, diseased, or dying plants shall be replaced within the next planting season unless the remaining healthy vegetation provides the required screening.**
 - (5) Buffers shall not be required when the property on which the solar energy facility is located and the adjoining property are under the same ownership. However, buffers along property lines within one hundred (100) feet of a public right of way or historic feature as described in iii above will be required unless an adequate buffer exists as described in iii (1) or (2) above.**
 - (6) Buffers shall not be required when the operator of a solar energy facility and the adjoining property owner(s) agree that no buffer is necessary and provide a written affidavit to that effect to the zoning administrator. However, buffers along property lines within one hundred (100) feet of a public right of way or historic feature as described in iii above will be required unless an adequate buffer exists as described in iii (1) or (2) above.**
- 4. All solar facilities requiring a Conditional Use Permit shall be subject to the following submittal requirements. This information must be provided at the time of application for the Conditional Use Permit, in addition to other requirements of section 14-23 Conditional Use Permits.**
- a. A narrative identifying the applicant, owner, and operator, and describing the proposed solar energy project, including: an overview of the project and its location, approximate rated capacity of the solar energy project, the approximate number, representative types and expected footprint of solar equipment to be constructed, and a description of ancillary facilities, if**

applicable, including the type and location of all facilities necessary for electric grid interconnection.

- b. A site concept plan that includes the following information and details:**
 - i. Location and proposed heights of all electrical cabling from the solar systems to the substations, ancillary equipment, buildings, and structures including all facilities necessary to transmit the electricity generated at the facility to the grid, if applicable.**
 - ii. Existing and proposed access roads, permanent entrances, temporary construction entrances, drives, and similar elements.**
 - iii. Fencing and other methods of ensuring public safety.**
 - iv. Identification of the proposed setbacks for all buildings, structures, and above-ground ancillary equipment related to the solar facility, including fences and all facilities necessary to transmit the electricity generated at the facility to the grid, if applicable. Below are the required minimum setbacks, which may be modified by the Board of Supervisors as a condition of approval for a conditional use permit.**
 - (1) The front yard setback and setback adjacent to any public road shall be a minimum of seventy-five (75) feet.**
 - (2) Side yard setbacks shall be a minimum of fifty (50) feet.**
 - (3) Rear yard setbacks shall be a minimum of one hundred (100) feet.**
 - v. Landscape plans depicting areas where buffers will be maintained and/or installed to ensure that the solar project minimizes impacts year-round on the view from an existing public right-of-way (ROW), historic properties listed in Appendix B - Zoning, article 6, section 6-1, the Virginia Landmarks Register, the National Register of Historic Places, and adjacent parcels. Landscaping shall at a minimum comply with that required for private large-scale facilities under Section 9-28(3)(c)(iii) unless modified by the Board of Supervisors as part of the CUP approval. Except that for purposes of review by the Board during the CUP process, landscape plans may be conceptual and, upon approval, comply with the requirement of being drawn by a professional landscape architect at the time of site plan review.**
 - vi. Wetlands, Resource Protection Areas, and woodlands.**
 - vii. Existing and proposed topographic information. The United States Geographic Service (USGS) topographical maps (most**

recent edition) can be utilized to display existing topographic information. No land disturbing activity as defined in the County's Erosion and Sediment Control Ordinance shall occur on slopes greater than eight (8) percent when the eight (8) percent slopes are greater than or equal to a contiguous area of 5,000 square feet. Those areas shall be preserved in their existing state. This does not include slopes on areas that have been in agriculture crop, pastureland, or grassland for the previous five (5) years.

c. An environmental and cultural resources review, including the following:

- i. Virginia Cultural Resource Information System report. A report by the Virginia Department of Historic Resources Virginia Cultural Resource Information System shall be submitted to identify historical, architectural, archeological, or other cultural resources on or near the proposed facility.**
- ii. Cultural resources report. A copy of the cultural resources review conducted in conjunction with the State Department of Historic Resources for the Department of Environmental Quality permit by rule process. This report shall be in addition to the report required in Section 9-28(4)(c)(i) and shall further identify historical, architectural, archeological, or other cultural resources on or abutting the proposed site.**
- iii. A report on the potential impacts on wildlife and wildlife habitats at the site and within a two-mile radius of the proposed facility using information provided by the Department of Game and Inland Fisheries or a report prepared by a qualified third-party.**
- iv. A report on potential impacts on pollinators and pollinator habitats at the site, including but not necessarily limited to the submission of a completed solar site pollinator habitat assessment.**
- v. A glint and glare study that demonstrates that the panels will be sited, designed, and installed to eliminate glint and glare effects on roadway users, nearby residences, commercial areas, and other sensitive viewing locations, or that the applicant will use all reasonably available mitigation techniques to reduce glint and glare to the lowest achievable levels. The study shall assess and quantify potential glint and glare effects and address the potential health, safety, and visual impacts associated with glint and glare. Any such assessment shall be conducted by qualified individuals using**

appropriate and commonly accepted software and procedures.

- d. Additional information to enable the Board of Supervisors to evaluate the proposal shall include: a scaled elevation view and other supporting drawings, photographs of the proposed site, traffic analysis of the impacts during construction and operation, and a fiscal & economic analysis.**
 - e. Documentation of right to use property for the proposed project, to include proof of control over the land or possession of the right to use the land in the manner requested.**
- 5. Solar generation facilities in compliance with this section and those for which a Conditional Use Permit (CUP) is approved in accordance with this section, shall be deemed substantially in conformance with the comprehensive plan.**

A Copy Teste:

Carol E. Steele
Acting County Administrator