



ORDINANCE #11-02-2023

PETITION of the FRANKLIN COUNTY BOARD OF SUPERVISORS to amend Chapter 25 "Zoning"; Article II, Division 4, Supplementary Regulations, Section 25-147, Utility-Scale Solar Generation Facility, items (a) and (b)(5) Performance Standards item (c) Setbacks. The purpose of these amendments are to allow for the cumulative developed acreage of solar facilities not to exceed 1,500 acres of above ground solar infrastructure and a setback of 300 feet required from above ground solar infrastructure to any adjacent off-site residential structure (Case # A-01-23-0002).

WHEREAS, the Board of Supervisors did file an application to amend Chapter 25 "Zoning"; Article II, Division 4, Supplementary Regulations, Section 25-147, Utility-Scale Solar Generation Facility, items (a) and (b)(5) Performance Standards item (c) Setbacks, and

WHEREAS, the purposes of these amendments is to allow for the cumulative developed acreage of solar facilities not to exceed 1,500 acres and a setback of 300 feet required from above ground solar infrastructure to any adjacent off-site residential structure, and

WHEREAS, after due legal notice as required by Section 15.2-2204/2205 of the Code of Virginia of 1950, as amended, the Planning Commission and Board of Supervisors did hold public hearings on January 10, 2023 and February 21, 2023, respectively, at which time all parties in interest were given an opportunity to be heard, and

WHEREAS, after full consideration, the Franklin County Planning Commission recommended APPROVAL of the amendments to Chapter 25 "Zoning" of the Franklin County Code, as follows: Article II, Division 4, Supplementary Regulations, Section 25-147 Utility-Scale Solar Generation Facility, items (a) and (b)(5) Performance Standards item (c) setbacks. Item (1) The cumulative acreage of leased area for all Utility-Scale Solar Generation Facilities of Franklin County shall be limited to 1,500 acres; and (b)(5) Performance Standards item (c) setbacks, a minimum setback of 300 feet is required from above ground solar infrastructure to any adjacent off site residential structure.

WHEREAS, after full consideration, the Franklin County Board of Supervisors determined that such amendments will be in harmony with the purpose and intent of the County Code with the uses permitted by right in the zoning district, and with the public health, safety and general welfare to the community and APPROVED the amendments recommended by the Planning Commission as contained in this Ordinance.

THEREFORE, BE IT ORDAINED, that a copy of this Ordinance be transmitted to the Clerk of the Planning Commission, the Franklin County Commissioner of Revenue, and the Franklin County Zoning Administrator and that the Clerk be directed to reflect this action to APPROVE the amendments in the records of Franklin County.

This ordinance shall take effect upon its adoption.

Adopted this 21st day of February, 2023.

On the motion by Supervisor Tommy Cundiff to approve the requested amendments, and seconded by Supervisor Lorie Smith, said motion was APPROVED by the following recorded vote:

AYES: Carter, Cundiff, N. Mitchell, Smith, Tatum

NAYES: R. Mitchell

ABSENT: Thompson

Roll call vote was taken



Madherleyn Torres, Clerk
Franklin County Board of Supervisors

3/31/2023

Date

