

# Capitol Contact

## Virginia General Assembly

Virginia Association of Counties • 1207 E. Main Street, Suite 300 • Richmond, VA 23219  
www.vaco.org • 804.788.6652

Wednesday, January 10, 2024

## VACo opposes legislation giving local land use authority to SCC for the siting of utility-scale solar, wind, and energy storage projects

[HB 636 \(Sullivan\)](#) and [SB 567 \(Deeds\)](#) propose giving the Virginia State Corporation Commission (SCC) the authority to override local comprehensive plans and zoning ordinances for the siting of utility-scale solar, wind and battery storage facilities. The legislation sets up the process for applicants to essentially bypass local planning commissions and boards of supervisors when seeking approval for the siting and operations of solar projects with a rated generation capacity 50 megawatts (MW) or more, wind projects of 100 MW or more, and energy storage facilities of 50 MW or more.

Contact your [legislators](#) today to Oppose HB 636 and SB 567.

The bills modify the current law regarding the host site agreement that an applicant must seek when proposing a utility-scale solar or battery storage facility. Specifically, the bills propose to:

- To include “wind energy facilities” (turbines) that produce energy for sale to the requirement to apply for a siting agreement with the host locality.
- Within the 30 days of the initial meeting to discuss the siting agreement, the locality must notify the applicant if they have a “compatible renewable energy ordinance”. The legislation then defines the parameters of what qualifies as a compatible renewable energy ordinance with specific limitations on what a locality can require regarding facility setbacks, height and other design and

operating features. The result is one statewide ordinance for all jurisdictions to follow.

- If the locality fails to act on the application within a specified time, or if it denies the application for land use approval, even though such application complies with minimum requirements of the statewide ordinance, then it may apply for approval from the SCC. If the SCC approves the application, then it “shall be exempt from obtaining approvals or permits, including any land use approvals or permits under the regulation and ordinances of the host locality.”

Contact your [Delegate and Senator](#) to vote “NO” on HB 636 and SB 567.

### **KEY POINTS**

- Utility-scale energy projects such as solar, wind, and battery storage are in effect largescale power plants, many of which may have oversized footprints. For example, a solar facility with a generating capacity of 100 MW can occupy 1,000 acres or more of land.
- Local review and approval of utility-scale solar, wind and battery storage projects are necessary to determine if the use and location are consistent with a locality’s land use goals and objectives. The state should not usurp local authority to determine how such facilities fit within local landscapes.

VACo Contact: [Joe Lerch, AICP](#)

## **2024 General Assembly Convenes Today – Look for Capitol Contact on Tuesdays and Thursdays**

The 2024 General Assembly session convenes today as legislators deliberate on many issues of critical importance to local government, including the state budget, taxes, education funding, economic development, public safety, broadband, and other policy matters.

VACo will continually provide updates during the session through [Capitol Contact](#). Capitol Contact will be published every Tuesday and Thursday. In addition, VACo will email Contact Alerts to County Officials on important issues before they are heard by select committees.

Please check [VACo’s website](#) and the [General Assembly webpage](#) often to get the latest information and bill updates. Also, be on the lookout for legislative

videos with state lawmakers and VACo Staff. VACo will continue to release its newsletter, [County Connections](#), around the first and 15<sup>th</sup> of each month.

And be sure to attend [Local Government Day](#) on Thursday, February 1 at the Richmond Marriott Hotel. Be a part of the legislative process at the 2024 General Assembly Session.

VACo Contact: [Dean Lynch](#)

## **Advocate for your locality at the VACo Local Government Day**

**In Partnership with VML, VAPDC and the Virginia Rural Center**



**Thursday, February 1, 2024**  
**[Richmond Marriott Hotel](#)**  
**[REGISTRATION FORM](#) | [REGISTER ONLINE](#)**

### **Local Government Day**

It's a day for all of us. Counties. Cities. Towns. Planning Districts. It's a day for us to learn how the decisions being made by the General Assembly might affect us. And it's a day to make our voices heard. Attend Local Government Day. Then visit the Capitol to

meet with your legislators and observe committee meetings. Later join us for a reception.

### **Registration Fee**

\$100 Day Briefing only (Noon – 2pm)

\$100 Reception only (530pm)

\$150 for both | \$175 late registration

### **Agenda**

- **9am** | VACo Board of Directors Meeting
- **10am** | Registration
- **1130am** | Lunch
- **Noon** | Local Government Day
- **Afternoon** | Visit the Capitol to speak with legislators
- **530pm** | Reception

For information on how to reach your representatives, see the [Virginia House of Delegates](#) and the [Senate of Virginia](#) member websites. Find information about VACo's positions in the [2024 Legislative Program](#). We will distribute the Local Government Day Bulletin before the event.

Be a part of the legislative process at the 2024 General Assembly Session.

Register for the event at [VACo Local Government Day Online](#) or fax the [Registration Form](#) to 804.788.0083.

### **Hotel Reservation Details**

Lodging costs are not covered in the registration fee. Local Government Day is held at the Richmond Marriott Hotel, 500 East Broad Street, Richmond, VA 23219. Room rates start at \$179 (single room occupancy). To reserve a hotel room, call 800.228.9290 by January 9, 2024, with this code: **VACo Local Government Day** or reserve a room at this [Richmond Marriott Hotel link](#).

**VACo Contact:** [Valerie Russell](#)