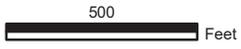


SUBJECT PROPERTY

PUP-2025-102122

Zoning

Solar Power Generating Facility
 Varina District





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukias
County Manager

December 9, 2025

Virginia Electric and Power Company d/b/a Dominion Energy
600 E Canal St
Richmond, VA 23219

RE: Provisional Use Permit PUP-2025-102122

Dear Mr. Barton:

The Board of Supervisors, at its meeting on December 2, 2025, approved your request for a Provisional Use Permit under Sections 24-2306, 24-4205 and 24-4314 of Chapter 24 of the County Code to allow a minor utility and solar generation facility on Parcels 803-722-7419 and 804-721-4491 located at the southeast intersection of Milburn Avenue and Voegier Road, adjacent to the west line of Interstate 64., subject to the following conditions:

1. The Applicant must develop, construct, operate, and maintain the Property in substantial conformance with the conceptual plan titled "Nine Mile Road Landfill Solar PUP Conceptual Plan" dated October 24, 2025 (see case file), all assurances and commitments made within the application materials (see case file), and the conditions imposed on the issued PUP. Any additional improvements shall comply with the applicable regulations of the County Code.
2. Development of the Project as proposed must be subject to Plan of Development review, in accordance with the terms of Section 24-2314 of the Henrico County Code. Before beginning any clearing, grading, or other land-disturbing activity, the applicant must obtain approval of construction plans, including erosion and sedimentation plans as required at time of Plan of Development review. This approval is subject to all conditions that may be placed on the construction plans at time of Plan of Development review.
3. Any construction activity that results in sound clearly audible at the Property lines must be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m. Except in the event of an emergency, there must be no activity that results in sound clearly audible at the Property lines on Sundays or national holidays.

4. The maximum height of any solar array, including the panels and mounts, must not exceed a height of twenty feet.
5. Maximum lot coverage of the solar array and any associated equipment for the Project must not exceed sixty-five percent, in accordance with Section 24-4314.A.1 of the Ordinance.
6. All exterior lighting must be shielded to direct light away from adjacent property and streets.
7. The applicant must ensure that, except for transmission lines and collector utility structures, all utilities associated with the Project's solar array be located underground, when possible, in accordance with Section 24-4314.A.5 of the Ordinance.
8. The Applicant must ensure that (1) the solar array is enclosed by security fencing and locked gates that are at least six feet high, and provide warning signs at each vehicular access point to the Property, and (2) the Project's fencing is screened from adjacent streets by landscaping material in accordance with Article 5, Division 3, Landscaping and Tree Protection; provided however, that the fence may be permitted within the buffer area.
9. The applicant must transmit a copy of all application materials to all airports located within five miles of the proposed Project and comply with all Federal Aviation Administration regulations regarding construction and operation of solar photovoltaic facilities, in accordance with Section 24.4314.A.6 of the Ordinance.
10. Details related to decommissioning of the site in the Lease Agreement, including the timeline and manner in which the Project will be decommissioned and the Property restored to a condition similar to its condition prior to the establishment of the facility, are hereby made part of these conditions.
11. The applicant must agree that the Project will be deemed abandoned by the County if, after the Commercial Operations Date, it ceases operation for a period of eighteen months and written notice of abandonment is provided to the Applicant. Within one hundred and eighty days after notice of abandonment is provided, the Applicant shall either complete all decommissioning activities and site restoration in accordance with the Lease Agreement or resume regular operation of the array, in accordance with Section 24-4314.A.8 of the Ordinance. This condition shall survive the expiration or earlier termination of this Agreement.

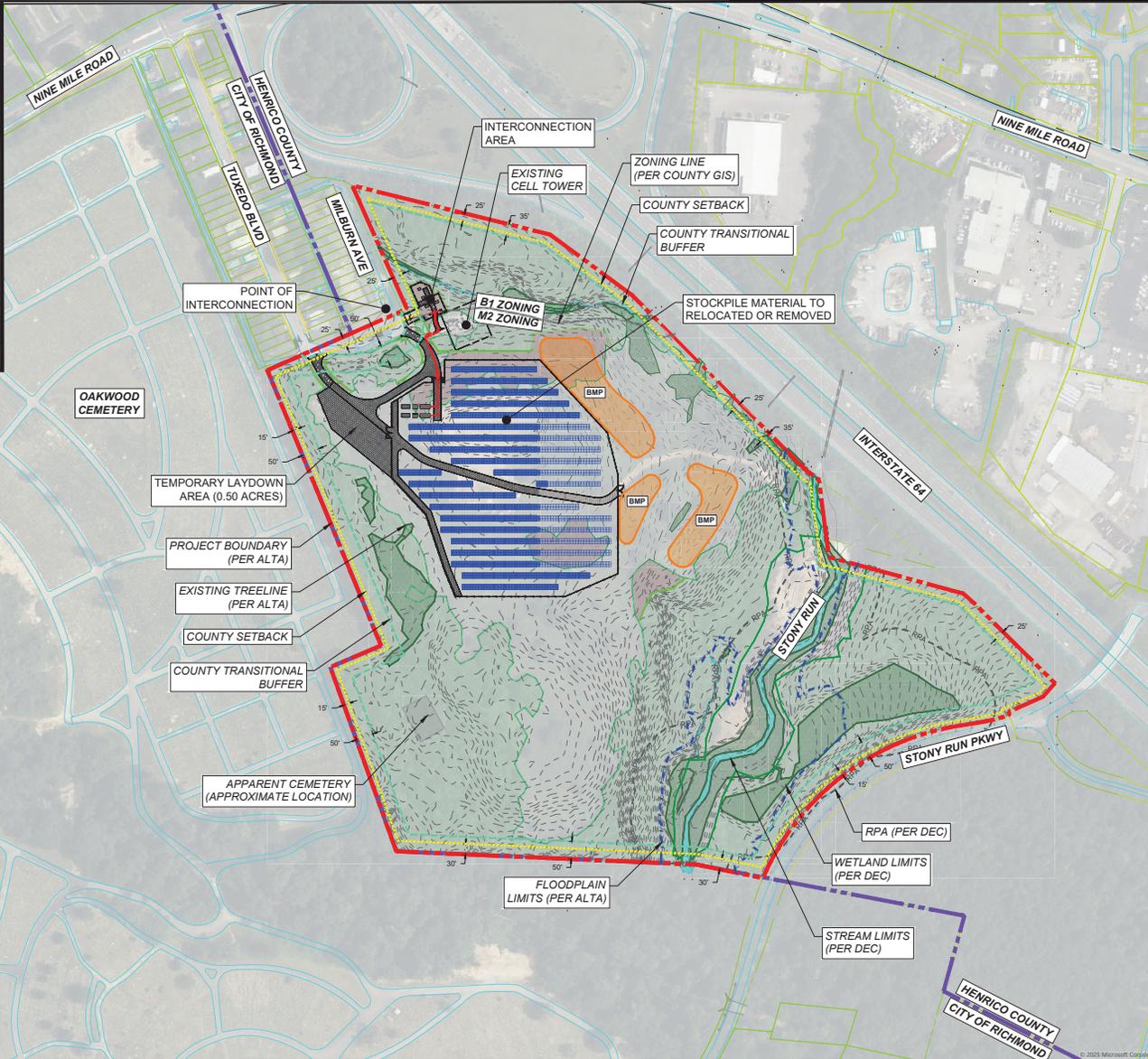
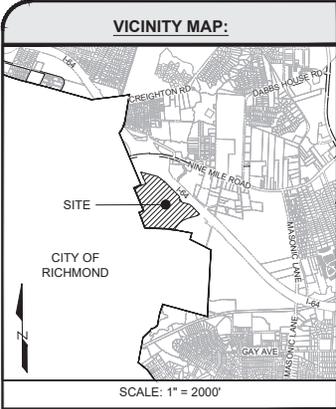
12. The applicant must address any and all visual buffers deemed reasonably necessary by County staff upon review of the landscaping plan or the other site plans submitted to the County.
13. Access to the Property by construction traffic must be limited to Tuxedo Boulevard and Voegier Road, or as otherwise approved at time of Plan of Development review.

Sincerely,



John A. Vithoukas
County Manager

pc: Brian K. Jackson, Esquire
County Attorney
Deputy County Manager for Community Development
Director, Real Estate Assessment

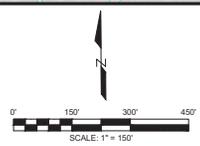


LEGEND:

- PROJECT BOUNDARY (PER ALTA)
- HENRICO COUNTY LIMITS (PER GIS)
- ADJACENT PARCEL LINES (PER GIS)
- WETLAND AREAS (PER DEC)
- JURISDICTIONAL STREAMS (PER DEC)
- FLOODPLAIN LIMITS (PER ALTA)
- RESOURCE PROTECTION AREA LIMITS (PER DEC)
- EXISTING TREELINE (PER ALTA)
- EXISTING ROAD (PER GIS)
- ANTICIPATED TREE REMOVAL/TRIMMING
- COUNTY SETBACK LINE
- COUNTY TRANSITIONAL BUFFER LINE
- PROPOSED TREELINE
- 2' CONTOURS (PER ALTA)
- FIXED TILT SOLAR ARRAY
- PROPOSED ACCESS ROAD/LAYDOWN - GRAVEL PAVEMENT
- PROPOSED ACCESS ROAD/LAYDOWN - PERVIOUS PAVEMENT
- PERIMETER SECURITY FENCE
- PROPOSED UNDERGROUND ELECTRIC MEDIUM VOLTAGE LINE
- STORMWATER MANAGEMENT BMP

- NOTES**
1. CONCEPT PLAN PROVIDED PER COUNTY REQUIREMENT FOR PROVISIONAL USE PERMIT (PUP) APPLICATION AND IN SUBSTANTIAL CONFORMANCE WITH THE CONCEPT PLAN CHECKLIST.
 2. INFORMATION SHOWN ON THIS PLAN IS CONCEPTUAL. CHANGES MAY RESULT FROM FURTHER DESIGN, INCLUDING THOSE RESULTING FROM THE HENRICO COUNTY PLAN OF DEVELOPMENT (POD) PROCESS.
 3. AERIAL IMAGERY IS FROM PUBLICLY-AVAILABLE DATASETS AND REQUIRES VERIFICATION.
 4. PARCEL BOUNDARY, TOPOGRAPHY, AND FLOODPLAIN LIMITS SHOWN PER ALTANSPS LAND TITLE SURVEY PREPARED BY BOWMAN CONSULTING GROUP, LTD. DATED 03/10/2025.
 5. WETLANDS DATA SHOWN PER DELINEATION BY DRAMBY ENVIRONMENTAL CONSULTING, INC. (DEC), DATED 09/08/2024. RESOURCE PROTECTION AREA SHOWN PER RESOURCE PROTECTION AREA DETERMINATION BY DRAMBY ENVIRONMENTAL CONSULTING, INC. (DEC), APPROVED 04/22/2025.
 6. SETBACKS SHOWN PER HENRICO COUNTY ZONING ORDINANCE:
 M2: FRONT YARD - 25 FT
 M2: SIDE YARD - 15 FT
 M2: REAR YARD - 30 FT
 B1: FRONT YARD - 25 FT
 B1: SIDE YARD - 15 FT
 B1: REAR YARD - 40 FT.
 7. TRANSITIONAL BUFFERS SHOWN PER HENRICO COUNTY ZONING ORDINANCE FOR A MAJOR UTILITY:
 ADJACENT TO MILBURN AVE: 25 FT
 ADJACENT TO INTERSTATE 64: 35 FT
 ADJACENT TO VOEGELER ROAD SINGLE-FAMILY RESIDENCES AND CEMETERY: 50 FT
 - EXISTING MATURE VEGETATION IS PROPOSED TO BE USED TO SATISFY THE TRANSITIONAL BUFFER LANDSCAPE PLANTING REQUIREMENTS, IN ACCORDANCE WITH SECTION 24-5304(A)1 OF THE ZONING ORDINANCE.
 8. ARRAY LAYOUT SHOWN PER PRELIMINARY DESIGN. FINAL DESIGN AND EQUIPMENT SELECTION, INVERTER PLACEMENT, ACCESS ROADS, AND OTHER FACTORS WILL INFLUENCE FINAL ELECTRICAL AND ARRAY LAYOUT. ARRAY RACKING TO BE BALLASTED TO AVOID PENETRATION OF THE LANDFILL CAP.
 9. TREE REMOVAL SHOWN AS PRELIMINARY AND DOES NOT INCLUDE MINOR TREE/VEGETATION REMOVAL THAT MAY BE NEEDED FOR PROPER CONVEYANCE OF STORMWATER.

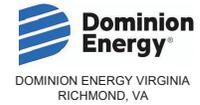
PREPARED FOR	PROVISIONAL USE PERMIT APPLICATION
PROJECT NUMBER	015-003
DATE	10/24/2025
DOCUMENT	
ORIGINAL SIZE:	24"x36"



NINE MILE ROAD LANDFILL SOLAR

PUP CONCEPTUAL PLAN

HENRICO COUNTY, VA





August 22, 2025

RE: Applicant’s Project Narrative for Provisional Use Permit for Development of a Solar Generation Facility for Virginia Electric and Power Company (d/b/a Dominion Energy Virginia) (the “Applicant”), on County Owned Property located on the Closed Nine Mile Road Landfill in Henrico County.

To whom it may concern:

On behalf of the Applicant, the undersigned submits this Narrative in connection with the Provisional Use Permit Application (“PUP” or the “**Application**”) to allow the development of a closed landfill site located on parcels in Henrico County, Virginia (the “**County**”) and identified as Parcel ID Nos. 803-722-7419 and 804-721-4491 (the “**Property**” and collectively, the “**Project**”). The Property is owned by the County and is subject to that certain Solar Project Ground Lease Agreement between the County, as owner, and the Applicant, as tenant (the “**Lease**”). This Narrative provides a general overview of the Project and related details for the PUP Application to allow a solar generation facility consisting of solar panels, modules, and related equipment that collects solar energy and converts it into electricity or transfers it (“**Facility**”).

INTRODUCTION AND BACKGROUND

Over the next 15 years, the Applicant plans to add about 16,000 MWs of solar generating capacity as part of Virginia’s plan for 100% zero-carbon electricity by 2045 and the company’s goal to achieve net zero emissions from its electric and gas infrastructure by 2050. To meet these ambitious renewable energy and sustainability targets, the Applicant is exploring all types of renewable energy opportunities. One such opportunity is the Project, which is a smaller, 2 MW solar facility, to be built in compliance with the County’s solar regulations. In addition to supporting a clean and sustainable energy future in Virginia, solar projects like the Project provide many benefits to the local community. Projects often use Virginia and locally based suppliers and labor to help create clean energy jobs and increase local tax revenues. Additionally, the size of the project opens the contracting and construction services to providers that have not been able to participate in larger-scale solar projects.

Applicant proposes installation of the Facility on the Property to provide local, sustainable electrical power generation without carbon emissions. The proposed Project will install approximately 2 MWac of fixed tilted solar panels on a ballasted racking system. The proposed Project will utilize approximately 16 acres of the Property with the remaining 40 acres kept in its existing condition. Primary access to the Facility will be from Tuxedo Boulevard to an existing site entrance onto the Property. Once operational, the Facility will produce little or no noise, emissions, increase to surface runoff or daily traffic. The Facility will be set back from the road and screened by natural vegetation. The Applicant has submitted a conceptual plan entitled “Nine Mile Road Landfill Solar PUP Conceptual Plan” with the Application (the “**Conceptual Plan**”), showing the site location, placement of equipment, parking, landscaping, buffers and road network.

ZONING AND EXISTING LAND USES

The Property has been historically used as a public landfill and has been vacant since the landfill was closed in 1978. The Property is located along Voegier Road and Milburn Avenue and is zoned M-2 General Industrial District (the “**M-2 District**”) on the primary parcel, with B-1 zoning on the northern portion of parcel 804-721-4491. The Property is adjacent to a City of Richmond neighborhood and a vacant house and commercial warehouse in the County.

The Facility will be built in compliance with the applicable M-2 District zoning conditions. In accordance with Section 24-2306 of the County Zoning Ordinance, the proposed Facility is permitted with approval of a PUP in the M-2 District. The PUP process will address specific concerns such as landscaping, setbacks, fencing, and structure locations. Additionally, while the PUP will not incorporate the area of the Property zoned B-1, the Project will include equipment for the Interconnection Area (the “**Interconnection Area Equipment**”), as shown on the Conceptual Plan. The Interconnection Area Equipment will be located underground and on pad-mounted structures in the area of the Property zoned B-1, which permits the Interconnection Area Equipment as a Minor Utility under the County zoning ordinance.

SUBSTANTIALLY IN ACCORD DETERMINATION

A Substantially In Accord (“**SIA**”) determination is required pursuant to Virginia Code Section 15.2-2232. Accordingly, the Applicant requests that the County Planning Department conduct a SIA determination for a proposed site for a solar energy electric generation facility located on the Property. The Application and this project narrative have been prepared to assist the County Planning Commission in determining whether the proposed Facility is substantially in accord with the County’s 2026 Comprehensive Plan (the “**Comp Plan**”).

A solar energy electric generation facility is a public utility facility as envisioned by Virginia Code Section 15.1-2232(A), which will be privately owned by the Applicant.

Virginia Code Section 56-265.1 reads in pertinent part:

(b) “Public utility” means any company which owns or operates facilities within the Commonwealth of Virginia for the generation, transmission or distribution of electric energy for sale.

Accordingly, the Applicant meets the definition of a “public utility” under Virginia Code Section 56-265.1.

SITE CHARACTERISTICS

The Property is approximately 56 acres comprising the former landfill site and forested areas. Stony Run Creek is located on the south end of the Property. A cell tower is located on the Property’s northern

portion under its own lease and an adjoining access road easement. To the west and south of the Property are the Oakwood and East End Cemeteries, respectively. Directly north of the Property is a residential area. All such external landmarks are screened with natural vegetation. There is an unrecorded small (10'x15'), fenced cemetery plot located on an area of the Property that will not be developed or impacted by the Project; otherwise, there are no previously recorded archeological sites within the Property.

The Facility will consist of solar arrays mounted on a weighted ballasted system. All equipment will be installed at grade with no subsurface penetrations in order to maintain the landfill cap integrity. At the end of its useful life, all equipment will be removed as described in the Lease.

The proposed use does not change the underlying zoning for this parcel. Instead, it looks to provide a means for the landowner to realize a better economic return on the Property in the near term.

2026 COMPREHENSIVE PLAN COMPLIANCE

The Comp Plan recommends “Government” for the Property and surrounding properties. As a County owned property, the income producing Lease satisfies this recommendation. The Comp Plan looks to ensure the County is a strong, diversified, sustainable and expanding economy which will be essential to the continued high quality of life in the County. Solar energy is a stable, long term energy source that provides an economic return while reducing environment impacts. Furthermore, it is a stable passive use that fits in well in the M-2 District.

The Project will preserve the Property from further division or change in use for the life of the Facility. Furthermore, local electricity generation serves to strengthen the distribution grid, providing a power source locally that can make the grid more robust and less susceptible to reliance on remote sources.

Overall, the proposed Facility supports local land use in several ways. First, this Project does not significantly change the topography of the area. Second, the Property is currently well covered with vegetation, which increases the retention of soils and cuts down on soil erosion. Third, at the end of its useful life, the Facility will be removed as provided by the Lease, unless otherwise agreed to by the County and Applicant.

The provisions of the Comp Plan related to land use promote healthy growth that is respectful of historic and natural resources by: (i) minimizing adverse environmental and fiscal impacts; (ii) protecting the quality of surface and groundwater, as well as air quality; and (iii) utilizing historical and archeological site investigation to preserve and protect the Property through private development efforts. This Application satisfies all the aforementioned requirements.

Important to the Comp Plan is the concept of creating livable communities through the quality of land use. The physical components of community character are manifested in the protection of resources and in harmonizing land uses. The proposed Facility satisfies this concept and in doing so, helps add to the quality of the community. The Facility will demonstrate a land use that can promote environmentally sustainable practices and integrate natural resource protection onsite. Moreover, given the existing native vegetation on the Property and the areas to be used for the Facility, it is very likely the Facility

will not be fully visible by adjacent landowners or from public rights of way. The Facility will maintain the low-density character of this area.

The Facility will have frontage along Voegier Road and Milburn Avenue. The Conceptual Plan shows up to two access points along this roadway, situated so as to minimize the Facility's impact on the nearby residential use. Once operational, there will be no daily site traffic. Property access is estimated to be 0-4 times per month for routine maintenance and groundcover control.

Finally, with regard to implementation, the Comp Plan specifically encourages sustainable development by: (i) utilizing site design and buffering to reduce impacts on adjacent properties; (ii) ensuring that new development is respectful of historic resources and incorporates the preservation of existing features to the extent feasible; (iii) adhering to environmental quality protection measures, including best management practices, and minimizing erosion and flooding; and (iv) promoting agriculture as a desirable use, subject to potential change and transition. The proposed Facility meets all of these goals. Specifically, it is a low activity use that is compatible with its setting. It has natural thick vegetation buffers that offset its visual impacts to the few adjacent neighbors. It employs responsible environmentally sensitive design through best management practices and mitigation measures. And finally, at the Facility's end of life, the Applicant will return the Property without degradation for any other uses.

CONCLUSION

The ability to provide for the adequate and reliable development of renewable power generation should be the responsibility for every community. The County has been on the forefront of future development in its efforts to create a strong, diversified, sustainable, and expanding economy, and solar energy electricity generation is generally respected by the business community. The Project supports multiple goals and policies within the Comp Plan, and we ask for (i) your finding that the Project is substantially in accord with the Comp Plan and (ii) approval of the PUP Application.



NINE MILE ROAD SOLAR HENRICO COUNTY

PUP-2025-102122



A gravel path leads through a wooded area towards a solar farm. The path is made of light-colored gravel and is flanked by dense green trees. In the distance, a large solar panel array is visible under a clear blue sky.

NINE MILE ROAD SOLAR HENRICO COUNTY

