



Botetourt County, Virginia
Office of the County Administrator

June 9, 2020

57 S. Center Drive, Suite 200
Daleville, Virginia 24083
Phone (540) 928-2006
Fax (540) 473-8225

Mr. Jerry L. Fraley and
Fraley Family Restated Irrevocable Dynasty Trust
P. O. Box 90
Eagle Rock, VA 24085

RE: Public hearing in accordance with Chapter 25 Zoning, Article V, Division 6, Section 25-581.2 Zoning ordinance text amendment—Owner-initiated of the Botetourt County Code for a request to revise Article IV, Division I, Section 25-446. Wind energy systems as follows: Amend (l) Utility scale wind energy system requirements. (3) Turbine height to change the maximum turbine height from 550 feet to 680 feet; amend Section 25-446. Wind energy systems (m) Reserved to add a section to provide a maximum height of 100 feet for equipment and structures for substations and facilities for points of interconnection; and amend Section 25-446. Wind energy systems (o)(13)(i) Expiration to delete the five year time limit that a special exception permit for wind energy systems would expire if the system did not become operational.

Dear Mr. Fraley:

This letter will certify that the above referenced text amendments were approved by the Botetourt County Board of Supervisors at its regular meeting held on May 26, 2020, as follows:

**BOTETOURT COUNTY CODE
CHAPTER 25. ZONING**

ARTICLE IV. SUPPLEMENTAL REGULATIONS

DIVISION 1. USE REGULATIONS

Sec. 25-446. Wind Energy Systems

(a) through (k) (Same)

(l) *Utility scale wind energy system requirements.*

(1) through (2) (Same)

(3) *Turbine height.* The individual turbines shall not exceed ~~five hundred and fifty (550)~~ **six hundred and eighty (680)** feet in height, as measured from the ground to the highest vertical portion of the blade when fully extended. The system height established through a special exception permit shall supersede any other height requirement in the zoning ordinance.

(4) through (6) (Same)

(m) ~~Reserved.~~ *Equipment and structures for substations and facilities for points of interconnection.* The height of equipment and structures related to substations and similar facilities shall not exceed one hundred (100) feet. This limit shall not apply to any state-regulated transmission poles.

(n) through (o) (Same)

(1) through (13) (Same)

(a) through (h) (Same)

~~(i) Expiration: A special exception permit issued pursuant to this section shall expire if the wind energy system is not installed and functioning within five (5) years from the date the permit is issued; or the wind energy system is abandoned as defined above.~~

(14) through (15) (Same)

This action was taken after advertisements and public hearings of the Botetourt County Planning Commission and the Botetourt County Board of Supervisors in accordance with requirements of the Botetourt County Zoning Ordinance.

Before commencing any site work or constructing or renovating any structures on this property, please secure all necessary building, electrical, plumbing, mechanical, and erosion permits required under the applicable Botetourt County Codes.

If you have any questions regarding this matter, please feel free to contact my office.

Sincerely,



Gary Larrowe
County Administrator

cc: Mrs. Nicole Pendleton, Community Development Director
Mr. Charlie Johnson, Rocky Forge Wind Farm/Apex Clean Energy