



**HAMPTON ROADS PLANNING DISTRICT COMMISSION
RESOLUTION 2020-03**

**RESOLUTION OF THE HAMPTON ROADS PLANNING DISTRICT COMMISSION
ENCOURAGING LOCAL GOVERNMENTS IN HAMPTON ROADS TO CONSIDER ADOPTING
COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY FINANCING PROGRAMS**

WHEREAS, the General Assembly first authorized the creation of local clean energy financing programs in 2009; and

WHEREAS, in 2019, the General Assembly expanded the authority of local clean energy financing programs to also fund improvements for resiliency and stormwater management; and

WHEREAS, in 2020, the General Assembly granted the Department of Mines, Minerals and Energy the authority to serve as a state sponsor for a clean energy financing program; and

WHEREAS, § 15.2-958.3 of the Code of Virginia, 1950, as amended, enables localities, by ordinance, to facilitate loans made by qualified lenders to non-residential property owners to finance the initial acquisition and installation costs of clean energy, resiliency, and stormwater management improvements, and for such loans, inclusive of principal, interest, and any financed fees, costs or expenses, to be (i) repaid through special assessment payments either directly to the lender or through the locality to the lender and (ii) secured by a voluntary special assessment lien on the subject property with such lien having the same priority status as a property tax lien against real property; and

WHEREAS, Commercial Property Assessed Clean Energy (C-PACE) is an innovative and tested tool that encourages private sector investment in energy use reductions in many cases where traditional commercial financing instruments are often not feasible; and

WHEREAS, facilitating improvements to non-residential properties that involve clean energy, energy efficiency, water efficiency, resiliency, or stormwater improvements for both existing properties and new construction promotes the general welfare.

Now, therefore, be it resolved that the Hampton Roads Planning District Commission hereby:

1. Encourages localities in Hampton Roads to consider adopting ordinances to establish local C-PACE programs;
2. Recommends that localities in Hampton Roads coordinate with the Department of Mines, Minerals and Energy to determine whether local administration or

participation in the state program is the preferred option for managing a C-PACE program;

3. Directs the HRPDC Coastal Resiliency Committee to keep apprised of developments related to C-PACE programs, legislation, and regulations in the Commonwealth and provide updated information and recommendations to the Commission and its member localities as appropriate.

APPROVED AND ADOPTED by the Hampton Roads Planning District Commission this 19th day of November 2020.

Andria P. McClellan
Chair

Robert A. Crum, Jr.
Executive Director/Secretary