



COUNTY COMMISSIONERS
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A RESOLUTION APPROVING A CONDITIONAL USE PERMIT REQUEST

BY Strata Solar Development LLC

WHEREAS, Strata Solar has applied to Chatham County for a conditional use permit on Parcel No. 5767, located at 3905 Corinth Rd, Moncure, NC, Cape Fear Township, for a 5MW solar farm on approximately 28.32 acres out of the 87.1 acre tract, and;

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. The Chatham County Zoning Ordinance, Section 10.13 lists solar farms, greater than two (2) acres in size, as permitted with approval of a conditional use permit with specific standards outlined in Section 17.6.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, the State of North Carolina Utilities Commission in Raleigh states "after careful consideration, the Commission finds good cause to approve the application and issue the certificate of public convenience and necessity for the proposed 4.975MW AC solar photovoltaic electric generating facility". The applicant is required by state law to report to the utilities commission who monitors the site on an annual basis.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. Noise that comes from the inverter can be heard within 50 feet of the equipment. Other than this, there is no noise. Traffic to and from the site will mainly be during the construction phase. The applicant anticipates approximately 50-60 vehicles per day for the three (3) month construction phase. There will be no hazardous materials used or stored on the site and the applicant states in the materials there are no pending environmental impacts associated with solar panels.
4. The requested permit is consistent with the objectives of the Land Development Plan by, This site will provide alternative energy to the local power company. It is also located on a tract that has a significant tree buffer that will remain making it virtually blocked from view therefore

preserving the rural character of the site. The use ensures the long-term quality of surface water resources.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. There are no public utilities needed to serve this site except power. No wastewater is needed. The access road has been relocated on the revised plan to show the access point on the project tract. NCDOT will be issuing a commercial driveway permit.

The applicant has obtained the necessary approval from the US Army Corps of Engineers to cross a creek with the access road. The Environmental Quality director has also reviewed the impervious surface proposed. Solar panels are not considered impervious surface and the watershed classification is River Corridor (RC) which allows up to 12%.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a Conditional Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the conditional use permit in accordance with the plan submitted by the Applicant, Strata Solar Development, LLC, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. The recommendations of the Chatham County Appearance Commission shall be followed and implemented by the end of the next optimal planting season following the issuance of the building permit. It shall be the applicant's responsibility to ensure the survival and maintenance of all landscaping required. Inspections will be conducted as needed to ensure compliance is being met.

Standard Site Conditions

2. The application and approved recommendations as provided for and/or conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place.
3. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Storm water Management, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department prior to the initiation of the operation/business.
4. A building permit must be obtained and remain valid at all times within 2 years from the date of this approval or this permit shall become null and void.

Standard Administrative Conditions

5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspection.
6. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
7. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
8. Non-Waiver - Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.

BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 21st day of October, 2013

By: _____

Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:

Sandra B. Sublett, CMC, NCCCC, Clerk to the Board
Chatham County Board of Commissioners