



COUNTY COMMISSIONERS
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COUNTY MANAGER
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A RESOLUTION APPROVING A CONDITIONAL USE PERMIT REQUEST

BY Strata Solar

WHEREAS, Strata Solar has applied to Chatham County for a conditional use permit on Parcel No. 12233, located at / off US 64 W, Hickory Mountain Township Township, for a solar farm on approximately 42 acres (23.3 acres located within the zoned portion of the county where this resolution applies), 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. Solar farms greater than two (2) acres in size are listed as permitted with a conditional use permit and are directed to follow the standards shown in Section 17.6 of the ordinance.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, Under NC Senate Bill 3 (G.S. 62-113.8), public policy is to promote renewable energy and electric companies are now required to purchase an increasing amount of renewable energy. The applicant filed an application with the NC Utilities Commission regarding this location for a Certificate of Public Convenience and Necessity. An order issuing Certificate and Accepting Registration was approved by the commission on August 13, 2014 citing a good cause to approve for public convenience and necessity for the generating facility.
With this project there would be no fuel consumption, no emissions, or continued traffic to and from the site. Construction generally takes approximately three to four months to complete. Once complete, the only traffic to the site will be for maintenance or inspection.
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. This is an unmanned facility. There will be no additional services required from emergency personnel, public utility, or wastewater. The project will require monthly maintenance only and no road improvements are needed. NCDOT will issue a commercial driveway permit for the site

for the access on US 64. There will be a 50 foot perimeter around the entire site with the exception of the 100 foot setback from US 64. The entire project area will be fenced. No lighting is proposed on this project and noise is limited to the humming sound from the centrally located inverters and transformers which should not be heard off-site. Signage will be limited to small signs attached to the perimeter fence. No large signage is proposed.

4. The requested permit is consistent with the objectives of the Land Development Plan by, the applicant states this project meets several of the defined policies of the Plan. By providing low-impact, low-profile "green" development, the rural character and landscape is better protected. This project helps in retaining sustainable development and ensures long-term quality and availability of ground and surface waters 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 or private water or wastewater services to be provided, NCDOT will be issuing a commercial driveway permit for the access, and no lighting is proposed. The parcel is located within the Local Area Watershed district. Up to 36% impervious surface can be developed on the property. Per Watershed regulations, solar panels are not considered to be impervious. Any other structures and access roads will be counted. Approximately 2% impervious surface is estimated. An Erosion and Sedimentation Control permit will be required and Stormwater measures will also be permitted before any land disturbing activity on the site can begin.

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 and as shown in "Attachment A", Strata Solar, and incorporated herein by reference with specific conditions as listed below;

Site Specific Conditions

1. The applicant shall follow the recommendations of the Chatham County Appearance Commission and install said plantings at the next optimal planting season following the issuance of the first building permit.

Standard Site Conditions

2. The application, standards and adopted regulations of the applicable ordinances and policies, and the 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. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.

3. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Erosion & Sedimentation Control, Environmental Health Division, Stormwater 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 Certificate of Occupancy shall be obtained within two years of the date of this approval unless other approval/s has been given for an extension, or this approval becomes null and void.

Standard Administrative Conditions:

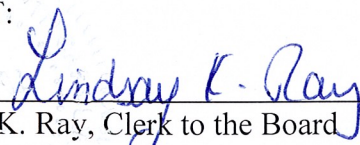
5. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
6. Continued Validity - The continued validity and effectiveness 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 17th day of November, 2014

By: 
Walter Petty, Chair
Chatham County Board of Commissioners

ATTEST:


Lindsay K. Ray, Clerk to the Board
Chatham County Board of Commissioners

ATTACHMENT "A"

Being Parcel No. 12233, approximately 42 acres, located off US 64W, Hickory Mountain Township.

