



Established 1771

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. 18869, located at 151 Vicker's Road, Williams Township, for 1.99 MW solar farm on approximately 21 acres out of the 98.54 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, Included in the application's supporting documentation is a letter from the State of North Carolina Utilities Commission in Raleigh states, dated signed January 8, 2013 which states "the registration by Vickers Farm for its solar PV facility as a new renewable energy shall be and is hereby accepted". The applicant is required by state law to report to the utilities commission who monitors the site on an annual basis. Supporting documentation was also based on NCGS 62-2, Senate Bill 3, which became law in 2007, where electric utility companies are required to purchase an increasing amount of renewable energy. This solar farm is being constructed under that policy and will be connected to the Duke Energy power grid.
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. The applicants met with the CCAC as required prior to submittal of the application. The site plan landscaping was approved with recommended modifications and replacement of one species of vine plant to which the applicant has agreed to modify with slats within that portion of fencing that is required to be opaque in nature There will be no noise, lighting, or large signage associated with this site. Signage will be limited to small, attached sign on the perimeter fencing.

The Environmental Quality Director reviewed the Environmental Impact Assessment and determined it met the submittal requirements.

Other than an NCDOT commercial driveway permit, there are no other road improvements needed or required..

4. The requested permit is consistent with the objectives of the Land Development Plan by, This site will preserve the rural character of the site by locating on approximately 18 acres within the 98 acre tract. The use ensures the long-term quality of surface water resources by maintaining a small impervious surface percentage and replanted ground cover. Should the solar farm no longer be in operation, the zoning ordinance requires the facility to be dismantled at the owner's (solar farm owner) expense. The land can then be returned to agricultural use if desired.

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 and no wastewater is needed. An NCDOT commercial driveway permit will be needed. Erosion and sedimentation control permits and storm water permits will be issued if required. Non-residential land disturbances 20,000 sq ft or higher trigger plan review and approval for all land disturbing activity.

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 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, with the exception of the installation of the Carolina Jessamine, and other modifications as agreed by the applicant at the community meeting, 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.
2. As agreed by the applicant, vinyl slats shall be installed in the area where the previously recommended Carolina Jessamine was to be installed in order to provide an opaque screening of that particular area.

Standard Site Conditions

3. 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.

4. 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.
5. A Certificate of Occupancy/Compliance shall be obtained within two years of the date of this approval unless other approval/s has been given for an extension, or the conditional use permit becomes null and void.

Standard Administrative Conditions

6. 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.
7. Continued Validity - The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditions listed above.
8. Non-Severability - If any of the above conditions is held to be invalid, this approval in its entirety shall be void.
9. 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 March, 2014

By: 
~~Walter Petty, Chair~~ **BRIAN BOCK** Vice Chair
Chatham County Board of Commissioners

ATTEST:


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

ATTACHMENT "A"

Being a portion of Parcel No. 18869 (approximately 21 acres out of the 98.54 acre tract), located at 151 Vicker's Road.

