

## TOWN OF SEAGROVE

Public Hearing Minutes

November 6<sup>th</sup>, 2018

### Zoning ~ Solar Farms

The public hearing was called to order at 7:30 p.m. by Mayor Fernandez. Those present were Mayor Pro-Tem Cindy Neef, Commissioners: Sandra Walker, Ed Walker, Pam Allen, and Jason Auman.

The purpose of this meeting is to give the public an opportunity to give their thoughts and concern about the proposed new Zoning Ordinance (Article 14) concerning Solar Farms and a change in Article 10(corridor). Copies attached.

There were no comments from the public on this matter.

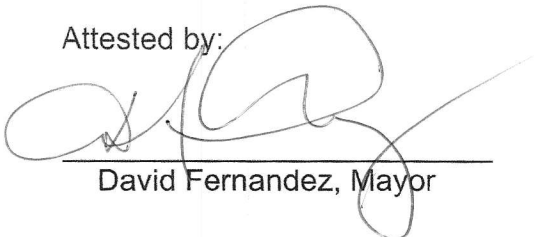
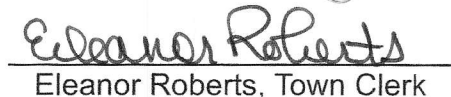
Mayor Pro-Tem Cindy Neef made a motion to adopt the new ordinance concerning Solar Farms. Commissioner Ed Walker 2<sup>nd</sup> the motion. The motion passed.

Commissioner Auman made the motion to accept the changes to the ordinance concerning the corridor restrictions. Commissioner Sandra Walker 2<sup>nd</sup> the motion. The motion passed.

Commissioner Sandra Walker made a motion to close the Public Hearing and go into Regular Session Mayor Pro Tem Cindy Neef 2<sup>nd</sup> the motion. The motion passed unanimously.

TOWN OF SEAGROVE

Attested by:

  
\_\_\_\_\_  
David Fernandez, Mayor  
\_\_\_\_\_  
Eleanor Roberts, Town Clerk

(E.) Prohibited Uses (#8 – 16 were added as part of the Zoning Ordinances, March 7, 2017)

1. Carwashes
2. Adult establishment
3. Mini-warehouse Storage Facilities
4. Motor Vehicle Wrecker Service
5. Inert Debris Landfills
6. Motor Vehicle Repair, Sales, or Storage
7. Internet Sweepstakes Type Business
8. Motor Vehicle Paint and Body Shops
9. Junkyards
10. Outdoor Flea Markets
11. Outdoor Storage
12. Laundry Mats
13. Accessory Structures in front yard area
14. Off-Premise Signs (Billboards)
15. Manufactured Home, Camper, Marine, or RV Sales
16. Solar Collector Facility
17. Any use not listed must be reviewed and approved by the Seagrove Planning and Zoning Board and the Seagrove Town Commissioners.

(F.) Review Requirements

- (1.) Prior to the construction of any new non-residential building, structure, or parking area or substantial renovation of such, a site plan must be completed according to the requirements of the Town of Seagrove Zoning Ordinance, Article 3-3.2, Non-Residential Site Plan Requirements.

A zoning compliance certificate is required by Randolph County prior to issuing a building permit for construction. No zoning compliance certificate shall be issued for a non-residential structure on a lot until a site plan meeting the requirements of Article 3-3.2 is approved by the Zoning Enforcement Officer. No new site plan is required if an adequate existing site plan is on file. Existing site plans may be amended to show any addition, demolition, alteration, or change.

- (2.) Site Plan Submission, Review, and Approval, Zoning Compliance Certificate, Building Permits

(a.) Non-residential site plans with a completed application shall be submitted to the Zoning Enforcement Officer for review

(b.) Upon receipt of the site plan, the Zoning Enforcement Officer shall review the site plan for compliance with ordinance requirements

## **Article 11: Solar Collector Facility**

1. This type of use excludes any solar panels that are utilized or generating electricity for a residential property.
2. The minimum size of a Solar Collector Facility (aka Solar Farm) shall be ten (10) acres. This will be for all lands within the Town of Seagrove (HWY Commercial and Commercial except for the Corridor. The Corridor will follow Article 10.)
3. Applicant shall apply for a Conditional Use Permit in accordance with Article 3-7 of the Town of Seagrove Zoning Ordinance. A minimum building setback of fifty (50) feet where abutting residential property and sixty-five (65) feet from public right of way is required for ground-mounted systems. This excludes any proposed solar collector facility to be installed on an existing or proposed building.
4. The photovoltaic (PV) panels are to be located and situated so glare does not create a distraction or nuisance to traffic or adjacent residential properties.
5. Solar components must have a UL listing or a listing from an alternative testing agency accepted by the local jurisdiction having authority over the project, and must be designated with anti-reflective coating(s).
6. All construction shall be in compliance with the National Electric Code and North Carolina Building Code.
7. No PV panels shall exceed a height greater than 15 feet, except for existing poles and overhead wiring. This is measured from finished grade at the base of the structure to its highest point. This would exclude any roof-mounted solar collection systems.
8. Roof-mounted panels shall not extend beyond the perimeter of the building on which the system is mounted or constructed. The total height of the solar panels shall not exceed the maximum building height of the underlying zoning district.
  - a. Pitched Roof Systems – For all roof-mounted systems, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
  - b. Flat Roof Systems – For all flat roof applications, a drawing shall be submitted depicting the overall layout of the panels with the distance to the roof edge and any parapets on the building.

9. Power transmission lines from a ground mounted solar energy system shall be located underground, excluding existing utilities, subject to the Duke Energy guidelines regulating new utility connections.
10. Inverter(s) shall be located a minimum of one hundred and fifty (150) feet from any property line or public right of way. The maximum decibel level for inverter noise shall be 40dBA at the property line.
11. Where facility adjoins property used or zoned for residential purposes and public right of way, a vegetative screen, either planted or naturally wooded area, shall be provided in accordance with Screening Requirements of this Ordinance contained herein.
12. Access to site must be controlled by a fence at least six (6) feet in height, with 24/7 emergency access. Mechanical equipment and inverter shall be fenced by one of the following:
  - a. A minimum Six (6) foot fence with 3-strand barbed wire or razor wire; or
  - b. An eight (8) foot fence.
13. In the event a solar collector facility becomes abandoned, the applicant must provide a way of ensuring the remaining solar infrastructure does not create a hazard to the public including, but not limited to the following:
  - a. If the applicant ceases operation of the energy facility or begins, but does not complete construction of the project, the applicant shall restore the site according to a decommissioning plan approved by the Town.
  - b. The Solar Collector Facility owner is required to notify the Town of Seagrove and Randolph County immediately in writing upon abandonment or cessation of the solar operation. The property owner shall be responsible for the decommissioning of the facility within six (6) months from the date the applicant ceases use of the facility or the facility becomes obsolete. A project is decommissioned when all structures and equipment are removed, and the site is restored to its original state.
14. The electrical disconnect switch shall be clearly identified and unobstructed at all times. The property owner must file a map with the Town of Seagrove and the Randolph County Emergency Management depicting where the disconnect switch is located, and supply all emergency contact information to emergency personnel to have on file.
15. The screening guidelines of this ordinance are required of all solar farms and shall be one of the following:

- a. A seven (7) foot high attractive blind barrier that shall not permit the passage of light from one side to the other, and it must also dampen noise where needed. Such barrier may be a decorative masonry wall, a wood plank or basket weave type fence, an open type fence with evergreen vegetation (minimum 7 feet in height and 3 feet wide), or the like which is planted facing the adjoining property.
- b. A three (3) foot wide, seven (7) foot high dense evergreen planting that shall be of a species that will normally be expected to reach a height of ten (10) feet in three (3) years' time. Low limbs, etc....are not to be trimmed from the planting higher than twenty-four (24) inches from the ground.
- c. A minimum of twenty (20) feet wide natural vegetative or planted strip. The natural vegetative or planted strip shall be undisturbed, natural low bushes, shrubs, or trees, or a strip of plantings designed to simulate a wooded natural vegetative area. The trees planted in this screen shall be a minimum of 7 feet in height and of such size for the trees to grow to a height of at least twelve (12) feet within three (3) years, and the shrubs to grow to a height of two (2) feet within two (2) years. The planting will include a minimum, of fifteen (15) trees, at least half evergreen, plus seven (7) shrubs per one hundred linear feet of lot boundary prorated for less than 100 foot sections. Previously existing trees and shrubs of minimum height shall count toward this requirement.

**Adoption and Effective Date**

This Ordinance shall take effect on \_\_\_\_\_ duly adopted by Town Council, Seagrove, NC

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Clerk