

STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)
)

OFFICE OF THE COMMISSIONERS
STOKES COUNTY GOVERNMENT
DANBURY, NORTH CAROLINA
TUESDAY OCTOBER 1, 2019

The Board of Commissioners of the County of Stokes, State of North Carolina, met for a regular session (Planning) in the Commissioners' Chambers of the Ronald Wilson Reagan Memorial Building (Administration Building) located in Danbury, North Carolina on Tuesday October 1, 2019 at 7:00 pm with the following members present:

Chairman Andy Nickelston
Commissioner Ronnie Mendenhall
Commissioner Rick Morris
Commissioner Jamie Yontz

Absent:
Vice Chairman Jimmy Walker

County Personnel in Attendance:
County Manager Jake M. Oakley
Assistant County Manager/Clerk to the Board Shannon Shaver
Planning Director David Sudderth

Chairman Nickelston called the meeting to order and welcomed those in attendance.

INVOCATION

Chairman Nickelston delivered the invocation.

GENERAL GOVERNMENT-GOVERNING BODY-PLEDGE OF ALLEGIANCE

Chairman Nickelston invited those in attendance to join the Board in the Pledge of Allegiance.

GENERAL GOVERNMENT – GOVERNING BODY – APPROVAL OF AGENDA

Chairman Nickelston entertained a motion to approve or amend the October 1st Agenda.

Commissioner Mendenhall moved to approve the October 1st Agenda as presented.

Commissioner Morris seconded and the motion carried unanimously.

PUBLIC COMMENTS

Chairman Nickelston opened the floor for public comments at 7:03pm.

The following spoke during public comments:

David Hairston 1125 Adams Ridge Road Walnut Cove, NC 27052

Linda Hicks 1130 Rock Road Madison, NC 27025

E.A. Buddy Timm PO Box 573 Walnut Cove, NC 27052

Tim Mabe Walnut Cove, NC

Amos Elvis King, NC

Ramona Timm PO Box 573 Walnut Cove, NC 27052

Robert Knight 1220 Hubbie Moore Road Lawsonville, NC 27022

With no further speakers Chairman Nickelston closed the time for public comments at 7:25pm.

PUBLIC HEARING/PRESENTATION/DISCUSSION/ACTION AGENDAS

Chairman Nickelston turned the floor over to Planning Director David Sudderth.

Planning Director David Sudderth presented the following information to the Board.

STAFF REPORT

Lick Creek Solar

RA to M-1-CZ #19-891

REQUEST: Lick Creek Solar is requesting to rezone approximately **616.67 acres** from **RA (Residential Agricultural)** to **M-1-CZ (Light Manufacturing Conditional Zoning)** for a **“Utility Scale Solar Photovoltaic Facility”**. All parcels are located in **Sauratown Township**.

SITE OWNERS: DFC Stokes LLC, DFC Stokes 2 LLC, Tex Mabe, Tim Mabe, Deborah Mabe

APPLICANT: Lick Creek Solar

SITE LOCATION: The properties are not currently addressed. The parcels are located off of Burton Loop Rd. (SR# 1920), Oldtown Rd. (SR# 1918). Farmer Rd. (SR# 1917)

PARCEL INFORMATION:

Parcel 697303435270 – Tex Mabe, Tim Mabe, Deborah Mabe – **34.23 acres** – Deed Book/Page – 570/230 Farmer Rd.

Parcel 697303331081 – Tim Mabe, Deborah Mabe – **78.02 acres** - Deed Book/Page – 383/327 Oldtown Rd.

Parcel 697300514188 – Tim Mabe, Deborah Mabe – **117.66 acres** - Deed Book/Page – 420/1109 Farmer Rd.

Portion of Parcel 697303127433 – Tex Mabe, Tim Mabe, Deborah Mabe – **34.84 acres** - Deed Book/Page – 570/230 Oldtown Rd.

Portion of Parcel 6972286901 – DFC Stokes LLC, DFC Stokes 2 LLC – **351.92 acres** Deed Book/Page 640/2484 – Burton Loop. Rd & Martin Luther King Jr. Rd.

SITE INFORMATION:

TOTAL PARCEL(s) SIZE: Approximately **616.67 acres**

REZONING PARCEL SIZE: Total tract approximately **616.67 acres**

ZONING DISTRICT: RA (Residential Agricultural)

PROPOSED DISTRICT: M-1-CZ (Light Manufacturing Conditional Zoning) for a Utility Scale Solar Photovoltaic Facility (50 ac megawatt) production

FLOOD HAZARD AREA: Portions of each of the proposed parcels for rezoning are located in a flood hazard area along the Town Fork Creek. (See map)

FIRM MAP #: 37106966200J

FIRM MAP ZONE: Portion of parcels proposed to be utilized for solar panels are located in Zone X, which is an area determined to be outside the 500-year floodplain. Portions of each parcel are also located within zone AE. The AE zone is an area determined to be within the 1% annual chance floodplain, (100-year floodplain) where base flood elevations are determined.

WATERSHED DISTRICT: Parcels not located in a drinking supply watershed area.

SEPTIC/WATER APPROVAL: N/A -The site will not need septic or water.

SCHOOL DISTRICTS: N/A

EMERGENCY SERVICES: FIRE – Walnut Cove (Station 35) EMS- Walnut Cove (101)

EROSION CONTROL: The applicant and their engineering firm, (Kimley-Horn) are aware of the need to be approved for an erosion control plan from NCDEQ prior to any land disturbing activities.

ACCESS: The applicant has made NCDOT aware of the potential need to obtain commercial driveway permits. If approved the applicant will be required to apply to NCDOT for commercial driveway access permits off of each state road they propose an access point.

TRAFFIC: Average daily traffic counts of roads serving the proposed parcels.

Average daily traffic counts are from 2016 and are as follows: (vpd)-vehicles per day

- **Old Town Road SR# 1918: 1800 vehicles per day (vpd);**
- **Burton Loop SR# 1920: no counts available;**
- **MLK Jr. SR# 1921: 1900 vpd near NC 65E; 1200 vpd east of Crestview Drive;**
- **Farmer Road SR# 1917: 1300 vpd between Old Town Road and US 311. No counts available south of Old Town Road.**

SURROUNDING LAND USE: The proposed project is located on multiple parcels accessed by four (4) state roads. The four (4) proposed parcels submitted for conditional rezoning located off of Oldtown Rd. and Farmer Rd. are bordered by residential and agricultural property as is the property that is located off of Burton Loop. Rd. The density of development in the area surrounding the proposed solar facility is relatively low.

ISSUES TO CONSIDER:

- Potential tax base increase due to commercial property and roll back tax.
- Best utilization of existing land
- Sustainable energy source
- Short term job creation
- Long term effects of the project
- Compatibility with surrounding development

STAFF COMMENTS: This rezoning request comes to the Board as a conditional rezoning from RA (Residential Agricultural) to M-1-CZ (Light Manufacturing Conditional Zoning) for a **Utility Scale Solar Photovoltaic Facility, 50ac megawatt production.** The Board may discuss this application in detail. The applicant is requesting this rezoning to create a location for a +/- 1,135 acre multi-parcel facility with portions of the facility proposed to be located in Walnut Cove's jurisdiction, (+/- 518.33 acres) and Stokes County's jurisdiction (+/- 616.67 acres).

A portion of each of the proposed parcels is located in a flood zone as shown on the county flood maps. The developer has proposed to avoid these areas of the respective properties in the placement of the solar panels and associated equipment. The applicant has stated that

approximately 475 acres of the proposed area will be utilized for the project after the flood prone areas and wetlands are deducted.

The applicant has submitted information stating that the project would consist of 179,500 panels for the total project and approximately 108,000 panels would be located in the county's jurisdiction. The project is engineered to have an operating life span of at least 25 years. The applicant has stated they have not determined a manufacturer but states the panels will most likely be poly-crystalline approximately six (6) ft. x three (3) ft. in dimension situated twelve (12) ft. off the ground. The applicant states in their submitted site plan the solar facility will be enclosed with fencing eight (8) ft. tall with an additional two (2) ft. of barbed wire.

The proposed facility has received approval from the NC Utilities Commission to construct a facility if approved by the local jurisdictions. Lick Creek Solar has filed an updated site plan to the commission to reflect what is being proposed.

A utility substation will have to be constructed by Duke Energy to be able to utilize the electricity produced by the facility. This substation and interconnection point is being proposed to be built on property between NC 65 E and Stokesburg Rd. in the Town of Walnut Cove. All of the parcels associated with this proposed project located in the Town of Walnut Cove's jurisdiction are owned by John R. Parsons.

The Town of Walnut Cove approved the rezoning request of the properties in late August and the Walnut Cove Board of Adjustment approved a conditional use permit for the request on September 3, 2019 to allow the Solar Photovoltaic facility to proceed.

After reviewing the submitted documentation by the applicant for the proposed conditional use rezoning the Planning staff sees no problem with this request and feels that the creation of a Utility Scale Solar facility on these tracts of land will assist in increasing the tax base as well as assisting in creating short term employment opportunities. The conditional zoning aspect of the request limits the properties to the request as submitted and the nature of large scale solar facilities with their leasing agreements and large revenue expenditures help keep the use of these properties the same for 25 to 30 years. The proposed fifty (50 ac) megawatt electric production anticipated by the developer will be sold to Duke Energy. The NC General Assembly has set a minimum percentage (8%) for renewable power generation for Duke Energy by 2025.

The conditional zoning process allows the Boards to request conditions on the request. The Town of Walnut Cove approved a Conditional Use permit with stated conditions that were acceptable by the applicant. The Planning staff recommends that if the county approves the Conditional Rezoning request that it requires some of the same conditions as was approved in the Conditional Use permit approved by the Town of Walnut Cove's Board of Adjustment. These conditions would create a consistent seamless project for both the community and the developer. The following recommended conditions with a slight wording modification are as follows.

Decommissioning. Within 6 months after the solar energy facility has ceased to produce electricity and the facility has reached its useful life, the owner of the facility shall immediately initiate the decommissioning plan for the facility.

Recycling. As part of decommissioning, the owner of the facility shall fully recycle all materials as reasonably possible.

Landscaping. The panels shall be reasonably concealed from view by either natural vegetation or planted evergreen vegetation. When relying on existing vegetation, the buffer shall be no less than 50 feet in width. When using planted vegetation to conceal the fence and panels in locations where there is no view from a residential structure, the applicant shall plant a staggered double row of evergreens. In locations where the facilities can be viewed from a residential structure, the applicant shall use three rows of evergreens, staggered. When using planted vegetation to conceal the facility, the vegetative buffer shall be no less than 20 feet in width. The final landscaping plans shall be approved by the Planning Director or his designee to ensure compliance with this condition.

From the county's perspective the Planning staff would recommend the applicant/developer submit a final site plan showing a detail layout of the facility including location of all solar panels and associated equipment, including access points, interior service roads, setbacks and vegetative buffers existing and planted. The county would also recommend that all setbacks for the facility adhere to the front yard setback as prescribed in the Stokes County Zoning Ordinance for the M-1 (Light Manufacturing) district Section 91.4 Dimensional Requirements which is fifty (50) feet. A facility of this type doesn't have a traditional side or rear yard. This is consistent to what the Town of Walnut Cove's ordinance requires as a perimeter setback.

STATEMENT OF CONSISTENCY AND REASONABLENESS:

I have included example Statements of Consistency and Reasonableness supporting the request and opposing the request for your review. The Board must decide if the rezoning petition meets the requirements of the Stokes County 2035 Comprehensive Plan as to its consistency with the current development patterns and to the appropriateness of the request in regards to the guide. All decisions must be based on these standards. **Please make all motions for approval or disapproval referencing the petitions consistency or non-consistency with the Stokes County 2035 Comprehensive Plan.**

PUBLIC INFORMATION MEETING: The applicant submitted a report for two (2) Public Information Meetings for this proposal. This first meeting was on Thursday, June 27, 2019 at 5:30 pm at the Walnut Cove Public Library. The second meeting was held on Tuesday, July 30, 2019 at 5:30 pm at the Walnut Cove Library.

(See Attachment D for attendance and minutes of the meeting)

STOKES COUNTY PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
1014 MAIN STREET PO BOX 20 DANBURY, NC 27016

**Conditional Rezoning Petition
Statement of Consistency and Reasonableness**

Case No. #19-891
Applicant: Lick Creek Solar
Property Owner(s): Tex Mabe, Tim Mabe, Deborah Mabe, DFC Stokes LLC, DFC Stokes 2 LLC
Parcel ID# 697303435270, 697303331081, 697300514188, 697303127433 6972286901,
Location: Located off of Oldtown Rd. (SR#1918), Farmer Rd. (SR#1917), Burton Loop Rd. SR# 1920
Proposed Amendment: Rezone approximately 616.67 acres from RA to M-1-CZ for a “Utility Scale Solar Photovoltaic Facility”

The Stokes County 2035 Comprehensive Plan identifies portions of the county through the Land Use Transect methodology, which shows transition zones between rural areas and more urbanized areas of the county. The proposed rezoning is best described in the transect zone identified as G-1 Low Density Growth Areas. This (G-1) transect zone is established to encourage Low Density development.

The proposed development is for an M-1-CZ (Light Manufacturing operation for a “**Utility Scale Photovoltaic Facility**”).

The use of the property for the development **Utility Scale Photovoltaic Facility** should fit into this G-1 Low-Density Transect Zone as identified in the Stokes County 2035 Comprehensive plan.

This proposed amendment **is consistent** with the Stokes County 2035 Comprehensive Plan and other adopted plans in that: The parcel is currently zoned RA (Residential Agricultural) and the requested zoning district is M-1-CZ (Light Manufacturing Conditional Zoning). The request for a “**Utility Scale Photovoltaic Facility**” **Solar Farm** is a permitted use in the M-1-CZ (Light Manufacturing Conditional Zoning District). The G-1 Low Density Transect Zone is an area primarily for Low-Density residential development. Utility Scale Photovoltaic Facilities are not specifically mentioned in the Stokes 2035 Plan but the nature of the facility as more of a public utility serving the community fit into this area as a low density type of infrastructure development. The plan does encourage investments that maximize and improve existing infrastructure. There are no homes or residents to provide services to and the facility once constructed does not generate a large amount of traffic. The proposed site is adjacent to properties located in the Town of Walnut Cove and the Walnut Cove ETJ that have been rezoned and issued a conditional use permit for a portion of this proposed large scale solar facility. The poor soils in the area not conducive for development plus the Town of Walnut Cove’s planning actions of approving the facility indicate that this may be the best use of the land in the area at the current time. The proposed facility should also be considered in the potential commercial growth of the county as there is a potential revenue increase with the construction and operation of the facility.

The proposed use of this property is consistent with the Low Density development in the G-1 Low Density Growth Areas as identified in the Stokes County 2035 Comprehensive Plan.

This proposed amendment **is reasonable and in the public interest** in that: **The property is currently zoned RA (Residential Agricultural) and is being proposed to be rezoned to an M-1-CZ (Light Manufacturing Conditional Zoning) district. This property is located in an area with limited residential development and large tracts of vacant land. The proposed parcels have limited development options due to the lack of public services. The placement of a Utility Scale Photovoltaic Facility with adequate buffers and safeguards in this area seems to be a reasonable request.**

The following individuals involved with the Lick Creek LLC request were present at the meeting to provide information or answer questions:

Karen Kemerait - Attorney

Tommy Cleveland - Engineer

Richard Kirkland – Appraiser

Cullen Morris – Project Manager

Cory Howell – Civil Engineer

Chairman Nickelston opened the floor for any comments/questions/concerns from the Board of Commissioners.

Commissioner Morris noted that he had a prepared statement and 33 questions concerning this topic. He noted that the questions and the answers once he had received them would all be available on his blog at rickmorriscommissioner.com. Commissioner Morris stated that he intended to vote in favor of this but that he did have some concerns. Commissioner Morris requested that the county form a policy on solar farms and asked that this be on the next Commissioners Meeting Agenda. He also noted that the meeting is being livestreamed and recorded.

Commissioner Morris read the following statement:

Based on information I have received and events that have occurred prior to this meeting it's my intention to approve the zoning request that is before us tonight. In making this statement, I'm assuming no new information surfaces that would change my mind. The information and previous events I'm referring to that support my decision are summarized below:

- The surrounding property owners and other residents of the community that are near the proposed solar farm appear to be supportive of the project.

- The Town of Walnut-Cove Board formally approved their piece of the Lick Creek Project.
- The Stokes County Planning Director supports the zoning request.
- The Stokes County Planning Board unanimously approved the zoning request with one abstention.
- The project will provide a positive revenue stream at some level for the county government along with jobs for local folks who will construct the project.
- Within reason and legal bounds, I feel property owners should be able to utilize their land in whatever manner they desire.

Given my decision at this time to vote in favor of this zoning request that does not mean I don't have concerns and many questions about solar projects of this scope and how they fit into the unique aspects of Stokes County. I feel this project has triggered a need for this board of commissioners to develop a policy that addresses the development of additional solar farms in Stokes County. I will be asking that this policy issue be placed on the Discussion Agenda for the board's next regular meeting since until a few weeks ago we didn't even have a fee schedule for the permitting of large commercial solar farms in the county. I would like to use tonight's meeting to ask questions about this project and to use the information gained as part of the effort to developed informed county zoning policy to address future solar farm zoning requests. **I would also like to make it clear that if I vote in favor of the zoning request that is before us tonight, I do not consider my vote to be precedent setting for any future solar farm zoning request.** I would hope all future requests of this nature will be evaluated based on a new comprehensive zoning policy for solar farms that does not yet exists. I feel we owe it to our constituents who are not directly engaged in this discussion a policy that protects them from any potential negative effects that might result from the approval of additional large commercial solar farms in the county. As stated earlier, I also plan to post information gained through our meeting tonight and other follow-on meetings on my blog to help educate and communicate with as many residents as possible on this project and future solar projects. At this time, I would like to ask some questions and Yes or No answers are acceptable or longer answers are also OK. If none of the participants in the room have an answer I would like a written answer to be provided within a reasonable period that can be included in the record.

1. Based on comments from the attorney representing Lick Creek Solar the N.C. Utilities Commission considered the Lick Creek Solar Farm starting in 2017. My question then was why did we in Stokes County only hear about this project a few months ago?
2. Is the only contractual relationship for this project between the Lick Creek LLC and the individual project landowners?
3. Is the county's only involvement on this project after its approval the enforcement of the zoning and permitting regulations?
4. Are most commercial solar farms are done by LLCs and if so, why?
5. Will Lick Creek LLC own this project for the duration of the project, or will it be sold to new owners? If sold would the new owners be bound by the same terms and conditions of the project's approval by Stokes County and Walnut Cove?
6. Would Duke Energy Renewables ever be a potential owner of this project?

7. Is Lick Creek Solar LLC bonded for this project to protect landowners and the county against any failure to comply with the agreements such as the decommissioning plan? If bonded at what funding level would it be bonded?
8. Discuss Richard's revenue chart in book on Fowler Road solar project.
9. What will the tax revenue stream look like for Stokes County with the approval of this project and does the tax revenue stream increase or decrease over time or stay the same? Note charts in handout on pages 3 and 7. Tax revenue levels not impressive to me.
10. What type and levels of insurance will Lick Creek LLC carry on this project?
11. Is Lick Creek Solar or the landowner ultimately responsible for reclamation of the land when the solar farm is gone?
12. Is there a pond or lake on the property and if so, will it remain intact?
13. When the project is decommissioned will the disturbance to the soil cause the land to be unsuitable for sewer systems as disturbed soil does on other sewer projects?
14. The Kirkland Appraisal says the property owners near the project should not worry about property values decreasing. Would you verify that this is your position on the project?
15. From your experience would an appraisal company like Kirkland consider a large solar farm that could be viewed from Moore's Knob or Hanging Rock in the state park to be in harmony with the park and surrounding land parcels?
16. Is any type of environmental impact study required prior to constructing the Lick Creek Project like the ones that might be required for a new golf course?
17. Can you guarantee that there will be no herbicide or chemical runoff issues caused by the project? I saw in documentation that Roundup will be used and there is a current lawsuit with that product.
18. Can you assure us that water runoff from the panels and the solar field property will not increase to a level that it will cause damage downstream?
19. Will there be any noticeable impact to Town Fork Creek by this project?
20. Could you elaborate on your plans to deal with the land that lies within a special flood hazard that is described in the Notes section of the map; and, is this the 100-year flood plain that is referenced in the handout material?
21. Should people in proximity of the solar farm do any baseline testing of their wells or ponds to have this data available for comparison purposes down the road?
22. Will the panels used on this project have lead in them?
23. Would Lick Creek have a problem submitting a written certification on the material makeup of the panels once the decision is made on the exact panel that will be used?
24. Do you have any lessons learned, either positive or negative, from other solar farm projects that you have been involved with?
25. Does the final site plan need to come back to the Planning Board or BOCC for approval or will that be done by the Planning Department?
26. Will batteries be introduced to this project site in the future and if so, will that present any issues that have not been discussed in the current proposal?

27. What will be the effect on this project if rapid advances are made in solar technology; and, could this project be rendered obsolete or would new technology be integrated into this site?
28. Does vested rights request in our packet mean that Lick Creek Solar has 5 years to start construction on the project?
29. Have any solar farm LLCs gone bankrupt like the Solyndra Company did and could something like a large reduction in solar subsidies or changes in tax exemptions by legislators result in bankruptcies?
30. Who is Silver Creek Solar and are they involved in this project? Also, did Silver Creek Solar have any connection to Solyndra?
31. Have any of you encountered any unintended consequences with previous solar farms you have dealt with either positive or negative?
32. Could you explain the 15-member panel that will be establishing solar decommissioning standards by 2022 and will this project have to comply with the new standards, or will it be grandfathered?

(Chairman Nickelston called for a 5-minute recess at 8:55 pm)

(Chairman Nickelston called the meeting back to order at 9:03 pm)

Commissioner Yontz noted that several of the questions he had were answered during the meeting. Commissioner Yontz did inquire about the depreciation schedule, GenX, Teflon, and possible soil sampling.

A representative on behalf of Lick Creek Solar stated that he could not definitively answer the depreciation question, and that it was not common for Boards to request soil sampling. He stated that this would be something if the Board wanted to do that they certainly could but not something the solar company does. He also noted that he could not say for sure whether Teflon is present in the panels.

Commissioner Yontz noted that his main concern was that there was no definitive answer concerning the environmental effects and that he would want some scientific evidence.

Commissioner Mendenhall reviewed the information covered in every planning board meeting. He noted that this plan is recommended by the Planning Board and is consistent with the 2035 Plan and is a reasonable request. Commissioner Mendenhall noted that Commissioner Yontz brought up the Teflon and he wanted to be sure if something did happen that is unfavorable who would be liable.

Attorney Karen Kermerait confirmed that Lick Creek LLC would be completely liable.

Commissioner Morris continued with a request for Lick Creek LLC to report what the solar panels are actually made of with a written certification of the materials. He also noted that he

was concerned about herbicides, with Roundup being specifically mentioned, and the danger of runoff with this being so close to Town Fork Creek.

A representative on behalf of Lick Creek Solar noted that the manufacturer provides a MSDS which is a list of all the materials included and that the equipment is UL Certified. He also noted that anyone applying the herbicides to clear the land will be a licensed professional and the chemicals will be licensed.

A representative on behalf of Lick Creek Solar spoke about the disturbance of land and that all requirements will be followed set forth by NC DEQ to prevent any issue with runoff.

Chairman Nickelston noted that most of his questions had been answered during the meeting but that he did want to confirm that the County would not be liable in any event of an issue from this project.

Commissioner Morris noted that he had prepared a closing statement and read as follows:

I would like to reiterate my earlier statement that a comprehensive solar farm policy is needed in Stokes County and it's this boards' job to develop that policy for our constituents who place us in these elected positions to protect their interests. Stokes County is a very scenic county anchored by a high-altitude state park that supports a growing tourism industry and the associated tourism revenue. I think our solar farm policy should be very specifically tailored to the unique tourism and agricultural activities that are the foundation of this county. I also think we should treat the development and operation of the Lick Creek Project as our "canary in the coal mine" to warn us and provide lessons learned as we consider any future requests for additional solar farms. Solar farms do not fit my personal definition of economic development though they do provide what I would consider a less than desired level of tax revenue. In my opinion solar technology is nowhere near the level of maturity and efficiency that it should be for deployment. I think the funding for solar should instead be provided to a national laboratory or private R&D concern to gain more technical maturity. My point is illustrated by the large amounts of land and taxpayer subsidies required to generate a relatively small amount of electric power, which also results in increased power costs for users at all income levels who really can't afford the increases. Therefore, I usually refer to solar with the acronym PEP, Political Electric Power. As we move forward with our county solar policy development, I will request that we invite proponents and non-proponents of solar power to provide the board information, so we ensure we have the facts on both sides of the argument to develop a well-balanced solar policy. I do hope the Lick Creek Project works out well for Walnut Cove and the surrounding area and for all the contractors and businesses who will be involved in the development and construction of the project. Hopefully future advances in technology will make solar power a "no brainer" for everyone. This would keep it from tying up thousands of acres of land for decades at a time, land that may be needed for numerous other important purposes.

Planning Director David Sudderth noted that zoning petitions are approved every day and there is nothing to hold the county liable for the land use activity after the fact.

ACTION

With no further discussion Chairman Nickelston entertained a motion regarding the request by applicant Lick Creek Solar to rezone approximately 616.67 acres from RA (Residential Agricultural) to M-1-CZ (Light Manufacturing Conditional Zoning) for a “Utility Scale Solar Photovoltaic Facility” with the conditions as presented in the staff report which are:

Decommissioning: Within 6 months after the solar energy facility has ceased to produce electricity and the facility has reached its useful life, the owner of the facility shall immediately initiate the decommissioning plan for the facility.

Recycling: As part of decommissioning, the owner of the facility shall fully recycle all materials as reasonably possible.

Landscaping: The panels shall be reasonably concealed from view by either natural vegetation or planted evergreen vegetation. When relying on existing vegetation, the buffer shall be no less than 50 feet in width. When using planted vegetation to conceal the fence and panels in locations where there is no view from a residential structure, the applicant shall plant a staggered double row of evergreens. In locations where the facilities can be viewed from a residential structure, the applicant shall use three rows of evergreens, staggered. When using planted vegetation to conceal the facility, the vegetative buffer shall be no less than 20 feet in width. The final landscaping plans shall be approved by the Planning Director or his designee to ensure compliance with this condition.

Setbacks: Fifty feet from any property line

This request is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Commissioner Morris made a motion regarding the request by applicant Lick Creek Solar to rezone approximately 616.67 acres from RA (Residential Agricultural) to M-1-CZ (Light Manufacturing Conditional Zoning) for a “Utility Scale Solar Photovoltaic Facility” with the conditions as presented in the staff report which are:

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Setbacks: Fifty feet from any property line

This request is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Commissioner Mendenhall seconded the motion.

Chairman Nickelston opened the floor for discussion/questions/comments

With no further discussion the motion carried with a 3-1 vote with Commissioner Yontz voting against the motion.


Adjournment

There being no further business to come before the Board, Chairman Nickelston entertained a motion to adjourn the meeting.

Commissioner Mendenhall moved to adjourn the meeting.

Commissioner Morris seconded and the motion carried unanimously.

The meeting was adjourned at 9:53pm.



Shannon Shaver
Clerk to the Board



Andy Nickelston
Chairman