



Staff Report 11/13/2014

Owner: Frances Faye Wilson

Applicant: FLS Energy, Inc. on behalf of Vicksburg Owner, LLC

Parcel ID: 0533 02001

Location: 2131 Vicksboro Road (former Max Wilson Mobile Home Park)

Current Zoning: (A-R) Agricultural Residential

Public Hearing: 11/13/2014

Prepared by: Jordan McMillen

Description of Conditional Use Permit Request:

The applicant is requesting a conditional use permit to allow construction of a 4.99 MW solar farm under the use category of "Solar Energy System, Large Scale".

Exhibits as follows:

- Exhibit 1.** Application
- Exhibit 2.** Applicant letter (dated 10/16/2014) with corresponding supporting materials
- Exhibit 3.** Surrounding zoning and property owner map
- Exhibit 4.** Solar Farm regulations (as per zoning ordinance)
- Exhibit 5.** Conditional Use Permit Check List

DRAFT Findings of Fact

1. The request is for a conditional use permit to allow a 4.99 MW solar farm on a parcel zoned (A-R) Agricultural Residential.
2. The property is located at 2131 Vicksboro Road or more specifically as tax parcel 0533-02001.
3. The property is currently owned by Frances Faye Wilson; however Vicksburg Owner, LLC is to purchase the property prior to developing the solar farm.
4. The property consists of 50 acres of which 22.4 acres will be the array footprint. The property currently is predominantly vacant with an open area on the southern half and wooded on the northern half. There is an existing 75'x75' private family cemetery lot within the parcel with a 25 foot separate access as per plat book C-117.
5. The parcel is currently zoned agricultural residential (A-R) following a rezoning approval by the Board of Commissioners on October 6, 2014.
6. The application requesting a conditional use permit was filed on October 16, 2014.
7. The adjoining property owners were notified on October 21, 2014.
8. The property was posted on August 27, 2014.
9. The legal notice was run in the Henderson Daily Dispatch on August 29 and November 5, 2014.

Staff Comments

The applicant is requesting a conditional use permit to construct a 4.99 MW solar farm. As proposed, Vicksburg Owner, LLC would purchase a 50 acre parcel (0533 02001) from Frances Wilson and would be the operating entity of the solar farm. In total, 27.4 acres of trees will be removed and the solar array footprint area will be 22.4 acres.

The property previously was utilized as a mobile home park with the remaining units being removed in 2009. The mobile home park was located on the front (or southern) half of the property and the rear (or northern) half is currently wooded. The developer intends to clear trees and develop the farm on the back half of the property. In meeting the buffer requirements, it is intended to plant a 20 foot landscaped buffer with wax myrtle trees on the western and northern property boundaries. Existing vegetation on the eastern side of the property will be left to maintain a buffer between the solar farm and the Farmington Subdivision. The proposed landscaping and buffer plan appears to meet ordinance requirements.

In terms of setbacks, the rear setbacks will range from 53 feet to 80 feet on the rear, will be approximately 37 feet on the west side and will range from approximately 100 feet to 144 feet directly adjacent to the Farmington Subdivision. The proposed setbacks meet and exceed the required setbacks for agricultural residential areas. Additionally, an 8 foot chain-link fence with 1 foot of barbed wire will be constructed surrounding the solar panel area. When completed access to the site will be controlled via keyed locks.

Items for Consideration:

1. A driveway permit has been approved and submitted to the county.
2. All panels will be no greater than 7.5 feet in height which meets the county requirement of below 25 feet.
3. According to the site plan, all electric lines beyond the interconnection point will be located underground.
4. The interconnection agreement with Duke Energy has been drafted and submitted but not yet executed. In accordance with previous approvals, it would be recommended that the execution of this agreement be finalized as a condition to this conditional use permit.
5. Existing septic tanks from previous mobile home park - While it may not be necessary to cap and/or remove all of the existing septic tanks as they may be recertified and reused in the future, it may be necessary for the solar developer to remove any septic tanks conflicting with the proposed gravel driveway. The applicant has mentioned in their summary that they will use ground penetrating radar to confirm the extent of the tanks and properly remove any that may be damaged during construction. As an assessment of the property, it may be best for any reports out of this ground penetrating radar to be submitted to the County and the Health Department.
6. Due to the clearing of greater than 1 acre, it will be necessary to get a local clearing and grading permit as well as an erosion control permit from NC DENR. It would be recommended that the County be given a copy of the NCDENR permit prior to authorizing any building permits for the project.



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

156 Church Street, Suite 3
Henderson, NC 27536
Ph: (252) 738-2080
Fax: (252) 738-2089

For Administrative Use Only:

Case #	20141113-1
Fee Paid	4250 ck# 631
BOA Date	11/13/2014

Property Owner Information

Property Owner: Frances Faye Wilson

Mailing Address: 190 Water Front Drive

City: Henderson State: NC Zip Code: 27537

Phone #: (252) 438 - 0197 Fax #: () -

E-mail Address: stingraymg@gmail.com

Applicant Information

Applicant: FLS Energy, Inc. on behalf of Vicksburg Owner, LLC

Mailing Address: 130 Roberts Street

City: Asheville State: NC Zip Code: 28801

Phone #: (828) 350 - 3993 Fax #: (828) 350 - 3997

E-mail Address: greg@flsenergy.com

Property Information *For multiple properties please attach an additional sheet.*

Property Address: Vicksboro Road (former Wilson mobile home park) → 2131 Vicksboro Rd

Tax Map Number: _____ PIN (parcel identification #): 0533 02 001

Type of Petition: Conditional Use Permit

Existing Zoning: RMHC Proposed Zoning: AR (With Conditions)

Acreage: +/- 48 Road Frontage: +/- 600 feet

Existing Use: Former mobile home park and unimproved wooded/grassy land.

Deed Reference

- Metes and bounds description attached
- Site plan/sketch of proposal attached



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

Statement of Justification

1. Application is hereby made for the following use: *Please explain below:*

Solar Energy System, Large Scale. The project will provide renewable electricity to the Duke Energy Carolinas (Progress Energy) distribution point.

2. The intent is to : *Check all that apply:*

- Construct a new structure for a conditional use;
- Repair the existing structure for the conditional use;
- Alter and/or expand the existing structure for the conditional use;
- Other

3. The following requirements have been provided: *Check all that apply:*

- Site plan;
- Property description;
- NC DOT entrance permit (if applicable);

4. Additional information:

FLS Energy, Inc. is one of the U.S.'s top developers and a longer term owner of best-in-class solar energy projects. We are also unique in that we own, not least the

In order to issue a Conditional Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the county.

A. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

Yes No

FLS takes pride in being a low-impact neighbor, and as an owner of both the project and the land, of maintaining an attractive site.

B. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety;

Yes No

All of our projects are developed to not exceed 7.5' in height and to use top tier equipment having low glare (with anti-reflective coating) and barely audible noise.



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications;

Yes No

The project will meet and exceed requirements for setbacks and will be another model for best practices for similar solar projects in AR areas.

D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity;

Yes No

Using best practices, including preserving natural buffers, and using large setbacks, FLS shall minimize the impact on the adjacent rural and residential areas.

E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County.

Yes No

Solar farms are a safe, low-impact development that require very little maintenance during their life. The lack of traffic and impact works well in low density AR areas.

Property Owners Signature

Frances Loya Wilson
Please sign in blue or black ink

Date 8-13-14

Applicants' Signature

[Signature]
Please sign in blue or black ink

Date 8/13/14



Vance COUNTY

NORTH CAROLINA

Conditional Use Permit Application

Vance County Planning & Development Department

- C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications; Yes No

The project will meet and exceed requirements for setbacks and will be another model for best practices for similar solar projects in AR areas.

- D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity; Yes No

Using best practices, including preserving natural buffers, and using large setbacks, FLS shall minimize the impact on the adjacent rural and residential areas.

- E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County. Yes No

Solar farms are a safe, low-impact development that require very little maintenance during their life. The lack of traffic and impact works well in low density AR areas.

Property Owners Signature

_____ Date _____
Please sign in blue or black ink

Applicants' Signature

Vicksburg Owner, LLC Date 8/13/14
Please sign in blue or black ink

By: FLS 2014 B Manager, LLC, its Manager

By: FLS Energy, Inc.

By: 
Dale Freudenberger, CEO



October 16, 2014

VIA FEDEX OVERNIGHT DELIVERY TO:

Jordan D. McMillen, Deputy County Manager
Vance County
156 Church Street, Suite 3
Henderson, North Carolina 27536

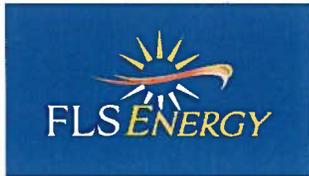
RE:	Applications of FLS Energy, Inc. on behalf of Vicksburg Owner, LLC for 2131 Vicksboro Road, Henderson, NC 27537; Parcel ID No. 0533 02001.
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Mr. McMillen:

In support of the **Conditional Use Permit Application** for the property located at 2131 Vicksboro Road, Henderson, Vance County, North Carolina 27537 (former Wilson mobile home park) in addition to the check in the amount of **\$250.00** representing the application fee and the completed and executed CUP Application (previously delivered), please find enclosed the following documents for your review:

1. NCDOT permit;
2. General Warranty Deed;
3. Voluntary Notice List;
4. Topographic Map;
5. Letter from subsurface engineers discussing additional graves outside of marked cemetery boundary;
6. Unexecuted Interconnection Agreement for the Proposed Solar Farm;
7. One Pager discussing the prevalence of solar farm use of agricultural land in North Carolina;
8. Survey covering the property;
9. Landscaping Plan prepared by Kleinfelder;
10. Site Plan; and
11. Phase I Environmental Site Assessment.

The Vicksboro Road solar farm is a late stage project in FLS Energy, Inc.'s Q4 2014 – 2015 Q1/Q2 pipeline. The project was originally titled "*Vicksburg*" to avoid any potential conflict with naming the property after a public road. An affiliate of FLS Energy, Inc. is currently under contract to purchase the underlying real property from Mrs. Wilson with a closing date set for late November. In addition to FLS Energy owning the underlying land, FLS would also install, own, operate, maintain and remove the solar farm equipment.



During the construction process, the procedure followed is to track NC DWQ Best Management Practices related to stormwater management and to design ground cover as pervious to the maximum extent possible. Solar photovoltaic projects such as the one proposed require very little maintenance; however, the site offers ample room for parking service vehicles in the event such maintenance is ever required. Following construction, the solar farm will be enclosed by a chain link fence with a height of eight feet (8') with one foot (1') additional coiled barbed wire. Access to the site shall be controlled via keyed locks; however, Emergency Services shall have access to the site at all times.

The proposed solar farm promotes a legitimate public purpose in that it contributes to the revitalization of the property, it promotes economic stability of the region, and helps diversify the power mix of the neighborhood. During the development process, FLS had conversations with James Falk, the representative for the cemetery within the parcel, as well as with local officials regarding the septic tanks on the premises. Based on environmental considerations and respect for the families of the individuals buried on the property, FLS will only develop the back portion of the site. We've worked with the Falk family to create an improved private access drive leading to the cemetery, which is in adjacent to the driveway to our facility. Prior to construction, FLS will also have performed a Ground Penetrating Radar service to confirm the extent of any underground tanks, and where necessary, properly remove any that may be potentially damaged during construction.

The solar farm is located, designed and proposed to be operated so as to maintain the value of the adjoining subdivisions. Again, the site will only be improved on the back portion, leaving in place the entire front half of the property. The back half of the site, where the solar farm will be improved, is mostly wooded with a dense line of trees adjacent to the Farmington subdivision. A twenty foot (20') buffer of this natural wooded area will be left in place next to the adjacent subdivision. There are currently no adjoining residences improved upon the Lorene Greenway property (ID 0532 01018); however, a row of wax myrtles will be planted to shield the project from the view of any future residential users.

The projects will consist of tier-one, third party tested, high warranty solar modules installed in arrays, which are then mounted on racks. The panel height shall be no greater than seven and a half (7.5) feet (where typically they can be over 20'). During construction approximately fifty deliveries of major equipment will reach the site, generally over the course of three to four weeks. Construction will take between two and three months to reach substantial completion. Following construction, no materials will be stored on-site. Within six (6) months after completion of construction of the solar project, FLS shall restore its property to a condition reasonably similar to its condition prior to construction; and in the event FLS sells the property for a use other than for solar energy, FLS shall remove the equipment from the property and restore the site to a condition that will offer us the highest re-sale value. The equipment has a



useful life beyond 20 years and continues to produce eighty percent of its revenue, even at that time.

Solar energy projects like the one proposed represent valuable assets in the community – creating local construction jobs, workforce training, economic development, increased property tax base with no needed infrastructure expenses, and ongoing educational opportunities. FLS has completed several projects throughout North Carolina, including one of the state’s first solar farms on top of a closed landfill. Because of the nature of the technology (no air or noise pollution) and low amount of maintenance required of such projects, there will be no discernible effects on traffic in the area, and otherwise, the project will have no adverse impact on the health, safety or welfare of Vance County or the general public.

We believe that the proposed development of the property is in keeping with responsible land use, is most suitable for A-R zoned areas, and the project will provide a model for best practices for future projects by either FLS Energy, Inc. or other developers in the state. Our goal in working with Vance County will be to create a well-planned solar project that is built to the greatest extent possible in harmony with the area in which it is located and in general conformity with the Vance County Zoning Ordinance.

I look forward to once again collaborating with your office and the public in the process. Please feel free to contact me directly if you have any questions or need additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg S. Ness".

Greg S. Ness
Assistant General Counsel, FLS Energy, Inc.
(828) 233-8130/greg@flsenergy.com



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

PAT MCCRORY
GOVERNOR

DIVISION OF HIGHWAYS
Division Five

ANTHONY J. TATA
SECRETARY

321 Gillburg Road
Henderson, North Carolina 27537
Telephone (252) 492-0111
Fax (252) 492-0123
10/7/2014

DRIVEWAY PERMIT: D53-91-14-005

COUNTY: Vance

Francis Faye Wilson
190 Waterfront Drive
Henderson, NC 27537

SUBJECT: Driveway Permit Onto SR 1533 (1,250 ft. west of the intersection of SR 1521 and SR 1533)

Attached for your file is a copy of the Driveway Permit which you requested.

This permit is approved with the understanding the owner/agent is responsible for the proper construction of the above drive and subject to the attached Special Provisions.

Please refer to Permit D53-91-14-005 in all future correspondance with this office concerning this drive. Should you have any questions, please contact this office at (252) 492-0111.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen D. Winstead".

Stephen D. Winstead, P.E.
District Engineer

cc: J. R. Hopkins, P. E., Division Engineer
County Maintenance Engineer

D53-91-14-005

Driveway Permit Special Provisions

- 1 Two-way traffic shall be maintained at all times on SR 1533.
- 2 Lane closures shall be restricted to between 9:00 am and 4:00 p.m. NCDOT reserves the right to further limit, restrict, or suspend operations within the right of way if, in the opinion of NCDOT, safety or traffic conditions warrant such action. All traffic control shall be in accordance with the current MUTCD guidelines. No work shall be performed during holidays, special events, or any other time that traffic is unusually heavy.
- 3 A \$1,000.00 Performance and Indemnity Bond shall be executed and posted with the Division of Highways. The Division of Highways reserves the right to retain this bond until one calendar year after the satisfactory completion of work. A copy of this bond will be present at the construction site at all times during construction. The Division of Highways reserves the right to stop all work unless evidence of approval can be shown.
- 4 Mr. Frank Carpenter, Vance/Warren Counties Maintenance Engineer, at (252) 438-8410, shall be notified 48 hours prior to beginning pipe work at entrances to schedule pipe installation inspection.
- 5 The driveway entrances shall be located in the field as indicated on the plans, no additional driveways shall be constructed under this permit. At no time shall any vehicles be parked within the NCDOT Right of Way.
- 6 Sight distance shall be free and clear of any debris, foliage, vegetation, buildings, structures, fence(s), obstructions and or earth material for a minimal sight distance of 550 feet from the proposed entrances at all times on SR 1533. There will be no signage allowed on the NCDOT Right of Way unless approved by NCDOT.
- 7 If encroacher is within 5' of the travel lane(s) of an undivided highway and within 10' of a divided highway with any part of his operation including but not limited to vehicles, equipment, etc., encroacher shall install a lane closure for each lane in accordance with the latest Manual on Uniform Traffic Control Devices (MUTCD).
- 8 Recommended Road Connection (Fig. 4), Driveway Turnout Grades (Fig.6), as found attached with this driveway permit SHALL be followed for entrance to be approved to eliminate drainage onto the NCDOT highway system.
- 9 The minimum driveway entrance design within NCDOT right-of-way shall be as follows 8" CABC stone from edge of pavement for 30' back into proposed entrance. Attached driveway turnout grades see Figure 6.

10 During installation of driveway additional grading may be required by applicant to provide positive drainage within the ditch line of SR 1533.

11 HOLIDAY AND HOLIDAY WEEKEND LANE CLOSURE RESTRICTIONS

1. For unexpected occurrence that creates unusually high traffic volumes, as directed by the Engineer.
2. For New Year's Day, between the hours of 6:00 a.m. December 31st and 7:00 p.m. January 2nd. If New Year's Day is on a Friday, Saturday, Sunday or Monday, then until 7:00 p.m. the following Tuesday.
3. For Easter, between the hours of 6:00 a.m. Thursday and 7:00 p.m. Monday.
4. For Memorial Day, between the hours of 6:00 a.m. Friday and 7:00p.m. Tuesday.
5. For Independence Day, between the hours of 6:00 a.m. the day before Independence Day and 7:00 p.m. the day after Independence Day. If Independence Day is on a Friday, Saturday, Sunday or Monday, then between the hours of 6:00 a.m. the Thursday before Independence Day and 7:00 p.m. the Tuesday after Independence Day.
6. For Labor Day, between the hours of 6:00 a.m. Friday and 7:00 p.m. Tuesday.
7. For Thanksgiving Day, between the hours of 6:00 a.m. Tuesday and 7:00 p.m. Monday.
8. For Christmas, between the hours of 6:00 a.m. the Friday before the week of Christmas Day and 7:00 p.m. the following Tuesday after the week of Christmas Day.

Holidays and holiday weekends shall include New Year's, Easter, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. The Contractor shall schedule his work so that lane closures are not required during these periods, unless otherwise directed by the Engineer.

Driveway Permit Standard Provisions

- 1 A copy of the permit and an approved plan(s) stamped by NCDOT will be on the site and available for inspection by DOT personnel while construction is in progress.
- 2 The Department of Transportation does not guarantee the right of way on this road, nor will it be responsible for any claim for damages brought by any property owner by reason of the installation.
- 3 If there are any existing traffic signals, signal equipment, or NCDOT signs in the area of proposed work, you shall contact Alfred Grandy at (919) 220-4600, in Durham, prior to beginning any work on State right of way. Cost to repair, relocate, or any damage to NCDOT signs, signals, or associated equipment shall be the responsibility of the Encroacher.
- 4 The traveling public will be warned of the construction with signing that is in accordance with the latest manual on Uniform Traffic Control Devices. Further, for construction involving lane closures, either Part VI of the MUTCD or an approved traffic control plan must accompany this agreement.
- 5 All materials and construction shall meet NCDOT Standards and Specifications.
- 6 At the end of each working day, equipment shall be parked a minimum of 30 feet from the edge of any travel lane.
- 7 Any drainage structure and/or curb and gutter disturbed or damaged shall be replaced to its original condition at the discretion of the District Engineer.
- 8 All erosion control devices and measures shall be constructed, installed, maintained, and removed by the Encroacher in accordance with all applicable Federal, State, and Local laws, regulations, ordinances, and policies. All earth areas shall be regraded and seeded in accordance with NCDOT Standards and Specifications.
- 9 When surface area in excess of one acre will be disturbed, the Encroacher shall submit a Sediment and Erosion Control Plan which has been approved by the appropriate regulatory agency or authority prior to beginning any work on the right of way. Failure to provide this information shall be grounds for suspension of operations.

- 10 All earth areas disturbed shall be regraded and reseeded in accordance with Division of Highways Standards and Specifications as follows (per acre); Year Round Mixture: 50# Pensacola Bahia Grass, 50# KY 31 Tall Fescue, 5# Centipede, 500# 10-20-20 Fertilizer, 4,000# Limestone; 2:1 Slopes Standard Mix: use year round mixture (delete centipede) add 25# Sericea Lespedeza; Crown Vetch on 2:1 Slope (Sept.- May) use year round mixture, add Crown Vetch @ 15 lb. Per acre (delete Centipede and Bahia).
- 11 Spencer Ellis, 321 Gillburg Road, Henderson, NC 27537, (252) 492-0111 shall be notified in writing or by phone 48 hours prior to beginning work. Verification of the posted bond will be required with this letter in order to begin construction.
- 12 Excavated areas adjacent to pavement having more than a 2" drop shall be safed up at a 6:1 or flatter slope and designated by appropriate delineation during periods of inactivity, including, but not limited to, night and weekend hours.
- 13 Excavated material shall not be placed on the roadway at anytime.
- 14 Please note that approval of the driveway permit does not constitute review or approval of utilities or sidewalk by NCDOT. Plans and a completed encroachment agreement shall be submitted to the District Engineer's office for review and approval.
- 15 It is the responsibility of the owner/agent to secure any construction easements (temporary or permanent) from property owners affected by the construction limits.
- 16 All right of way and easements necessary for construction and maintenance shall be dedicated to NCDOT with proof of dedication furnished to the District Engineer prior to beginning work.
- 17 The Applicant is responsible for identifying project impacts to waters of the United States (wetland, intermittent streams, perennial streams and ponds) located within the NCDOT right-of-way. The discharge of dredged or fill material into waters of the United States requires authorization from the United States Army Corps of Engineers (USACE) and certification from the North Carolina Division of Water Quality (NCDWQ). The Applicant is required to obtain pertinent permits or certification from these regulatory agencies if construction of the project impacts waters of the United States within the NCDOT right-of-way. Additional information can be obtained by contacting the USACE or NCDWQ.

- 18 The Applicant is responsible for avoiding impacts to federally protected species during project construction. Bald Eagle, Michaux's Sumac, smooth coneflower, dwarf wedgemussel, harperella, red-cockaded woodpecker and tar spiny mussel are federally funded species that have been identified within NCDOT right-of-way in Durham, Person, Granville, Wake, Franklin, Vance and Warren Counties. Additional information can be obtained by contacting the North Carolina Natural Heritage Program or the United States Fish and Wildlife Service.
- 19 The Applicant is responsible for complying with the Neuse and Tar-Pamlico Riparian Buffer Rule as regulated by the NCDWQ. The rule regulates activity within a 50-foot buffer along perennial streams, intermittent streams and ponds. Additional information can be obtained by contacting the NCDWQ.
- 20 It is the responsibility of the Owner/Developer to comply with all applicable federal, state and local environmental regulations, and shall obtain all necessary federal, state and local environmental permits, including but not limited to, those related to sediment control, stormwater, wetland, streams, endangered species, archaeological and historical sites.
- 21 The party of the second part (developer and /or contractor) shall provide traffic control devices, lane closures, road closures, positive protection and/or any other warning or positive protection devices necessary for the safety of the motorist and workers during construction and any subsequent maintenance. This shall be performed in conformance with the latest NCDOT Roadway Standard Drawings and Standard Specifications for Roads and Structures and Amendments or Supplements thereto. When there is no guidance provided in the Roadway Standard Drawings or Specifications, comply with the Manual on Uniform Traffic Control Devices for Streets and Highways and Amendment or Supplement thereto. Information as to the above rules and regulations may be obtained from the Division Engineer of the party of the first part (NCDOT).
- 22 Effective July 1, 2010, all flagging operations within NCDOT Right of Way require qualified and trained Work Zone Flaggers.
- 23 Effective July 1, 2011, qualified and trained Work Zone Traffic Control Supervisors will be required on Significant Projects
- 24 Training for this certification is provided by NCDOT approved training sources and by private entities that have been pre-approved to train themselves. If you have questions, contact our web site at <http://www.ncdot.org/doh/preconstruct/wztc/WZTCTrainingProgram/default.htm> or contact Stuart Bourne, P.E. with NCDOT Work Zone Traffic Control Unit at (919) 662-4338 or sbourne@ncdot.gov.

RECEIVED

SEP 22 2014

DIVISION OF HIGHWAYS
DIV 5 - DIST 3

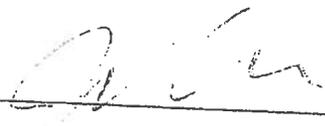
National Pollutant Elimination System (NPDES)
Stormwater Permit Compliance Certification

I Joshua Crumpler, a duly authorized representative of
Vicksboro Solar Farm, an industrial/commercial/residential
facility requesting attachment to a North Carolina Department of Transportation
highway drainage system at Vicksboro Road in
Vance County, do hereby certify the following:

Check appropriate box and circle type of facility

- The Industrial / Commercial / Residential facility does not require an NPDES stormwater permit.
- The Industrial / Commercial / Residential facility does require an NPDES stormwater permit. The permit has been obtained and a Stormwater Pollution Prevention Plan (SPPP) is in place. Appropriate structural stormwater best management practices (BMP) are designed and installed as required by the Department of Environment and Natural Resources (DENR) and/or the local governing agency. All structural stormwater BMP's are located outside of NCDOT right -of-way.

I understand if the Department of Transportation determines the facility is not in compliance with NPDES stormwater requirements, the Department will report the noncompliance to the DENR Division of Water Quality. I also understand that falsification of this certification may result in penalty of law against the facility and me as prescribed in the North Carolina General Statutes.

Signature: 

Date: 09-18-14

Note: If the applicant has a question as to whether an NPDES stormwater permit is required, he or she may contact the N.C. Division of Water Quality in Raleigh at (919) 807-6300 (ask for Stormwater Permitting Unit).

RECEIVED

SEP 22 2014

DIVISION OF HIGHWAYS
DIV 5 - DIST 3

VERIFICATION OF COMPLIANCE WITH
ENVIRONMENTAL REGULATIONS

(Check Appropriate Box)

Permits from the N.C. Department of Environment and Natural Resources and the U.S. Army Corp of Engineers are not required for this project. However, all applicable federal and state regulations have been followed.

The required permits from the N.C. Department of Environment and Natural Resources and the U.S. Army Corp of Engineers have been obtained for this project. Copies of permits and Completion Certificates are attached.

All applicable NPDES Stormwater Permit requirements ^{will be} ~~have been~~ met for this project. (The applicant should contact the N.C. Division of Water Quality in Raleigh to determine if a stormwater permit is required.)

The project ^{has been designed to be in compliance} ~~is in compliance~~ with all applicable sedimentation and erosion control laws and regulations.

Project Name: FLS Vicksboro Solar Site

Township: Henderson County: Vance

Project Engineer: Joshua Crumpler, PE Phone No.: 919-755-5011

Project Contact: Joshua Crumpler, PE

Applicant's Name: FLS Energy, LLC

P.E. SEAL

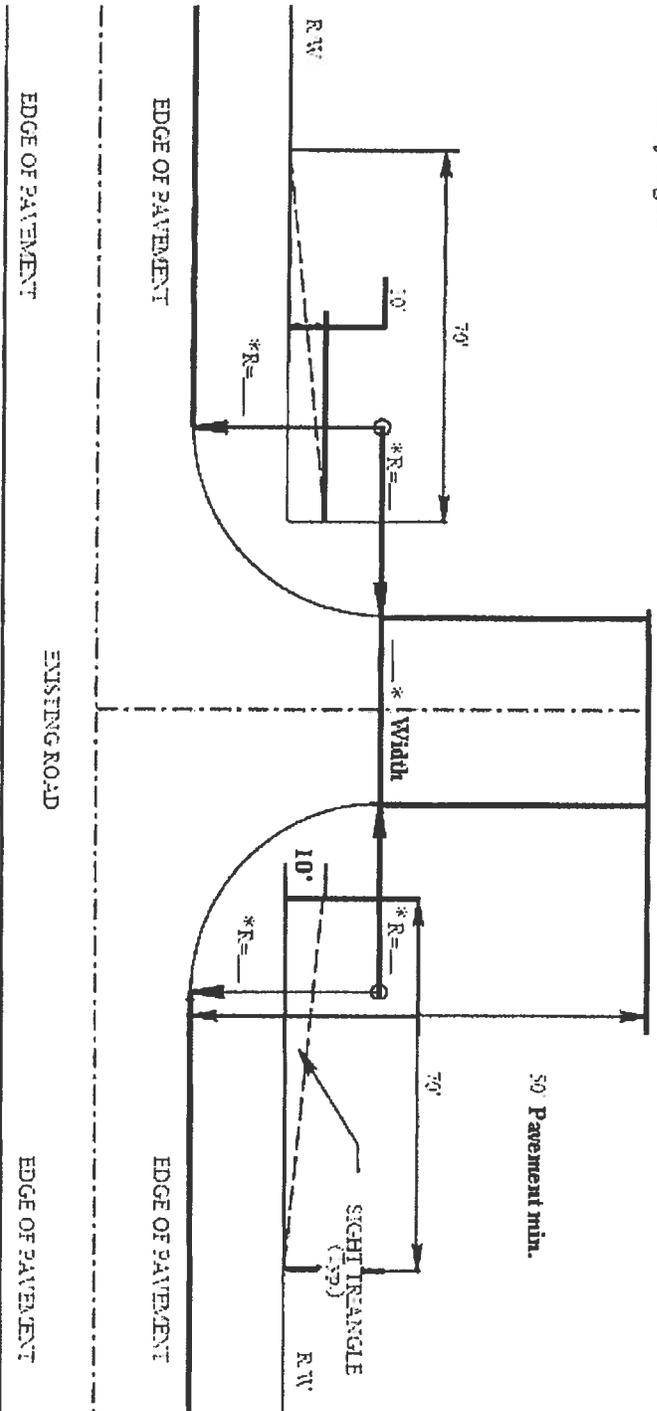
Date Submitted: 9-18-14



Driveway Entrance Typical

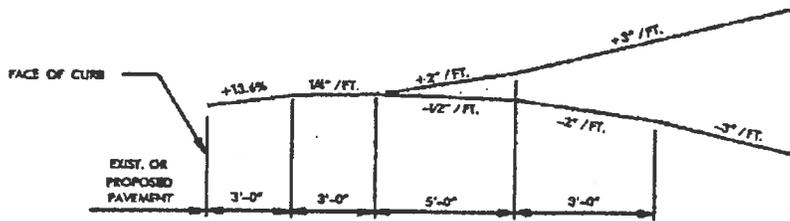
NOTE:
ADDITIONAL R.W. MAY BE
REQUIRED TO ACCOMMODATE
TAPERS, TURN LANES, AND
MEDIAN ISLANDS.

* As directed by engineer

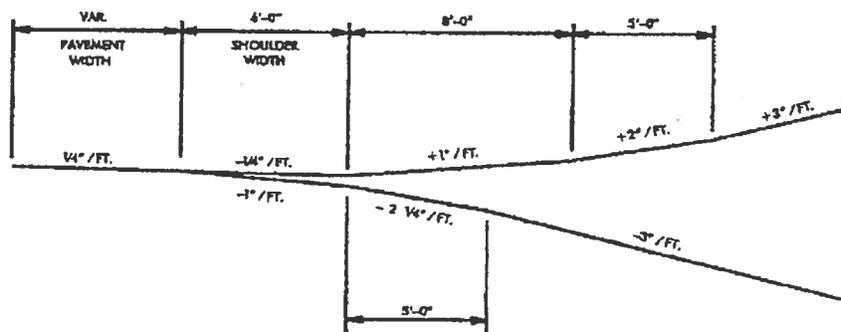


*R= 50' Radius
*W= 20' Driveway

Figure 4



A. CURB & GUTTER SECTION



B. SHOULDER SECTION

FIGURE 6

DRIVEWAY TURNOUT GRADES

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION STREET AND DRIVEWAY ACCESS EXPRESS PERMIT APPLICATION SEP 17 2014 DIVISION OF HIGHWAYS DIV 5 - DIST 3
Driveway Permit No.	Date of Application September 15, 2014	
County: Vance		
Development Name: Vicksboro Vicksboro Solar Farm		

LOCATION OF PROPERTY:

Route/Road: NCSR 1533 2131 VICKSBORO RD. HENDERSON NC 27537

Exact Distance 1,250 Miles Feet N S E W
 Feet

From the Intersection of Route No. NCSR 1533 and Route No. NCSR 1521 Towards Henderson

Property Will Be Used For: Residential /Subdivision Commercial Educational Facilities TND Emergency Services Other

Property: is is not within Henderson City Zoning Area.

AGREEMENT

- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay An Express Permit Application Fee According to the attached Fee Schedule. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- **I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.**

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)
COMPANY Francis Faye Wilson
SIGNATURE *Francis Faye Wilson*
ADDRESS 190 Waterfront Dr. Henderson NC 27537
Phone No. 252-492-7055

WITNESS
NAME *Henry Caplin*
SIGNATURE *Henry Caplin*
ADDRESS 130 ROBERTS ST.
ASHEVILLE, NC 28801

AUTHORIZED AGENT
COMPANY Chris Dunbar, VP of Operations
SIGNATURE *Chris Dunbar*
ADDRESS 130 Roberts St. Asheville NC 28801
Phone No.

WITNESS
NAME *Henry Caplin*
SIGNATURE *Henry Caplin*
ADDRESS 130 ROBERTS ST.
ASHEVILLE, NC 28801

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

[Signature]
SIGNATURE
9-17-2014
DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

[Signature] Deputy County *Mag*
SIGNATURE TITLE
9/17/2014
DATE

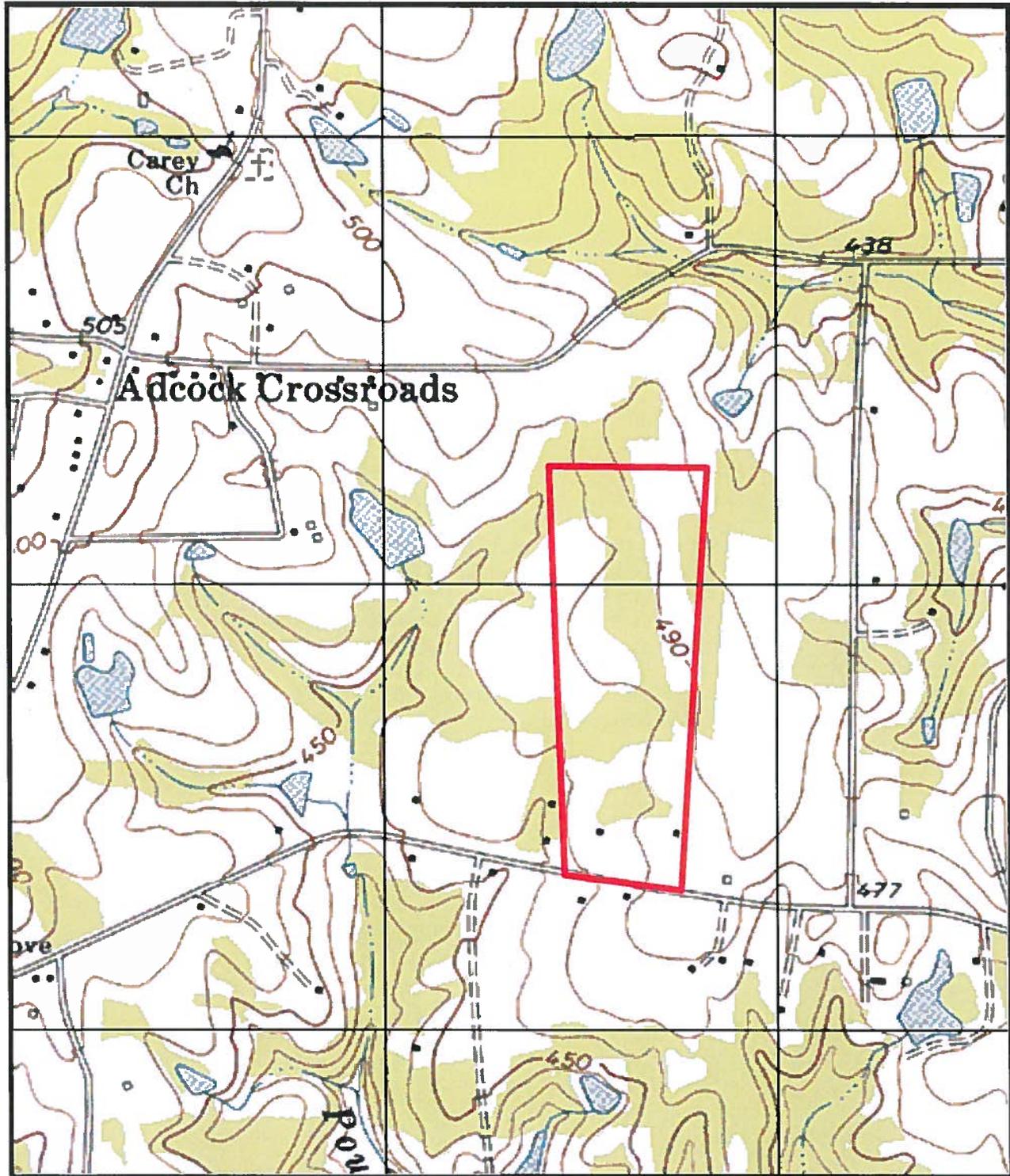
APPLICATION APPROVED BY DISTRICT ENGINEER

[Signature]
SIGNATURE
10-7-2014
DATE

INSPECTION BY NCDOT

SIGNATURE TITLE DATE

COMMENTS:



SOURCE:

United States Geological Survey
 7.5 - Minute Series Topographic Map:
 Vicksboro Quadrangle
 Dated: 1970
 Contour Interval = 10 feet



**FIGURE 1
 SITE LOCATION MAP**

Vicksboro Road Farm
 Vicksboro Road
 Henderson, Vance County, NC

ECS Project #: 06:21759

August 7, 2014

Greg S.K. Ness
FLS Energy
130 Roberts Street
Asheville, NC 28801

Subject: Vicksboro Rd. Cemetery, Henderson, NC

On August 5, 2014 the GEL Engineering of NC's crew performed a geophysical investigation at the Vicksboro Rd. Cemetery in Henderson, NC. The purpose of this investigation was to determine if there were any potential burial sites outside of the existing cemetery. GEL Engineering used a Ground Penetrating Radar (GPR) to scan 30 feet in each direction around the perimeter of the existing cemetery. After a thorough investigation, the crew did not find any anomalies that were consistent with a potential burial site within the specified area. If you have any questions, please contact me at (919) 544-1100 or email me at Jonathan.Nichols@Gel.com.

Regards,



Jonathan Nichols
Operations Manager

problem solved

J. Patrick Price
Environmental Consultant

PHASE 1
ENVIRONMENTAL SITE ASSESSMENT

Former Max Wilson Mobile Home Village
Vicksboro Road, Rt. 7
Henderson , North Carolina 27356

Prepared for:

Vicksburg Owner, LLC
FLS Energy, Inc.
130 Roberts Street
Asheville, NC 28801

Date:

July 11, 2014



J. Patrick Price
Certified Environmental Assessor

26 Zephyr Drive, Asheville, NC 28806
Phone/Fax: 828-252-1118
E-mail: patrickprc@aol.com



TABLE OF CONTENTS

I.	EXECUTIVE SUMMARY/RECOMMENDATIONS	1
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APPENDIX	I	<i>Site Location Map</i>
APPENDIX	II	<i>Vance County Web Property Card and GIS Map</i>
APPENDIX	III	<i>1993 to 2013 Google Maps</i>
APPENDIX	IV	<i>Photo Decade Package 1970 to 2012</i>
APPENDIX	V	<i>Portion of 1984 Survey of Subject Property</i>
APPENDIX	VI	<i>Photographs of Subject and Surrounding Property</i>
APPENDIX	VII	<i>EDR Search with GeoCheck Report</i>

I. EXECUTIVE SUMMARY/RECOMMENDATIONS

A Phase I Environmental Site Assessment, as specified by ASTM E1527-13, and the *Standard Guide for Vapor Encroachment Screen on Property*, ASTM 2600-10, has been completed with respect to the property located near Henderson, NC on Vicksboro Road approximately 2.5 miles east of the intersection with US Highway 1. The acreage of the property is approximately 49 acres and contains the remnants of a mobile home park on the area nearest Vicksboro Road. Each of the mobile homes had separate septic tanks. Drinking water was available from on-site wells. The back half of the property is wooded and has not been developed.

Development of the mobile home village began in 1984 and operated until 2009. Approximately 46 mobile homes were placed on designated spaces in the front portion of the parcel.

No non-compliance issues were noted during data collection or during site visit.

- I have performed a Phase 1 Environmental Site Assessment in conformance with the scope and limitation of ASTM Practice E1527-13 with respect to the property located near Henderson, NC on Vicksboro Road approximately 2.5 miles east of the intersection with US Highway 1. This assessment has revealed no evidence of recognized environmental conditions (RECs) in connection with the property.
- I have the specific qualification based on education, training and experience to assess a property of the nature, history and setting of the subject property. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.

REV	DESCRIPTION	DATE
1	LINE DIAGRAM	9/24/2013
2	LINE DIAGRAM	5/29/2014
CHECKED BY	RT	
DATE	9/24/2013	

DESIGN BY	CSH
DRAWN BY	CSH
CHECKED BY	RT
DATE	9/24/2013



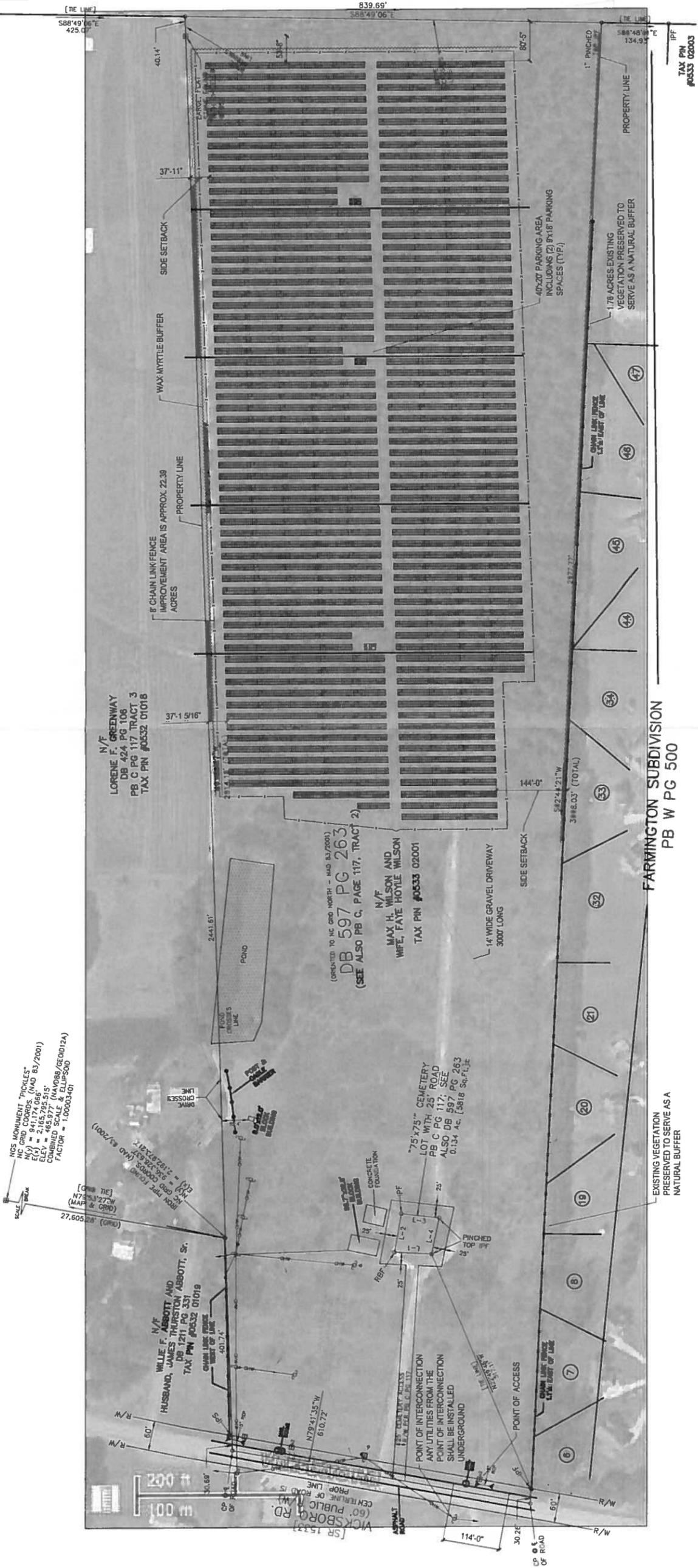
PROJECT	VICKSBURG
ADDRESS	VICKSBORO RD, HENDERSON, NC
PROJECT NUMBER	



FINAL
FOR CONSTRUCTION

SHEET TITLE
CUP

SHEET
PV0.01



A1 CUP LAYOUT
SCALE: 3/32"=1'-0"

- TOTAL PROPERTY AREA: 48.817 ACRES
- IMPROVEMENT AREA: 22.39 ACRES
- SOLAR ENERGY SYSTEM LARGE SCALE
- CURRENT ZONING CATEGORY: RA4H-C
- PARCEL REFERENCE NUMBER: 0533 02001
- SOLAR MODULES NOT TO EXCEED 7.5'
- 27.4 ACRES OF TREE REMOVAL
- TREE REMOVAL NOT TO TAKE PLACE WITHIN 20' OF NEIGHBORING PROPERTIES.

NGS MONUMENT "PICKLES"
NC GRID COORDS. (NAD 83/2011)
N(Y) = 941,700.00
E(X) = 2,165,700.00
COMBINED SCALE & ELEVATION
FACTOR = 1.00003401

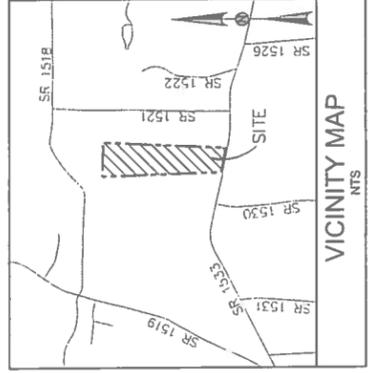
WILLIE F. ABBOTT AND
HUSBAND, JAMES THURSTON ABBOTT, SR.
DB 1271 PG 331
TAX PIN #0532 01019

(ORIENTED TO NC GRID NORTH - NAD 83/2011)
DB 597 PG 263
(SEE ALSO PB C, PAGE 117, TRACT 2)

N/F
MAX H. WILSON AND
WIFE, FAYE HOYLE WILSON
TAX PIN #0533 02001

75'x75' CEMETERY
LOT WITH 25' ROAD
PB C PG 117. SEE
ALSO DB 597 PG 263
0.134 AC. (5818 Sq. Ft.)

EXISTING VEGETATION
PRESERVED TO SERVE AS A
NATURAL BUFFER



LANDSCAPE CONTRACTOR INFORMATION

PRIMARY LANDSCAPING CONTRACTOR
 DLS DUNLAP LAWN SERVICE, INC. LANDSCAPING AND MAINTENANCE
 OWNER: DALE DEMOTT
 ADDRESS: PO BOX 39597
 GREENSBORO, NC 39597
 PHONE: (336) 282-3856

SECONDARY LANDSCAPING CONTRACTOR
 SUN RAISED FOODS
 OWNER: CHAD RAY
 ADDRESS: 6913 PEARCES RD
 LOUISBURG, NC 27549
 PHONE: (919) 422-1365

- NOTES:**
- BOUNDARY PROVIDED BY FLS ENERGY, DATED 09/16/2014
 - SHRUBS USED TO CREATE WAX MYRTLE BUFFER SHALL REACH A MINIMUM HEIGHT OF 8 FEET WITHIN 3 YEARS.
 - LANDSCAPING PROFESSIONAL SHALL PROVIDE A STATEMENT REGARDING THE AMOUNT OF WATER PLANTED SPECIES FOR A PERIOD OF ONE YEAR TO MAINTAIN THE PLANT WARRANTY.
 - IN ORDER TO PROVIDE WATER TO INSTALLED PLANT MATERIALS, A CONNECTION SHALL BE MADE TO THE EXISTING WATERLINE IN THE STREET, AND WATER METER WITH A YARD HYDRANT SHALL BE INSTALLED.

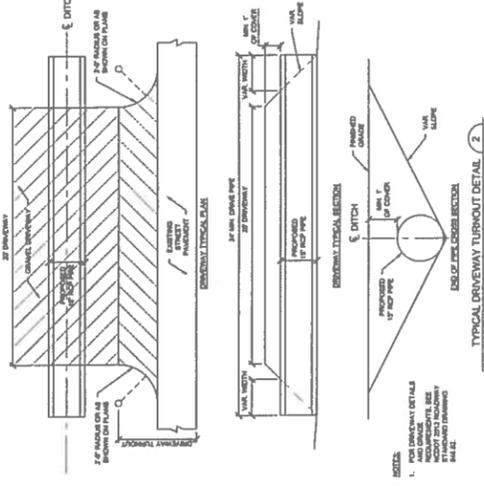
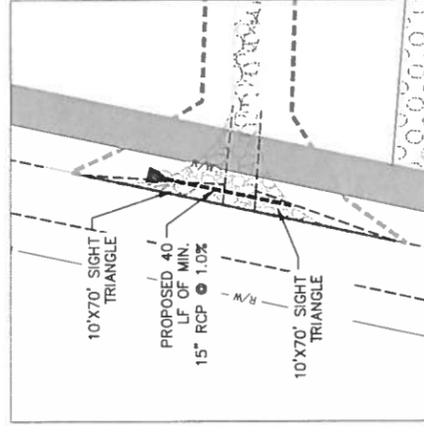
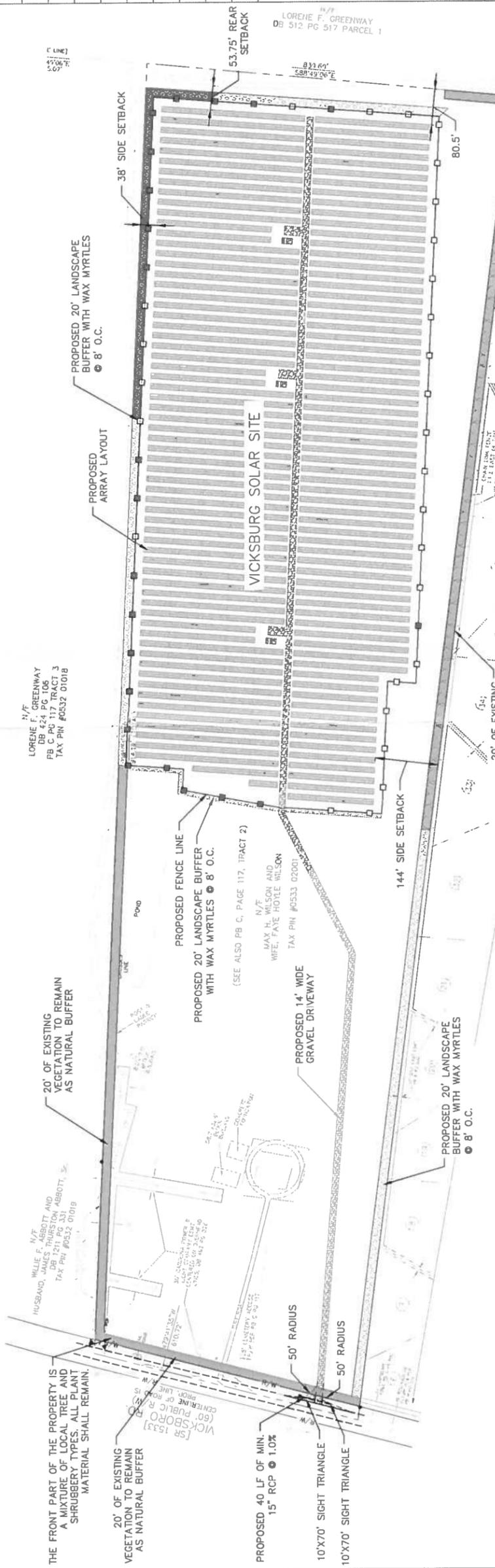
PLANT LIST

KEY	QUA.	BOTANICAL NAME	COMMON NAME	REMARKS	HEIGHT	SPREAD	ROOT CALIPER
WM	509	MYRTICA CERIFERA	WAX MYRTLE		8'		5 GAL

3500 Gateway Center Blvd, Suite 200
 Morrisville, NC 27560
 Phone: (919) 555-0911
 www.kleinfelder.com

REVISIONS

REV	DESCRIPTION	DSN	CHK	DATE



LEGEND

- PROPOSED PERMANENT FENCE
- EXISTING ROW
- EXISTING PROPERTY BOUNDARY
- EXISTING TREELINE
- PROPOSED 20' LANDSCAPE BUFFER
- 10' X 70' LINE-OF-SIGHT TRIANGLE
- PROPOSED NATURAL VEGETATION BUFFER

LANDSCAPING PLAN

SCALE VERIFICATION
 THIS BAR IS 1 INCH IN LENGTH ON ORIGINAL DRAWING
 IF ITS NOT 1 INCH ON THIS SHEET ADJUST YOUR SCALERS ACCORDINGLY

SCALE IN FEET
 0 120 240 360
 SCALE 1" = 120'

ORIGINAL DRAWING SIZE IS 24" x 36"

VICKSBURG SOLAR SITE
 2131 VICKSBORO ROAD
 HENDERSON, NC 27537

FLS ENERGY
 130 ROBERTS ST
 ASHEVILLE, NC 28801
 (828) 350-3983

PROJECT NO. 09172014
ISSUE DATE 09/17/2014
CURRENT REVISION N/A
DESIGNED BY MEW
DRAWN BY MEW
CHECKED BY JAC
APPROVED BY JAC

SHEET 1 of 2



0532 01001
GREENWAY WALLACE

0532 01001C
PERNELL SPENCER

0532 01001A
GREENWAY LORENE

0532 01018
GREENWAY LORENE

AR Zoning District

0532 01017
GREENWAY LORENE
R30 Zoning District
RMHC Zoning District

0532 01024
NORWOOD RICHARD H JR

0532 01019
ABBOTT WILLIE F

0532 05001
FALKNER JAMES H JR

0532 05002
EVENSON CHAD L

0533 03006
ABBOTT WILLIE F

0533 03005
AL GAIFI REZQ D ALI

0533 02001
WILSON MAX H. & FRANCES FAYE

COM

0533 02003
ABBOTT DENA A HEIRS

R30 Zoning District

Flour Ln

Aycock Rd

Wheat Ln

Grain Ln

Farmington Ln



[ZONING ORDINANCE – VANCE COUNTY, NORTH CAROLINA]

**Permitted
Uses Table**

Use Type	AR	R30	R20	R10	RMHC	HC	GC1	LI	IM	EIA	OI	OS	WOZ	Parking-Loading
Adult Establishments	X	X	X	X	X	CU	CU	CU	X	X	X	X	X	Parking: 4 per 1,000 SF Loading: N/A
Airports	CU	X	X	X	X	X	CU	CU	CU	CU	CU	X	X	Special Study Required***
Commercial Communications Towers (Cell Towers)	CU	X	X	X	X	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 2 per tower Loading: 1
Cemetery (Church, Family)	P	P	P	CU	X	X	X	X	X	X	X	P	CU	N/A
Cemetery (Commercial)	P	CU	X	X	X	X	X	X	X	X	X	CU	CU	Parking: 6 per 1,000 SF of office-building Loading: 1
Shooting Ranges	CU	X	X	X	X	X	X	X	X	X	X	CU	CU	Parking: 1.5 per shooting station Loading: 1
Solar Collector (Accessory)	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Solar Energy Systems, Large Scale (Solar Farms)	CU	X	X	X	X	X	X	CU	CU	CU	CU	X	X	Parking: 1/every 2 employees on shift of greatest employment
TEMPORARY USES														
Commercial (temporary-see Definitions) Outdoor Sales	P	P	X	X	X	P	P	P	P	P	P	P	P	Parking: staff review Loading: N/A
Concrete/Asphalt Operations	X	X	X	X	X	X	X	CU	P	X	X	X	X	Parking: staff review Loading: 1 per vehicle
Contractor's Office (located at project site for duration of project)	CU	CU	X	X	X	CU	CU	CU	P	CU	CU	X	CU	Parking: 1 per 200 SF Loading: N/A
Farmstand	P	P	X	X	X	P	P	P	X	X	X	P	P	Parking: 8 spaces Loading: N/A
Manufactured Housing Unit for Office and/or Exhibition	CU	CU	CU	CU	P	P	P	P	X	X	CU	CU	CU	Parking: 1 per vehicle Loading: N/A
Manufactured Home for Hardship	CU	CU	CU	CU	P	X	X	X	X	X	X	X	CU	Parking: 2 per dwelling unit Loading: N/A
Public Interest Event and/or Special Event	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 1/patron Loading: 1 per vehicle
Temporary Miscellaneous Sales (see Definitions)	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 1 per vehicle Loading: N/A
***See Section 6.10.L														

- c. *Warning signs.* Warning signs meeting National Rifle Association (NRA) guidelines for shooting ranges shall be posted at one hundred-foot intervals along the entire perimeter of the shooting range facility and along the entire perimeter of the property lines in the same intervals.
 - d. *Distance from occupied dwelling.* All shooting stations, targets, and firing lines shall be located at least one-half (1/2) mile from any existing, occupied dwelling.
 - e. *Access to facility.* Access to the facility and shooting range shall be secured and controlled, with ingress and egress permitted only during operating hours as established below. Prior to issuance of a permit, a valid driveway permit must be obtained from North Carolina Department of Transportation.
 - f. *Written variance.* The distance requirements of this section may be varied with written permission in the form of an affidavit from all adjoining property owners and all rightful leaseholders of dwellings located within the ½ mile surrounding area affected thereby, except that written approval is not needed for any adjoining land owned by the State of North Carolina.
5. Operational Requirements:
- a. *Maintenance.* Where not otherwise specified within this ordinance, shooting range facilities shall be operated and maintained in a manner that shall meet or exceed the guidelines as specified by the Range Technical Team Advisor upon inspection going by the guidelines in the NRA's Range Source Book: A Guide to Planning and Construction, current edition.
 - b. *Best Management Practices.* Outdoor Shooting Ranges shall provide a plan outlining its Best Management Practices (BMPs) relating to lead management. Said plan shall meet or exceed the guidelines as specified by the Environmental Protection Agency's (EPA) Best Management Practices for Lead at Outdoor Shooting Ranges, current edition.
 - c. *Hours of operation.* Shooting Ranges shall be allowed to operate between sunrise and sunset Monday through Saturday, except that the hours may be extended after sunset for purposes of subdued-lighting certification of law enforcement officers, or may be extended for other purposes only when a permit allowing such activity is issued in advance by the Sheriff's Office.
 - d. *Liability insurance.* The permittee shall be required to carry a minimum of three million dollars (\$3,000,000.00) per occurrence of liability insurance. Such insurance shall name Vance County as an additional insured party and shall save and hold Vance County, its elected and appointed officials, and employees acting within the scope of their duties harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage arising out of the acts or omissions of the permittee, his/her group, club, or its agents or representatives. The County shall be notified of any policy changes or lapses in coverage.

N. Solar Energy Systems, Large Scale (Solar Farms)

1. Height: Systems, equipment and structures shall not exceed twenty-five (25) feet in height when ground mounted. Excluded from this height requirement, however, are

electric transmission lines and utility poles. Roof mounted systems shall not exceed the maximum height for the applicable zoning district.

2. Setback: Active solar system structures must meet the following setbacks:
 - a. Ground mounted– Ground mounted solar energy systems as part of a solar farm shall meet the minimum zoning setback for the zoning district in which it is located.
3. Screening and Fencing: Adequate fencing shall be provided along the perimeter of the area (with all entrances gated) to prevent trespassing on the property.
4. Lighting: All lighting shall be arranged and shaded so as to reflect the light away from adjoining properties and streets.
5. Noise: Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district.
6. Power Transmission Lines: To the extent practical, all new power transmissions lines to any building, structure or utility connection shall be located underground. Existing above ground utility lines shall be allowed to remain in their current location.
7. Approved Solar Components: Electric solar system components must have a UL listing.
8. Compliance with Building and Electrical Codes: All solar farms shall be in conformance with the requirements of the State Building and Electrical Codes (current addition), the State of North Carolina and Vance County. All active solar systems shall be inspected by a Vance County building inspector.
9. Utility Notification: No grid tied photovoltaic system shall be installed until evidence has been given to the Planning and Development Department that the owner has been approved by the utility company to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
10. Abandonment: It is the responsibility of the owner to notify the County and to remove all obsolete or unused systems within twelve (12) months of cessation of operations. Reusable components are to be recycled whenever possible.

O. WIRELESS COMMUNICATIONS TOWERS (“CELL TOWERS”)

1. The purpose of the following requirements is to promote and to protect the public health, welfare, and safety by regulating existing and proposed communication towers. The requirements are intended to protect property values, create a more attractive economic and business climate, and enhance and protect the scenic and natural beauty of designated areas.
2. *General Requirements.* When allowed, such towers and associated equipment shall be subject to the following additional requirements:
 - a. Towers shall not interfere with normal radio and television reception in the vicinity. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.
 - b. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.
 - c. Towers shall be constructed and maintained in conformance with all applicable building code requirements.
 - d. In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide appropriate

Conditional Use Permit Check Sheet

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

2. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

3. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

4. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that the use is a public necessity;

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

5. The use or development will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the County.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	