



Staff Report 02/11/2016

Owner: Claude & Nancy Bobbitt

Applicant: Sunlight Partners, LLC

Parcel ID: 0464 03001

Location: 2431 Gillburg Road

Current Zoning: (A-R) Agricultural Residential

Quasi-Judicial Hearing: 02/11/2016

Prepared by: Jordan McMillen & Amy Sandidge

Description of Conditional Use Permit Request:

The applicant is requesting a conditional use permit to allow construction of a 5 MW solar farm under the use category of "Solar Energy System, Large Scale".

Exhibits as follows:

- Exhibit 1.** Application & signature pages
- Exhibit 2.** Project Narrative & Justifications
- Exhibit 3.** Owner Consent Form & Obligations to Remove Facility
- Exhibit 4.** NCDOT driveway permit application
- Exhibit 5.** NCDENR Erosion & Sedimentation Control Plan Approval
- Exhibit 6.** Interconnection Request
- Exhibit 7.** Decommissioning Plan
- Exhibit 8.** Aerial photography/surrounding Zoning map
- Exhibit 9.** Boundary Survey
- Exhibit 10.** Site Photos
- Exhibit 11.** Solar Farm regulations (as per zoning ordinance)
- Exhibit 12.** Conditional Use Permit Check List
- Exhibit 13.** Site plan

DRAFT Findings of Fact

1. The request is for a conditional use permit to allow a 5 MW solar farm on a parcel zoned (A-R) Agricultural Residential.
2. The property was rezoned from R-30 to A-R on December 7, 2015. A solar farm is an eligible conditional use within the A-R zoning district.
3. The property is owned by Claude & Nancy Bobbitt.
4. The property is located at 2431 Gillburg Road or more specifically as tax parcel 0464 03001.
5. The parcel consists of 48 acres of which approximately 21 acres will be the array footprint. The majority of the property is open with minimal clearing planned.
6. The application requesting a conditional use permit was filed on August 24, 2015.
7. The adjoining property owners were notified on January 27, 2016.
8. The property was posted on January 29, 2016.

Staff Comments

The applicant is requesting a conditional use permit to construct a 5 MW solar farm. As proposed, the solar farm project area would be leased from the current property owner and cover approximately 21 acres. The site plan calls for an 8 ft. security fence with 3 strands of barbed wire and no exterior lighting is proposed for the site. The solar panels will have no moving parts and will have a maximum height of 12 feet.

The applicant intends to plan a buffer on the western side bordering Gillburg Road, on the southern side bordering Julian Smith Road and on the eastern side adjoining the Bobbitt Village Mobile Home Park. The proposed buffer would consist of staggered vegetation consisting of 2 rows of shrubs/bushes, 1 row of evergreen understory trees, and 1 row of evergreen canopy trees. The shrubs will be species expected to reach a minimum height of 8 feet with a minimum spread of 6 feet within 3 years and would be raised on a 2 foot berm. The understory trees will be planted a minimum of 4 feet and the canopy trees will be a minimum of 8 feet at planting. Staff would recommend discussing the berm height with the applicant and looking into the potential for a higher berm. Additionally, staff would recommend discussing the planting height of the understory trees to ensure that adequate screening is present to avoid glare from the beginning of operation. Staff has a concern with glare potential as there is a roadway on the south side of the property which

is lower in elevation than the solar array area. Additionally the roadway running north and south along the solar farm is slightly higher than the solar array and causes potential for glare as well. Staff believes there is the potential for a safety concern and would recommend ensuring the screening is adequate in terms of density and height from the beginning to screen the solar farm. If the board sees fit, additional analysis or studies may be necessary to ensure that glare will not be an issue for the traveling public.

The applicant has obtained an e-911 address (2431 Gillburg Road) and has received NCDENR approval of the erosion and sedimentation plan. The applicant has not submitted an NCDOT driveway permit, but has begun the process of applying for a driveway permit. The applicant has applied for the interconnection agreement with Duke Energy Progress and the point of interconnection to the electric grid is shown on the site plan near the site entrance. All electric lines from the interconnection point will be underground.

Overall the site plan appears to meet the county's setback requirements of 100 feet on the front and 50 feet on the sides for all equipment and fences. In many areas along Gillburg Road and Julian Smith Road the setback is shown as 101 feet. Due to this, it will be necessary for the applicant to ensure that the entire fence remains outside of the setback area during construction.

Staff Review Items

- Concern with glare and potential safety issue; Recommend discussion with applicant regarding height of plantings and height of berm.
- No construction staging or materials storage area is shown on the site plan. Board should consider adding condition that all materials, vehicles and activity will be outside of the Right-of-way.
- The executed pages of the interconnection agreement with Duke Energy Progress need to be submitted prior to releasing conditional use permit – could be condition of approval.
- Driveway permit has not been submitted;
- Based on submitted site plan, staff is unclear of applicant's intention for buffer planting on south side of site.



**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 #	
Fee Paid	
BOA Date	

Property Owner Information

Property Owner: Mr. Claude Bobbitt
 Mailing Address: P.O. Box 1622
 City: Henderson State: NC Zip Code: 27537
 Phone #: (252) 438 - 4833 Fax #: () -
 E-mail Address: nixtonnancy@embarqmail.com

Applicant Information

Applicant: Sunlight Partners, LLC. - Michael Wallace
 Mailing Address: 27 Pearl Street FL 4.
 City: Portland State: ME Zip Code: 04101
 Phone #: (207) 899 - 1123 Fax #: () -
 E-mail Address: mwallace@catecapital.com

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

Property Address: Roughly 399 Julian Smith Rd. Henderson, NC (E911 not yet assigned)
 Tax Map Number: _____ PIN (parcel identification #): 055001015 & 055001015A
 Type of Petition: CUP
 Existing Zoning: A-R Proposed Zoning: _____
 Acreage: Gross = 48. Site = 21 Road Frontage: 3167 Feet
 Existing Use: Agricultural Farm Fields

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:*

Proposed 4 MW AC Solar Facility.

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:

A DNER Sedimentation and Erosion Control Plan, Stamped Survey, DNER wetland review, Duke Progress Interconnection Application and NCUC Status is provided

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

Proposed Solar Farm.

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

See attached project narrative.



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

See attached project narrative

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

See attached project narrative.

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

See Attached project narrative.

Property Owners Signature

Charles P. Bobbitt

Please sign in blue or black ink

Date 8/18/15

Applicants' Signature

Andrew D. Kelley

Please sign in blue or black ink

Date 8/18/2015

2015

Project Narrative for Brooke Solar



Submitted by:

Sunlight Partners, LLC

8/10/2015

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INTRODUCTION

Sunlight Partners respectfully submits the following as supporting documentation for the affirmation that the Brooke Solar project meets the requirements for approval of a Conditional Use Permit (CUP) within the A-R zoning districts.

PROJECT DESCRIPTION

The proposed Brooke Solar project will consist of an unmanned, 4 Mega-watt (MW), fixed tilt, photovoltaic solar farm. The project is situated on Parcel No. 0464 03001 within Vance County.

Components of the project will consist of mounted photovoltaic solar panels, electrical power inverters, electrical transformers, and buried electrical conduit. The solar generating facility will interconnect to the existing utility grid. **Figure 1** shows a typical photovoltaic solar generating facility.

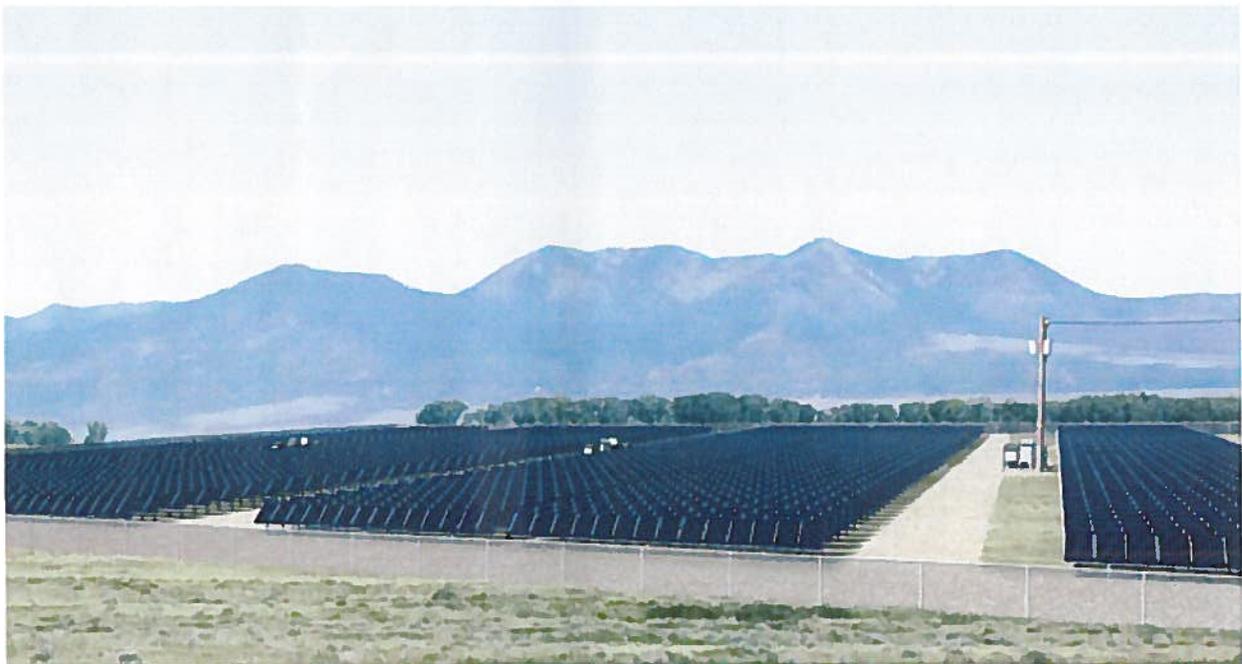


Figure 1 - Conceptual Site Rendering.

PROJECT LOCATION

The Brooke Solar project site is located at 399 Julian Smith Rd. Henderson, NC. A final E911 address has not yet been assigned.

Figure 2 depicts project location.

Figure 2 – Brooke Solar project site.



REQUIRED FINDING OF FACT

1. Explain how the use / development is located, designed and proposed to be operated so as to maintain / promote the public health, safety and general welfare;

The Brooke Solar Project will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved.

***Public Health & Safety-** The Brooke Solar facility will not adversely affect public health and safety. The solar facility is an unmanned, infrequently visited project site. As such, the project will not increase the existing demand on public safety agencies (police and fire departments). The project site will be enclosed with a fence, preventing access to the general public.*

2. Explain how the development complies with all required use and intensity regulations of the Land Development Code, other ordinances and resolutions, and state and federal regulations.

The Brooke Solar project will comply with all required regulations of the Unified Development Ordinance (UDO) and any specific conditions and specifications required for this project. The UDO was reviewed during the design phase of this project, as a good faith effort at compliance, prior to the submittal of the Conditional Use Permit application.

3. Explain how the use / development is located, designed and proposed to be operated so as to maintain / enhance the value of contiguous property, or that use / development is a public necessity:

Because the Brooke Solar project will have landscaping and natural buffers shielding the project from view, the project will not adversely affect the use, physical attribute, or impact the value of adjoining or abutting property. Note additional landscape buffering was added to this site.

Rich Kirkland was commissioned to perform an analysis on solar farm impacts on adjacent property values within Vance County and all over the State of North Carolina. Mr. Kirkland is a State Certified General Real Estate Appraiser by the State of North Carolina and an MAI. Mr. Kirkland's practice consists of residential and commercial appraisals in Durham, Johnston, Raeford, Vance, Warren, Guilford, Alamance, Nash, Granville, Vance, Orange, Randolph, Chatham and Caswell Counties of North Carolina.

Mr. Kirkland's study was performed to address the impact on adjacent property values related to two similar sized solar projects that Sunlight Partners was permitting as well as this one in Vance County. A complete report will be issued at County Commissioners meeting, including testimony by Mr. Kirkland which concludes; "My professional and expert opinion is that this proposed Solar Farm will not be visible and will have no impact on the market values of the surrounding properties. Brooke Solar with the proposed landscaping buffers and natural buffers will not create a negative externality for the surrounding properties as they will not be visible."

4. Explain how the use / development conforms with general plans for the physical development of the County's planning jurisdiction as embodied in the Land Development Code, The counties strategic plan, or other development policies adopted by the board of commissioners.

The proposed location for the Brooke Solar project is designated as Residential-Agricultural District. The Brooke Solar project will be in harmony with the area and will be in compliance with the plan for the physical development of the Town due to the fact that project will not increase the population density within the Residential/Agricultural area, will not require urban services, will not decrease the level of service on existing roads, and views of the Brooke Solar project will be shielded by natural and landscape buffers.

CONCLUSION

The Brooke Solar project has been designed, in good faith, to meet all required conditions and specifications as set forth by Vance County including tripling the proposed landscape buffer. Sunlight Partners believes that the finding of facts has been adequately addressed, and that the Brooke Solar project meets the requirements for approval of a Conditional Use Permit (CUP) within the A-R zoning district.



MEMORANDUM

To: Vance County
From: Sunlight Partners, LLC
Re: Obligations to Remove Solar Facility & Restore Premises

This **MEMORANDUM** is being delivered to Vance County, North Carolina for the purpose of summarizing certain terms of a Ground Lease Agreement by and between Claude R. Bobbitt and his spouse Nancy H. Bobbitt (collectively, "**Landlord**") and Sunlight Partners, LLC, a Nevada limited liability company ("**Tenant**") dated as of June 3, 2013 (as amended to date, the "**Lease**").

1. On June 3, 2013, Landlord and Tenant entered into Lease for all or a portion of the property commonly known as Vance County Assessor's Tax Parcel Number 0464 03001 (the "**Property**").

2. Per Section 10(A) of the Lease, Tenant is obligated to maintain commercial general liability insurance in the amount of \$1,000,000 per occurrence and an umbrella liability insurance policy of at least \$2,000,000 per occurrence for claims arising out of Tenant's use of the premises, naming Landlord as an additional insured.

3. Per Section 10(B) of the Lease, if the solar facility is damaged or destroyed by casualty, Tenant is obligated to either restore the solar facility or return the premises to a safe condition.

4. Per Section 17 of the Lease, Tenant is obligated at its sole cost and expense to leave the premises free from any improvements or structures at the end of operations, including removing the solar facility from the premises, including any foundations, pad, poles, pedestals, and similar ground-mounted structures to a depth of no less than 36 inches below grade and shall rough grade the premise to the same condition of level as existed on the rent commencement date and otherwise leave the premises in a condition consistent with applicable law and the conditions of permitting and free of any conditions which present a current unreasonable risk of harm to Landlord or the members of the general public.

5. In addition to the foregoing, per Section 10(C) of the Lease, upon any Tenant Breach of the Lease, the Landlord has the right to: (a) terminate Tenant's right of possession and recover costs, including any amount necessary to compensate Landlord for the costs incurred in recovering the premises, including the costs to relet, renovation and/or alter the premises; (b) continue Tenant's right of possession and Landlord may proceed with acts of maintenance, efforts to relet and/or seek the appointment of a receiver to protect Landlord's interests; and (c) seek any other remedy available under the laws of judicial decisions of North Carolina.

COPY



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
3/20/2015

DRIVEWAY PERMIT: D53-91-15-004

COUNTY: Vance

✓ Mr. Claude Bobbitt
PO Box 1622
Henderson NC 27536

SUBJECT: Driveway Permit Onto SR1519(330' from the intersection of SR1545 and SR1519 toward SR1547)

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 D53-91-15-004 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 that reads "Stephen D. Winstead".

Stephen D. Winstead, P.E.
District Engineer

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

D53-91-15-004



North Carolina Department of Environment and Natural Resources

Pat McCrory
Governor

Donald R. van der Vaart
Secretary

September 14, 2015

LETTER OF APPROVAL WITH MODIFICATIONS

Sunlight Partners LLC
Michael Wallace
27 Pearl St Unit 4
Portland, ME 04101

RE: Project Name: BROOKE SOLAR
Acres Approved: 20.8
Project ID: VANCE-2016-004
County: Vance, City: Henderson
Address: 388 Julian Smith Rd.
River Basin: Tar-Pamlico
Stream Classification: Other
Submitted By: Randall Miller, PE
Date Received by LQS: August 31, 2015
Plan Type: Utilities

Dear Sir or Madam:

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.

Please be aware that your project will be covered by the enclosed NPDES Construction Stormwater General Permit NCG010000. Please become familiar with all the requirements and conditions of this permit in order to achieve compliance.

Title 15A NCAC 4B .0118(a) requires that a copy of the approved erosion control plan be on file at the job site. Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to insure compliance with the approved plan.

Division of Energy, Mineral, and Land Resources
Energy Section • Geological Survey Section • Land Quality Section
1628 Mail Service Center Raleigh, NC 27699 • Phone: 919-791-4200 • FAX: 919-571-4718
Internet: <http://portal.ncdenr.org/web/lr/>
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**STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH**

DOCKET NO. SP-5041, SUB 0

BEFORE THE NORTH CAROLINA UTILITIES COMMISSION

In the Matter of
Application of Brooke Solar, LLC, for a) ORDER ISSUING CERTIFICATE
Certificate of Public Convenience and) AND ACCEPTING REGISTRATION
Necessity to Construct a 5-MW Solar) OF NEW RENEWABLE ENERGY
Facility in Vance County, North Carolina) FACILITY

BY THE COMMISSION: On February 6, 2015, Brooke Solar, LLC (Applicant), filed an application seeking a certificate of public convenience and necessity pursuant to G.S. 62-110.1(a) for construction of a 5-MW_{AC} solar photovoltaic electric generating facility to be located at 399 Julian Smith Road, near Henderson, Vance County, North Carolina. The application stated the Applicant planned to sell the electricity generated by this facility to Duke Energy Progress, Inc. (DEP). The application cover letter stated that a copy of the application was provided to DEP.

Contemporaneously with the application, the Applicant filed a registration statement for a renewable energy facility. The registration statement included the certified attestations required by Commission Rule R8-66(b).

On February 13, 2015, the Commission issued an Order Requiring Publication of Notice.

On April 6, 2015, the State Clearinghouse filed comments. Because of the nature of the comments, the cover letter indicated that no further State Clearinghouse review action by the Commission was required for compliance with the North Carolina Environmental Policy Act.

On June 1, 2015, the Applicant filed a certificate of service stating that the public notice was provided to DEP on March 2, 2015.

On June 8, 2015, the Applicant filed an affidavit of publication from the Daily Dispatch (Henderson, North Carolina) stating that the publication of notice was completed on March 25, 2015. No complaints have been received.

The Public Staff presented this matter to the Commission at its Regular Staff Conference on June 22, 2015. The Public Staff stated that it had reviewed the application and determined it to be in compliance with the requirements of G.S. 62-110.1(a) and Commission Rule R8-64. The Public Staff further stated that the registration statement

contains the certified attestations required by Commission Rule R8-66(b). Therefore, the Public Staff recommended approval of the certificate and registration for the facility.

After careful consideration, the Commission finds good cause to approve the application and issue the attached certificate for the proposed solar photovoltaic electric generating facility. The Commission further finds good cause, based upon the foregoing and the entire record in this proceeding, to accept registration of the facility as a new renewable energy facility. The Applicant shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year and will be required to participate in the NC-RETS REC tracking system (<http://www.ncrets.org>) in order to facilitate the issuance of RECs.

IT IS, THEREFORE, ORDERED as follows:

1. That the application of Brooke Solar, LLC, for a certificate of public convenience and necessity shall be, and is hereby, approved.
2. That Appendix A shall constitute the certificate of public convenience and necessity issued to Brooke Solar, LLC, for the 5-MW_{AC} solar photovoltaic electric generating facility located at 399 Julian Smith Road, near Henderson, Vance County, North Carolina.
3. That the registration statement filed by Brooke Solar, LLC, for its solar photovoltaic facility located in Vance County, North Carolina, as a new renewable energy facility, shall be, and is hereby, accepted.
4. That Brooke Solar, LLC, shall annually file the information required by Commission Rule R8-66 on or before April 1 of each year.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of June, 2015.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail L. Mount, Chief Clerk

STATE OF NORTH CAROLINA
UTILITIES COMMISSION
RALEIGH

DOCKET NO. SP-5041, SUB 0

Brooke Solar, LLC
4115 East Valley Auto Drive #204
Mesa, Arizona 85206

is hereby issued this

CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
PURSUANT TO G.S. 62-110.1

for a 5-MW_{AC} solar photovoltaic electric generating facility

located at

399 Julian Smith Road, near Henderson, Vance County, North Carolina,

subject to all orders, rules, regulations and conditions
as are now or may hereafter be lawfully made
by the North Carolina Utilities Commission.

ISSUED BY ORDER OF THE COMMISSION.

This the 23rd day of June, 2015.

NORTH CAROLINA UTILITIES COMMISSION

Gail L. Mount

Gail L. Mount, Chief Clerk

NORTH CAROLINA INTERCONNECTION REQUEST

Utility: Progress / Duke Energy Carolinas, Inc.

Designated Contact Person: Attention: Customer Owned Generation-Mail Code ST13A

Address: POBox 1010 Charlotte NC28201 Overnight Mailing: 400 South Tryon St. Charlotte NC28202 +

Telephone Number: 866.233.2290

Fax: 980.373.5244 E-Mail Address: customerownedgeneration@duke-energy.com

An Interconnection Request is considered complete when it provides all applicable and correct information required below.

Preamble and Instructions

An Interconnection Customer who requests a North Carolina Utilities Commission jurisdictional interconnection must submit this Interconnection Request by hand delivery, mail, e-mail, or fax to the Utility.

Request for: Fast Track Process Study Process
(All Generating Facilities larger than 2 MW must use the Study Process.)

Processing Fee or Deposit

Fast Track Process – Non-Refundable Processing Fees

- If the Generating Facility is 20 kW or smaller, the fee is \$100.
- If the Generating Facility is larger than 20 kW but not larger than 100 kW, the fee is \$250.
- If the Generating Facility is larger than 100 kW but not larger than 2 MW, the fee is \$500.

Study Process – Deposit

If the Interconnection Request is submitted under the Study Process, whether a new submission or an Interconnection Request that did not pass the Fast Track Process, the Interconnection Customer shall submit to the Utility a deposit not to exceed \$1,000 towards study costs.

Change in Ownership – Non-Refundable Processing Fee

If the Interconnection Request is submitted solely due to a transfer of ownership of the Generating Facility, the fee is \$50.



Sunlight
PARTNERS

BROOKE SOLAR

DECOMMISSIONING PLAN

Sunlight Partners, LLC has provided a decommissioning plan, by way of this report, outlining the proper procedures and methods for removing a ground mounted Photovoltaic Solar Farm. Sunlight Partners, LLC will be responsible for the removal of Brooke Solar once the Power Purchase Agreement has expired or the site is discontinued for any reason.

SUNLIGHT PARTNERS

**27 Pearl Street, FL 4
Portland ME 04101
207.899.1123**

www.sunlightpartners.com

August 15, 2015

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1.0 PROJECT DESCRIPTION

A 4 megawatt (MW) photovoltaic (PV) solar farm is proposed at 399 Julian Smith Rd on approximately 21 acres of an approximately 48 acre property with a general zoning designation as A-R. The generation of electricity and interconnection to the existing 22.86 kV electrical distribution lines at this location has been approved by Duke Energy Progress (DEP) and shown in the proposed site plan.

The solar farm consists of a ground mounted solar array; the solar panels are mounted on a simple fixed-tilt, post racking structure. The vertical galvanized steel posts are pile driven into the ground. The panels are low glare and will be tilted in a south direction. The low end of the panels are approximately 2.5 – 3.5 feet above the ground; the top or high end of the panels is approximately 10-12 feet off the ground. The entire project will be surrounded by a six-foot chain-link fence topped with three-strand barbed wire. The solar array will be connected to inverters, which convert the DC current to AC current for connection the electrical distribution line. The electric power from the inverters will be run via underground lines to the electric utility interconnect equipment at the edge of the arrays, and from there to the electricity distribution line (i.e. grid). Native or seeded grass will be utilized for ground cover within the project boundaries. The Project has an estimated useful lifetime of 30 years or more, with an opportunity for a lifetime of 50 years or more with equipment replacement and repowering.



Pictured: Installation of a 5 MW AC Solar installation in Warrenton County

1.1 PROCEDURES FOR DECOMMISSIONING AFTER CEASING OPERATION

The Project consists of numerous recyclable materials, including glass, semiconductor material, steel, aluminum, copper, and plastics. When the Project reaches the end of its operational life, the component parts can be dismantled and recycled. The Project components will be dismantled and removed using minimal impact conventional construction equipment and recycled or disposed of safely and in compliance with applicable regulations. The time frame for completion of decommissioning activities is 180 days.

1.1.1 Temporary Erosion and Sedimentation Control

Appropriate temporary (construction-related) erosion and sedimentation control Best Management Practices (BMP) will be used during the decommissioning phase of the project. The BMPs will be inspected on a regular basis to ensure their function. Proper permitting and notification must be given to all local and governing authorities.

1.1.2 Removal of all Non-Utility Owned Equipment, Conduit, Structure, Fencing, Foundations & Roads.

Effectively, the decommissioning of the solar plant proceeds in reverse order of the installation.

1. The PV facility shall be disconnected from the utility power grid including notification the utility.
2. PV modules shall be disconnected, collected and returned per the Solar Panel Collection and Recycling Program (see description below and Appendix A)
3. Site aboveground and underground electrical interconnection and distribution cables shall be removed and recycled off-site by an approved recycling facility.
4. PV module support beams and aluminum racking shall be removed and recycled off-site by an approved recycler.
5. PV module support steel and support posts shall be removed and recycled off-site by an approved metals recycler.
6. Electrical and electronic devices, including transformers and inverters shall be removed and recycled or resold off-site by an approved recycler.
7. Concrete foundations shall be removed and recycled off-site by a concrete recycler.
8. Fencing shall be removed and will be recycled off-site by an approved recycler.
9. The only roads constructed for the project site will be the interior site access road to be constructed of a minimum aggregate base. The interior roads can remain onsite should the landowner choose to retain them, or be removed and the gravel repurposed either on- or off-site.
10. The Project Site may be converted to other uses in accordance with applicable land use regulations in effect at that time of decommissioning. There are no permanent changes to the site and it can be restored to its original condition including re-vegetation. Any soil removed for construction purposes will be relocated on the site or used for landscaping after construction is complete.

1.1.3 PV Module Collection and Recycling

This project will use PV modules; which can participate in a Collection and Recycling Program similar to First Solar's Module program. (brochure attached as Appendix B). To take advantage of a program like this, the modules will be electrically and mechanically disconnected from the solar array and packaged for shipment. The module recycling program includes the glass and the encapsulated semiconductor material, with over 90% of the material recovered for future use.

1.1.4 Electrical Wiring Removal and Recycling

The electrical wiring is typically installed underground from the inverter/transformer configuration to the utilities interconnection point. The solar panel wiring is attached to the module racking structure which is run to combiner boxes and then to the inverters. To remove the underground wire, the original trenches in which the wire is buried will be dug up and the conduit and wire removed. The wire attached to the rail is primarily attached via plastic clip and can be removed by hand. The wiring is either copper or aluminum (depending on the function/location) encapsulated in an insulating plastic material; most of these materials are desirable commodities that can be recycled.

1.1.5 Racking Structure Removal and Recycling

The racking structure consists of aluminum and galvanized steel racking rails and steel posts. All of these materials can be recycled and/or reused. Removal of the aluminum and galvanized racking is straightforward, as the primary attachment is via screws, clips, nuts, and bolts. The steel posts are

secured by pile driving them into the ground. They will be removed using the appropriate equipment and transported to a recycling center.

1.2 PROCEDURES FOR DECOMMISSIONING DURING CONSTRUCTION (ABANDONMENT OF PROJECT)

In unlikely case of abandonment of project during construction, the same decommissioning procedures as for *Decommissioning after Ceasing Operation* will be undertaken and the same decommissioning and restoration program will be honored, in so far as construction proceeded before abandonment. The facility will be dismantled, materials removed and recycled, the soil that was removed will be graded and the site returned to its preconstruction state.

2.0 FINANCIAL

The proposed solar power project is comprised of several levels of contracts that are in place to ensure performance during the operational life; therefore it is a very secure investment with significant residual value.

1. *Secured revenue stream*: Each project has a Purchase Power Agreement (PPA) with Duke Energy that guarantees a fixed rate payment for the power generated during a 15 year term. Duke Energy's credit rating backs the PPA and assures that power payments will reliably be made to cover operating costs and the initial investment. The solar facility is not selling into the spot market, but rather has a fixed revenue stream for 15 years, an assurance that should give the County great comfort around the operations of the facility.
2. *Operational Security*: Solar modules are the primary component of the solar facility and represent approximately half of the overall project cost. Solar modules used for the proposed project carry a 25-year performance warranty. In the event a module breaks down, the manufacturer provides a replacement module at no cost to the facility owner. Solar "fuel" is free and low operational costs provide few opportunities for mismanagement or project failure.
3. *Performance Incentives*: Because Duke Energy is paying only for energy produced, key facets of the development include selection of high quality equipment, investment in system design, and management the facility to run it optimally for the duration of the term and life of the facility. Financing of initial project costs typically involve deep scrutiny of selected equipment and operational contracts to protect investments.
4. *Sunlight Partners Lease Memorandum*: In accordance with the terms of the Lease Agreement with the landowner, Sunlight Partners is obligated to remove the solar facility and restore the premises to its original condition should the decision be made to abandon the solar farm for any reason. Appendix A contains a lease memorandum which summarizes the contractual language governing this site.
5. *High residual value*: At the conclusion of the 15 year PPA contract term, the facility will have an additional 15 – 25 years of operational life, free of encumbrances and can operate at an extremely low cost, thus creating a high residual value of the facility. Sunlight Partners has secured a 15 year lease with three 5-year options ensuring the solar array can operate almost all of its useful life. At the end of its life, the equipment will no longer be cutting edge, but its production of energy will always have value and the equipment's performance will be guaranteed by an industry standard solar module warranty to be approximately 80% of its original production. The owner will either establish another long-term PPA contract or sell high value peak production into the spot market. If the facility cannot remain on the same parcel of land, the expected value of the energy the facility can produce between years 16 and 30 is worth roughly 30 times the cost to remove and relocate the facility to another market where there is a buyer for the power, making the removal of the system a sound economic decision for the owner.
6. *Salvage value*: At the end of the useful life of the solar modules, after 30-40 years, the facility value will be reduced to that of the commodity materials it's constructed of – steel, copper and aluminum. With

these facts in mind, the following net cost of executing the decommissioning plan is proposed in table 1.

Table 1 below illustrates the estimated cost total for removing a solar power plant offset by the value that will immediately be recovered from recycled scrap materials.

Component	Disposal Costs	Labor Costs	Value of Recycled Materials	Net Gain	Notes
Fence	\$14,700	\$3.50	NA	NA	4200 LF
AC & DC electrical Wiring	\$5,000	\$2.40	\$108,000	\$103,000	
Racking Poles	\$51,000	\$20.00	\$64,000	\$13,000	3200 Each
Racking	\$67,500	\$1.00	\$260,000	\$192,500	260,000 lbs
Solar Panels	\$67,500	\$12.50	\$218,750	\$151,250	17,500 modules
Inverters	\$5,000	\$2.20	\$66,000	\$61,000	
Transformers	\$5,000	\$5.00	\$15,000	\$10,000	
Land Restoration	\$25,000	500.00	NA	NA	
TOTAL	\$240,700		\$731,750	\$530,750	

Table 1: Net cost of decommissioning (10%)

Notes on Table 1

- 1) Disposal costs estimated based on transport plus disposal fee
- 2) Labor costs based on discounted installation costs (disassembly requires more unskilled labor)
- 3) Value of recycled materials based on commodity scrap prices which vary with the market.


 Landowner Signature


 Date

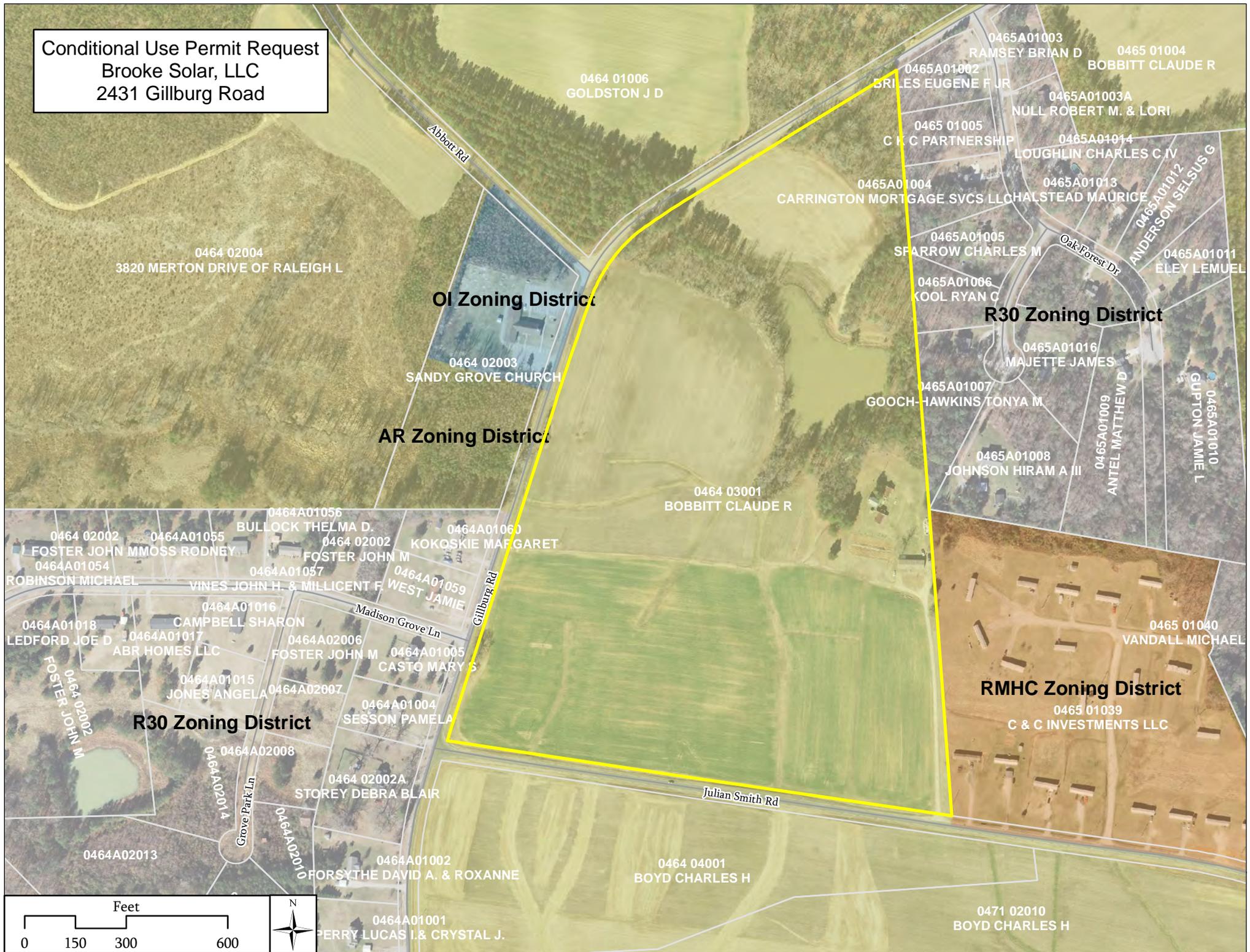


Sunlight Partners Signature

01.07.2016

Date

Conditional Use Permit Request
Brooke Solar, LLC
2431 Gillburg Road



0464 02004
3820 MERTON DRIVE OF RALEIGH L

0464 01006
GOLDSTON J D

0465A01003
RAMSEY BRIAN D
0465 01004
BOBBITT CLAUDE R

0465A01002
BRIAN ES EUGENE F JR
0465A01003A
NULL ROBERT M. & LORI

0465 01005
C K C PARTNERSHIP
0465A01014
LOUGHLIN CHARLES C IV
0465A01004
CARRINGTON MORTGAGE SVCS LLC
0465A01013
CHALSTEAD MAURICE
0465A01012
ANDERSON SELSUS G

0465A01005
SPARROW CHARLES M
0465A01011
ELEY LEMUEL

OI Zoning District

0464 02003
SANDY GROVE CHURCH

R30 Zoning District

0465A01006
KOOL RYAN G
0465A01016
MAJETTE JAMES
0465A01007
GOOCH-HAWKINS TONYA M

AR Zoning District

0464 03001
BOBBITT CLAUDE R

0465A01008
JOHNSON HIRAM A III

0464A01056
BULLOCK THELMA D
0464A01055
FOSTER JOHN M MOSS RODNEY
0464A01054
ROBINSON MICHAEL
0464 02002
FOSTER JOHN M
0464A01057
VINES JOHN H. & MILLICENT F
0464A01059
WEST JAMIE

0464A01018
LEDFORD JOE D
0464A01017
ABR HOMES LLC
0464A01016
CAMPBELL SHARON
0464A01015
JONES ANGELA
0464A01015
JONES ANGELA
0464A01005
CASTO MARY S

R30 Zoning District

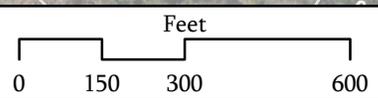
0464A02006
FOSTER JOHN M
0464A02007
SESSON PAMELA
0464A02008
STOREY DEBRA BLAIR

RMHC Zoning District

0465 01040
VANDALL MICHAEL
0465 01039
C & C INVESTMENTS LLC

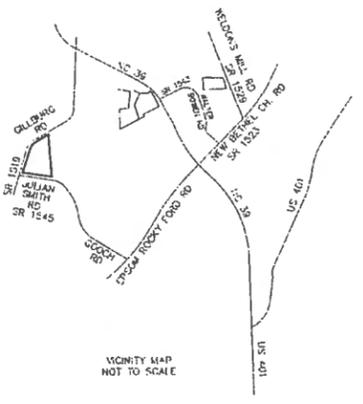
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0464A02014
0464A02010
0464A01002
FORSYTHE DAVID A. & ROXANNE

0464 04001
BOYD CHARLES H



0464A01001
PERRY LUCAS I. & CRYSTAL J.

0471 02010
BOYD CHARLES H



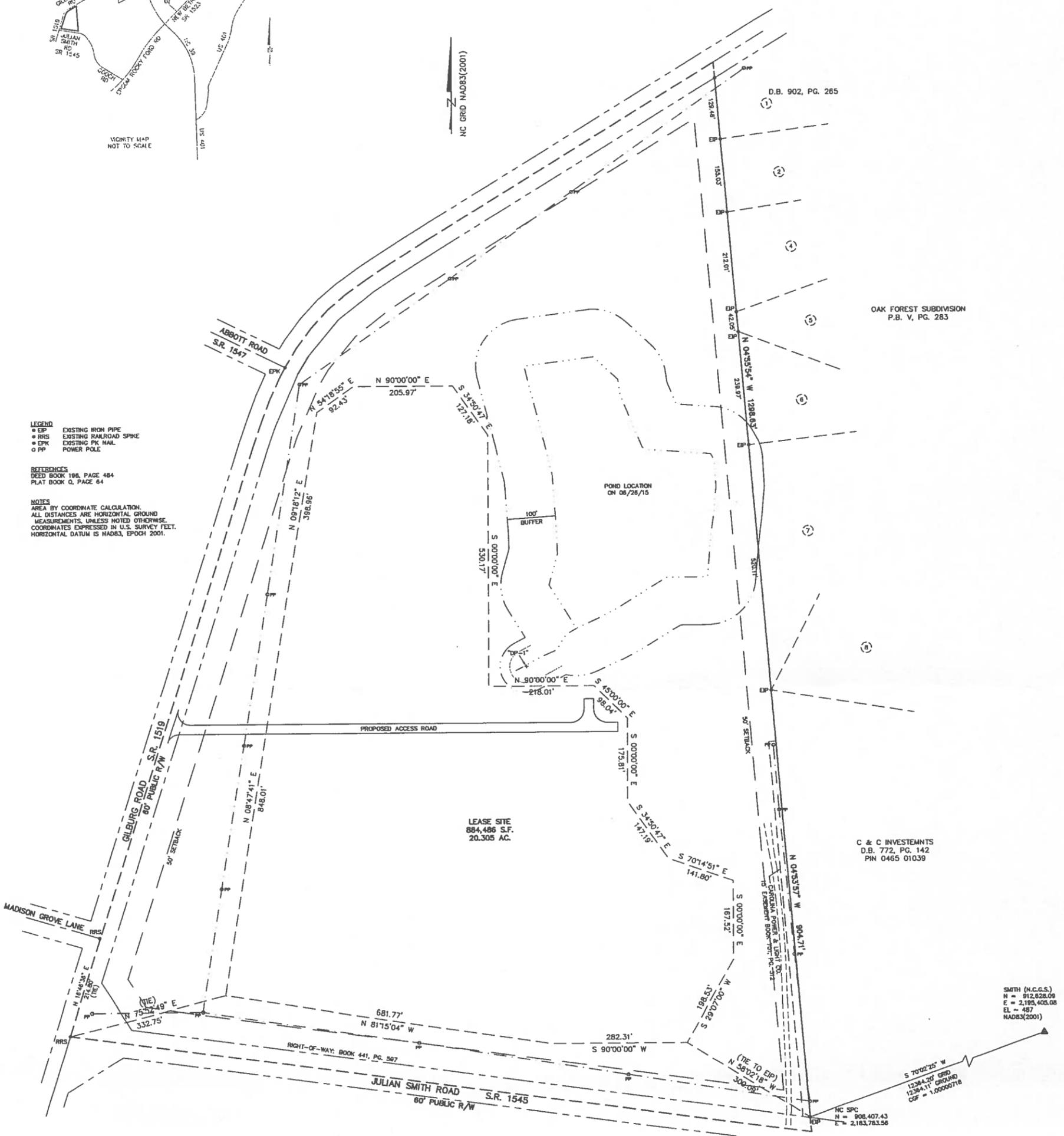
VICINITY MAP
NOT TO SCALE

NC GRID NAD83(2011)

LEGEND
 ● EPK EXISTING IRON PIPE
 ● RRS EXISTING RAILROAD SPIKE
 ● EPK EXISTING PK. NAIL
 ○ PP POWER POLE

REFERENCES
 DEED BOOK 196, PAGE 484
 PLAT BOOK 0, PAGE 64

NOTES
 AREA BY COORDINATE CALCULATION.
 ALL DISTANCES ARE HORIZONTAL GROUND
 MEASUREMENTS, UNLESS NOTED OTHERWISE.
 COORDINATES EXPRESSED IN U.S. SURVEY FEET.
 HORIZONTAL DATUM IS NAD83, EPOCH 2011.



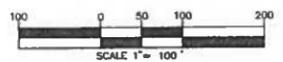
- SCHEDULE B-3 EXCEPTIONS (FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 2015002785CA DATED 05/08/15)**
- TAXES FOR THE YEAR 2015, AND SUBSEQUENT YEARS, NOT YET DUE AND PAYABLE.
 - SUBJECT TO THE FEE SIMPLE INTEREST OF CLAUDE RUXTON BOBBITT.
 - LOSS OR DAMAGE RESULTING FROM FAILURE TO COMPLY WITH THE TERMS AND PROVISIONS OF LEASE SET FORTH UNDER SCHEDULE A HEREOF, CREATING THE LEASEHOLD INSURED.
 - SUBJECT TO MATTERS SHOWN ON PLAT RECORDED IN PLAT BOOK 0 AT PAGE 64.
 - EASEMENT(S) TO CAROLINA POWER & LIGHT COMPANY RECORDED IN BOOK 701 AT PAGE 312.
 - EASEMENT(S) TO STATE HIGHWAY COMMISSION RECORDED IN BOOK 441 AT PAGE 587.
 - ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND. PARAGRAPH 2 (c) OF THE COVERED RISKS IS HEREBY DELETED.
 - ANY INACCURACY IN THE AREA, SQUARE FOOTAGE, OR ACREAGE OF LAND DESCRIBED IN SCHEDULE A OR ATTACHED PLAT, IF ANY. THE COMPANY DOES NOT INSURE THE AREA, SQUARE FOOTAGE, OR ACREAGE OF THE LAND.

TO FIRST AMERICAN TITLE INSURANCE COMPANY
 THIS IS TO CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM, AND INCLUDES ITEMS 1.4, 8.11a, 13.14, 16.18, 19.12 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON 08/28/15.

08/11/15
 DATE
 SIGNED: CHARLES W. RUSHTON, P.L.L.C. L-2765



REVISED 08/08/15: ADD "OP-1" LOCATED ON 08/05/15



ALTA/ACSM LAND TITLE SURVEY FOR BROOKE SOLAR, LLC			
THOMPSON ASSOCIATES CO. LICENSE NO. 0343 1148 E. QUINCY CIRCLE SUITE 101 CARY, NC 27511 (919) 465-1586 FAX (919) 465-1585		PITRELL TOWNSHIP VANCE COUNTY NORTH CAROLINA OWNER: CLAUDE R. & NANCY R. BOBBITT ZONED DATE: 08/30/15 DRAWN: CWR JOB NO. 15-063 SCALE: 1" = 100' SURVEYED: GRW DWG: BROOKE SOLAR REVISIONS: LEASE AREA 08/11/15 P/N: 0464 03001	

C & C INVESTMENTS
 D.B. 772, PG. 142
 PIN 0465 01039

SMITH (N.C.G.S.)
 N = 912,828.09
 E = 2,195,405.08
 EL = 487
 NAD83(2011)

Brooke Solar Farm – Site Photos



View along Gillburg Road



View to the North



View to the South

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	X	X	X	X	X	X	X	P	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:** Ground mounted solar energy systems as part of a solar farm shall have a setback for all equipment including fences a minimum of 100 feet from street right-of-ways and 50 feet from other property lines. The Board of Adjustment may reduce such setback requirement if the proposed or existing buffer is sufficient to screen the project from view from adjoining properties or public right-of-ways.
 3. **Screening and Fencing:** Systems, equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 8 feet. A thirty (30) foot vegetative buffer consisting of a compact evergreen hedge or other type of evergreen foliage shall be required along the entire perimeter of the facility. The buffer shall be planted at a minimum of three (3) feet tall and reach the height of at least eight (8) feet within three years and shall be maintained in good condition. Failure to maintain the buffer shall constitute a violation of this ordinance. Earth-berms, other topographical features and existing wooded areas may be accepted in lieu of the above requirements, if they conceal the use from public view and are maintained.
 4. **Lighting:** If lighting is provided at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.
 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. **Installation and Design:** Electric solar system components must have a UL listing and must be designed with anti-reflective coating(s). Individual arrays/solar panels shall be designed and located in order to prevent glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way.
 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. **Inspections:** Each solar farm shall be required to have the facility inspected annually for 3 years following the issuance of the zoning permit to verify continued compliance with the Zoning Ordinance. Additional inspections necessitated by complaints or otherwise shall not replace the annual inspection requirement.
 10. **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.
 11. **Abandonment and Decommissioning:** It is the responsibility of the solar system owner and landowner 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.

A decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) addressing the following shall be submitted with the permit application.

- a. Defined conditions upon which decommissioning will be initiated (i.e. end of land lease, no power production for 12 months, etc.)

- b. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations
- c. Restoration of property to condition prior to development of the solar farm.
- d. The timeframe for completion of decommissioning activities.
- e. Description of any agreement (e.g. lease) with landowner regarding decommissioning.
- f. The party currently responsible for decommissioning.
- g. Plans for updating this decommissioning plan.

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 Federal Communications Commissioner (FCC) documentation indicating that the power output levels do not exceed federally approved levels.
 - e. In allowed districts, towers of 75 feet or more require that a Conditional Use Permit be granted by the Board of Adjustment. The Board of Adjustment may consider variances up to 10 % of the setback requirements for such towers as a part of the Conditional Use Permit approval.
 - f. To encourage shared use of towers, no new tower shall be located within one (1) mile of an existing tower. The Board of Adjustment may allow a tower to be placed within one (1) mile of an existing tower upon being presented written documentation that (1) appropriate space on the tower is not available, (2) the new sponsor has made good faith efforts to negotiate an agreement with the owner of the current tower, or (3) equipment currently on the tower is not compatible with the proposed equipment. If the petitioner cannot locate on an existing tower and a new tower has to be constructed, the height of the tower cannot exceed two hundred feet (200’). The new tower cannot be located closer than one mile from an existing tower.

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
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"/>	
Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<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
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"/>	
Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<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
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"/>	
Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<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
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"/>	
Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<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
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"/>	
Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>				