

in the negative tense.

**BACKGROUND INFORMATION continued:**

III.A.1a.

**PROJECT REVIEW:** For more detailed background, reference is made to the attached Application Form. In summary, the Applicant is seeking approval to install and operate a 5 Megawatt Solar Farm. According to the Projected Future Land Use map Exhibit IX-B, page IX-36 of CAMA's 2016 Land Use Plan Update, the proposed subject area is zoned Residential Agricultural. The proposed project will occupy approximately 45 leased acres of the newly proposed 60+/- acres of Tax Parcel No. 2-0069-0013J to be owned by Robert L. Brown if a proposed 'land swap' occurs between Mr. Brown and Ambrose "Pete" & Deborah Proctor (see attached Memorandum of Real Property Exchange Agreement from deed book 463, page 362). Its driveway and utility easement are planned for the westernmost corner of the property and will access an existing farm path. The project site is in an RA zone with access across the CH zone. Parcel acreage not leased for solar farm operations will remain available for rural agricultural use. Per Planning Board recommendation, our Soil & Water District Technician examined the site. Its characteristics revealed poorly drained Roanoke soils. He recommends the current ditches remain intact and be properly maintained after construction. Construction in the timber portion of the property may need a wetland determination by the Corps of Engineers at a later date. Racking technology will be a low-profile single-axis tracker ground-mount system (it moves with the sun). Sight impact from US Hwy 17 will be minimal as the system will be more than 1,000 feet from the road right-of-way. Vegetation will be planted the entire length of the site's northeast and northwest sides, as woods are on the remaining two sides. The applicant has offered a vegetative buffer cash bond in the amount of \$20,000 (see condition (I) of attached proposed CUP-17-02).

As stated in the application's Statement of the Nature of the Proposed Use, "*The intent with this CUP request is to complete an agreed upon land swap once the CUP has been approved and certain contingencies satisfied to permit Mr. Brown to construct a solar farm on his property. The primary purpose for the land swap is to increase the setback distance from US Hwy 17 and to reduce the impact on prime farmland available for row crop production and future CH Highway Commercial development.*"

The Draft CUP document includes required and suggested conditions for the proposed Solar Energy System. Note that Condition (I) on page 4 of proposed CUP-17-02 was volunteered by the applicant. As with other CUP requests, the Applicant's Site Plan and Statement are part of the CUP itself. If approved, the Draft CUP will be executed by the property owner(s) and the BCC Chair and recorded in a timely fashion by the Applicant or owners in the Register of Deeds Office, along with said Statement and Site Plan. Later, the recorded CUP will be attached to the Applicant's proposed Zoning Permit and then used by Planning & Zoning staff to determine zoning compliance.

The proposed plan appears to meet the County's minimum design requirements when CUP conditions are met.

**SUGGESTED MOTIONS and ACTIONS:** As previously stated, the County's Zoning Ordinance provides for the BCC to consider the proposed development at a Public Hearing and to use as a guide Sections 903(a) thru (d) as summarized in the Table of Findings (see below). The BCC is requested to consider and act on each finding separately, prior to making a fifth motion for approval or denial of the request. For the fifth action, scripted motions in the positive and negative tense are provided for the BCC's use on page 1, to acknowledge the DRAFT Conditional Use Permit and any changes required to it by the BCC, in the event the BCC approves the project.