

TITLE XV:

LAND USAGE

Chapter 166

Solar Farm
Ordinance

CHAPTER 166: SOLAR FARMS

Section	
166.01	Title
166.02	Statement of Purpose
166.03	Applicability
166.04	Definitions
166.05	General Standards and Restrictions
166.06	Abandonment or Cessation
166.07	Enforcement and Penalties
166.08	Appeals

§ 166.01 TITLE

This Ordinance shall hereafter be known and cited as the "Pike County Solar Farm Ordinance."
(Res. passed 7-29-14)

§ 166.02 STATEMENT OF PURPOSE

By enacting this Chapter, the County intends to preserve and promote the public health, safety, and welfare of the citizens of Pike County through:

- (A) Complying with applicable State and Federal regulations concerning solar farms;
- (B) Establishing local standards and restrictions for the placement and construction of solar farms and their appurtenances;

(Res. passed 7-29-14)

§ 166.03 APPLICABILITY

In unincorporated Pike County, solar farms shall only be permitted with an approved special exception in the following zoning districts: A-R (Agricultural-Residential), C-3 (Heavy Commercial), and M-2B (Manufacturing Heavy). (The normal mailing radius for special exception hearings shall be extended to a ½ mile radius around properties applying for solar farms.) Solar farms shall also require initial review by the Pike County Environmental Review Committee, and must be checked to see if they qualify for review as a Development of Regional Impact by the Georgia Department of Community Affairs. These requirements shall not apply to individual solar panels installed for purely residential use. An application and site plan, including solar panel sizes, setbacks and buffers, property lines, rights-of-way, easements, structures, and any water bodies and wetlands, shall be filed with the Zoning Administrator at the start of the process. (Res. passed 7-29-14)

§ 166.04 DEFINITIONS

For the purposes of this Ordinance, the following terms shall apply:

- (A) PHOTOVOLTAIC ELECTRICITY. Semiconductor technology involving the direct conversion of electromagnetic radiation as sunlight, into electricity via solar panels.
- (B) SOLAR FARM. An area of land, and its appurtenances, designated and constructed for the purpose of producing large scale photovoltaic electricity.
- (C) SOLAR PANEL. A grouping of solar cells that uses the sun's light or heat to create electricity.

(Res. passed 7-29-14)

§ 166.05 GENERAL STANDARDS AND RESTRICTIONS

- (A) Minimum lot area: Solar farms shall not be located on parcels less than 50 acres.
 - (B) Height: Systems, equipment and structures shall not exceed 15 feet in height when ground mounted. Roof mounted, systems shall not exceed the maximum height, for the applicable zoning district in which the solar farm is approved.
 - (C) Buffers / setbacks: There shall be established a 50 foot wide planted or natural buffer along the entire perimeter (save for necessary access points) of the solar farm property. The County reserves the right to require additional plantings in a buffer deemed to be insufficient in plant material to constitute a proper screen. Ground mounted solar panels shall be setback at least 100 feet from property lines, and inverters shall be setback at least 250 feet from property lines. If field conditions necessitate having inverters closer to property lines than the specified standard, then a variance may be applied for with the Board of Appeals. All other accessory structures related to the solar farm shall be setback at least 50 feet from any property line. Any required buffers for streams and wetlands shall be enforced.
 - (D) To the extent practical, all new distribution lines to any building, structure or utility connection may be located above ground. Utility lines from the solar facility which connect to the utility transmission lines should be a minimum 100 feet from property lines, except at the departure point(s) off of the facility property.
 - (E) Electrical solar system components must have a UL listing or equivalent.
 - (F) All active solar systems shall meet all requirements of the approved County Building Code and shall be inspected by the County Building Inspector.
 - (G) All photovoltaic systems shall comply with the National Electric Code, current edition.
 - (H) No grid-tied photovoltaic system shall be installed until evidence has been given to the County that the owner has been approved by the utility company to install the system. Off-grid systems shall be exempt from this requirement.
 - (I) A minimum 6 foot high security fence shall surround the, perimeter of the solar farm. The manufacturers' or installers' identification and appropriate warning / danger signage shall be posted at the site in a clearly visible manner from each and every ingress and egress to the site. Sign sizes shall not be less than 2 foot by 2 foot, but no larger than 4 foot by 8 foot.
 - (J) Solar farm areas shall be kept free of debris and weeds, in compliance with federal, state, and local regulations.
 - (K) Reasonable accessibility for emergency services shall be required. An address for the solar farm for ease of location by emergency services shall also be required.
 - (L) The solar farm operator(s) shall provide the County Code Enforcement Office with current owner and local point of contact information.
- (Res. passed 7-29-14)

§ 166.06 ABANDONMENT OR CESSATION

It is the responsibility of the parcel owner to remove all obsolete or unused systems within 6 months of cessation of operations, exclusive of periods of force majeure (acts of God, storms, etc.). At the discretion of the Zoning Administrator, the owner may apply for a six months extension of the removal process, if substantially, but not totally, complete. Reusable components are to be recycled whenever feasible. Disposal of all solid and hazardous waste shall be in accordance with all local, state, and federal waste disposal regulations. Proof of any and all disposal of materials shall be provided to Pike County upon completion of removal. Prior to the approval of a solar farm permit, a bond in the amount of \$5000 per acre shall be posted. (Res. passed 7-29-14)

§ 166.07 ENFORCEMENT AND PENALTIES

Any person in violation of this article shall be subject to a citation in Pike County Magistrate Court, and, upon conviction, be subject to a fine not to exceed \$1000.00 or no more than 6 months of incarceration, or both. Each day the violation continues shall constitute a separate offense. (See O.C.G.A. 15-10-60) (Res. passed 7-29-14)

§ 166.08 APPEALS

The determination of the Magistrate Court may be appealed on points of law to the Pike County Superior Court by writ of certiorari.
(Res. passed 7-29-14)