Case Number: MOD-SE-17-03

Applicant: Madden Solar Center LLC

Owner: USC Timber LLC

Property Location: No address assigned.

GA Hwy 18

Concord, GA 30206

Landlots: 184, 169, 166

District: 9

Parcel ID’s: 032-012, 031-004, 031-003A

Acreage: 1671 acres

Commission District: District 1 and 2, Timmy Daniel and Tim Guy

FEMA Data: The southern and eastern borders of parcel 032-012 lie within the

flood zone.

Request: Applicant is requesting a modification to the previously approved

special exception. They are looking to increase the size of the project by

approximately 200 acres and increase the number of solar panels.

Code Reference: CH 166 Solar Farm, CH 156.27 Special Exception

Staff Analysis: SE-17-03 was previously reviewed by the Environmental Review

Board, recommended for approval with conditions by the Board of Appeals, and

Approved with conditions by the Board of Commissioners. The application

before you now incorporates the same restrictions imposed from the previous

application but expands the size of the project. The updated site plan also

includes a 200-foot setback from Flat Shoals Rd. which is the same stipulation for

Hwy 18, Nixon Rd., and Madden Bridge Rd. approved in the original application

SE-17-03.

The subject property is located in Landlots 184, 169, and 166 of the 9th land

district of Pike County. The total property spans nearly 1,671 acres over the

following parcel ID’s: 031-003A, 031-004, and 031-012. The subject property

has approximately 9,300 feet of road frontage along Hwy 18, approximately 4,930

feet of frontage along Flat Shoals Rd., approximately 2,290 feet of frontage along

Curtis Rd., approximately 1,930 feet of frontage along Nixon Rd., and

approximately 4,000 feet of frontage along Madden Bridge Rd. Applicant has

submitted an updated site plan design for consideration. Originally, the plan was

for 304,000 solar panels to be installed on 700 acres of parcel id 031-012. The

updated site plan calls for approximately 451,600 solar panels to be installed over

935 acres of land spread across the 1671 acres of the three parcels. The proposed

site plan is in the board members’ packets. The updated site plan includes a 50-

foot buffer and 200-foot setback along Flat Shoals Rd. With the increased buffer,

approximately 1050 acres of land will be included to house the project from the

1671-acre total of the parent tracts.

Per CH 166.03, Solar farms are only permissible via special exception in three

zoning districts: A-R, Agricultural-Residential; C-3, Heavy Commercial; and

M2-B, Manufacturing Heavy. Three Rivers Commission confirms that the size of

the project does not qualify for a DRI (Development of Regional Impact) review.

NRCS and EPD have confirmed that the EPD will have jurisdiction over all land

disturbance permitting and enforcement. There is a letter of support in each

members’ packets from John Edwards it was addressed to the Board of Appeals

and Board of Commissioners.

Recommendation: Staff recommends the modification for special exception for **APPROVAL** with the same conditions from SE-17-03:

**Revised Recommendations: Acceptance of Environmental Review Committee report, with the following conditions:**

**1. Minimum 100-foot buffer from stream banks.**

**2. Minimum 50-foot buffer from property lines and road frontage, and minimum 200-foot setback from Highway 18 and North Madden Bridge Road for solar panels.**

**3. Evergreen buffer along Highway 18 as a visual screen. Where possible, retain existing vegetation along Highway 18.**

**4. No use of herbicides for vegetation control.**

**5. Strong erosion and sediment control plan is required, with regular inspections to protect Elkins Creek.**

**Revised Recommendations, 3.8.17: Approval with the listed conditions:**

**1. Any specified perimeter buffers on the property shall be honored and maintained. Board of Commissioners' approval for the landscape plan is required for the planted buffer along Highway 18, and the location and extent will need to be field located.**

**2. There shall be no unlawful encroachment into any specified state waters buffers or wetlands.**

**3. Any land disturbance greater than 1 acre shall require approved erosion / sediment control plans and a land disturbance permit.**

**4. An annual business license shall be required.**

**5. The proposal shall conform to any solar farm standards set forth in the Pike County Code, Chapter 166, except as may be otherwise conditioned. The bond amount specified in Section 166.06 shall be adhered to.**

**6. A formal study of wetlands and sensitive areas on the property needs to be completed prior to construction.**

**7. Herbicides shall not be used for vegetation control and maintenance.**

**8. Access to the solar farm via Nixon Road is prohibited. Access to the solar farm via North Madden Bridge Road shall be limited for the purpose of maintenance to the southwest substation area, and contingent upon the developer improving North Madden Bridge Road to applicable Pike County standards to the point of access of the substation area.**

**9. The final site plan shall be reviewed and approved by the Zoning Administrator.**

**10. This approval is non-transferrable to any other use and shall continue to meet all conditions, criteria, and regulations in the event that the solar farm operation is sold or otherwise transferred.**

**11. Upon cessation of the solar farm, the subject property shall be restored, at no**

**expense to Pike County, to the agricultural conditions of the property prior to the solar**

**farm development (i.e. removal of all solar panels and equipment).**