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2015-18

STATE OF SOUTH CAROLINA  
COUNTY OF CALHOUN

AN ORDINANCE TO AMEND THE CALHOUN COUNTY ZONING ORDINANCE TO PROVIDE FOR  
REGULATIONS FOR SOLAR FARMS OVER ONE ACRE IN SIZE AND FOR SOLAR PANELS IN  
RESIDENTIAL AREAS, NEIGHBORHOODS, OR DEVELOPMENTS

STATE OF SOUTH CAROLINA  
CALHOUN COUNTY COUNCIL

AN ORDINANCE TO AMEND ORDINANCE 2007-12

Calhoun County Ordinance 2007-12 is hereby amended to add or amend the following:

- § 5-120-5-123 Reserved.....
- § 5-124 Solar Projects of More than One Acre.....
- § 5-125 Solar Projects of Less than One Acre or attached to a Residential Unit.....

**§ 5-110. Uses affected by this article.**

Solar Projects of More than One Acre

Solar Projects of Less than One Acre or Attached to a Residential Unit

**§ 5-111. Hearing, review required.**

Owing to the nature and potential impact of certain uses listed by this article, all uses in this article will be considered special exceptions in all zoning districts. The Planning Commission shall call for and conduct a public hearing on any application to establish such use in Calhoun County, having given at least fifteen (15) days notice of time and place in a newspaper of general circulation in the county; except that the following projects and uses shall be exempt from this requirement and may be approved for permitting by the zoning administrator.

The Planning Commission shall review and evaluate each application with respect to all applicable development standards contained herein and elsewhere in this chapter. At the conclusion of its review, the Board of Zoning Appeals may approve the proposal as presented, approve it with specified modifications, or disapprove it.

If approved, the applicant shall be issued the appropriate permit(s), or if conditionally approved, instructed on any contingencies or modifications imposed by the Planning Commission. If disapproved, the applicant shall be notified in writing with the

reasons therefore. Upon receipt of "notice of disapproval", the applicant may appeal the decision to circuit court with the process defined in § 7-103.

§ 5-120-5-123. Reserved.

**§ 5-124. Solar Projects or Farms of More than One Acre**

This section is intended to provide the opportunity for solar energy to serve as a viable form of energy generation while protecting public health, safety and general welfare. All regulations in the zoning ordinance shall apply unless expressly allowed or modified in the below standards and requirements:

All Solar Projects or Farms, including any device, structure or part of a device or structure (i.e. array, panel, etc.) installed for the sole purpose of the collection, inversion, storage, and distribution of solar energy shall comply with the following:

1. They shall comply with all building and electrical codes.
2. They shall not create a visual safety hazard for passing motorists or aircrafts.
3. An applicant must include a decommissioning plan that describes the anticipated life of the solar farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the solar farm project will be decommissioned and the site restored. Following a continuous six month period in which no electricity is generated, the permit holder will have six months to complete decommissioning of the solar farm. Decommissioning includes removal of solar panels, buildings, cabling, electrical components, and any other associated facilities below grade as described in the decommissioning plan.

Prior to issuance of Building Permits, the applicant must provide the County with a performance guarantee (surety or performance bond, certified check or irrevocable letter of credit) in the amount of \$50,000 or 125% of the estimated decommission cost minus the salvageable value, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.

Allowed In RUD or Industrial Zoning Districts provided:

1. That a series of ground mounted solar collectors (minimum of three) are placed in an area for the purpose of generating photovoltaic power for resale purposes.
2. The use is setback both a minimum of 500 feet from abutting residential properties, churches and schools, and 50 feet from roadways, unless waived by the Planning Commission or the County Council.
3. That where property abuts residential property, solar collectors must be screened so as to not be seen from the adjoining property line.
4. Panels are to be located and situated so glare is not offensive to traffic or residences; a statement from a qualified engineer must be submitted with the application.
5. No structure shall achieve a height of greater than 20 feet.
6. Access to the site must be controlled by a fence of at least six feet in height with a vegetative landscape buffer provided between the fencing and the property line.
7. The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the site.

**§ 5-125. Solar Projects or Farms of Less than One Acre or Attached to a Residential Unit**

1. The location of solar panels shall be limited to the side and rear of the structure and rear lot only not to exceed the height requirements of the district.
2. A plan is submitted showing the proposed location of solar panel(s), the arrangement of the panels, distance from the roof, pitch of the finished roof, and distance from the proposed site improvements to all property lines.

3. Solar energy system components must have a UL listing and must be designed with anti-reflective glare coatings to minimize solar glare.
4. Written authorization from the local public utility company acknowledging that it has been informed of the applicant's intent to install an interconnected customer-owned generator and that it also approves of such connections, if not used independently.
5. Roof-mounted solar collector systems shall meet the following location standards:
  - a. Roof-mounted accessory collector systems shall not extend above the ridge-cap or exceed the height restriction of the district.
  - b. The collector surface and mounting devices for roof-mounted systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.
  - c. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.
  - d. Roof mounted systems shall be located so as not to impede the ability of emergency personnel to access the roof for fire-fighting purposes.
  - e. Roof mounted systems shall be mounted parallel to the roof at the same pitch or no greater than 5% steeper than the roof.
  - f. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto other properties or public access areas.
  - g. Mounting hardware and framing shall be non-reflective or matte black in color.

The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the accessory use.

This Ordinance shall take effect upon third reading hereof.

David K. Summers  
David K. Summers, Jr., Chairman

Vickie B. Stoudemire  
Vickie B. Stoudemire, Clerk to Council



First Reading: Sept. 28, 2015  
Second Reading: Nov. 23, 2015  
Third Reading: Jan. 11, 2016  
Public Hearing: Jan. 11, 2016