

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENWOOD)

ORDINANCE NO. 2016-08

AN ORDINANCE TO AMEND THE GREENWOOD COUNTY
ZONING ORDINANCE, BEING ORDINANCE 13-86, AS AND IF AMENDED,
SO THAT CERTAIN PROPERTIES DESCRIBED
BELOW SHALL BE CHANGED IN CLASSIFICATION AS INDICATED

WHEREAS, the Greenwood County Council wishes to periodically amend the Greenwood County Zoning Ordinance;

WHEREAS, the Greenwood County Joint Planning Commission did pursuant to law hold a public hearing on May 24, 2016 and did by its certificate recommend approval and that the zoning ordinance of Greenwood County be amended as indicated below; and;

WHEREAS, the Greenwood County Council is authorized by law to adopt the zoning ordinance or to amend same.

NOW, THEREFORE, BE IT ORDAINED by Greenwood County Council:

SECTION I.

Article C Districts and Boundaries

Sec. 6-3-43 I-1 Light Industrial District

(b) Permitted uses.

(16) Solar Farm – provided the following conditions are met:

- a. Where a series of ground mounted solar panels (minimum of three) are placed in an area for the purpose of generating photovoltaic power for resale purposes.
- b. The use is setback a minimum of 100 feet from abutting residential property and 50 feet from roadways.
- c. A buffer at least 100 feet in depth along all sides of the development shall be provided. In instances where the site abuts an existing public right-of-way or existing residential use, the buffer depth may be reduced to 50 feet but must consist of plantings as follows placed within ten feet of the property line:
 1. On-site mature vegetation existing at a minimum height of 10 feet between any exterior fencing and adjacent property including rights-of-way; or

2. A single row of evergreens in combination with mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
3. A double row of off-set evergreens absent mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
4. A berm combined with evergreen vegetation installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years.

Where visibility of the solar farm is increased due to topography, the landscape buffer shall be planted on-site in an area that lessens the view of the solar farm. Where visibility of the solar farm is decreased due to topography, the landscape buffer may be reduced. The buffer may be reduced along property boundaries where the applicable adjoining owner(s) agree to lessen such distance by executing a signed written waiver of this requirement of no less than 25 feet.

- d. Solar panels are to be located and situated so glare is not a hazard to traffic or residences; a statement from a qualified engineer must be submitted with the application. Compliance with this condition shall satisfy the performance standard regarding glare as set forth in Section 6-3-113 (9) of this chapter.
- e. Except for poles, lines, and other equipment necessary to connect the solar farm to the electrical utility grid, no structure shall achieve a height of greater than 20 feet.
- f. Access to the site must be controlled by a chain-link fence of at least six feet in height.
- g. Prior to issuance of the Zoning Compliance, the 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 or sold, 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 the certificate of Zoning Compliance, 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 125% of the estimated decommission cost minus the salvageable value or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.

- h. The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the site.
- i. Power inverters and other sound producing equipment shall be no less than 100 feet from any existing dwelling unit at the time of construction or installation of the solar farm.
- j. Upon submission of a proposed development plan for a particular site, the Planning Department staff shall mail notification to abutting property owners of record. This notification shall serve as general communication that a solar farm development is being proposed for a particular site.

Sec. 6-3-44 I-2 Heavy Industrial District

(b) *Permitted uses.*

(4) Solar Farm – provided the following conditions are met:

- a. Where a series of ground mounted solar panels (minimum of three) are placed in an area for the purpose of generating photovoltaic power for resale purposes.
- b. The use is setback a minimum of 100 feet from abutting residential property and 50 feet from roadways.
- c. A buffer at least 100 feet in depth along all sides of the development shall be provided. In instances where the site abuts an existing public right-of-way or existing residential use, the buffer depth may be reduced to 50 feet but must consist of plantings as follows placed within ten feet of the property line:
 - 1. On-site mature vegetation existing at a minimum height of 10 feet between any exterior fencing and adjacent property including rights-of-way; or
 - 2. A single row of evergreens in combination with mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
 - 3. A double row of off-set evergreens absent mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
 - 4. A berm combined with evergreen vegetation installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years.

Where visibility of the solar farm is increased due to topography, the landscape buffer shall be planted on-site in an area that lessens the view of the solar farm. Where visibility of the solar farm is decreased due to topography, the landscape buffer may be reduced. The buffer may be reduced along property boundaries where the

applicable adjoining owner(s) agree to lessen such distance by executing a signed written waiver of this requirement of no less than 25 feet.

- d. Solar panels are to be located and situated so glare is not a hazard to traffic or residences; a statement from a qualified engineer must be submitted with the application. Compliance with this condition shall satisfy the performance standard regarding glare as set forth in Section 6-3-113 (9) of this chapter.
- e. Except for poles, lines, and other equipment necessary to connect the solar farm to the electrical utility grid, no structure shall achieve a height of greater than 20 feet.
- f. Access to the site must be controlled by a chain-link fence of at least six feet in height.
- g. Prior to issuance of the Zoning Compliance, the 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 or sold, 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 the certificate of Zoning Compliance, 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 125% of the estimated decommission cost minus the salvageable value or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.
- h. The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the site.
- i. Power inverters and other sound producing equipment shall be no less than 100 feet from any existing dwelling unit at the time of construction or installation of the solar farm.
- j. Upon submission of a proposed development plan for a particular site, the Planning Department staff shall mail notification to abutting property owners of record. This notification shall serve as general communication that a solar farm development is being proposed for a particular site.

Section 6-3-47 RDD Rural Development District

(d) *Permitted uses.*

(5) Solar Farm – provided the following conditions are met:

- a. Where a series of ground mounted solar panels (minimum of three) are placed in an area for the purpose of generating photovoltaic power for resale purposes.
- b. The use is setback a minimum of 100 feet from abutting residential property and 50 feet from roadways.
- c. A buffer at least 100 feet in depth along all sides of the development shall be provided. In instances where the site abuts an existing public right-of-way or existing residential use, the buffer depth may be reduced to 50 feet but must consist of plantings as follows placed within ten feet of the property line:
 1. On-site mature vegetation existing at a minimum height of 10 feet between any exterior fencing and adjacent property including rights-of-way; or
 2. A single row of evergreens in combination with mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
 3. A double row of off-set evergreens absent mature vegetation, installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years; or
 4. A berm combined with evergreen vegetation installed at a height of five feet achieving opaqueness and a minimum height of 10 feet in five years.

Where visibility of the solar farm is increased due to topography, the landscape buffer shall be planted on-site in an area that lessens the view of the solar farm. Where visibility of the solar farm is decreased due to topography, the landscape buffer may be reduced. The buffer may be reduced along property boundaries where the applicable adjoining owner(s) agree to lessen such distance by executing a signed written waiver of this requirement of no less than 25 feet.

- d. Solar panels are to be located and situated so glare is not a hazard to traffic or residences; a statement from a qualified engineer must be submitted with the application. Compliance with this condition shall satisfy the performance standard regarding glare as set forth in Section 6-3-113 (9) of this chapter.
- e. Except for poles, lines, and other equipment necessary to connect the solar farm to the electrical utility grid, no structure shall achieve a height of greater than 20 feet.
- f. Access to the site must be controlled by a chain-link fence of at least six feet in height.
- g. Prior to issuance of the Zoning Compliance, the 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 or sold, 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 the certificate of Zoning Compliance, 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 125% of the estimated decommission cost minus the salvageable value or \$50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.
- h. The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the site.
 - i. Power inverters and other sound producing equipment shall be no less than 100 feet from any existing dwelling unit at the time of construction or installation of the solar farm.
 - j. Upon submission of a proposed development plan for a particular site, the Planning Department staff shall mail notification to abutting property owners of record. This notification shall serve as general communication that a solar farm development is being proposed for a particular site.

Section 6-3-109 Accessory structures and uses

L. Solar Panels – provided:

1. In residential districts, 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. In all other districts, the location of solar panels shall be limited to the sides and rear of the lot and shall be screened from all adjacent property lines and must meet the height requirements of the district; placement on rooftops must be screened from view of all other properties by a parapet or curtain wall.
2. A plan 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.

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.
6. The site plan shall receive approval from an active homeowner's association or architectural review board of the affiliated neighborhood prior to approval of a building permit.
7. 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.

M. Other accessory uses appropriate to residential uses, as determined by the Zoning Official.

SECTION II.

All other ordinances or parts of ordinances not consistent herewith are hereby repealed.

SECTION III.

This ordinance shall be effective upon adoption on third reading.

DONE AND PASSED this 5th day of July, 2016, at Greenwood, South Carolina.