

BE IT ORDAINED by the Board of Commissioners of Rabun County, Georgia, CHAPTER 56 of Rabun County's CODE OF ORDINANCES titled "ZONING" is hereby amended by adding certain definitions to Section 56-1, which shall henceforth read as follows:

Sec. 56-1. – Definitions.

Solar Energy System (SES) means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission, or for thermal applications. For purposes of the Rabun County zoning ordinance, SES refers only to (1) photovoltaic SESs that convert solar energy directly into electricity through a semiconductor device or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. SES as used in the Rabun County zoning ordinance excludes concentrated solar power, which uses mirrors to focus the energy from the sun to produce electricity. Also known as 'solar farms.'

CHAPTER 56 of Rabun County's CODE OF ORDINANCES titled "ZONING" is hereby further amended by adding ARTICLE XV, Supplemental Use Standards, which shall henceforth read as follows:

CHAPTER 56 – ZONING

ARTICLE XV. SUPPLEMENTAL USE STANDARDS

Sec. 56-322. – Ground Mounted Solar Energy Systems (SES)

(a) Ground Mounted Solar Energy Systems shall only be permitted in the and A (Agriculture) and M-II (Heavy Industrial) Zoning Districts and shall meet the standards in this section.

(1) This section applies to the siting, construction, installation, and decommissioning of any new SES to be constructed or installed after the adoption of this ordinance within the jurisdiction of Rabun County.

(2) Unless otherwise expressly stated herein, an SES shall comply with all applicable federal, state, and local laws, including the requirements of the Rabun County zoning ordinance and applicable building, fire, electric, and plumbing codes.

(3) Minimum Acreage. Ground Mounted Solar Energy Systems shall not be permitted on less than ten (10) acres.

(4) Solar Access. Consistent with O.C.G.A. § 44-9-20 et seq., a property owner may obtain a solar easement from another property owner for the purpose of ensuring a Ground Mounted SES adequate exposure to sunlight.

i. Ground Mounted SES in Rabun County require 80% sunlight year-round.

(5) Permission from power provider. A letter shall be required from the power provider showing approval of SES.

(6) Certifications required. The applicant shall submit an affidavit that provides, to the best of the applicant's knowledge:

i. Construction and operation of the SES will comply with all applicable federal and state laws;

ii. Construction and operation of the SES will comply with all local laws, including the requirements of the Rabun County zoning ordinance, unless waived by the County; and

iii. Commercial general liability insurance will be maintained throughout the siting, construction, installation, operation, and decommissioning of the SES.

(7) Impervious Surface. Ground mounted structures and components of the Ground Mounted SES, including transformers and foundations, shall be considered pervious if they maintain sheet flow and allow for water to infiltrate under and around them through a pervious surface and into the subsoil.

(8) Lighting. To reduce light pollution, lighting of a Ground Mounted SES shall:

i. be limited to the minimum reasonably necessary for its safe operation;

- ii. be directed downward where reasonably feasible;
- iii. incorporate full cut-off fixtures; and
- iv. reasonably utilize motion sensors.

(9) Tree Removal. The removal of trees or natural vegetation for a Ground Mounted SES shall be avoided to the extent reasonably practicable and shall comply with the requirements of the Rabun County zoning ordinance.

(10) Decommissioning. Unless otherwise approved by Rabun County Board of Commissioners, decommissioning shall begin no later than 12 months after a Ground Mounted SES has ceased to generate electricity or thermal energy:

- i. Within 6 months of the beginning of decommissioning, the SES and all structures associated with it shall be removed, all materials shall be recycled or otherwise reused to the extent reasonably practicable, and the property shall be returned to its condition prior to the installation of the SES or to some other condition reasonably appropriate for the designated land use.

(11) Setbacks. A Ground Mounted SES shall comply with the following setback requirements:

- i. The SES shall be setback 150 feet from any property line;

(12) Visual Buffers. A Ground Mounted SES shall have a visual buffer of natural vegetation, plantings, earth berms, and/or fencing that provides a reasonable visual and lighting screen to reduce the view of the SES from residential dwelling units on adjacent lots (including those lots located across a public right-of-way). The existing natural tree growth and natural land forms along the SES perimeter may create a sufficient buffer and shall be preserved when reasonably practicable. Any visual buffer must be a minimum of eight (8) feet in height.

(13) Signage. A Ground Mounted SES shall display signs:

- i. stating the risks that may result from contact with Ground Mounted SES,
- ii. identifying the owner or operator of the Ground Mounted SES, and

- iii. providing a 24-hour emergency contact phone number.

Sec. 56-323. – Temporary Recreational Vehicle Use

(a) Recreational Vehicles used as temporary lodging shall meet the following standards:

- (1) Shall only be permitted in the A (Agriculture) zoning district.
- (2) Shall only be permitted for personal use.
- (3) Shall not be permitted as a permanent dwelling.
- (4) Shall require power, septic, and water connections.
- (5) Shall not be used for temporary lodging for more than 120 consecutive days at a time.

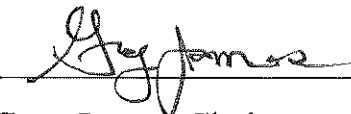
Unless specifically amended or modified herein, all remaining portions of Chapter 56 of Rabun County's CODE OF ORDINANCES titled "ZONING" shall remain in full force and effect, unchanged and unamended hereby.

PLACED ON FIRST READING AT THE REGULAR MEETING ON THE 26th DAY OF September, 2023.

PLACED ON FINAL HEARING AND ADOPTION ON THE 24th DAY OF October, 2023.

Any ordinance in conflict with said ordinance amendment is specifically repealed. This ordinance shall become effective immediately upon adoption, after the second reading by the County.

RABUN COUNTY, by and through its Board of Commissioners

 L.S.

Greg James, Chairman

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Scott Crane

 L.S.

Tom Garrison

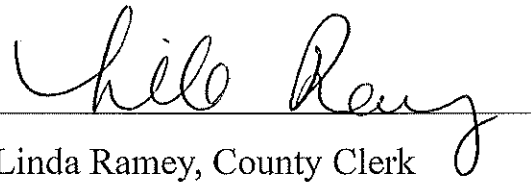
 L.S.

Will Nichols

 L.S.

Kent Woerner

This is to certify that the above Ordinance was adopted at a regular meeting of the Rabun County Board of Commissioners as provided by law. This 24 day of October, 2023.

  
Linda Ramey, County Clerk