

- (2) Off-Street parking shall be governed by Article 6
- (3) Buffers requirements shall be governed by Article 8
- (4) Height restrictions shall be governed by Section 414

314 (b) Townhomes

- (1) Density
 - a. Density of townhome developments (3 or more attached single family units) shall not exceed two (2) units per acre when served by individual on-site septic systems and four (4) units per acre when served by a public system.
 - b. No fewer than three (3) units and no more than eight (8) units can be connected.

(2) Access

Direct vehicular access of an individual townhouse shall be limited to the internal street network. Where a larger development fronts on a collector or arterial street, at least two access points shall be allowed. No direct access for individual units shall be permitted on collector or arterial streets.

314 (c) Apartment/Condominium Developments

- (1) Density
 - a. Density of an apartment or condominium development shall not exceed four (4) units per acre when served by a community on-site septic system and shall not exceed eight (8) units per acre when served by a public system. Units may not be served by individual on-site systems.
 - b. No more than four (4) dwelling units per floor may be included within a singular building or structure.

(2) Access

Access to apartment or condominium projects shall be governed by the standards enumerated in Section 309(c) for similar Large Scale Projects.

(Section added 9/19/2016)

Sec. 315 Renewable Energy Systems – Solar Farms

The following standards shall apply to the development of all renewable energy systems defined as Solar Farms. These standards are in addition to and not exceptions to other articles and sections of this development ordinance or of any other ordinance of the county or any applicable state law or regulation.

315 (a) Definitions

For the purpose of this section, the following definitions shall apply. These definitions are not exclusive of all definitions that may apply to the development of Solar Farms.

- (1) Abandonment – the ceasing of electrical generation for a continuous twelve (12) month period.
- (2) Solar Collector – any component, device, structure, or any portions thereof for which the primary purpose is the transformation of solar radiant energy into thermal, mechanical, chemical, or electrical energy.
- (3) Solar Energy System – the solar collector components and all subsystems thereof including without limitation all equipment, conduits, and any accessory supporting

structures or buildings required to convert solar radiant energy into thermal, mechanical, chemical, or electrical energy.

(4) Solar Farm – except as expressly limited below, any use of land where a series of one or more solar energy systems or solar collectors are placed in an area on a parcel of land for the purpose of generating photovoltaic power for off-site commercial purposes, and collectively has a generating capacity of at least 15 kilowatts (kW) direct current (DC) or more when operating at maximum efficiency.

a. Exception

1. The term “solar farm” shall not include any on-site, non-commercial solar energy system, nor be construed so as to prohibit installation of an on-site solar collector that gathers solar radiation as a substitute for traditional energy for water heating, active space heating and/or cooling, passive heating, or generating electricity for residential property (meaning property where the predominant use is residential), for a non-solar business/commercial entity (meaning a business or commercial use not engaged in the commercial marketing or sales of solar energy), or for on-site agricultural purposes.

315 (b) Use Standards

(1) Size and Location

- a. The solar farm shall consist of a minimum of five (5) acres; excluding rights-of-way and contained in a singular, recorded parcel meeting the respective minimum requirements for all parcels as enumerated elsewhere in this development standards ordinance.
- b. The property boundary of the solar farm shall be located within two (2) miles of an existing electrical transmission line.

(2) Setbacks and Buffers

- a. The setbacks for any solar collector and other equipment and structures associated with the solar energy system shall be 25 feet larger than the applicable buffer to allow for an access road around the perimeter of the property.
- b. The buffers provided in the table below are separate and distinct from other buffering requirements of the Pickens County Unified Development Standards Ordinance, and shall be measured from the property line.

Table 3.2 Solar Farm Buffer Standards

<u>Use</u>	<u>Buffer Width</u>
<u>Agricultural</u>	<u>50 Feet</u>
<u>Residential – Single Family</u>	<u>200 Feet</u>
<u>Residential – All Others</u>	<u>200 Feet</u>
<u>Office/Commercial</u>	<u>50 Feet</u>
<u>Industrial</u>	<u>25 Feet</u>
<u>Institutional</u>	<u>50 Feet</u>
<u>Park, Recreation, Open Space</u>	<u>100 Feet</u>
<u>Local Street</u>	<u>75 Feet</u>

<u>All Other Streets</u>	<u>100 Feet</u>
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- c. In addition to buffering, screening shall be required by providing vegetation and other hardscape within the buffer which achieves a minimum height of ten (10) feet within three (3) years. The intent is to provide sufficient screening, through a combination of buffers, fencing, landscaping, and/or landscaped berms to obscure the solar equipment from exterior view from adjoining property owners and public right of ways.
- d. A visually opaque screen shall be provided for any adjacent property that has an existing residential use, and has been subdivided to five acres or less. An opaque screen is intended to exclude a visual contact with the solar equipment from any protected property, public street or public right of way. An opaque screen may be composed of a wall, fence, landscaping, landscaped berm, or combination thereof. Natural areas as detailed below may also be used to meet screening requirements.
 - 1. Natural areas: An existing vegetated area located on the same property as the solar farm; is within or includes the required buffer; and is of sufficient height, length, and depth and contains adequate and sufficient healthy vegetation to provide a visually opaque screen where required. The Planning Director may determine that further screening improvements shall not be required.
- e. Only the following shall be permitted within the landscaped buffer:
 - 1. Vehicular access drives which tie into approved access points as determined by SCDOT and/or Pickens County
 - 2. Lighting
 - 3. Signage
 - 4. Utility lines (water, sewer, stormwater, power, gas)

(3) Fencing

A security fence shall be required at least six (6) feet in height to secure the solar equipment unless a taller fence is needed in order to obscure the solar equipment from exterior view; the fence can be on top of the berm in order to achieve this goal. A chain link fence shall not be allowed unless it is screened from exterior view from adjoining property owners and public right of ways; screening may include plantings to create a "living fence", or to obscure the view of the fence. Breaks in fencing may be allowed to facilitate wildlife needs where natural features provide appropriate barriers to access by humans for security and safety purposes.

(4) Height

The Solar Energy System shall not exceed ten (10) feet in height, as measured from the ground to the foremost/tip end of the solar collector, provided there is a demonstration that the screening prevents the system from being visible from the exterior of the property. Ancillary non solar collector structures, such as inverters, transformers, etc., may be taller than ten feet (10') in height, provided that such are not visible from the exterior of the property.

(5) Operational and Design Standards

- a. Solar collectors shall be designed with anti-reflective coating to minimize glare. Mirrors are prohibited.

- b. On-site electrical interconnections and power lines shall be installed underground to the extent feasible. Existing above ground utility lines shall be allowed to remain in their current location.
- c. A warning sign concerning voltage must be placed at the main gate that states the address of the site, the name of the solar farm operator, and a local phone number for the solar farm operator in the case of an emergency.
- d. Entrance roadway should include a dog leg or meander to obscure vision from the roadway.
- e. If lighting is provided at site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.
- f. Adequate provisions to reduce average/constant noise levels at the property boundary not to exceed 50 dBA at the property line, except during construction.
- g. A solar collection device or combination of devices are to be designed and located to avoid directing glare or reflection onto adjacent properties, adjacent roadways, and nearby parks, recreational areas, or nature preserves and shall not interfere with traffic or create a safety hazard.

315 (c) Application Materials

In addition to the application materials required for land use review and approval by the Planning Commission as enumerated in Section 1205, the following shall be submitted:

- (1) Project Overview or narrative providing, at a minimum:
 - a. The type, size, and rated power output of the solar farm
 - b. Safety and noise characteristics of the project
 - c. Development schedule, to include time frame, project life, and development phases, and possible future expansions
- (2) A site plan showing:
 - a. Property boundaries
 - b. Proposed solar collector locations and locations of all other buildings, structures, and equipment
 - c. Access and interior circulation
 - d. Landscaping and Buffer Areas
 - 1. If exceptions to the buffer requirements are being sought, the submitted plan must be so detailed to show how the applicable standards are being modified
 - e. Fencing
- (3) Vertical (elevation) to scale drawings or simulated photographs showing the location of collectors and other equipment and their anticipated view from adjacent properties and roadways.
- (4) Lighting plan
- (5) Decommissioning Plan as outlined further in this section.

315 (d) Decommissioning

The applicant must provide a decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) 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 timeline and manner in which the solar farm project will be decommissioned and the site restored to its condition prior to the development of the solar farm. If the property has been timbered within two (2) years of land use approval, original condition means replanted with timber. Decommissioning will be required following a continuous period of 12 months in which no electricity is generated by the facility other than for mechanical, repair, replacement and/or maintenance purposes.

- (1) The permit holder will have 12 months to complete decommissioning of the solar farm. Decommissioning shall include removal of solar panels, foundations, structures, cabling, electrical components, conduit, and any other associated facilities as described in the decommissioning plan.
- (2) Prior to issuance of a development permit, the applicant must provide the county with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the county in the amount of 125 percent of the estimated decommission cost minus the salvageable value, or \$50,000.00, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.
- (3) Every five years a new engineer's estimate of probable cost of decommissioning shall be submitted for approval in the same manner as the initial submission, and the bond, letter of credit, or other financial security acceptable to the county shall be adjusted upward or downward as necessary.
- (4) Prior to development permit issuance, proof must be provided that the decommissioning plan has been recorded with the Pickens County Register of Deeds.

315 (e) Site Restoration/Stabilization

The applicant for a development permit shall submit a ten (10) percent site restoration/stabilization performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the county prior to issuance of the development permit. The site restoration/stabilization guarantee shall insure satisfactory grading, seeding, and stabilization of the site in case of default by the applicant and/or if the applicant does not install the required site improvements in a timely fashion as determined by the Community Development Director, including the costs of landscaping, screening, and or fencing for the site or such portion thereof being permitted. The developer shall provide the county with an itemized engineer's estimate of the approved site improvements in conformity with the Pickens County Land Development Regulations for approval and calculation of the bond amount. The site restoration guarantee may be refunded upon issuance of a certificate of site compliance for the permitted improvements.

DIVISION II. STANDARDS FOR USES REQUIRING ANNUAL OPERATING PERMITS

~~Sec. 315~~Sec. 316 Sexually Oriented Businesses.

~~315 (a)~~316 (a) Purpose.

This Section of the Pickens County Development Standards Ordinance regulates sexually oriented businesses in order to promote the health, safety and general welfare of