

**MINUTES OF THE
Henderson County Technical Review Committee
February 14, 2012**

The Henderson County Technical Review Committee met for their mid-month on February 14, 2012 at 2:00 p.m. in the King Street Meeting Room at 100 N. King Street, Hendersonville, NC.

TRC Members Present:

Anthony Starr, AICP, Planning Director
Toby Linville, CZO, Zoning Administrator
Tom Staufer, Building Services Director
Natalie Berry, PE, Assistant County Engineer
Rocky Hyder, Emergency Services Director
Marcus Jones, P.E., Director of Engineering
Josh Lanning, Assistant District Engineer, NCDOT, substituting for Steve Cannon, P.E., NCDOT

TRC Members Absent:

Seth Swift, Environmental Health Supervisor
Dennis Frady, Hendersonville Assistant Utilities Director

Also Present:

Chip and Dee Dee Gould, Applicants/Owners
Luther Smith, Landscape Architect, P.A.
Autumn Radcliff, Senior Planner
Sarah Zambon, Deputy County Attorney, Henderson County
Karen Ann Wall, Secretary

Approval of Meeting Minutes: Mr. Starr asked for the approval of the February 7, 2012 meeting minutes. Mr. Linville made a motion to approve as presented. All members voted in favor.

Major Site Plan Review - Cason Companies - Landscaping Materials Sales and Storage: Mr. Linville presented the site plan, aerials, and other material for the project located at 5245 Hendersonville Road, Fletcher and said the site already had a parking area and a large concrete area. Mr. Gould said the use of the property would be for mulch, rock, and outdoor storage. He said a modular office would be placed on site, and the handicap spaces will be moved to tie in with existing sidewalks. Mr. Smith said the handicap area near the building would be changed to hard surface access, the existing septic would be used for the office, there is an existing chain-link fence along the rear of the property, City water is available on the north end of the property, and the parking lot would be re-stripped. Mr. Lanning said the southern drive needed to line up with the signalized intersection across from Smiley's Flea Market so that DOT can give a protected left lane for turning into the driveway, but he also said that only one exit is required. Mr. Lanning indicated that a driveway permit would be required because of the change-in-use. Mr. Gould said he could possibly close the southern driveway across from Smiley's.

Mr. Starr asked for a motion to approve the site plan as is. If the plan changes as a result of getting the DOT permit (modification to traffic flow) Mr. Gould could just file an amended plan with Mr. Linville and he can circulate it through email. Then Mr. Gould would not have to come back a second time. Mr. Hyder made the motion. All members voted in favor of approval with the condition.

Land Development Code Text Amendment (TX-2012-01): - Solar Energy Generation Facilities (SEGF) and Solar Panels. Mr. Starr said at this point Solar Farms are not permitted in the County. Tom and Marcia Pace submitted an application for this use that would allow for Solar Energy Generation Facilities (a.k.a. Solar Farms) and would amend the Table of Permitted Uses. He said currently solar panels are only allowed as an accessory use to businesses and residences but are not allowed as stand alone facilities. He said one main reason for this amendment was the State passed a law in 2007 mandating that 12.5% of utility companies' power generation must come from renewable sources by 2021. It seems unlikely a 200 or 300 acre Solar Farm will be constructed in the County due to the topography, but the smaller sites, less than 30 acres, do seem likely. Mr. Starr shared some background on the issue and presented some photos and information on the current/local Kimberly Clark solar panel facility. He said two key points to the text would be:

- 1- SEGFs would be allowed on less than 30 acres in the R1 and R2 zoning districts with a special use permit and allowed in all other standard zoning districts by right.
- 2- 2- SEGFs would not be allowed on greater than 30 acres tracts in R1 and R2 zoning districts but allowed with a special use permit in all other standard zoning districts.

Mr. Starr stated glare restrictions would not be included in the regulations because the panels are designed to absorb energy and have a matte or black like finish. He said pylons will most be likely used to secure the panels so there would be a small impervious surface area. Mr. Hyder asked about a safety shut-off and Mr. Starr said there would be an electrical disconnect switch that would be clearly marked. Mr. Starr said secure fencing (6 feet in height) would be required. Some other key points in the text would be: A 20 foot perimeter setback (fence can encroach), roof mounted systems must adhere to height limits for applicable zoning districts, wind and snow loads for structures would comply with current building codes, SEGFs would not be permitted in the special flood hazard area, and SEGFs would not be allowed on sites visible from Scenic Byways. The text amendment also alters the requirements for solar panels as an accessory use by limiting residential panels to generate no more than 150% of power used on site. Ms. Zambon asked if solar panels were prone to be struck by lightning. Mr. Hyder said he did not think they were more prone to be struck than anything else.

Mr. Starr said the Planning Board would review the text amendment request on February 16th and the Board of Commissioners will be asked to conduct the required public hearing on March 5th. The TRC is required to make a recommendation for approval or denial for any text amendment. There being no further discussion, Mr. Starr made the motion to recommend approval to the Board of Commissioners. Mr. Jones and Mr. Linville seconded the motion. All members voted in favor.

Adjournment: Mr. Starr adjourned the meeting at 2:37 p.m.

Anthony W. Starr, Chairman

Karen Ann Wall, Secretary