

Rezone Z21070003

Staff Analysis

Commission District: **5- Adams**

Planning Commission Hearing Date: **08-05-2021**

Board of Commissioners Hearing Date: **09-07-2021**

Parcel ID: **Map C0700051&52 and N071A036**

Acreage: **17.35**

Applicants/Owners:

William H Moyers, III, 1814 Troy Smith Road, Monroe, Georgia 30656

Mark Faircloth, 5295 Rabbit Farm Road, Loganville, Georgia 30052

(They are co-owners of White Pine Capital LLC)

Property Location: Georgia Hwy 81; 7975 Georgia Hwy 81 & 7973 Georgia Hwy 81

Current Character Area: Rural Residential

Current Zoning: A1

Request: Rezone from A1 to A for small-scale solar farm and 5,000 sq ft office for office staff (6 employees), battery storage & infrastructure to support solar farm. Also would include training classroom for Solar, HVAC & Insulation Contractors.

******SEE ATTACHED SOLAR FARMS (FROM WALTON COUNTY PLANNING & DEVELOPMENT ORDINANCE)**

Site Analysis: The 17.35 tracts of land are located on Georgia Highway 81, 7975 Georgia Hwy 81 and 7973 Georgia Highway 81. The surrounding properties are zoned A1.

Zoning History: No History

Character Area: The character area for this property is Rural Residential.

Staff Comments/Concerns:

Comments and Recommendations from various Agencies:

Public Works: No comment received.

Sheriffs' Department: This will not impact the Walton County Sheriff Office.

Water Authority: This area is served by a 10" water main along Highway 81. (static pressure: 70 psi, Estimated fire flow available: 2,500 gpm @ 20 psi). No system impacts anticipated.

Fire Department: No issues

Fire Code Specialist: No comment

Board of Education: Will have no effect on the Walton County School District.

Development Inspector: No comment received.

DOT Comments: Will require DOT coordination.

Archaeological Information: No comment received.

PC ACTION 8/5/2021:

1. Rezone – Z21070003– Rezone 17.35 acres from A1 to A for a small-scale solar farm and office– Applicants/Owners: William H Moyers III & Mark

Faircloth – Property located on GA Hwy 81; 7973 & 7975 Hwy 81/Map/Parcels C0700051 & 52 and N071A036 – District 5.

Presentation: William Moyers an Energy Efficient Consultant represented the case. He wants to rezone the property to A for a small-scale solar farm with an office. His company is partnered with Jackson EMC to make sure solar programs go like they should. Mr. Moyers stated this will be small scale and will keep with the aesthetics of the area. Tim Hinton verified that the power generated there will be to run the facility. Mr. Moyers stated yes just to run the office building. He also stated that the property close to Highway 81 is heavily wooded and the solar panels would be toward the back. As Mr. Moyers stated he wants to preserve as many trees as possible. Tim Hinton verified if there would be a problem with leaving trees on the North or East side. Mr. Moyers stated he does not have a problem with leaving trees there. Brad Bettis asked about how many KW are required for a home. Mr. Moyers said 3-5 K on small side up to 10 K on a large house. They also plan to build a residential structure there in the future to have for training purposes. They are not looking to getting into solar farm on a large scale.

Speaking: Steve Phillips who lives in the Arden Crest S/D spoke in opposition of the rezone. He stated this was not their first time here to oppose a commercial use in their neighborhood. He feels like this is not a farm, it is an industry. He asked the board if they feel like this rezone should be approved, could they condition it with a screening fence and perpetual care. He also has concerns of the solar farm expanding.

John Davis who lives in the Arden Crest S/D spoke in opposition saying this is not a good fit and there is no good reason to installing industry/factory in the neighborhood.

Mr. Moyer came back for rebuttal. He stated screening is not an issue. He wants to protect the rural aesthetics of the area and is talking to an architect. Mr. Moyers stated he would have the architect design the office to match the appearance of the residences or barns in the area. His business is consulting and training. Wesley Sisk verified with Mr. Moyer of any plans to expand if available, Mr. Moyer stated, no.

Recommendation: Brad Bettis made a motion to recommend approval with the following conditions: 1. 8' opaque Fence around panels 2. Office

building to match residential appearance. 3. Wooded Buffer along North Highway 81 except driveway and East property line with a second by Wesley Sisk. The motion carried unanimously.

SOLAR FARMS

It is the purpose of this regulation to promote the safe, effective and efficient use of solar farm development, construction and operation. Solar Energy farm shall be a conditional use in A (Agricultural), M1 (Light Industrial) and M2 (Heavy Industrial)

The installation and construction of a solar farm shall be subject to the following development and design standards:

- A. A solar farm installation shall be permitted as a conditional use in agricultural zoned districts classified as "A", and Industrial zoned districts classified as M1 and M2 as determined by the Walton County Comprehensive Land Development Ordinance Principal Uses Classification Chart.
- B. A solar farm installation shall be constructed on 5 or more acres within the "A" zone/conditional use district for the purpose of generation of power to be sold as electricity to the utility grid and to be used on-site as electricity for consumption in an agricultural setting, establishment, or in farming activities. Acreage requirements for M1 and M2 will be as specified in Article 4.
- C. A solar farm connected to the utility grid in "A", M1 and M2 zoned districts shall provide a "proof of concept letter" from the local utility company acknowledging the solar farm will be interconnected to the utility grid in order to sale electricity to the public utility entity.
- D. The design of the solar farm shall adhere to existing structural height requirements. If the solar farm requires a roof mounting on buildings on the property, the roof mounted installation may not exceed the maximum principal building height or accessory building height specified for the building type in the underlying zoning district.
- E. The design of the solar farm shall adhere to existing county ordinances with regards to setback requirements of the underlying zoning district. If the solar farm will be constructed by the utilization of ground mounting, then a ground mounting plan and process must be submitted during the county application process. The ground mounting plan may consist of standard solar manufacturer installation plans and processes for ground mounting.
- F. The operation of the solar farm shall comply with the following:
 - 1) Equipment shall be screened and fenced from adjacent property to restrict unauthorized access. Screening shall consists of a minimum 8 foot opaque fence with the addition of shrubbery, trees or an earthen berm as may be required to comply with the view shed/glare requirements.

- 2) Solar equipment shall not be located within the minimum front yard or setback of the underlying zoning district.
- 3) Solar panels shall not be placed in the vicinity of any airport in a manner that would interfere with airport flight patterns. Acknowledgement from the Federal Aviation Administration may be necessary.
- 4) All power transmission lines from a ground mounted solar farm shall be located underground after connection from the solar panel combiners to the interconnection point.
- 5) A solar energy system shall not be used to display advertising, including signage, streamers, pennants, spinners, reflectors, ribbons, tinsel, balloons, flags, banners or similar materials. The manufacturers' or installers' identification and appropriate warning signage shall be posted at the site in a clearly visible manner.
- 6) The local utility provider shall be contacted to determine grid interconnection and net metering policies.
- 7) If a solar farm is located in a designated county watershed protection district, solar farm developer must provide an impact statement concerning net effect of solar farm installation within the designated county watershed area. . Limitations on ground disturbance will be determined and conditions of disturbance may be imposed as a condition of approval for solar farm development, construction, and operation.
- 8) View shed/glare - The applicant shall demonstrate that the proposal will not have an adverse effect on neighboring properties by providing aerials of the site, graphic renderings of the project, and/or pictures from the site of surrounding parcels demonstrating sight lines. Appropriate vegetated buffers and/or plantings may also be required to help limit the visual impact of the site and possible glare issues.
- 9) Sound Barriers shall be required for noise mitigation around all inverter and transformer skid pads. Mitigation barriers shall be approved on an individual basis by the Planning and Development Department.

G. The following requirements shall be met for building/development permit applications:

- 1) A descriptive plot plan including setbacks, panel sizes, locations of property lines, building, and road right of ways.

- 2) Any other relevant studies, reports, certificates and approvals as may be reasonably requested by the Department, including but not limited to design review.
- 3) A stormwater management study shall be provided to ensure compliance with local BMP's.

H. The following requirements shall be met for decommissioning

- 1) Solar energy farms which have not been in active and continuous service for a period of one (1) year shall be removed at the owners or operators expense.
- 2) The site shall be restored to as natural condition as possible within six (6) months of the removal.

(12-6-11)

Rezone Application # Z21070003
Application to Amend the Official Zoning Map of Walton County, Georgia

Planning Comm. Meeting Date 8-5-21 at 6:00PM held at **WC Board of Comm. Meeting Room** - 3rd Floor - Hammond Drive
 Board of Comm Meeting Date 9-7-21 at 6:00PM held at **WC Historical Court House** - 2nd Floor - 111 S. Broad Street

You or your agent must be present at both meetings

Map/Parcel: C0700051, C0700052, N071A036

<u>J Dwyer</u> Applicant Name/Address/Phone #	<u>Applicant J</u> Property Owner Name/Address/Phone
<u>William H Moyers III - White Pine Capital LLC</u>	<u>Mark Faircloth - White Pine Capital LLC</u>
<u>1814 Troy Smith Rd.</u>	<u>5295 Rabbit Farm Rd.</u>
<u>Monroe, GA 30656</u>	<u>Loganville, GA 30052</u>

E-mail address: Will@Vallus.com (If more than one owner, attach Exhibit "A")

Phone # 770-845-4063 Phone # ~~770-294-5788~~ 770-294-5788

Location: 7975 HWY 81, Hwy 81 Requested Zoning A Acreage: Combined 17.35

Existing Use of Property: 7973 Hwy 81
Vacant land / recreational camping

Existing Structures: Small shed at rear of parcel N071A036

The purpose of this rezone is: To construct a 100kw solar farm, 5,000 square foot workshop/office, and future residence. Other agricultural initiatives are being explored (small crop, apiary, livestock). I intend on moving my energy efficiency consulting business (Vallus Corp.) from Gwinnett County to Walton County. This is a small business (12 employees total, with only 5 dedicated to office-based work).

Property is serviced by the following:

Public Water: X Provider: Walton County Well: X

Public Sewer: _____ Provider: _____ Septic Tank: X- Future

The above statements and accompanying materials are complete and accurate. Applicant hereby grants permission for planning and zoning personnel to enter upon and inspect the property for all purposes allowed and required by the Comprehensive Land Development Ordinance.

William H. Moyers III 7/2/2021 \$ 250.00
 Signature Date Fee Paid

Public Notice sign will be placed and removed by P&D Office

Signs will not be removed until after Board of Commissioners meeting

Office Use Only:

Existing Zoning A1 Surrounding Zoning: North A1 South A1
 East A1 West A1

Comprehensive Land Use: Rural Residential **DRI Required?** Y _____ N ✓

Commission District: 5-Adams Watershed: Deaver Creek Dam TMP _____

I hereby withdraw the above application _____ Date _____

Article 4, Part 4, Section 160 Standard Review Questions:

Provide written documentation addressing each of the standards listed below:

1. Existing uses and zoning of nearby property;

Current zoning of all surrounding properties is A1. Uses of adjacent properties include: livestock/cattle, tree farm/nursery, vacant land, and rural residential.

2. The extent to which property values are diminished by the particular zoning restrictions;

In order to facilitate a workshop/office space, solar farm, and future residence, A zoning appears to be the most appropriate as there will be a business use component.

3. The extent to which the destruction of property values of the plaintiffs promotes the health, safety, morals or general welfare of the public;

The property will be improved from vacant land and will increase property values. The land will also be maintained with more regularity. This will have a positive impact on the surrounding area.

4. The relative gain to the public, as compared to the hardship imposed upon the individual property owner;

Walton county will gain jobs and tax revenue from the business move. The Bold Springs area will maintain it's rural appeal with this specific type of sustainable land use. The hardship of capital expenditure and construction effort on my part is well worth the contribution to my home county.

5. The suitability of the subject property for the zoned purposes; and

This property is ideally suited to accommodate a solar farm, residence, and workshop/office space without compromising the rural aesthetic of the Bold Springs area. The solar farm and residence not be visible from the surrounding roadways and the workshop may only be partially visible during the winter months when foliage is sparse.

6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property

Through conversation with previous owners, I believe this property has been vacant for ~20 years. Prior to that, a residence occupied one of the smaller parcels.

Walton Co. Planning and Development
303 S Hammond Drive
Suite 98
Monroe, GA 30655

LETTER OF INTENT for RE-ZONING

PROPERTY INFORMATION: Parcels C0700051, C0700052, N071A036 on Hwy 81 at Beaverdam Creek.
These 3 combined are located approximately ½ mile northeast of the Bold Springs traffic circle.

Tract Size: 17.3 Acres combined

CURRENT OWNER:

William H. Moyers III
White Pine Capital, LLC - Member
1814 Troy Smith Rd.
Monroe, GA 30656
Will@Vallus.com
(770) 845.4063

Proposed Zoning: A

APPLICANT:

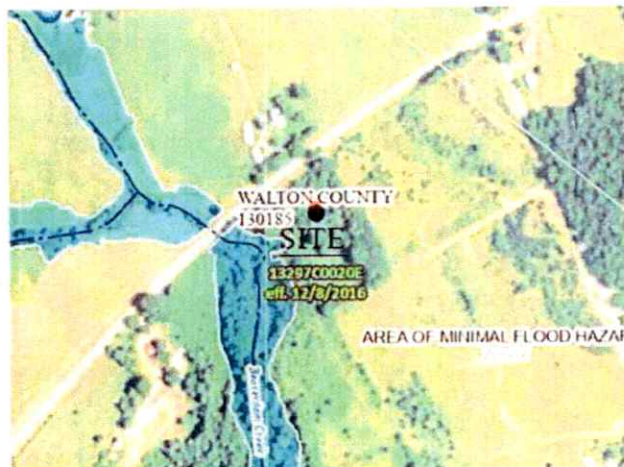
Jason Williams
Boundary Zone, Inc
454 Satellite Boulevard Suite 200
Suwanee, GA 30024
JWilliams@BoundaryZone.com
(770) 271.5772

Dear Planning & Zoning Members,

Please consider this request for rezoning of parcels C0700051, C0700052, and N071A036 from A1 to A. These parcels are suitable for a small-scale solar farm, office/warehouse space, and a future residence.

Granting this rezoning will not be materially detrimental to the public welfare or injurious to the property or improvements in the zoning district in which the subject property is located.

The granting of the rezone would have no negative effect on any adjoining properties and will not cause any detriment to the common good.



Selection of the HWY 81 Site (abstract):

I am currently the CEO of a small company of 13 employees based in Gwinnett County. I have been blessed to call Walton County home since 2004 and I have long looked forward to moving my business operations here.

My company (Vallus Corp.) provides residential energy efficiency testing and consulting to homeowners and builders. We currently administer Jackson EMC's Right Choice program, Solar Site Survey, and Home Energy Evaluation service. We also conduct training and certification for HVAC and Insulation contractors throughout the area. We are a small business of 13 employees who are passionate about helping people and saving energy.

I began searching for a property in late 2020 that would be suitable for a small-scale solar farm, office/warehouse space, and a future "High-Performance" residence. Finding a property suitable for all 3 seemed to be a difficult task as my first few months of searching resulted in properties that were ideal for 2 uses but not the best fit for all 3. I consider myself fortunate to have found and purchased this property that is ideally suited to all 3 uses and will seamlessly integrate into the existing character of the area.

The following points of consideration were carefully examined for this property. It is my sincere desire to contribute to Walton County in a meaningful way both economically by bringing jobs to the county, and in stewardship by preserving the character of the area in accordance with spirit and letter of the Walton County Comprehensive Plan.

Solar Considerations:

This site has several acres of open pasture that are well suited for a solar installation. The initial installation will be a 100KW panel farm but may be extended in the future as power needs increase. The site plan submitted details the location and the fully extended installation. The solar installation will be situated on the interior portion of the property facing Beaverdam Creek to the SW. As it will predominately be out of sight, this installation will neither be a nuisance nor an eye-sore to the surrounding neighbors or passers-by.

This also fits well within standards for Agricultural Zoning for a Solar Farm as it will be situated on more than the requisite 5 acres.

Office/Warehouse Considerations:

This site has ample acreage on the front of the property (nearest HWY 81) to accommodate our desire to construct a 5,000 Sq.Ft. building. The gentle topo of this proposed site would involve minimal grading and disturbance.

The parcels adjacent to this acreage include two other agricultural businesses as well as vacant land bordering Beaverdam Creek. This building would include office space for the 6 employees who are office based, battery storage and infrastructure to support the solar farm, and the necessary maintenance equipment to keep the farm acreage in good condition. This building would also include a training classroom for Solar, HVAC, and Insulation contractors.

The location of the building on the site plan includes plenty of space between it and the road frontage. This allows us to either preserve the natural tree growth or engage in landscaping design that would be well suited to the neighboring parcels.

Residential Considerations:

Residential construction is at the very heart of our business. The acreage at the rear of this site is adjacent to other rural residential parcels and is well suited for a residence as it preserves the residential character of the surrounding parcels. This future build will be a High-Performance home with state-of-the-art energy conservation features. I intend for this to be my personal residence and a living example for many of the concepts we teach. Having an accessible and operational residence in close proximity to our training center will be a major help to our student contractors.

Traffic Considerations:

The 17.3-acre (combined) site is accessible by HWY 81. This particular section of HWY 81 has moderate traffic flow already. A third of our workforce lives in Walton County and commutes past this property daily. The traffic generated by our small business would be of no effect compared to the existing traffic between the Bold Springs traffic loop and HWY 316.

Other Agricultural uses:

We are currently exploring synergistic opportunities for the remainder of the land around the solar field. We are considering a variety of small crop, livestock, or apiary uses to make further use of the agricultural designation requested.

Thank you for your consideration,

Sincerely,



William H. Moyers III

Property owner



Vicinity Map

FIRM Panel Vignette
 FIRM Panel Vignette
 FIRM Panel Vignette
 FIRM Panel Vignette

EXISTING ZONING: A1

OWNER
 WILLIAM MOYERS
 7975 HIGHWAY 81
 MONROE, GEORGIA 30655

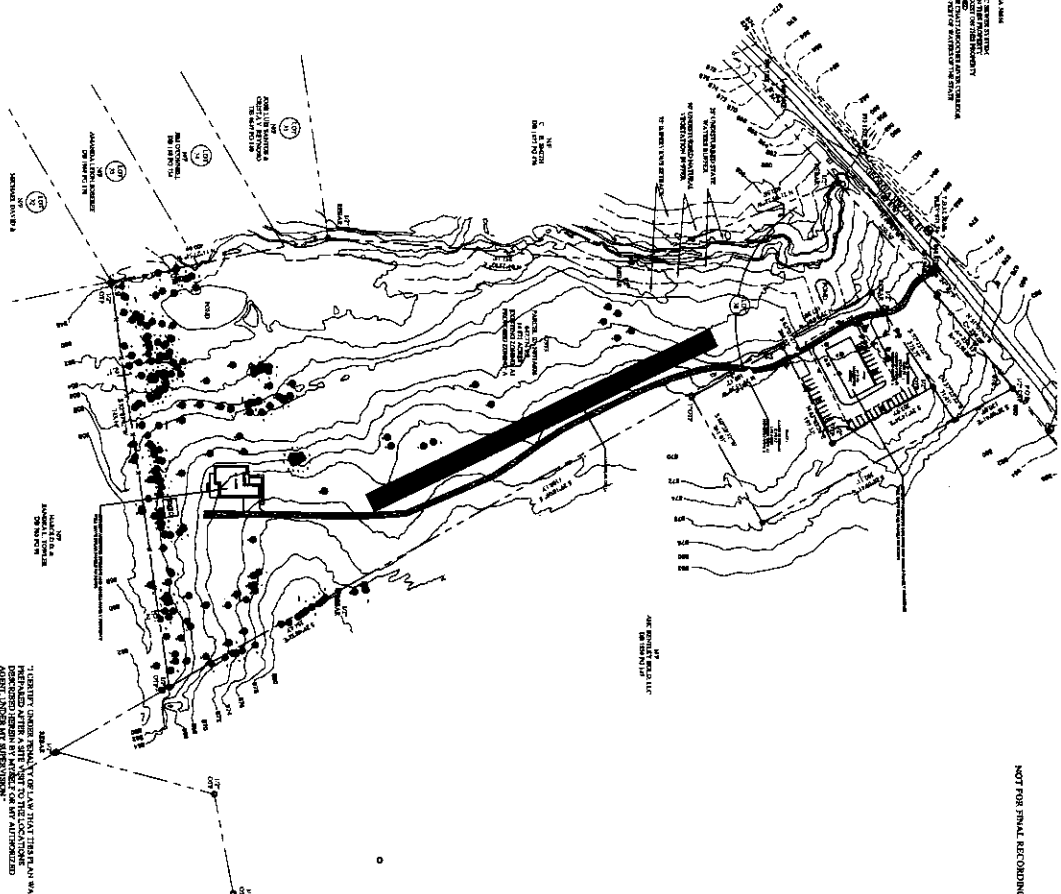
BUILDER /
24 HR. EMERGENCY CONTACT
 VALIDATED CONSULTING
 451 BENTLEY PLACE
 LAWRENCEVILLE, GEORGIA 30046
 (770) 962-3111

PROPOSED ZONING: A

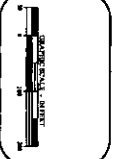
OWNER
 WILLIAM MOYERS
 7975 HIGHWAY 81
 MONROE, GEORGIA 30655

BUILDER /
24 HR. EMERGENCY CONTACT
 VALIDATED CONSULTING
 451 BENTLEY PLACE
 LAWRENCEVILLE, GEORGIA 30046
 (770) 962-3111

- GENERAL NOTES:**
1. PROPERTY INFORMATION: SITE LOCATION, ADDRESS, ZONING, AREA, etc.
 2. PROPERTY INFORMATION: SITE LOCATION, ADDRESS, ZONING, AREA, etc.
 3. PROPERTY INFORMATION: SITE LOCATION, ADDRESS, ZONING, AREA, etc.
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 10. PROPERTY INFORMATION: SITE LOCATION, ADDRESS, ZONING, AREA, etc.



BOUNDARY
 ZONING LINE
 LAND AND WATER SERVICES
 11111 WOODBRIDGE DRIVE, SUITE 100
 LAWRENCEVILLE, GEORGIA 30046
 (770) 962-3111



- LEGEND**
- 1. PROPOSED ZONING
 - 2. EXISTING ZONING
 - 3. PROPOSED DRIVEWAY
 - 4. EXISTING DRIVEWAY
 - 5. PROPOSED BUILDING FOOTPRINT
 - 6. EXISTING BUILDING FOOTPRINT
 - 7. PROPOSED LOT LINES
 - 8. EXISTING LOT LINES
 - 9. PROPOSED EASEMENTS
 - 10. EXISTING EASEMENTS
 - 11. PROPOSED UTILITIES
 - 12. EXISTING UTILITIES
 - 13. PROPOSED FENCE
 - 14. EXISTING FENCE
 - 15. PROPOSED SIGN
 - 16. EXISTING SIGN
 - 17. PROPOSED SIGN
 - 18. EXISTING SIGN
 - 19. PROPOSED SIGN
 - 20. EXISTING SIGN



BOUNDARY
 ZONING LINE
 LAND AND WATER SERVICES
 11111 WOODBRIDGE DRIVE, SUITE 100
 LAWRENCEVILLE, GEORGIA 30046
 (770) 962-3111

PROJECT
 23123.02
SHEET
 2 OF 2



REZONING SITE PLAN
 PREPARED FOR: WILLIAM MOYERS
 7975 HIGHWAY 81
 MONROE, GEORGIA 30655
 DATE: 06/22/2021

NO.	REVISION	DATE

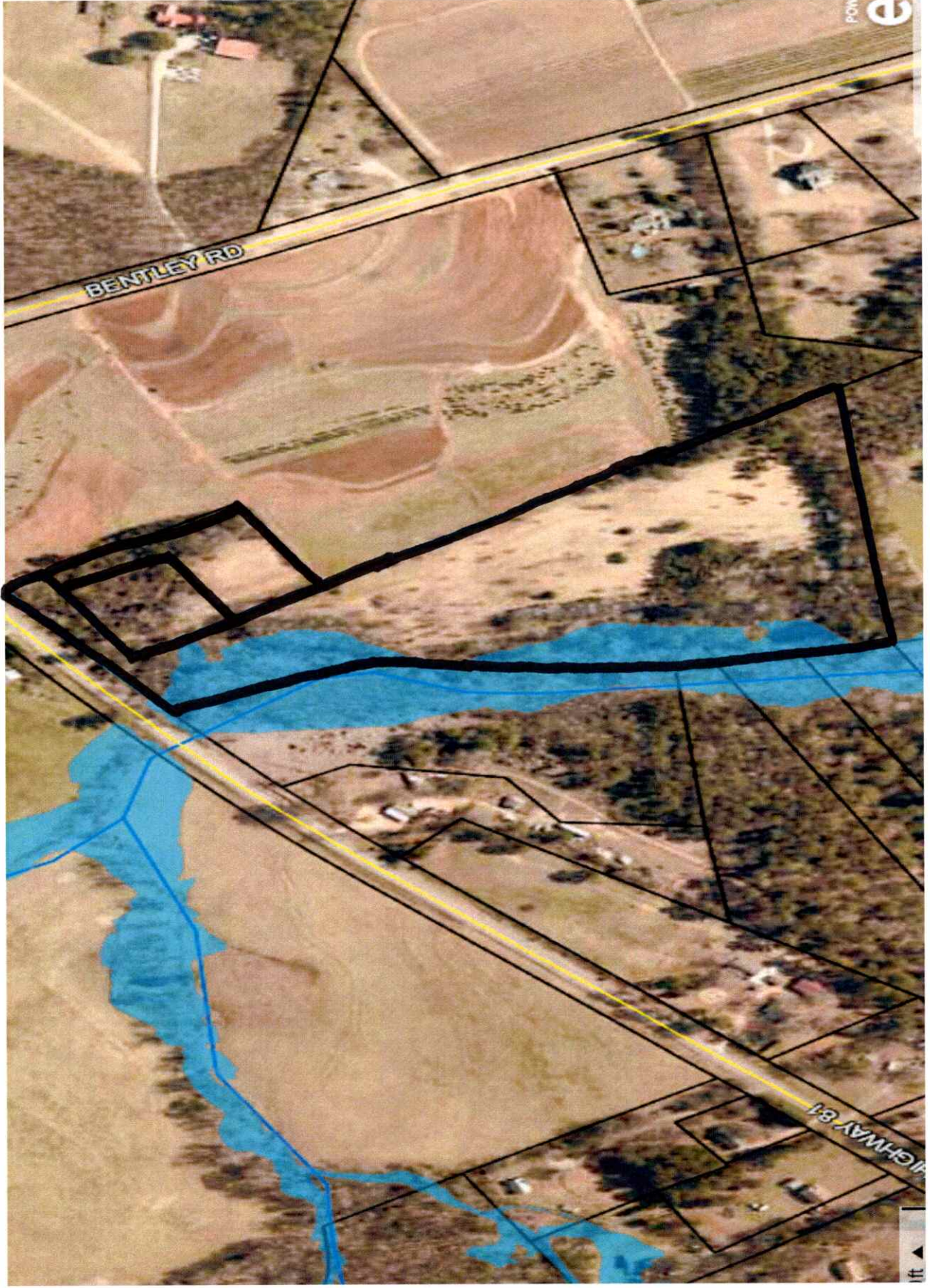


NOT FOR FINAL RECORDING

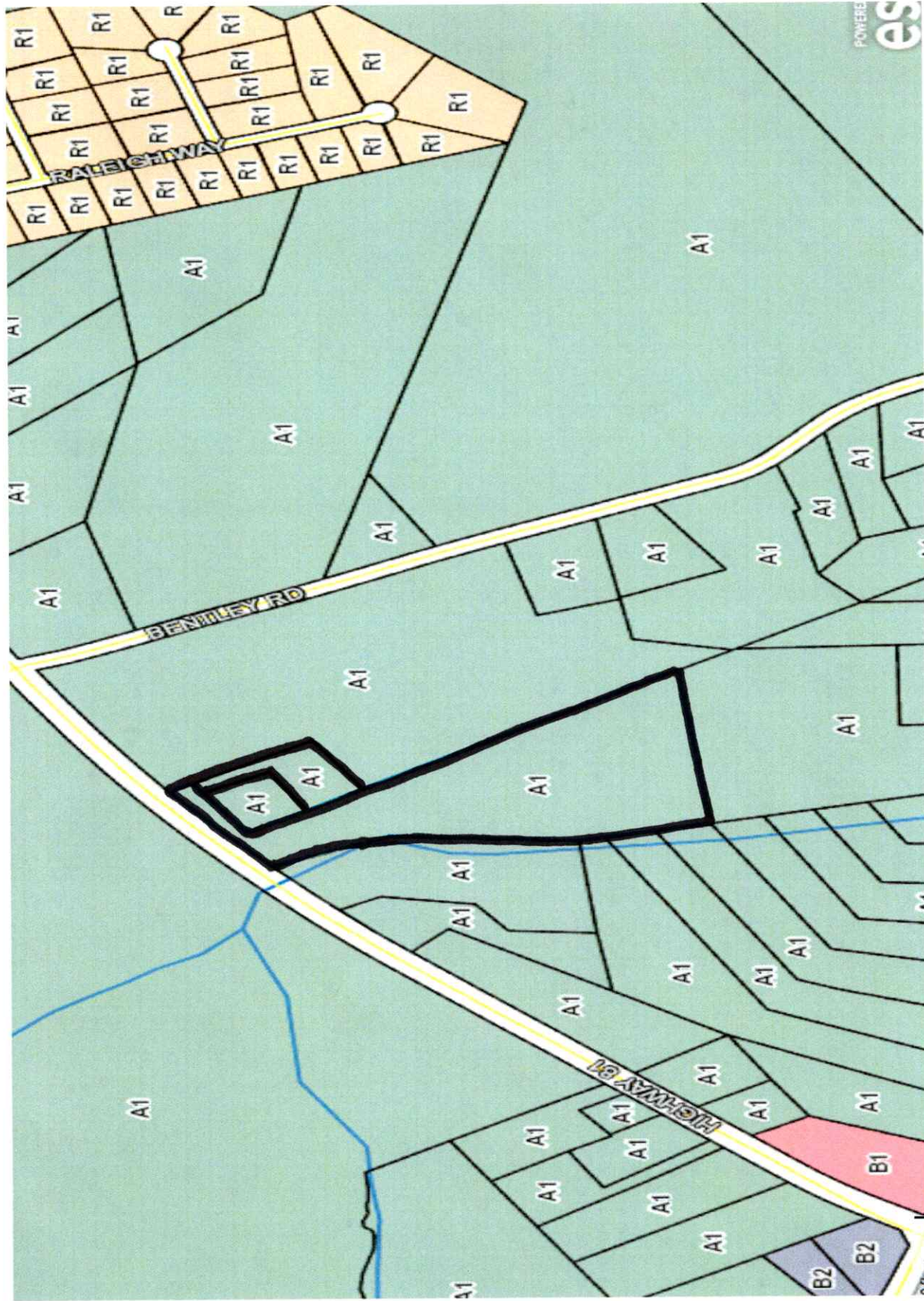
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