

Board of County Commission Agenda Request

Date of Meeting: May 17, 2016

Date Submitted: May 3, 2016

To: Honorable Chairperson and Members of the Board

From: Robert M. Presnell, County Administrator
Allara Mills Gutcher, Planning and Community Development Director
Jill Jeglie, AICP, Planning & Community Development

Subject: **PUBLIC HEARING (Legislative)** – Transmittal of Comprehensive Plan Text Amendment to allow Solar Power Generation Facilities (Solar Farms) (LSPA-2016-002).

Statement of Issue:

The Board of County Commissioners (BOCC) is requested to approve the transmittal of text amendments to the Future Land Use Element (FLUE) of the Gadsden County Comprehensive Plan to the Florida Department of Economic Opportunity (DEO). The purpose of the text amendments are to add solar power generation facilities' (solar farms) to the list of allowable uses in the Agriculture 2 (AG-2) and Agriculture 3 (AG-3) Future Land Use categories of the Comprehensive Plan (Attachment #1).

Background:

Solar power generation facilities (SPGF) (solar farms) are not listed as an allowable use in the Comprehensive Plan or the Land Development Code. In response to previous direction, The Planning Commission has held a workshop and public hearings to address where they should be located, what standards they should meet, and what level of review they should require. This Comprehensive Plan amendment is to add SPGF to the list of allowable uses in the AG-2 and AG-3 Future Land Use Categories.

Analysis:

The following policies guide the request of this amendment:

Future Land Use Element (FLUE):

Objective 1.1. The proposed amendment will provide certainty in the siting of SPGF and therefore is consistent with Objective 1.1 of the FLUE which states that the County will "Provide for certainty in growth and development through the adopted land use categories."

Policies 1.1.1.G and 1.1.1.H. The proposed amendment adds SPGF to the list of allowable uses in Policy 1.1.1.G, AG-2 and Policy 1.1.1.H, AG-3 of Future Land Use Element. In recommending the addition of SPGF to the AG-2 and AG-3 categories, various land development regulations were reviewed. Review of other land development regulations in Florida provided that SPGF are typically allowed to be located in agricultural, industrial, and public land use categories or zoning districts. Specific to Gadsden County, allowing SPGF to be located in the AG-2 and AG-3 Future Land Use categories was found to be consistent with Policies 1.1.1 G and H which allow centralized utilities and package plants. In addition, there is a considerable amount of land in the AG-2 and AG-3 categories countywide (totaling 194,752± acres out of 330,951 total acres). The Industrial and Public land uses were considered but not included as there are only 1,704+ acres of land in the Industrial and 2,759+ acres of land in the Public future land use category countywide.

SPGF are compatible with adjacent agricultural uses and allow for a transition and/or separation from more densely developed residential uses. Solar sites must be a minimum of ten (10) acres in the AG-2 and a minimum of twenty (20) acres in the AG-3 Future Land Use category. However, for efficiency of scale it is anticipated that the sites will be significantly larger and will be located in proximity to electric transmission facilities. Buffers from residential subdivisions and the Rural Residential Future Land Use category, natural areas adjacent to applicable environmental resources, and structural setbacks will be required by the LDC, as applicable.

Concurrency:

Policy 8.5.1: Adopted levels of service will be maintained. During site plan review, SPGF will be required to address concurrency standards for transportation, stormwater, water, sewage. Stormwater will be addressed on site. Unless located within a ¼ of a mile of central utilities, water and sewer will be provided by well and septic system. No increase in student enrollment is anticipated.

Traffic impact from a SPGF will be minimal. Utilizing the Institute of Transportation Engineers, *Trip Generation, An ITE Report*, 8th Edition, utilities generate 0.76 trips per employees at weekday peak hour. It is estimated that there will most likely be one (1) full time employee plus maintenance crews. The traffic impacts for each facility will be reviewed at time of site plan review.

Planning Commission Recommendation:

A Comprehensive Plan text amendment is considered a ‘legislative action’ as described by Subsections 1301 of the LDC. At their April 14, 2106 public hearing, the Planning Commission unanimously recommended that this amendment be approved for transmittal to the Department of Economic Opportunity for review.

Planning Commission Findings:

Upon adoption, the proposed amendment is:

1. Consistent with the Gadsden County Comprehensive Plan specifically Objective 1.1 and Policies 1.1.1.G & H of the Future Land Use Element; and,

2. Is in compliance with Ch. 163.3184(1) (b), Florida Statutes. In compliance “means consistent with the requirements of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, and 163.3248, with the appropriate strategic regional policy plan, and with the principles for guiding development in designated areas of critical state concern and with part III of chapter 369, where applicable.”

Options:

1. Transmit LSPA 2016-02 to the Florida Department of Economic Opportunity for review to add solar power generation facilities to the allowable uses in Policies 1.1.1.G, Agriculture 2 and Policy 1.1.1H, Agriculture 3 of the Future Land Use Element.
2. Do not approve.
3. Board direction.

County Administrator’s Recommendation:

Option 1

Attachments:

1. Legal advertisement
2. Strike & Ad Amendment

Gadsden County Board of County Commissioners

NOTICE OF INTENT

NOTICE IS HEREBY GIVEN to all concerned that the Gadsden County Board of County Commissioners will hold a regularly scheduled meeting on **Tuesday, May 17, 2016, at 6:00 p.m.** in the Board of County Commission Chambers located at 7 East Jefferson Street, Quincy, FL. The proposed agenda will include the following public hearings:

PUBLIC HEARING (Legislative) (LSPA 2016-02) – Transmittal of text amendments to Policy 1.1.1G and Policy 1.1.1.H of the Future Land Use Element of the Gadsden County Comprehensive Plan to allow solar power generation facilities (solar farms) in the Agriculture 2 and Agriculture 3 Future Land Use categories.

Persons wishing to review the ordinance and/or files on the above projects may do so on the County website at www.gadsdencountyfl.gov or at the Gadsden County Planning and Community Development Department located at 1-B East Jefferson Street, Quincy, FL between the hours of 8:00am to 5:00pm. In accordance with the Americans with Disabilities Act, persons needing assistance in obtaining any information from the County or attending the public hearing should contact the County by calling 850-875-8665 or 850-510-7842, at least 48 hours prior to the hearing.

Interested parties may appear at the meeting and be heard with respect to the noticed agenda items. If any person decides to appeal any decision made with respect to any matter considered at such public hearing, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be used.

FUTURE LAND USE ELEMENT

The purpose of the Future Land Use Element and accompanying Future Land Use Map is to designate the future general distribution, location, and extent of the use of land within the unincorporated areas of Gadsden County.

GOAL 1A: PROVIDE A SYSTEM FOR ORDERLY GROWTH AND DEVELOPMENT

Objective 1.1: Provide for certainty in growth and development through the adoption of the Future Land Use Map and Future Land Use categories.

Policy 1.1.1: Gadsden County shall regulate the use of land through the adopted land use categories as follows. The Future Land Use Map (Exhibit 1) shall be used to determine the location and extent of development within Gadsden County.

F. Agriculture-1

- 1) Purpose and Intent – The intent of this category is to provide areas for agricultural activities.
- 2) Designation Criteria – Agriculture uses and residences associated with such uses.
- 3) Density – No more than one dwelling unit per five (5) acres
- 4) Impervious Surface Area – No more than 0.10 lot coverage except the centralized utilities uses are exempted from impervious surface requirements.
- 5) Allowable Uses – Agriculture related uses; Silviculture; residential; houses of worship; cemeteries; recreational activities; commercial activities associated with the primary agricultural use; home occupations; centralized utilities and package plants.
- 6) Development Restrictions - The Family Exception shall be allowed as long as the parent parcel can retain a minimum of three (3) acres, and the granted parcel has a minimum of three (3) acres, and the other requirements of the Land Development Code are met; minimum lot size for the non-residential uses that are also not used for centralized utilities described in this part shall be three (3) acres.

G. Agriculture-2

Development within the Agriculture-2 category shall be the same parameters as the Agriculture-1 land use category in F. above, except that:

- 1) Density - No more than one dwelling unit per ten (10) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels ten (10) acres or greater in size.

Attachment #2

H. Agriculture-3

Development within the Agriculture-3 category shall be the same parameters as the Agriculture-1 category in F. above, except that:

- 1) Density - No more than one dwelling unit per twenty (20) acres; and,
- 2) Solar power generation facilities are an allowable use on parcels twenty (20) acres or greater in size.

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