

SITING, RULES & ORDINANCE SUB-COMMITTEE MEETING
September 6, 2018
5:30 P.M.

MEMBERS PRESENT

Jerry Potts
Patty Cox
Helena Buckner (arrived @ 5:32)
Tim Dudley
Matt Brown

COUNTY PERSONNEL PRESENT

Mike Baggett, State's Attorney's Office
Jennifer Hoffman, P&Z

MEMBERS NOT PRESENT

Pat Dawson
Rachel Joy

Jeannie Durham, County Board Office

The meeting was called to order by Chair Jerry Potts at the Macon County Office Building.

MINUTES

Motion to approve the minutes of prior meeting, 3/1/17, made by Ms. Cox, seconded by Mr. Brown and motion carried 4-0.

CITIZEN'S REMARKS - None

OLD BUSINESS –

Macon County Board Ordinance Amending Chapter 155 of the Macon County Code (Zoning Ordinance) to Include Solar Regulations

Ms. Gunter explained that around 2015, Macon County ordinances went through the codification process which allowed the ordinances to be accessed online and updated as a whole. When American Legal did this, they left number gaps in it so we could add different sections into the codes as they come up. Things change all the time in planning and zoning. That is why committee members have only been given the exhibit that will be inserted into the zoning ordinance. She explained that she had one copy of the original zoning ordinance where she had placed tabs explaining where the inserted material would be. Since solar farms are new and it has to be added to the existing zoning ordinance. Per Mike Baggett and State Statute, we do not have the authority at county level to have a stand alone ordinance for solar. This is just to add the language into the zoning ordinance. The language is the what has been used for the previous two special use permits for the other solar farms that have already been approved.

Chair Potts asked if everything met with Mr. Baggett's approval. Mr. Baggett explained that he had reviewed the draft ordinance including the new additions as well as the new section 185 and sees no legal issues with them. As indicated, the way that the County's code is set up with respect to zoning regulations, it is not like the Wind Energy Conversion Ordinance where the Statute has specifically given the County authority to regulate in that area. The County could adopt a new chapter of the County Code under the provisions of Division 512 of the County's Code regulating

solar, but it makes more sense to just add it into our existing zoning ordinance. To summarize, Mr. Baggett stated that he has approved as to form.

Ms. Cox made a motion to approve forwarding the proposed ordinance amendment on to the full board with recommendation for approval, seconded by Mr. Dudley and the motion carried 5-0.

Mr. Dudley thanked Ms. Gunter and Mr. Baggett for getting this done.

CLOSED SESSION

None

ADJOURNMENT

Motion to adjourn made by Ms. Cox, seconded by Mr. Brown, motion carried 5-0 and the meeting adjourned at 5:35 p.m.

Minutes submitted by Jeannie Durham, Macon County Board Office