



Regional Planning Commission Meeting Agenda  
March 13, 2025 @ 6:00 PM  
Alan King Justice Complex – Court Room

- I. Call to Order / Determination of a Quorum
- II. Approval of the Minutes
- III. Public Comment – Anyone wishing to address the commission may do so at this time. Speakers must sign in, come forward when called, state their name, and address, and limit their address to 2 minutes.
- IV. Old Business
  - A. Resolutions covering January’s Text amendment Discussions
  - B. Any other properly presented Old Business
- V. New Business
  - A. Any properly presented New Business.
- VI. Building Official’s Report
  - A. Slum Clearance, Administrative Reviews, Building Permits
- VII. Other Business
- VIII. Adjournment



## MEMORANDUM

**TO:** The Haywood Regional Planning Commission  
**FROM:** Thomas H. Skehan, AICP – Staff Planner  
**DATE:** March 7, 2025  
**SUBJECT:** STAFF MEMO FOR MARCH 13, 2025, MEETING

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Tonight’s meeting will include the following:

### OLD BUSINESS

The following is a draft resolution reflecting the commission’s discussion at February’s meeting.

### **A RESOLUTION TO ADD A RENEWABLE ENERGY OVERLAY DISTRICT TO THE TEXT OF THE HAYWOOD COUNTY ZONING RESOLUTION**

**WHEREAS** pursuant to Tennessee Code Annotated, Sections 13-7-101 and 13-7-102, a Zoning Resolution and Map have been adopted by the Haywood County Commission; and,

**WHEREAS** the Haywood County Planning Commission on January 13, 2025, recommended that the following amendments be made in the text of the adopted Zoning Resolution; and,

**WHEREAS** pursuant to Tennessee Code Annotated Section 13-3-403c a public hearing notice was published in the Brownsville States Graphic 15 days prior to the meeting and,

**WHEREAS** pursuant to Tennessee Code Annotated Section 13-7-104, the Haywood County Commission held a public hearing on April 21, 2025 at 5:30 PM in the Circuit Courtroom at the Haywood County Justice Complex on said amendment.

**SECTION 1.** To establish a Renewable Energy Overlay District the Haywood County Zoning Resolution is amended by adding the following definitions to Chapter II:

Solar land coverage - The land area that encompasses all components of the solar energy system includes but is not limited to mounting equipment, panels, and ancillary components of the system. This definition does not include access roads or fencing and is not to be interpreted as a measurement of impervious surface as it may be defined in this ordinance. Negotiated incentives

may affect the final calculation.

**Agrioltaics solar energy system** – A solar energy system co-located on the same parcel of land as agricultural production, including crop production, grazing, apiaries, or other agricultural products or services.

**Pollinator-friendly solar energy system**, - A solar energy system that meets the requirements of a pollinator-friendly checklist in the appendix developed for Southern ecosystems, soils, and habitat.

**Brightfield** - A brownfield site that is redeveloped through the incorporation of one or more solar energy technologies. (42 USC 3154d(a))

Large scale power plants are not mentioned in the Haywood Next plan. However, the desire to maintain the rural character was voiced during community meetings and is echoed in the plan. Typically, communities wishing to regulate large scale power projects focus on screening the facility to minimize the contrast with the rural surroundings, noise, light pollution and the impact of tree removal or other environmental impacts.

**SECTION 2.** The Haywood County Zoning Resolution is amended by adding the following to Chapter IV 4.01 under Overlay Districts:

#### Renewable Energy

**SECTION 3.** The Haywood County Zoning Resolution is amended by inserting the following as Chapter XV and renumbering subsequent Chapters accordingly:

#### **Chapter XV Renewable Energy Overlay District**

##### **Purpose:**

The county has determined that establishing a renewable energy overlay district is appropriate in order to allow for the orderly development of utility scale renewable energy systems. This section establishes an overlay district that serves the following purposes:

- (1) To encourage and support the development and use of alternative and renewable energy resources.
- (2) To encourage development that conforms to the goals, objectives, and strategies in Haywood Next.
- (3) To encourage sustainable and energy efficient development.
- (4) To maintain or enhance soil health for future agricultural use after project decommissioning.

When considering establishing a renewable energy district, the following shall apply: **(Note to Planning Commissioners – italicized text already codified – other text is proposed)**

- (1) **Geographic location.** The Renewable Energy Overlay District shall be geographically located in those areas currently zoned FAR (Forestry, Agriculture, Residential).
- (2) **Permitted uses.** Uses allowed in the renewable energy overlay district include utility scale wind energy conversion systems, utility scale solar installations, utility scale battery energy storage systems and any other emerging renewable energy generation technology.
- (3) **Protection of critical natural resources.** Overlay proposals in Open Space (Haywood

Next) areas must demonstrate attention to protecting critical natural resources.

- (4) *Solar farm operations must be located on a site not less than 150 acres.*
- (5) *Setbacks within the Renewable Energy Overlay District shall be subject to a minimum front yard setback of 100 feet when fronting an Arterial Road or 60 feet on all others. Side Yard and Rear Yard Setbacks shall reflect FAR setbacks. Setback may be reduced to zero when property abuts another property used for the same use.*
- (6) *Solar farm operation structures must be setback a minimum of 500 feet from residential structures.*
- (7) *Solar farm operations equipment enclosed by eight-foot perimeter fencing to restrict unauthorized access.*
- (8) *Adequate screening for solar farm operations that will be located on arterial status roads deemed a scenic highway by the State of Tennessee. This can be achieved by vegetative screening being placed beyond the perimeter fence to a density and height that adequately buffers the solar farm from any nearby uses. Screening along the side and rear of solar farm operations located on all other roads. This may be achieved by vegetative screening being placed beyond the perimeter fence to a density and height that adequately buffers the solar farm from any nearby uses.*
- (9) *Solar farm operations must not produce glare that would constitute a nuisance to occupants of neighboring properties or persons traveling neighboring roads.*
- (10) *All solar facilities must meet or exceed the standards and regulations of the Federal Aviation Administration (FAA), and any other agency of the local, state, or federal government with the authority to regulate such facilities that are in force at the time of the application.*
- (11) *To ensure the structural integrity of the solar facility, the owner shall ensure that it is designed and maintained in compliance with standards contained in all applicable local, state, and federal building codes and regulations that were in force at the time of the permit approval.*
- (12) *Lighting shall use fixtures to minimize off-site glare and shall be the minimum necessary for safety and security purposes.*
- (13) *Minimal discernable noise levels must be maintained so as not to disturb neighboring property owners.*
- (14) *All interconnecting and distribution lines must be underground.*
- (15) *Signage. Signage shall conform to existing sign regulations.*
- (15) *A Ground Cover or Vegetation Management Plan is required. Using pollinator-friendly standards (see attached score card). A score of 100 is required for use approval. A score of 125 or more results in allowable setback reduction(s).*
- (16) *Notification requirements. In addition to Haywood County Resolution requirements, applicants must show evidence of a community meeting - announcement(s), place of meeting(s), and sign in sheet(s).*
- (17) *Local Labor. Whenever possible, the use of locally sourced labor on renewable energy*

projects is highly encouraged.

- (18) *The applicant shall submit to the board a decommissioning plan describing the way the applicant anticipates decommissioning the project. The plan shall include a description of the way the applicant will ensure that it has the financial capability to carry out the restoration requirements.*
- (17) *Solar farms that become inactive for a period exceeding one (1) year shall be removed at the owners or operators' expense and the site shall be returned to its natural state. This includes the obligation to dismantle and remove from the site all electrical generating equipment, cables, panels, foundations, buildings, and ancillary equipment. To the extent possible, the operator shall restore and reclaim the site to its pre-project topography and top-soil quality. Any agreement between the operator and landowner for removal to a lesser extent than set forth in this paragraph shall be required prior approval by the board. The restoration activities must be complete within 18 months from the date the Building Official declares in writing to the solar farm operator the solar farm inactive. If not, the owner will forfeit the bond covering decommissioning costs.*
- (19) *If the Solar Farm operation involves more than one property owner, a surety is required for each landowner. Financial provisions should not be so difficult as to make the solar farm unfeasible.*
- (20) A copy of Vegetative Maintenance Plan, Decommissioning Plan, and Surety arrangement must be filed with final application.
- (21) The total number of acreage allowing for solar farms in Haywood County is 5,000 acres.

**SECTION 4.** Delete the entire section (11.02 D) on Solar Farms as a Use Permitted on Appeal in Chapter XI, I-1, Light Industrial.

**SECTION 5. BE IT FURTHER RESOLVED** that this Resolution shall become effective 30 days after adoption, the public health, safety, and welfare requiring it.

Approved and adopted by the Haywood County Commission on \_\_\_\_\_, 2025.

David Livingston, County Mayor

Date

Attest:

Sonya Castellaw, County Clerk

Date

1. Planned percent of native species in array area (select one).

<input type="checkbox"/> 10-25%	+4 pts
<input type="checkbox"/> 26-50%	+6 pts
<input type="checkbox"/> 51-75%	+8 pts
<input type="checkbox"/> >75%	+10 pts

Remove 20 points for the inclusion of invasive species as per the Tennessee Invasive Plant Council <https://www.tnipc.org/invasive-plants/>

2. Vegetative buffer planned adjacent to the solar site (select all that apply)

<input type="checkbox"/> Buffer planned outside and/or inside of array fencing	+5 pts
<input type="checkbox"/> Buffer is at least 30 feet deep (or as deep as property allotment allows) as measured from array fencing	+5 pts
<input type="checkbox"/> Buffer has native shrubs/trees	+10 pts

3. Percentage of seeds across the site are sourced within 150 miles (select one)

<input type="checkbox"/> 5-15%	+5 pts
<input type="checkbox"/> 16-49%	+10 pts
<input type="checkbox"/> >50%	+20 pts

Add an additional 5 points if all seeds are also local ecotypes

4. Planned number of species in site perimeter and buffer area (select one)

<input type="checkbox"/> 5-9 species	+4 pts
<input type="checkbox"/> 10-15 species	+6 pts
<input type="checkbox"/> 16-19 species	+8 pts
<input type="checkbox"/> >20 species	+10 pts

Exclude all non-native species (From un-matched USDA zones)

5. Planned number of species under array area (select one)

<input type="checkbox"/> 5-9 species	+4 pts
<input type="checkbox"/> 10-15 species	+6 pts
<input type="checkbox"/> 16-19 species	+8 pts
<input type="checkbox"/> >20 species	+10 pts

6. Additional diversity of species in site perimeter and buffer (select all that apply)

<input type="checkbox"/> Plant mix includes at least 5 grasses	+5 pts
<input type="checkbox"/> Plant mix includes at least 5 forbs	+5 pts
<input type="checkbox"/> Plant mix includes at least 2 milkweeds	+2 pts

7. Additional diversity of species under site array and between rows (select all that apply)

<input type="checkbox"/> Plant mix includes at least 5 grasses	+5 pts
<input type="checkbox"/> Plant mix includes at least 5 forbs	+5 pts
<input type="checkbox"/> Plant mix includes at least 2 milkweeds	+2 pts

8. Additional diversity of species under site array and between rows (select all that apply)

<input type="checkbox"/> Plant mix includes at least 5 grasses	+5 pts
<input type="checkbox"/> Plant mix includes at least 5 forbs	+5 pts
<input type="checkbox"/> Plant mix includes at least 2 milkweeds	+2 pts

9. Planned percentage of native species in perimeter and buffer area (select one)

<input type="checkbox"/> 10-25%	+4 pts
<input type="checkbox"/> 26-50%	+6 pts
<input type="checkbox"/> 51-75%	+8 pts
<input type="checkbox"/> >75%	+10 pts

Remove 20 pts for the inclusion of invasive species as per the Tennessee Invasive Plant Council <https://www.tnipc.org/invasive-plants/>

10. Planned percentage of the entire site's vegetative cover that includes flowering plants (select one)

<input type="checkbox"/> 15-25 %	+2 pts
<input type="checkbox"/> 26-50 %	+5 pts
<input type="checkbox"/> 51-75 %	+10 pts
<input type="checkbox"/> More than 75%	+15 pts
<input type="checkbox"/> No flowering plants	-15 pts

11. Planned seasons with at least three blooming species present-

<input type="checkbox"/> Blooms from spring (April-May) to fall (September- October)	+15 pts
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12. Site preparation prior to implementation (select all that apply)

<input type="checkbox"/> Soil preparation is done to promote germination and reduce erosion as appropriate for the site.	+10 pts
<input type="checkbox"/> Temporary site seed mix uses native plant mix	+10 pts
<input type="checkbox"/> Measures taken to control weeds prior to seeding	+10 pts
<input type="checkbox"/> None	-10 pts

13. Site planning and management (select all that apply)

<input type="checkbox"/> Detailed establishment and future site management plan developed	+10 pts
<input type="checkbox"/> Signage legible at 40 or more feet stating "pollinator- friendly solar habitat"	+5 pts
<input type="checkbox"/> Plan to engage with or educate the public on the benefits of pollinator-friendly solar	+5 pts
<input type="checkbox"/> Site is involved in an ongoing research project with a university or other organization	+10 pts

14. Insecticide risk (select all that apply)

<input type="checkbox"/> Planned on-site use of broadcast insecticide or pre-planting seed/plant treatment (excluding buildings/ electrical boxes, etc.)	-40 pts
<input type="checkbox"/> Communication/registration with local chemical applicators or on <a href="http://www.fieldwatch.com">www.fieldwatch.com</a> to prevent drift	+5 pts

Source: Purdue University – November 2020

Does not meet standards - < 100
Meets preliminary standards – 100 or greater
Provides exceptional habitat – 125 or greater *

Landscaping Regulations – Along with County Attorney Ms. Levy, Ms. Sellari and Mr. Battle have explored the idea of adding regulations governing the preservation and replacement trees under the auspices of subdivision plats and site plans.

To review, last month the commission discussed:

1. The notion to preserve, protect, and enhance valuable natural resources and to protect the health, safety, and welfare of residents of Haywood County.
2. To consider standards limiting the removal of and ensuring the replacement of trees sufficiently to safeguard the ecological and aesthetic environment of the County.
3. Provisions to prevent the unnecessary clearing and disturbing of land to preserve the natural and existing growth of vegetation and to replace (if required) removed trees with species, cultivars, and varieties that are non-invasive or noxious according to the following four agencies' latest list:
  - a. USDA National Invasive Species List - <https://www.invasivespeciesinfo.gov/subject/lists>
  - b. The Tennessee Department of Agriculture - <https://www.tn.gov/protecttnforests/invasive-plants.html>
  - c. The Tennessee Invasive Plant Council - <https://www.tnipc.org/invasive-plants/>
  - d. The University of Tennessee Institute of Agriculture - <https://utarboretum.tennessee.edu/invasive-shrubs-vines-and-trees/>
4. To guide the conservation, protection, maintenance, and establishment of trees to maximize the tree canopy coverage across the County and to preserve trees and community forest health.
5. To establish provisions consistent with forestry policy and practice promulgated by the State Division of Forestry in recognition that trees are a part of our heritage and our future, and that they are an essential part of the quality of life within the county.
6. To maximize the benefits of trees and vegetation, including a reduction of heat island effects, more sustainable management of stormwater, and filtration of particulate matter from the air, restoring oxygen to the atmosphere and reducing air pollution.

The staff planner asks the commission to review the following draft Resolutions for both the Haywood County's Subdivision Regulations and Zoning Resolution.









If you ever have questions or concerns, please contact me. As a reminder, the following are training links should you wish to explore additional training opportunities.

APA Sponsored webinars – These are free. Upcoming programs do require you to register in order to receive the webinar credentials. Website has upcoming and past webcasts.

[https://ohioplanning.org/aws/APAOH/pt/sp/webcast\\_home\\_page](https://ohioplanning.org/aws/APAOH/pt/sp/webcast_home_page)

TAPA Recorded Training Sessions – Free. No registration required.

<https://tennessee.planning.org/knowledge-center/videos/>

Tennessee Association of Floodplain Managers – Free. No registration required.

<https://www.youtube.com/channel/UC9Z8ViDiKCt95d53L40ly6Q>

