

REQUEST FOR SOLAR ENERGY OVERLAY DISTRICT (SEOD)
PLEASE REVIEW INSTRUCTIONS UNDER BOONE COUNTY ZONING REGULATIONS
SECTION 30 PRIOR TO SUBMITTING AN APPLICATION
DO NOT USE THIS FORM FOR A BATTERY CONDITIONAL USE PERMIT

PLEASE PRINT ALL

1. Developer Information

Company Name

Project Manager/Representative

Company Address

Address

City State Zip

City State Zip

Phone

Email Address

2. Potential Buyer Information (if applicable)

Company Name

Project Manager/Representative

Company Address

Address

City State Zip

City State Zip

Phone

Email Address

3. Contractor Information (If project developer is not constructing the project)

Company Name

Project Manager/Representative

Company Address

Address

City State Zip

City State Zip

Phone

Email

4. Legal description and parcel ID(s) for which the overlay district is being sought. (Use additional pages as necessary)

Legal Description:

Section ____ **Township** ____ **Range** ____

Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

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Current Land Use of Parcel: _____

Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

5. SEOD Size: _____ Acres **6. Adjacent Zoning:** _____

7. Proposed maximum number of solar structures (solar arrays or other solar energy collection devices, NOT batteries or transformers): _____

8. Are batteries or energy storage devices proposed with the SEOD? Y / N

**9. Justification as to why the location is being sought for a utility scale solar facility.
*Provide the justification as a separate attachment.**

10. Date of Concept Review: _____

REQUIRED WITH SUBMITAL: (Incomplete applications WILL NOT BE PROCESSED).

- Application FEE (Section 30.4.1.19)
- Notarized signatures of participating property owners* within proposed SEOD boundary (see attached supplement) (Section 30.4.1.3)
- List of property owners **within 1000'** of the proposed SEOD boundary (may be obtained at the Accessor's Office) (Section 30.4.1.3)
- List of property owners **contained within** the proposed SEOD boundary (may be obtained at the Accessor's Office) (Section 30.4.1.3)
- List of property owners **contained within** the proposed SEOD boundary that are **NOT** participating in the overlay district. (Section 30.4.1.3)
- Overlay District Plan (Section 30.4.1.6)
- Economic Cost/Benefit Analysis (Section 30.4.1.7)
- Environmental Analysis (Section 30.4.1.8)
- Glare Analysis (Section 30.4.1.9)
- Copy of written notification to the utility of proposed interconnection (30.4.1.10)
- Information on proposed solar panels in as much detail as possible (30.4.1.11)
- Transportation Plan (Sections 30.4.1.13 and 30.4.1.14)
- Operation/Maintenance Plan (Section 30.4.1.15)
- Easements location and description (Section 30.4.1.16)
- Fire Suppression and Safety Plan (Section 30.7.1.7.1) (Provide extra copy for Fire District Review) (Section 30.7.1.7.1)
- Security plan (Section 30.4.1.18)
- Decommissioning plan with an estimate cost of decommission (Section 30.4.1.12 and 30.8.1)
- Anticipated timeline for project completion (Section 30.4.1.18)
- Financial statements of the developer and contractor for the last three years (Section 30.4.1.12)
- Statement from the developer describing the company's experience in utility scale solar, environmental management history, and specific references to other utility scale solar facilities constructed and/or operated by the developer. (Section 30.4.1.12)

***If ownership is anyone other than an individual (such as an LLC, trust or corporation) please see staff for appropriate notary statement supplemental.**

ADDITIONAL FEES:

- Additional fees to be paid by developer**
- Additional fees to be paid by potential buyer**
- Additional fees to be paid by contractor**

I understand that the Director of Resource Management has 30 days to review this application for completeness, and a further sixty days to provide written comment, and that this petition for designation of a Solar Energy Overlay District will likely not appear on the next Planning and Zoning Commission agenda. I further understand that the Director may utilize a third party in assisting in the review of this application. **Any costs associated with a third-party review of this application will be paid by the developer or other party identified above.**

I further understand that any battery or energy storage devices must be approved by a separate Conditional Use Permit.

I further understand that that the application fee for this request is **NON-REFUNDABLE**.

I have read the statement above and to the best of my knowledge believe the information provided on this form to be correct.

Signature of Developer's Project Manager/Representative

Date

Signature of Potential Buyer

Date

NOTE: Please attach any additional documentation, sketches, permits, names, and addresses as required as minimum information. Failure to provide any of the required material will result in the invalidation of the application. If you plan to show a power point or other digital presentation during the meeting(s) please provide staff a copy at least 24 hours in advance of the meeting date.

RECEIVED BY:

Resource Management Official

Date

Notarized Signatures of Property Owners

I, _____ and _____, as owner(s) of the real property located at, _____, and described by the deed recorded in book _____ page _____ of the land use records of Boone County, Missouri and identified by the Boone County Assessor's Office as tax parcel number: _____, hereby grant _____ permission to petition the Boone County Commission for a Solar Energy Overlay District over the whole or part of my property located in Boone County, Missouri for the purpose of construction of a solar energy facility.

Signature

Signature

Printed Name

Printed Name

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

On this _____ day of _____, 20____, before me personally appeared _____ and _____ to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledge that they executed the same as their free act and deed.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in _____ the day and year first above written.

My term expires _____, 20_____

Notary Public

ATTACH ADDITIONAL NOTARIZED SIGNATURE PAGES AS NECESSARY

PAGE _____ OF _____ NOTARIZED SIGNATURE PAGES

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I, _____ and _____, as owner(s) of the real property located at, _____, and described by the deed recorded in book _____ page _____ of the land use records of Boone County, Missouri and identified by the Boone County Assessor's Office as tax parcel number: _____, hereby grant _____ permission to petition the Boone County Commission for a Solar Energy Overlay District over the whole or part of my property located in Boone County, Missouri for the purpose of construction of a solar energy facility.

Signature

Signature

Printed Name

Printed Name

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

On this _____ day of _____, 20____, before me personally appeared _____ and _____ to me known to be the person or persons described in and who executed the foregoing instrument, and acknowledge that they executed the same as their free act and deed.

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Notary Public

ATTACH ADDITIONAL NOTARIZED SIGNATURE PAGES AS NECESSARY

PAGE _____ OF _____ NOTARIZED SIGNATURE PAGES

Question #4 Parcel ID CONTINUED (If needed):

Section ____ **Township** ____ **Range** ____

Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

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Current Land Use of Parcel: _____

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Parcel#: ____ - ____ - ____ - ____ - ____ . ____ Present Zoning on Parcel: _____

Current Land Use of Parcel: _____

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Current Land Use of Parcel: _____

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Current Land Use of Parcel: _____

ATTACH ADDITIONAL PARCEL ID FORMS AS NECESSARY

PAGE ____ OF ____ PARCEL ID FORMS

BOONE COUNTY RESOURCE MANAGEMENT
SOLAR ENERGY OVERLAY DISTRICT (SEOD) APPLICATION INSTRUCTIONS

PLEASE NOTE: Incomplete applications WILL NOT BE PROCESSED. It is the applicant's responsibility to ensure that a completed application, application fee, and all required material are submitted BY THE APPLICATION DEADLINE.

OVERLAY DISTRICTS

A zoning overlay district impose additional regulations and standards on the top of the base zoning district, creating specific rules for certain types of uses or activities. A request for an overlay district may be undertaken by a property owner or their authorized agent. Petitioning for an overlay district is undertaken in order to permit a land use that is prohibited within the base zoning district.

There is a fee paid when application is submitted. Additional fees will be billed later including mailing fee of \$8.55 (or current cost for Certified Mail) per property owner in the overlay district and within 1000 feet of the proposed overlay boundary and an advertising fee to cover the public notice in the local newspaper. These notifications and public notice are required under Missouri State Statute. The additional fees must be paid by Friday the week before the scheduled Planning and Zoning Commission meeting.

Should the Director require a third-party review of the application and submitted materials for a Solar Energy Overlay District, it will be the responsibility of the applicant to pay for any additional review fees required by such third party.

There are two public hearings required for request for an overlay district. Unless otherwise noted the meetings are held in the County Commission Chambers at the Boone County Government Center, 801 E. Walnut, Columbia, MO. The first hearing is before the Planning and Zoning Commission (eleven members) and the second hearing is before the County Commission (three members). The Planning Commission forwards a recommendation to the County Commission who makes the final decision to either grant the overlay district or not. The date and time of the County Commission hearing will be announced at the Planning and Zoning public hearing. AN APPLICANT OR THEIR REPRESENTATIVE MUST BE PRESENT AT BOTH HEARINGS IN ORDER TO DESCRIBE THEIR REQUEST AND TO ANSWER QUESTIONS FROM THE COMMISSION.

During the hearing the applicant or their representative will present their request to the Commission and answer any questions, which may arise. The presentation will include a staff report in addition to any additional information, documentation, speakers, letters, etc. the applicant deems necessary. Visual aid such as video presentations, slide shows and oversized visual displays can be accommodated with adequate notification of staff. Staff will require a copy of any presentation at least 24 hours in advance of the meeting date. If an applicant presents photos, letters or other documentation to the Commission a copy must be presented to staff to retain for the permanent record.

Any interested party (neighbors, community groups, friends, public citizen) may also ask questions of the Commission and/or speak in favor of, or in opposition to a request. The interested party may ask questions or express concerns regarding the zoning change. All

questions, statements and/or opinions should be addressed to the Commission. Letters and written statements are also acceptable and may be entered into the minutes, however written statements do not provide for cross examination and so do not carry as much weight as does a personal appearance. Any item including written statements or photos presented to the Commission as evidence must be retained by staff for the permanent record.

APPLICATION – SOLAR ENERGY OVERLAY DISTRICT

A petition for the designation of a Solar Energy Overlay District must be provided on the application forms provided by the Director of Resource Management. Multiple tracts of land can be combined under one SEOD designation provided that all tracts are clearly identified on the application and supplemental materials. Before any action shall be taken on the petition, the applicants shall deposit the fee established by the County Commission to cover the approximate cost of this procedure. Under no condition shall said sum or any part thereof be refunded for failure of the overlay district to be adopted by the County Commission.

All applications must include the following information:

- Names, address, email, and telephone number of the project developer, potential buyers, or building contractor should the building contractor be principally responsible for the project's construction.
- A legal description of the proposed overlay district area, and the Boone County Assessor's parcel ID numbers with Section/Township/Range information.
- The present zoning and current use of the property or properties.
- The size of the overlay district by acreage.
- The zoning of the adjacent land to all tracts within the proposed overlay district.
- The maximum number of solar structures within the proposed overlay district.
- If battery or other electrical storage devices are within the overlay district.
- Justification as to why the location is being sought as a potential solar energy project.
- Date of the concept review.
- All supplemental material required by Section 30.4, including required analysis documents, plans, and financial statements of the developer and contractor responsible for the project.
- Notarized signatures of participating property owners within the proposed SEOD area.
- List of all property owners within 1000' of the proposed overlay district boundary.
- List of all property owners contained within the proposed overlay district boundary.
- List of property owners contained within the proposed overlay district boundary that are not participating.
- The signature of the developer and potential buyer of the solar project.

PROCEDURES

Following the submittal of an application, the Director has thirty days to make a Determination of Completeness to ensure that all required application materials have been submitted and contain sufficient detail for review. Should the Director determine the application is complete, the Director shall have sixty days to review all submitted materials and return written comments. Should the Director determine that the department does not have the adequate expertise to review the submission, a third party may be contacted to provide comments.

Once a hearing in front of the Planning and Zoning Commission is scheduled, the Director shall give notice at least 15 days prior to the public hearing by certified mail to all owners of real

property both within the proposed overlay district and within 1000' of the overlay district boundary. Additionally, notification shall be provided through publication of a locality map in a newspaper, having a daily circulation, at least 15 days prior to hearing before the County Commission.

In cases where the Planning and Zoning Commission recommends denial of a request, THE COUNTY COMMISSION SHALL SUMMARILY ENDORSE DENIAL ACTION OF THE PLANNING COMMISSION UNLESS: (1) the applicant files in the Department office within 72 hours (three working days) following the date of the Planning Commission hearing a notice of appeal to the County Commission stating grounds why the Planning Commission recommendation for denial is in error, and (2) the applicant appears before the County Commission in person or by representative with written authority of the owner.

In cases where the Planning Commission recommends approval of an application, THE COUNTY COMMISSION WILL SUMMARILY DENY THE APPLICATION IF: (1) the applicant does not appear at the County Commission hearing in person or by representative with the written authorization of the owner, and (2) there is opposition to the application expressed in person at the County Commission hearing.