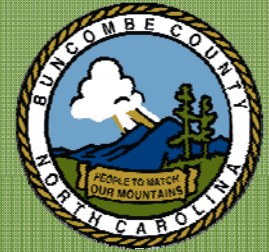


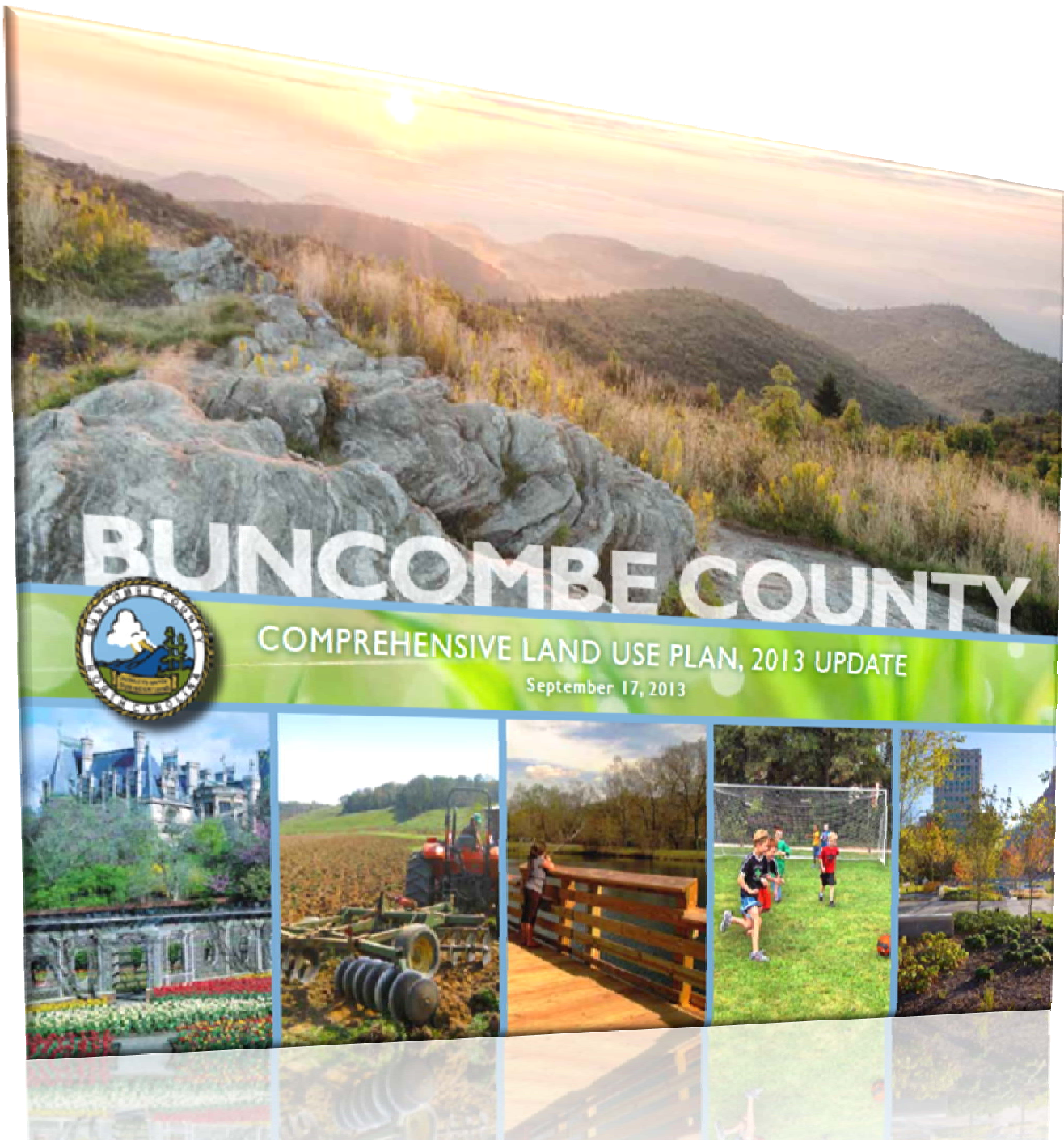
Buncombe County Zoning Ordinance

Public Utilities Amendment

Purpose of Amendments



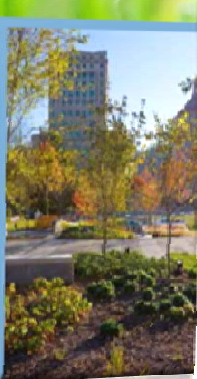
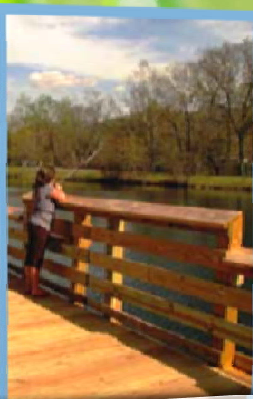
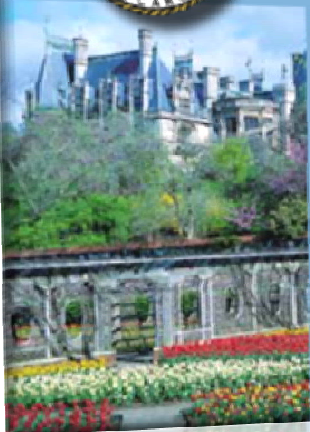
- Define utilities both public and private
- Address public safety impacts from public utilities
- Elevate standard of review for larger facilities
- Ensure facilities are not abandoned creating a community hazard



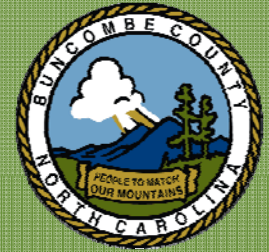
BUNCOMBE COUNTY

COMPREHENSIVE LAND USE PLAN, 2013 UPDATE

September 17, 2013

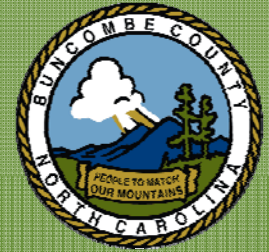


Justification



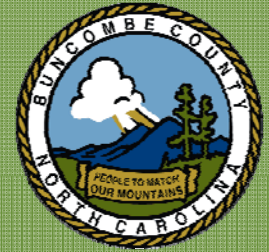
- Addressed under the “Connectivity” element of Section 6 “Issues and Recommendations” within the 2013 update to the Comprehensive Land Use Plan.
- One of the items that was specifically requested by the public during the review of the land use plan.

Issue



Currently, Buncombe County does not have a means of evaluating private energy production facilities which do not sell power back to the grid. Additionally, renewable energy generation facilities are not explicitly covered within the current Zoning Ordinance table of uses. **While both public utilities and energy generation facilities are a necessity, there should also be efforts to ensure that these facilities are well-maintained and that neighboring property owners have reasonable safeguards put into place.**

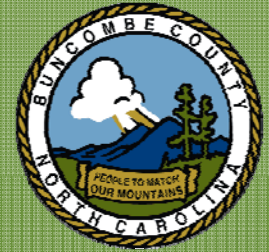
Recommendation



The Zoning Ordinance should be modified in a manner that separates public utility stations and energy generation facilities according to their impact on the surrounding neighborhoods.

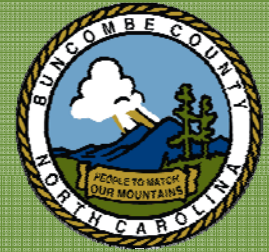
Specific conditions which ensure the safety of the public should be placed on these facilities as an element within the conditional use process. The conditional use process should require specific security standards for such facilities and should ensure that the site is buffered in a manner that limits aesthetic impacts. As a condition of approval, all such facilities should have a funded decommissioning plan in place which would require decommissioning of the site within one year of the cessation of operations.

Definition



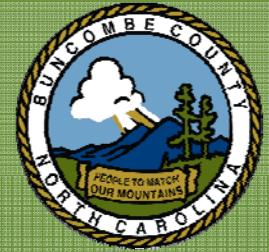
Public utilities and related facilities means utility structures including, but not limited to, pumping stations, electricity generation facilities, transformers, utility poles, transmission lines, and pipelines that require a specific location to provide service. This definition does not include telecommunications towers or public safety communications towers as defined by this Ordinance or their related infrastructure.

Key Elements



- Provides firm definition of public and private utilities
- Sets thresholds regarding the size of facilities and the level of review
 - Differentiates on several levels including residential/commercial districts and elevation.
- Adds conditional use standards for those facilities which would have a substantial neighborhood impact

Conditional Use Standards



- Requires:
 - Protective fencing
 - Consideration of buffering
 - Ingress/egress and emergency contact information
 - A funded plan for decommissioning of inactive sites
 - Consideration of other collocated uses
 - Aviation hazard assessment
 - Highway hazard assessment
 - Specific consideration of steep slopes and ridgelines
 - Signal interference assessment
 - Registration with other applicable agencies