

REQUEST FOR BOARD ACTION

HENDERSON COUNTY BOARD OF COMMISSIONERS

MEETING DATE: March 5, 2012

SUBJECT: Public Hearing Regarding Land Development Code Text Amendment (TX-2012-01) Solar Energy Generation Facilities and Solar Panels

PRESENTER: Anthony Starr, AICP, Planning Director

ATTACHMENTS:

1. PowerPoint
2. Draft Text Amendment
3. Certification of Notice of Public Hearing

SUMMARY OF REQUEST:

On January 26, 2012, the Planning Department received an application to amend the Land Development Code to allow solar energy generation facilities. Staff worked with the applicant and a local representative from the solar energy industry to develop the draft regulations. Currently, solar energy generation facilities (a.k.a. solar farms) are not permitted in Henderson County's jurisdiction.

The proposed text amendment allows these facilities in all standard zoning districts as either a permitted or special use. If the facility is larger than 30 acres, they are not permitted in the R1 or R2 zoning districts. The draft text provides a series of standards to address potential concerns when building such a facility. Those standards are intended to protect adjoining properties and provide minimum safety measures.

Staff asked the applicant and a solar industry representative to review the text and they are in agreement with the proposed amendment. Staff also reviewed numerous ordinances and research on this subject. Glare is an often cited concern. However, it appears that it is a concern without merit. The panels are designed to absorb light and not reflect it. Any reflection represents lost energy. The example photos provided will illustrate how solar panels appear.

Planning Staff recommends approval of the proposed text amendment. On February 14th, 2012 the Technical Review Committee unanimously recommended approval of the amendment as presented. On February 16th, 2012, the Planning Board reviewed the proposed amendment and unanimously recommended approval. The proposed amendment appears to be consistent with the County's Comprehensive Plan.

PUBLIC NOTICE: The required public notice of this hearing was published in the Hendersonville Tribune on February 23rd, 2012 and March 1st, 2012. See attached certification.

Suggested Motion:

I move that the Board of Commissioners find that the proposed text amendment is consistent with the County Comprehensive Plan and I further move that the Board approve the text amendment as presented.