

ARTICLE XXX

“R-C” RENEWABLE ENERGY CONVERSION SYSTEMS “RECS” OVERLAY DISTRICT

SECTION 1. INTENT AND PURPOSE OF DISTRICT: The “R-C” Renewable Energy Conversion Overlay District is intended to ensure a regulatory means of facilitating renewable energy development by establishing designated project areas; and at the same time provide a regulatory response to the demands of neighbors and the general public whose interests may be detrimentally affected by renewable energy generation and transmission operations.

SECTION 2. DISTRICT REGULATIONS: No renewable energy conversion system shall be developed, erected or placed in use in any area of the Jackson County zoning jurisdiction not within an approved overlay district, except that a private system may be allowed by right upon a finding by the Zoning Administrator that the RECS is a small “Personal or Accessory” RECS.

1. A Personal or Accessory RECS may be allowed by the Zoning Administrator, through the submittal of a permit and site plan, if the proposed RECS meets the following requirements:
 - A. A single RECS erected on an owner-occupied parcel of land for private use.
 - B. Residential turbine tower no taller than 150 feet in height.
 - C. Residential turbine tower setback from the nearest property line no less than the height of the turbine tower, plus 50 feet.
 - D. Residential turbine tower no closer than 500 feet from the nearest neighboring residential dwelling.
 - E. Residential/Farm ground mount solar panel system no taller than 15 feet in height.
 - F. Residential/Farm ground mount solar panel system setback from the property line no less than the minimum parent district yard regulations.

SECTION 3. INTENSITY OF USE REGULATIONS: Except as hereinafter provided, all structures hereafter erected, enlarged, relocated or reconstructed shall be located upon owner-occupied parcels or within project overlay districts containing the following areas:

1. A Person or Accessory RECS shall be defined as one (1) acre or less for private use.
2. A Limited Scale Energy Conversion System (LSECS) shall be defined as twenty (20) contiguous acres or less for cooperative use. The electricity created is for consumption for members in the group and not for transfer or sale to a third party except for allowance of net metering.
3. A Commercial Scale Energy Conversion System (CSECS) shall be defined as limited to no more than two thousand (2,000) acres total. The primary purpose of the electricity created is for the sale of the generated electricity.

SECTION 4. CONDITIONAL USE REGULATIONS:

1. All RECS development, other than a personal or accessory use system, will require submittals to the Jackson County Planning Commission and the Board of County Commissioners for the Development Plan approval and establishment of an overlay zone. Such plan shall meet detailed requirements of Jackson County.
2. The Development Plan shall be written in a style that is easily understood by the general reader. Technical terminology shall be avoided as much as possible. Detailed technical data, statistics, and supplementary information required to support the main text is to be referenced and must be current. Information presented in the form of maps, diagrams, or plans is preferred required, as the general reader finds it easier to understand. The maps, information surveys and studies must shall be submitted as part of the Conditional Use Permit (CUP)

application and Development Plan. Jackson County may adjust the standards for future projects based on considerations such as, **but not limited to**, the results of monitoring environmental impact, the success or failure of remedial actions required in connection with decommissioning processes and changing technology in **renewable** energy conversion systems.

3. If approved, one CUP shall be issued with respect to all tracts within the boundaries of the proposed RECS overlay district. Notice of the submission of the application for a RECS CUP shall be given by the Zoning Administrator to the owners of each tract of land within the boundaries of the proposed RECS and to the owners of each parcel of land located within **1000** feet of the boundary of the proposed RECS.
4. The following uses may be allowed by Conditional Use Permit (CUP) when submitted, reviewed, and approved by the Planning Commission and under such conditions as the Planning Commission and the Board of County Commissioners may impose:
 - A. Solar Energy Conversion System (SECS) – see ADDENDUM A to ARTICLE XXX.
 - B. Wind Energy Conversion System (WECS) – see ADDENDUM B to ARTICLE XXX.