

ORDINANCE NO.: 2014-2015-1

AN ORDINANCE TO AMEND TOWN OF AHOSKIE CODE ORDINANCE TEXT AMENDMENT  
ADDING SOLAR FARMS

WHEREAS, the Town Council of the Town of Ahoskie, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in *The News-Herald* setting forth that the Town Council would on Tuesday, June 10, 2014, at 10:00 A.M. in the Fire Station of Ahoskie, North Carolina, conduct a public hearing on the adoption of an ordinance amending the zoning ordinance.

The text amendment was to add the following definition to Section 202 “solar Farm”. A facility to convert solar energy into electrical power for interconnection with the power grid for primarily off-site energy consumption. The use of solar collector for personal or business consumption that occurs on-site is not considered a solar farm.

THE TOWN COUNCIL OF THE TOWN OF AHOSKIE, NORTH CAROLINA, DOES HEREBY ORDAIN:

In addition amend Section 313 Table of permitted and conditional uses by adding an additional line in the table under subheading—Commercial. The line should be placed between “*Small Business Incubator Facility*” and “*Specialized Service Agency*”. In the table the letter “CF” (Conditional Use) should be placed under the Column heading “R-20” only.

Under Section 400, Supplemental District Regulations add new section titled V-1, *Solar Farms* after V. *Residential accessory uses*.

V-1 *Solar Farms*, No parcel or parcels of land may be used as a Solar Farm, and no Solar Farm shall be permitted, constructed, operated, or maintained except in accordance with the following standards:

**1. Set Back:**

- A. Solar collector and electrical appurtenances shall be setback at least 100 feet from all property lines.
- B. Solar collectors and electrical appurtenances shall be setback at least 100 feet from the right-of-way of any public or private dedicated subdivision road.
- C. Solar collectors and electrical appurtenances shall be setback at least 100 feet from any business or residential structure.

**2. Evergreen Vegetation Buffer**

- A. An evergreen buffer shall be required adjacent to occupied residence and commercial structures or residential and commercial structures to be occupied

that fall within 100' of the setback boundary. Vegetative buffer shall extend 35' each direction from the center of said residential or commercial structure, thus screening the area a total of 70' opposite the residential or commercial structure. Vegetative buffer shall be placed within 50' inside fence or screening of Solar Farm. Evergreen buffer shall be maintained at all times. Nothing contained herein shall be construed so as to require such evergreen vegetative buffer to block reasonable access to a Solar farm.

- B. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs of a type which at planting shall be a minimum of 4 feet in height and which shall be a minimum of 6 feet in height five years after planting. At maturity each tree or shrub shall be maintained at a height of no less than 6 feet. The evergreen trees or shrubs shall be spaced no more than ten feet apart (from the base of the tree or shrub to the base of the adjacent tree or shrub).
- C. The evergreen vegetative buffer shall be carefully planted and shall be maintained in good condition. Failure to maintain the evergreen vegetative buffer shall constitute a violation of this ordinance.
- D. The evergreen vegetative buffer requirement's specified hereunder shall continue notwithstanding the fact that a Solar Farm is no longer in operation and/or falls into disuse unless such Solar Farm is dismantled and removed from the parcel or parcels of land upon which it was constructed.

**3. Abandonment:**

Any structure or associated equipment that is not operated for a continuous period of one hundred eighty days (180) is deemed abandoned and must be removed within one hundred eighty days (180) after written notice from the Town. If not so removed the Town may remove it and recover its cost from the operator/owner. If the operator/owner cannot be located, these requirements shall be the responsibility of the landowner on whose property the equipment is located.

**4. Decommissioning:**

- A. Decommissioning shall include removal of solar collectors, cabling, electrical components, and any other associated facilities down to thirty six (36) inches below grade.
- B. Disturbed earth shall be graded and re-seeded, unless the landowner request in writing that the access roads or other land surface areas are not to be restored.

That the following amendments are made to the Code of Ordinances:

Approved and adopted on this the 8th day of July 2014.

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G. Brien Lassiter, Mayor

Attest:

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Joleatha Chestnutt, Town Clerk