

ARTICLE XXIII

WIND ENERGY FACILITIES *(Amended Ord. 2011-10)*

2300. **Intent.** It is the intent of this section to establish standards for both Small Wind Energy Systems and Utility Scale Wind energy Systems. Georgetown County recognized the potential contribution of wind energy to local, state and national energy needs and to the positive environmental aspects of utilizing alternative energy resources to fossil fuels. This is particularly true for wind energy systems located off-shore and nothing in this ordinance is intended to affect such efforts. Wind energy systems, however, require standards to mitigate the negative impacts of such systems including noise, light flicker and natural resource damage.
2301. **Definitions.** See Article III, Definitions of this ordinance for definitions, including Small Wind Energy Systems, Utility Scale Wind Energy Systems and windmill height.
2302. **Permits.** A building permit shall be required from Georgetown County before any Small Wind Energy Systems or Utility Scale Wind Energy System is installed. Such permit shall included a fee established by Georgetown County Council.
2303. **Accessory Use.** A windmill serving a particular site may be considered an accessory use. Such windmills will be designed to provide power to the site and any excess power that may be provided to the electrical grid shall be incidental. The windmill shall meet the setbacks and standards established in Section 2305.2 of this ordinance. No windmill shall be visible from the portion of Highway 17 located in the Waccamaw Neck Architectural Overlay District.
2304. **Principal Use.** Utility Scale Wind Energy Systems shall be considered as a principal use on a particular parcel.
2305. **Small Wind Energy Systems.**
- 2305.1 Permitted Zoning Districts. Small Wind Energy Systems shall be permitted in all zoning districts except Conservation Preservation (CP). Systems may be allowed in Conservation Preservation Districts if the site could be permitted for a building that receives al State, Federal and local permits. If applicable, all systems shall meet the provision of the Airport Safety Overlay Zone. No Small Wind Energy System shall be visible from the portion of Highway 17 located within the Waccamaw Neck Architectural Overlay District.
- 2305.2 Minimum lot size. Regardless of which residential zoning district a Small Wind Energy System is placed, a minimum lot size of five (5) acres is required.
- 2305.3 Setbacks. If the tower is detached from the nonresidential structure being served, the tower must be one and one-half times the height of the system in feet from any

ARTICLE XX II

BOARD OF ARCHITECTURAL REVIEW

property line or habitable structure. Other structures or equipment associated with the system must at a minimum meet the normal setbacks for the particular zoning district. If wires or cable are used for support, however, they shall not be closer than fifty (50) feet from any property line.

If the tower is attached to the principal structure being served, the tower must not exceed the height equal to the distance from the highest part of the system to the nearest habitable structure, excluding the structure being served, or buildable area on any parcel. The system must also not exceed the height limit established in section 2305.5 of this article.

2305.4 Attached/detached Towers. No tower portion of a Small Wind Energy System may be attached to a residential unit.

2305.5 Height. The tallest portion of the tower and blades at their highest vertical height shall not exceed 75 feet.

2305.6 Noise. Small Wind Energy Systems shall not violate Article I. In General, Section 13.8-2 Noise control, of the Code of Laws of Georgetown County, South Carolina. Additionally, noise generated from such systems shall not exceed 65 dB measured from the nearest habitable structure except for brief periods of storm winds.

2305.7 Accessibility. The tower and electrical equipment must be enclosed within a chain link fence with a minimum height of six (6) feet. The tower shall not be accessible by a fixed ladder or handhold within eight (8) feet of the ground. All access doors to towers and electrical equipment must be locked and hazard warning signs erected.

2305.8 Lighting. All systems shall meet the lighting requirements of the FAA or other Federal or State Agency. Lighting not required by a governmental agency shall be prohibited.

2305.9 Color. Towers and blades shall be white or grey and bear no advertising.

2305.10 Electromagnetic Interference. The owner of any Small Wind Energy System shall mitigate any interference with electromagnetic communications such as radio, telephone or television signals.

2305.11 Shadow/Light Flicker. Systems shall mitigate the casting of moving shadows and light flicker on habitable structures located on other parcels. Any applicant shall establish in his or her permit request how light flicker on adjacent building will be minimized.

2305.12 All request to erect a Small Wind Energy System shall be reviewed and approved by the Planning Commission at a public hearing utilizing the same notification requirements as a rezoning application. Action by the Planning Commission shall be considered final, subject to an appeal to the Zoning Board of Appeals.

2306. Utility Scale Wind Energy Systems.

2306.1 Principle Use. Utility Scale Wind Energy Systems are considered to be principle uses.

2306.2 Permitted Zoning Districts. Utility Scale Wind Energy Systems shall not be allowed as a permitted use in any zoning district.

2306.3 Zoning Districts, Conditional Use. Utility Scale Wind Wnergy Systems shall be allowed as a conditional use in the Heavy Industrial (HI), Limited Industrial (LI), Forest and Agriculture (FA), Forest and Agriculture/Residential (FA/R) and Forest and Agriculture/Commercial (FA/C) districts.

2306.4 Plans for such systems may be approved only after a public hearing held by the Planning Commission and a recommendation is sent to County Council for review and approval.

2306.5 The parcel must be a minimum of five (5) acres.

2306.6 The site must not be closer than one thousand (1,000) feet from any school, church, library or public park.

2306.7 No tower, structure or equipment can be located within one thousand (1,000) feet of a wetlands.

2306.8 No tower shall include lighting except that required by a governmental agency for safety.

2306.9 A site plan is presented that identifies all structures and equipment. Any access road and off-site facilities such as transmission lines must be included in the site plans. All wind energy systems shall be setback from the property line a distance at least twice the height of the system measured from the ground to the tip of the blades at their highest point.

2306.10 The requirements in Article XII Buffer Requirements are met.

2306.11 A narrative is provided that addresses noise, shadow flicker, blade throw, hurricane resistance, viewsheds and impacts on animal populations. Systems shall mitigate the casting of moving shadows and light flicker on habitable structures located on other parcels. Any applicant shall establish in his or her permit request how light flicker on adjacent building will be minimized.

2306.12 The facility shall be sited and constructed so operations do not interfere with television, telephone, internet, radio, microwave, satellite or navigational systems in

ARTICLE XX II

BOARD OF ARCHITECTURAL REVIEW

neighboring areas. In the event this occurs, the owner of the wind energy system shall be responsible for the cost of remediation.

2306.13 Wind system height shall not exceed 350 feet.

2306.14 A decommissioning plan shall be prepared that includes the estimated life of the facility and activities to restore the site to its natural condition after closure. Such work shall be completed within two years of the facility closure.

2306.15 All other provisions of the Zoning Ordinance are met. No permit for a Utility Scale Wind Energy System shall be issued by the County unless the application is approved by County Council.

2306.16 Utility Scale Wind Energy Systems cannot be located closer than one direct mile from a waterfowl impoundment created and maintained for the purpose of waterfowl management. Additionally, such systems shall not be located closer than one mile from any parcel that includes a conservation easement. This section does not apply if a conservation easement or waterfowl impoundment is created after approval for a Utility Scale Wind Energy System is granted by the County.

2306.17 Utility Scale Wind Energy Systems cannot be located closer than 1,000 feet from the shoreline of the Waccamaw, Pee Dee, Black, North Santee and Sampit Rivers.

2306.18 Towers and blades shall be white or grey in color and bear no advertising.

2306.19 A plan shall be submitted that outlines how an applicant will mitigate any electromagnetic interference with communications systems such as radio, telephone or television signals.