**8-4-54: Power Facilities**

1. **Applicability.** This Section applies to any power facility listed under the Infrastructure-Utilities category in Table 8-2-23-2 (Use Table).
2. **General Standards**
   1. **Electric Distribution Line**
      1. Electric distribution line shall be a principal permitted use. Master site plan approval shall not be required.
      2. Electric distribution line rights of way are exempt from Section 8-3-7 (Landscaping and Screening).
      3. Electric distribution line shall comply with subsection 8-3-2O (transmission line corridors).
   2. **Electric Subtransmission Line**
      1. Electric subtransmission line shall be a principal permitted use. Master site plan approval shall be required. A parking plan is not required with the master site plan application unless a parking area is proposed with the subtransmission line.
      2. Electric subtransmission line rights of way are exempt from Section 8-3-7 (Landscaping and Screening).
      3. Electric subtransmission line shall comply with subsection 8-3-2O (transmission line corridors).
   3. **Electric Transmission Line and Substation**
      1. Electric transmission line and substations require conditional use approval.
      2. All electric transmission line rights of way are exempt from Section 8-3-7 (Landscaping and Screening).
      3. Electric substations and other utility structures are considered outdoor storage areas and shall meet the standards in Section 8-4-49.
      4. Towers for the purpose of communicating from the substation to remote devices shall be deemed an accessory use to an approved substation, provided that the pole and antenna are no taller than the existing towers.
      5. Electric transmission line and substations shall comply with subsection 8-3-2O (transmission line corridors).
   4. **Centralized or Distributed Power Facilities**
      1. Centralized or Distributed Power Facilities require conditional use approval.
      2. No power facility shall be used for displaying any advertising except for reasonable identification of the manufacturer or operator.
      3. The power facility shall comply with subsection 8-3-5C.
      4. The power facility shall comply with all local, state, and Federal Regulations.
      5. Installation of an anemometer or similar devices shall be reviewed as a temporary use.
3. **Specific Standards Applicable to Centralized Power Facilities**
   1. **Standards Applicable to All Centralized Power Facilities**
      1. The minimum property size shall be ~~forty (40) acres~~ ten (10) acres.
      2. The centralized power ~~facility~~ facilities except for Energy Storage Facilities shall not be located within an area of city impact.
      3. The applicant may be required to obtain approval from the appropriate agency, including, but not limited to, the following: Federal Energy Regulatory Commission, Federal Aviation Administration, National Guard, Mountain Home military base, Idaho Bureau of Aeronautics, Boise Airport Director, IPUC, Idaho Power Company compliance, Idaho Fish and Game, U.S. Department of Fish and Wildlife, Idaho Department of Water Resources, Idaho Department of Environmental Quality, Ada County Emergency Communications Division, Idaho Bureau of Homeland Security Public Safety Communications, and the appropriate fire authority as a condition of approval.
      4. The master site plan for the proposed centralized power facility shall include a map of the proposed transmission line corridors and any proposed or existing substations, if any.
   2. **Additional Standards for Certain Centralized Power Facilities**
      1. **Biomass Facility**
         1. The applicant shall identify the specific location and type of all fuel sources for the biomass facility, and the method of gathering and delivering the fuel to the site.
         2. Mass burn facilities shall not use waste containing hazardous materials as a fuel source.
      2. **Hydroelectric Facility**
         1. Major earthwork associated with construction and maintenance shall be scheduled to minimize soil disturbance between December 1 and April 15.
         2. Any removal of riparian vegetation along watercourses shall be replaced at a ratio of two to one (2:1).
         3. A master site plan approval is not required for a hydroelectric facility, relating to a seasonal irrigation canal.
      3. **Solar Facility**
         1. Solar equipment shall meet the required setbacks of the ~~rural preservation (RP) district~~ for the district in which it is located.
         2. ~~All solar panels shall be nonreflective.~~ All solar panels shall be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic, including air traffic, or create a safety hazard for people or wildlife.
         3. Ground-mounted solar arrays are exempt from lot coverage and impervious surface requirements if the area under the system remains permeable.
         4. Perimeter security fencing shall comply with federal requirements and shall be designed to prevent public entry as well as the impalement or entanglement of wildlife. Fencing shall be maintained in good condition until the installation is dismantled and removed from the site.
         5. Panels shall be maintained in working condition or removed within 30 days of damage being incurred.
            1. Application Requirements
4. A decommissioning plan that includes, but is not limited to, the anticipated life of the ground solar equipment, disposal methods of the equipment, the manner in which the site will be restored, and the timeline for the removal of the ground solar equipment following the cessation of operations. The applicant shall also provide the method in which the panels or components will be recycled at the end of their useful life. Decommissioning shall be completed in accordance with the approved decommissioning plan.
5. A fire protection plan that provides fire protection measures for the construction and operation of the energy project. The applicable fire authority shall approve the fire protection plan as a condition of approval.
6. An emergency response plan that outlines procedures for safe shutdown, de-energizing or isolation of equipment and systems under emergency conditions and a plan for training local first responders on appropriate response procedures.
7. A Wildlife and Habitat Assessment and Mitigation Plan that details strategies to avoid or minimize impacts to existing habitat and wildlife resulting from the construction and/or operation of the solar development. The plan shall outline how the project complies with the [Avian Power Line Interaction Committee’s](http://www.aplic.org/) (APLIC) guidelines. The plan shall also outline construction timelines that avoid or minimize effects on wildlife.
8. A Vegetation Management Plan that provides native perennial vegetation. The plan shall utilize native plant species and seed mixes based on Idaho Fish and Game’s recommendations. Vegetation on site shall be maintained so as not to become a nuisance. Fire-wise landscaping, buffers and defensible space shall be indicated where required to meet -Urban Interface standards. Any project which is designed to incorporate agricultural or farm-related activities or uses may be excluded from this requirement. Agrivoltaics operations shall provide a description of the farm-related uses, activities, and/or crops on the site in lieu of a vegetation management plan.
9. A drainage study or drainage plan (see Section 8-3-5B of this Chapter) to be approved by a County Engineer and as applicable, an approved hillside application (see Section 8-2-30 of this Title) or grading permit (Title 7, Chapter 2 of this Code).

d. Energy Storage Facility

1. Battery energy storage systems shall meet the minimum setback for the district in which it is located.
2. Perimeter security fencing shall comply with federal requirements and shall be designed to prevent public entry as well as the impalement or entanglement of wildlife. Fencing shall be maintained in good condition until the installation is dismantled and removed from the site.
3. Application Requirements
4. A fire protection plan that provides fire protection measures for the construction and operation of the energy project. The applicable fire authority shall approve the fire protection plan as a condition of approval.
5. An emergency response plan that outlines procedures for safe shutdown, de-energizing or isolation of equipment and systems under emergency conditions and a plan for training local first responders on appropriate response procedures.
6. **Specific Standards for Certain Distributed Power Facilities**
   1. **Geothermal Resources.** Direct use of geothermal resources for heating spas, greenhouses, and other similar uses shall not constitute a distributed power facility.
   2. **Solar Facility**
      1. ~~All solar panels shall be nonreflective.~~ All solar panels shall be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic, including air traffic, or create a safety hazard for people or wildlife.
      2. Roof mounted solar equipment shall not exceed five feet (5') above the roof surface and in no case shall the equipment exceed the maximum height of the base district.
      3. Ground and pole solar equipment shall be prohibited in the required front or side yard.
      4. Pole solar equipment shall not exceed a maximum height of fifteen feet (15').
      5. Pole solar equipment shall be set back one and a half (1.5’) feet from the property line for every one foot (1') of maximum height or the minimum setback for the district, whichever is greater.
      6. Ground solar equipment shall meet the minimum setback for the district in which it is located.

**8-10-2: Defined Terms**

AGRIVOLTAICS: Solar and agriculture co-location, also referred to as agrivoltaics, is defined as agricultural production, such as crop or livestock production or pollinator habitats, underneath or between rows of solar panels.

ENERGY STORAGE: A fixed installation where ~~the following are~~ energy is stored, either for subsequent transshipment to a smaller fixed installation ~~or,~~ for pick-up by truck for transport to the site where the product will be used by the consumer, or for collection or transmission through electrical lines. Energy types may include ~~such as~~: bulk gasoline; petroleum products; natural gas, coal; or electric / battery / hydrogen fuel cells. Materials may be stored in one or more tanks on the site, with tank size subject to Federal and State construction and safety standards. These facilities do not include retail sales. This use does not include accessory tanks for agriculture, temporary construction, or personal use.

*Table 8-2-23-2 Use Table*

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| *P = Permitted by Right | C = Conditional Use | A = Accessory Use – No Master Site Plan required unless required for the principal use of the property | [No Master Site Plan]*  *{Partial Master Site Plan} | \* = Administrative Application | 1 = No Zoning Certificate Required | T = Temporary Use.* | | | | | | | | | | | | | | | | |
| **Proposed Use** | **Rural** | | **Transition** | | **Residential** | | | | **Commercial** | | | **Industrial** | | | **Use Standards** | **Minimum Parking Ratio** |
|  | **RP** | **RR** | **RUT** | **RSW** | **R1** | **R2, R4** | **R6, R8** | **R12, R20** | **LO** | **C1** | **C2** | **M1** | **M2** | **M3** |  |  |
| **Industrial** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Energy Storage | C | C |  |  |  |  |  |  |  |  |  |  | **C** | **C** | 8-4-54 | 2/site |
| **Temporary Uses** |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Anemometer | **T\*** | **T\*** |  |  |  |  |  |  |  |  |  |  | **T\*** | **T\*** |  |  |