

ORDINANCE NO. 010, 2015
OF THE COUNCIL OF THE CITY OF FORT COLLINS
AMENDING CHAPTER 10 OF THE CODE OF THE CITY OF FORT COLLINS
RELATING TO CREATING A CRITICAL FACILITIES FLOODPLAIN REGULATION
EXCEPTION FOR PARALLEL-CONNECTED SOLAR AND WIND GENERATION

WHEREAS, due to the importance of providing critical services before, during, and after a flood, while protecting public health and safety, Chapter 10 of City Code prohibits siting “essential service facilities” in the floodway, or in a 100-year or 500-year floodplain; and

WHEREAS, “essential service facilities” under the City Code include “public and private utility plant facilities for generation...”, which has been interpreted to include all power generation facilities; and

WHEREAS, Fort Collins Utilities recently began a program through which commercial customers host and operate solar generation facilities in parallel to City power generation and the City acquires the power toward meeting the Colorado Renewable Energy Standard: the Solar Power Purchase Program (“SP3”); and

WHEREAS, SP3 candidate projects have been proposed in floodplain areas, but due to the current definition of “essential service facilities” in the City Code, the projects are currently prohibited; and

WHEREAS, under customary design guidelines, size restrictions and Fort Collins Utility interconnection standards, parallel-connected solar and wind generation behaves similar to common intermittent loads on the City’s electric system; and

WHEREAS, the Utility’s ability to serve the SP3 site or nearby customers would not be compromised by the loss or damage of parallel-connected power facilities in a flood; and

WHEREAS, staff has determined the municipal electric system would continue functioning and compensate for the loss of parallel-connected facilities due to flood without risk to the electric system; and

WHEREAS, permitting siting of parallel-connected power facilities in flood-prone areas will facilitate participation in SP3 and the City’s ability to meet the Colorado Renewable Energy Standard, without creating greater risk to the electric system or participating customers; and

WHEREAS, staff has recommended that Council adopt an exception in the definition of “essential service facilities” for parallel-connected generation facilities to avoid the current City Code prohibition on siting critical facilities in flood-prone areas, as the risks due to loss of parallel-connected facilities does not warrant their prohibition in such areas; and

WHEREAS, the City Energy Policy currently provides annual updates to City Council, including summaries of parallel-connected facility operations, and the five-year Energy Policy review cycle can be used to review those facilities located in flood-prone areas, in addition to all

related plans, policies and codes for siting future parallel-generation facilities pursuant to the proposed exception.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FORT COLLINS as follows:

Section 1. That the City Council finds that modifying the definition of “essential service facilities” in Chapter 10 of the City Code to exempt parallel-connected solar and wind power generation facilities is in the best interest of Utility ratepayers and the City.

Section 2. That the definition of “*essential service facilities*” contained in Section 10-16 of the Code of the City of Fort Collins is hereby amended to read as follows:

Sec. 10-16. Definitions.

...

Essential services facilities shall mean facilities for the provision of services needed before, during and after a flood event in order to protect public health and safety. Essential services facilities shall include, but not be limited to: public safety facilities such as police stations, fire and rescue stations, emergency operations centers, storage facilities for emergency vehicles and equipment; emergency medical facilities such as hospitals, ambulance service centers, urgent care centers and non-ambulatory surgical centers; designated emergency shelters; communications facilities, such as main hubs and control centers for telephone service, cable broadcasting, satellite dish broadcasting, cellular systems, television, radio and other emergency warning systems (excluding towers, poles, lines, cables and conduits); public and private utility plant facilities for generation, treatment and distribution, such as transmission and distribution hubs and control centers, water treatment plants, electric substations, and pumping stations for water, power and gas (excluding towers, poles, power lines, buried pipelines, transmission lines, distribution lines and service lines, and excluding hydroelectric power generating plants and related appurtenances, and excluding parallel-connected solar and wind power generation); and air transportation lifelines, such as general aviation and commercial airports, helicopter pads and appurtenances serving emergency functions, and associated infrastructure such as aviation control towers, air traffic control centers and emergency equipment aircraft hangars.

Section 3. That annual City Energy Policy updates received by City Council include a summary of the location and operation of parallel-connected generation facilities, highlighting facilities located in flood-prone areas, in addition to using the five-year Energy Policy review cycle to review all related plans, policies and codes for siting future parallel-generation facilities.

Introduced, considered favorably on first reading, and ordered published this 20th day of January, A.D. 2015, and to be presented for final passage on the 3rd day of February, A.D. 2015.

ATTEST:

Wanda Nelson
City Clerk



Karen Wickham
Mayor

Passed and adopted on final reading on the 3rd day of February, A.D. 2015.

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City Clerk



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Mayor