

**Section 7.15 Alternative Energy – Solar** *(New section approved 12/18/17, Effective 1/15/18)*

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**7.15.1 Purpose** - The purpose of this section is to:

- A. Enable the use of solar energy systems;
- B. Provide opportunities for homeowners and businesses to save on fuel costs;
- C. Establish standards to allow the use of solar energy; and
- D. Ensure that solar energy systems are safe and compatible with surrounding development.

**7.15.2 Definitions**

- A. **Fixed Racks:** Devices that hold solar modules stationary at a fixed angle and orientation.
- B. **Solar Array:** Shall mean a solar energy collection system that is attached to the roof a building or is a free-standing, ground-mounted system consisting of a linked series of photovoltaic modules primarily for the collection, inversion, storage and distribution of solar energy for electricity generation, space heating or cooling, or water heating.
- C. **Solar Energy Collection System:** Shall mean a ground-mounted or roof-mounted solar array.
- D. **Solar Trackers:** Devices that sense the location of the sun and tilt modules as needed to maximize exposure to sunlight.

**7.15.3 General**

- A. All parts of a solar energy collection system shall be maintained in good repair at all times.
- B. Any part of solar energy collection system not in good repair shall be fixed or removed and properly discarded.

**7.15.4 Roof-Mounted Accessory Use – All Zones**

A roof-mounted solar array is a permitted accessory use in all zones on primary and accessory structures without a Zoning Permit and shall comply with the purpose and general requirements of this section and the following:

- A. A roof-mounted solar array and any portion thereof shall be located in compliance with minimum yard setbacks and lot coverage requirements applicable to buildings for the zoning district in which located, including Highway Clearance Setback requirements.
- B. A roof-mounted solar array and any portion thereof affixed to a pre-existing legal non-conforming structure, as of the effective date of this regulation (January 15, 2018), shall not have to comply with the minimum yard setbacks or building height applicable to the structure for the zoning district in which located.
- C. In no case shall a roof-mounted solar array and any portion thereof exceed twelve (12) inches above a roof affixed to a residential structure, or twenty-four (24) inches above a roof affixed to commercial or industrial structures.

**7.15.5 Ground-Mounted Accessory Use – Residential Zones or Residence**

A ground-mounted solar array is a permitted accessory use in residential zones or when serving a single-family or two-family dwelling in commercial or industrial zones without commission approval when in compliance with the purpose and general requirements of this section and the following:

- A. Ground-mounted solar arrays shall require the issuance of a Zoning Permit prior to installation.
- B. A ground-mounted solar array and any portion thereof shall be in compliance with the maximum lot coverage requirements for the zoning district in which located.
- C. A ground-mounted solar array and any portion thereof shall be located beyond the rear foundation wall of the primary structure from the front and side yards and shall be in compliance with the minimum rear yard setback applicable to buildings for the zoning district in which located.
- D. A ground-mounted solar array and any portion thereof shall not exceed fifteen (15) feet in height from natural grade at any point of the array when fixed or twenty (20) feet in height from natural grade at any point of the array when a solar tracker. Trackers are measured when the array is 60 degrees to horizontal.

**7.15.6 Ground-Mounted Accessory Use – Commercial or Industrial Zones or adjacent to Residential Zones or Residence**

A ground-mounted solar array is a permitted accessory use in commercial or industrial zones without commission approval when not adjacent to a residence or residential zone and in compliance with the purpose and general requirements of this section and the following:

- A. Ground-mounted solar arrays shall require the issuance of a Zoning Permit prior to installation.
- B. A ground-mounted solar array and any portion thereof shall be in compliance with the maximum lot coverage requirement and minimum yard setbacks applicable to principal buildings for the zoning district in which located, including Highway Clearance Setbacks, and shall not be visible to existing public or private streets or existing easements or right-of-ways used or intended to be used as a public or private street, or a state highway.
- C. A ground-mounted solar array and any portion thereof located in commercial or industrial zones shall not exceed twenty five (25) feet in height from natural grade. Trackers are measured when the array is 60 degrees to horizontal.

**7.15.7 Ground-Mounted Primary Use and Other – All Zones**

A ground-mounted solar array not in compliance with Sections 7.15.5 or 7.15.6 or proposed as a primary uses in all zones may be allowed by approval from the commission by Special Permit and Site Plan Approval pursuant to Section 8.3 Special Permit Standards and Procedures, the purpose and general requirements of this section, and the following:

- A. A ground-mounted solar array and any portion thereof shall be located at least 50' from property lines and shall be in compliance with the maximum lot coverage requirements for the zoning district in which located.
- B. A ground-mounted solar array and any portion thereof located in residential zones shall not exceed twenty (20) in height from natural grade at any point of the array and when located in commercial or industrial zones shall not exceed twenty-five (25) feet in height from natural grade at any point of the array. Trackers are measured when the array is 60 degrees to horizontal.

## ARTICLE 7 SPECIAL REGULATIONS

- C. A ground-mounted solar array and any portion thereof shall be effectively screened from visibility along all yards and to adjacent properties, regardless if the adjacent property is developed or undeveloped providing the adjacent property is developable land, or to existing public or private streets or existing easements or right-of-ways used or intended to be used as a public or private street, or a state highway. Screening provisions may include earthen berms, plantings, fencing, existing evergreen vegetation and other like features or combinations thereof.
- D. All ground-mounted solar arrays shall require the issuance of a Zoning Permit prior to installation.
- E. A primary solar energy collection system that ceases to operate shall be removed within twelve (12) months of cessation and properly discarded.