

 **DRAFT**

Solar Energy Law of the Town of Northumberland

1. Authority

This Zoning for Solar Energy Law is adopted pursuant to sections 261-263 of the Town Law,] of the State of New York, which authorize the Town of Northumberland to adopt zoning provisions that advance and protect the health, safety, and welfare of the community, and “to make provision for, so far as conditions may permit, the accommodation of solar energy systems and equipment and access to sunlight necessary therefor.”

2. Statement of Purpose [DW1]

- A. This Zoning for Solar Energy Law is adopted to advance and protect the public health, safety, and welfare of [Insert Name of Municipality], including:
- 1) Taking advantage of a safe, abundant, renewable, and non-polluting energy resource;
 - 2) Decreasing the cost of energy to the owners of commercial and residential properties, including single-family houses; and
 - 3) Increasing employment and business development in the region by furthering the installation of Solar Energy Systems.

3. Definitions

BUILDING INTEGRATED PHOTOVOLTAIC SYSTEM: A combination of photovoltaic building components integrated into any building envelope system such as vertical facades including glass and other facade material, semitransparent skylight systems, roofing materials, and shading over windows.

GROUND-MOUNTED SOLAR ENERGY SYSTEM: A Solar Energy System that is anchored to the ground and attached to a pole or other mounting system, detached from any other structure for the primary purpose of producing electricity for onsite consumption.

[LARGE-SCALE SOLAR ENERGY SYSTEM [DW2] : A Solar Energy System that is ground-mounted and produces energy primarily for the purpose of offsite sale or consumption [DW3].

ROOF-MOUNTED SOLAR ENERGY SYSTEM: A solar panel system located on the roof of any legally permitted building or structure for the purpose of producing electricity for onsite or offsite consumption.

SOLAR ENERGY EQUIPMENT: Electrical energy storage devices, material, hardware, inverters, or other electrical equipment and conduit of photovoltaic devices associated with the production of electrical energy.

SOLAR ENERGY SYSTEM: An electrical generating system composed of a combination of both Solar Panels and Solar Energy Equipment.

SOLAR PANEL: A photovoltaic device capable of collecting and converting solar energy into electrical energy.

4. Applicability

The requirements of this law shall apply to all Solar Energy Systems installed or modified after its effective date, excluding general maintenance and repair and Building-Integrated Photovoltaic Systems.

5. Solar as an Accessory Use or Structure

A. Roof-Mounted Solar Energy Systems.

- 1) Roof-Mounted Solar Energy Systems that use the electricity onsite or offsite are permitted as an accessory use in all zoning districts when attached to any lawfully permitted building or structure.
- 2) Height. Solar Energy Systems shall not exceed the maximum height restrictions of the zoning district [DW4] within which they are located and are provided the same height exemptions granted to building-mounted mechanical devices or equipment.
- 3) Aesthetics. Roof-Mounted Solar Energy System installations shall incorporate, when feasible, the following design requirements:
 - a. Panels facing the front yard must be mounted at the same angle as the roof's surface with a maximum distance of 18 inches between the roof and highest edge of the system.
- 4) Roof-Mounted Solar Energy Systems that use the energy onsite or offsite shall be exempt from site plan review under the local zoning code or other land use regulations. [DW5]

B. Ground-Mounted Solar Energy Systems.

- 1) Ground-Mounted Solar Energy Systems that use the electricity primarily onsite are permitted as accessory structures in [[Insert District(s)]. [DW6]
- 2) Height and Setback. Ground-Mounted Solar Energy Systems shall adhere to the height and setback requirements of the underlying zoning district [DW7].
- 3) Lot Coverage. Systems are limited to [[Insert Lot Coverage Percentage [DW8]]. The surface area covered by Ground-Mounted Solar Panels shall be included in total lot coverage.