



# Town of Foster

Est. 1781

## PLANNING DEPARTMENT

### ZONING ORDINANCE AMENDMENT SUMMARY

#### Solar Installations, Revised

The amendment's intent is to address solar installations, in keeping with state regulations, industry standards, and utility classifications.

This revision was approved by unanimous vote at the July 15, 2015 Planning Board meeting and was further unanimously voted on to transmit to the Council for the July 23, 2015 public hearing continuation.

There are a few major changes to the original proposal:

- *Reformatting.* Definitions have been re-worked to allow for the ordinance to more efficiently flow.
- *Tiers.* The four original tiers (0-10kW, 11-20kW, 21-250kW, and greater than 250kW) have been condensed into three (0-25kW, 26-250kW, and greater than 250kW).
  - *Minor and Major Installations.* The two larger tiers (26-250kW and greater than 250kW) are now listed under Major Solar Installation along with the associated >20% net buildable area and >40% net buildable area. Again, this allows for more efficient flow to the ordinance.
- *Incentives.* The condition a solar installation must meet to be exempt from tangible tax has been reworked to specify one that solely meets the energy needs of the property on which it is located, regardless of energy output. Agricultural operations are

no longer called out, since the intent to incentivize working farms is now inherently addressed.

There are a few minor changes:

- *Minor Installation.* That it must service the property on which it is sited is now stipulated in the definition. Mention of rooftop installations has been deleted, so that the energy output is the main basis to each tier.
- *Major Installation.* That it would sell power back to a utility, *or* have an output exceeding 25kW or 20% net buildable area (and 250kW or 40% net buildable area for the secondary tier), is now stipulated in the definition.
- *Legal Instruments.* The lease is now “memorandum of lease” which is more common and ensures that sensitive financial information isn’t shared, and any easements or agreements are required to be recorded after approval.
- *Electric Code.* National Electric Code was revised to RI Electric Code, since the RI Code will always use the National Code as a foundation but may have additional requirements.
- *Abandonment.* A surety bond to cover the cost of removal is now required instead of a possibility.