OXFORD ZONING ORDINANCE

Additions for Solar Energy Systems

Section 14: Table of Land Uses.

- Residential-Scale Roof-Mounted Solar Energy Systems
  - permitted with review by CEO in all applicable zones.
- Residential-Scale Ground-Mounted Solar Energy Systems
  - permitted with review by CEO in all applicable zones.
- Commercial Proprietary Roof-Mounted Solar Energy Systems.
  - Permitted with review by CEO all applicable zones.
- Industrial Proprietary Roof-Mounted Solar Energy Systems.
  - Permitted with review by CEO in all industrial zones.
- Industrial Proprietary Ground-Mounted Solar Energy Systems.
  - Permitted with review by CEO in all industrial zones.
- Commercial-Scale Ground-Mounted Solar Energy Systems
  - Allowed with PB Site Plan review in Industrial Zone, no in all other zones.

Section 15. C: Groundwater Protection Overlay.

- Commercial-Scale Ground-Mounted Solar Energy Systems mot a permitted use in the Groundwater Protection Overlay.

Section 16: Performance Standards.

DD. Solar Energy Systems

1. **Definitions.**

   a. Residential-Scale Roof-Mounted Solar Energy System: A Solar Energy System that is physically mounted to the roof of a building or structure and is intended to reduce on-site consumption of utility power or fuels servicing a residential dwelling unit.

   b. Residential-Scale Ground-Mounted Solar Energy Systems: A Solar Energy System that is structurally mounted to the ground and is intended to reduce on-site consumption of utility power or fuels servicing a residential dwelling unit.

c. Commercial Proprietary Roof-Mounted Solar Energy System: A Solar Energy System that is physically mounted to the roof of a building or structure that is strictly for proprietary use and is intended to reduce on-site consumption of utility power or fuels servicing a commercial business.

d. Commercial Proprietary Ground-Mounted Solar Energy System: A Solar Energy System that is structurally mounted to the ground that is strictly for proprietary use and is intended to reduce on-site consumption of utility power or fuels servicing a commercial business.

e. Industrial Proprietary Roof-Mounted Solar Energy System: A Solar Energy System that is physically mounted to the roof of a building or structure that is strictly for proprietary use and is intended to reduce on-site consumption of utility power or fuels servicing an industrial business.

f. Industrial Proprietary Ground-Mounted Solar Energy System: A Solar Energy System that is structurally mounted to the ground that is strictly for proprietary use and is intended to reduce on-site consumption of utility power or fuels servicing an industrial business.

g. Commercial-Scale Ground-Mounted Solar Energy System: A Solar Energy System that is structurally mounted to the ground which has a physical size, based on total airspace projected over the ground, of less than four (4) acres (174,240 square feet) and within the industrial zoning.

2. Residential-Scale Roof-Mounted Solar Energy System.

a. Residential-Scale Roof-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. A structural report from a qualified professional, demonstrating that the applicant's roof is structurally capable of supporting the collateral load of the roof-mounted solar energy system.

c. Performance Standards.

i. Glare. Roof-Mounted Solar Energy System shall be situated to minimize glare onto nearby structures and roadways.

ii. Safety. Roof-Mounted Solar Energy Systems shall not present any unreasonable safety risks, as outlined in IRC Section 324, including but not limited to:

A. Weight load;

B. Wind resistance; and

C. Ingress or egress in the event of a fire or other emergency.

iii. Height. Roof-Mounted Solar Energy Systems are subject to the height limitations in Section 15.B of this Ordinance.

3. Residential-Scale Ground-Mounted Solar Energy Systems.

a. Residential-Scale Ground-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Dimensional Standards.

i. Residential-Scale Ground-Mounted Solar Energy Systems may not exceed twenty-five (25) feet in height when oriented at maximum tilt.

ii. Residential-Scale Ground-Mounted Solar Energy Systems shall adhere to the setback and lot coverage standards contained in Section 15 of this Ordinance. Lot coverage shall be calculated based on the total airspace projected over the ground.

c. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. The Code Enforcement Officer may require the applicant to provide additional information, including but not limited to manufacturer specifications, site plans, or other supporting documentation, to ensure that the proposed system is accessory to the principal residential use and is not commercial in nature.

d. Performance Standards.

i. All Residential-Scale Ground-Mounted Solar Energy System installations must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association.

ii. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

iii. Glare. Residential-Scale Ground-Mounted Solar Energy Systems must be situated to minimize glare onto nearby structures and roadways.

iv. Prohibited Locations. Components of a Residential-Scale Ground-Mounted Solar Energy System shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

3. Commercial Proprietary Roof-Mounted Solar Energy Systems.

a. Commercial Proprietary Roof-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. The Code Enforcement Officer may require the applicant to provide additional information, including but not limited to manufacturer specifications, site plans, or other supporting documentation, to ensure that the proposed system is accessory to the principal residential use and is not commercial in nature.

c. Performance Standards.

i. All Commercial Proprietary Roof-Mounted Solar Energy Systems installations must be installed in compliance with the photovoltaic

systems standards of the latest edition of the National Fire Protection Association.

ii. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

iii. Glare. Commercial Proprietary Roof-Mounted Solar Energy Systems shall be situated to minimize glare onto nearby structures and roadways.

iv. Safety. Commercial Proprietary Roof-Mounted Solar Energy Systems shall not present any unreasonable safety risks, as outlined in IRC Section 324, including but not limited to:

A. Weight load;

B. Wind resistance; and

C. Ingress or egress in the event of a fire or other emergency.

v. Height. Commercial Proprietary Roof-Mounted Solar Energy Systems are subject to the height limitations in Section 15.B of this Ordinance.

4. Commercial Proprietary Ground-Mounted Solar Energy Systems.

a. Commercial Proprietary Ground-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Dimensional Standards.

i. Commercial Proprietary Ground-Mounted Solar Energy Systems may not exceed twenty-five (25) feet in height when oriented at maximum tilt.

ii. Commercial Proprietary Ground-Mounted Solar Energy Systems shall adhere to the setback and lot coverage standards contained in Section 15 of this Ordinance. Lot coverage shall be calculated based on the total airspace projected over the ground.

c. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. The Code Enforcement Officer may require the applicant to provide additional information, including but not limited to manufacturer specifications, site plans, or other supporting documentation, to ensure that the proposed system is accessory to the principal residential use and is not commercial in nature.

d. Performance Standards.

i. All Commercial Proprietary Ground-Mounted Solar Energy Systems installations must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association.

ii. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

iii. Glare. Commercial Proprietary Ground-Mounted Solar Energy Systems must be situated to minimize glare onto nearby structures and roadways.

iv. Prohibited Locations. Components of a Commercial Proprietary Ground-Mounted Solar Energy System shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

5. Industrial Proprietary Roof-Mounted Solar Energy Systems.

a. Industrial Proprietary Roof-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. The Code Enforcement Officer may require the applicant to provide additional information, including but not limited to manufacturer specifications, site plans, or other supporting documentation, to ensure that the proposed system is accessory to the principal residential use and is not commercial in nature.

c. Performance Standards.

v. All Industrial Proprietary Roof-Mounted Solar Energy Systems installations must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association.

vi. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

vii. Glare. Industrial Proprietary Roof-Mounted Solar Energy Systems shall be situated to minimize glare onto nearby structures and roadways.

viii. Safety. Industrial Proprietary Roof-Mounted Solar Energy Systems shall not present any unreasonable safety risks, as outlined in IRC Section 324, including but not limited to:

A. Weight load;

B. Wind resistance; and

C. Ingress or egress in the event of a fire or other emergency.

vi. Height. Industrial Proprietary Roof-Mounted Solar Energy Systems are subject to the height limitations in Section 15.B of this Ordinance.

6. Industrial Proprietary Ground-Mounted Solar Energy Systems.

a. Industrial Proprietary Ground-Mounted Solar Energy Systems may be approved by the Code Enforcement Officer in accordance with Section 14 Table of Land Use and Section 15. B. of this Ordinance.

b. Dimensional Standards.

i. Industrial Proprietary Ground-Mounted Solar Energy Systems may not exceed twenty-five (25) feet in height when oriented at maximum tilt.

ii. Industrial Proprietary Ground-Mounted Solar Energy Systems shall adhere to the setback and lot coverage standards contained in Section 15 of this Ordinance. Lot coverage shall be calculated based on the total airspace projected over the ground.

c. Submission Requirements.

i. A permit application meeting the criteria of Section 18 B. of this Ordinance; and

ii. The Code Enforcement Officer may require the applicant to provide additional information, including but not limited to manufacturer specifications, site plans, or other supporting documentation, to ensure that the proposed system is accessory to the principal residential use and is not commercial in nature.

d. Performance Standards.

v. All Industrial Proprietary Ground-Mounted Solar Energy Systems installations must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association.

vi. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

vii. Glare. Industrial Proprietary Ground-Mounted Solar Energy Systems must be situated to minimize glare onto nearby structures and roadways.

viii. Prohibited Locations. Components of an Industrial Proprietary Ground-Mounted Solar Energy Systems shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

7. **Commercial-Scale Ground-Mounted Solar Energy Systems.**

   a. Commercial-Scale Ground-Mounted Solar Energy Systems may be approved by the Planning Board through Site Plan review in accordance with Section 14 Table of Land Uses and Section 15.B of this Ordinance.

   b. Dimensional Standards.

      i. Commercial-Scale Ground-Mounted Solar Energy Systems may not exceed twenty-five (25) feet in height when oriented at maximum tilt.

      ii. Commercial-Scale Ground-Mounted Solar Energy Systems may not exceed four (4) acres in size.

      iii. Commercial-Scale Ground-Mounted Solar Energy Systems shall adhere to the setback and lot coverage standards contained in Section 15 of this Ordinance. Lot coverage shall be calculated based on the total airspace projected over the ground.

   c. Submission Requirements

      In addition to the requirements contained within Section 17 Site Plan of this Ordinance, applications for Commercial-Scale Ground-Mounted Solar Energy Systems shall contain the following:

      i. A description of the owner of the solar energy system, the operator if different, and details of the qualifications and track record of one or both to run the facility.

      ii. If the operator intends to lease the land, a copy of the agreement clearly outlining the relationship between the owner, operator, and any other third party.

      iii. A copy of the agreement and schematic details of the interconnection arrangement with the applicable transmission system, clearly indicating which party is responsible for the various requirements.

      iv. A description of the components of the solar energy system to be installed, including make and model.

      v. A construction plan and timeline, identifying known contractors, site control, and anticipated on-line date.

vi. An operations and maintenance plan, including site control and projected operating life of the solar energy system. Such a plan shall include measures for maintaining safe access to the installation.

vii. An emergency management plan for anticipated hazards, which shall be reviewed and approved by the Fire Chief prior to the Planning Board's issuance of Site Plan approval.

viii. Proof of financial capacity to construct and operate the proposed solar energy system.

ix. A decommissioning plan, including:

A. A description of the work required to physically remove all components of the solar energy system, including associated foundations, buildings, cabling, electrical components, and any other associated facilities to the extent they are not otherwise in or proposed to be placed into productive use. All land disturbed during decommissioning must be revegetated.

B. An estimate of the total cost of decommissioning, including an itemization of estimated major expenses and the projected costs of measures taken to minimize or prevent adverse effects on the environment during the implementation of the decommissioning plan. The itemization of major costs may include, but is not limited to, the cost of the following activities: panel removal, foundation and building removal, stabilization of soil, transmission corridor removal, and road infrastructure removal.

C. Demonstration in the form of a performance bond, surety bond, letter of credit, or other form of financial assurance as may be acceptable to the Town, that upon the end of the useful life of the solar energy system the applicant will have the necessary financial assurance in place for 125% of the estimated total cost of decommissioning, subject to a review of such cost by the Code Enforcement Officer. The financial assurance shall include a provision granting the Town the ability to access the funds and property and perform the decommissioning if the facility is abandoned or the applicant or subsequent responsible party fails to meet their obligations after reasonable notice, to be defined in the agreement and approved by the Planning Board.

d. Performance Standards.

i. All Commercial-Scale Ground-Mounted Solar Energy System installations must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Fire Protection Association.

ii. All wiring must be installed in compliance with the photovoltaic systems standards of the latest edition of the National Electrical Code.

iii. Buffers. Commercial-Scale Ground-Mounted Solar Energy Systems shall be buffered from roads and residences by plantings, berms, and natural topographical features to the satisfaction of the Oxford Planning Board.

iv. Fencing. All Commercial-Scale Ground-Mounted Solar Energy Systems shall be wholly protected by a perimeter fence designed to allow for passage of wildlife to the satisfaction of the Oxford Planning Board.

v. Signage. A sign identifying the owner/operator of the Commercial-Scale Ground-Mounted Solar Energy System shall be installed at each point of ingress and egress and shall provide a 24-hour emergency contact phone number. Signs may not be used for advertising purposes.

vi. Emergency Access. A KnoxBox, or other system approved by the Fire Chief, which provides emergency access inside the security gate surrounding the Commercial-Scale Ground-Mounted Solar Energy System must be installed to allow emergency service personnel continuous access.

vii. Interconnection agreement. The applicant shall demonstrate that it has a legally enforceable interconnection agreement with a transmission and distribution utility.

viii. Glare. The Commercial-Scale Solar energy system shall be situated, to the satisfaction of the Planning Board, so as to mitigate concentrated glare at the property boundaries of the site.

ix. Utility connections. All connections between the Commercial-Scale Ground-Mounted Solar Energy System and the electrical grid shall be

underground, to the greatest practical extent, as determined by the Planning Board.

x. Prohibited Locations. Components of a Commercial-Scale Ground-Mounted Solar Energy System shall not be placed within any legal easement or right-of-way location, or be placed within any stormwater conveyance system, or in any other manner that would alter or impede stormwater runoff from collecting in a constructed stormwater conveyance system.

xi. The owner or operator of a Commercial-Scale Ground Mounted Solar Energy System shall maintain the facility to a level acceptable to the Oxford Fire Chief. The owner or operator shall be responsible for the cost of maintaining any access road(s).

e. Decommissioning and removal.

i. Any Commercial-Scale Ground Mounted Solar Energy System that has reached the end of its useful life, ceases to generate power, or has been abandoned, shall be removed pursuant to the Decommissioning Plan approved by the Oxford Planning Board during the application process. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Code Enforcement Officer by certified mail, return receipt requested, of the proposed date of the discontinued operations and plans for removal.

ii. Absent a notice of a proposed date of decommissioning or written notice of extenuating circumstances, Commercial-Scale Ground Mounted Solar Energy Systems shall be considered abandoned when it fails to generate 10% or less of its permitted capacity for a continuous period of 12 months without having first obtained the written consent of the Code Enforcement Officer. Determination of abandonment shall be made by the Code Enforcement Officer.

iii. Decommissioning shall consist of:

A. Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site;

B. Disposal of all solid and hazardous waste in accordance with Local, State and Federal waste disposal regulations; and

C. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Code Enforcement Officer may allow the owner or operator to leave landscaping or designated below-grade foundations to minimize erosion and disruptions to vegetation.

iv. If the owner or operator of a Commercial-Scale Ground-Mounted Solar Energy System fails to remove the installation in accordance with the requirements of this section within 180 days, of abandonment, or of the proposed date of decommissioning, the Town of Oxford retains the right to use the performance guarantee to cause an abandoned, hazardous or decommissioned solar energy system to be removed.