

**T.P. Ordinance No. 21-76**

AN ORDINANCE AMENDING AND ENACTING T.P. ORDINANCE NO. 21-49 – CHAPTER 17 PLANNING AND DEVELOPMENT, ARTICLE IX – DEVELOPMENTS WITH SPECIAL REGULATIONS – SECTION 17-9.6, RENEWABLE ENERGY REGULATIONS REGARDING SOLAR POWER PLANTS

**BE IT ORDAINED** by the Tangipahoa Parish Council, State of Louisiana, acting as the Governing Authority thereof Revises and amends the following:

**CHAPTER 17 – PLANNING AND DEVELOPMENT**

**Article IX – Developments with Special Provisions**

**Sec. 17-9.6 Renewable Energy Power Plants**

**D. General Regulations item**

**5. Application Requirements, amending (e); removing (m) and removing (o);**

**E. Provisions for Permit Review adding (18), (19)**

**G. Permit Applications – amending 2**

**ARTICLE IX - DEVELOPMENTS WITH SPECIAL PROVISIONS**

**Sec. 17-9.6 Renewable Energy Power Plants-**

**D. General Regulations**

5. Application Requirements - All applications and plans for solar power production must include all the following:

- a. Name of the project, names and addresses of the business owner(s), names of the property owner(s) and the engineers and surveyors.
- b. If the site is leased, a lease memorandum executed by all parties to the lease.
- c. Date, scale and accurate North arrow of the site plan showing all property to be included in the project.
- d. Boundaries and actual dimensions and shape of parcel, including total acreage, with bearings and distances.
- e. Site plan showing streets, circulations, driveways, service buildings, easements, arrangement and number of solar panels, and streets; also fencing, gates and vegetative buffer.
- f. Horizontal and vertical (elevation) to scale drawing with dimensions that show the location of the solar panels and system on the property.
- g. Vicinity map showing the location and surrounding land use.
- h. Names and addresses of adjoining property owners.
- i. Elevation certificate and ~~drainage plan~~ preliminary drainage plan.
- j. Land Contours,
- k. Plan illustrating the intended layout and greenspace.
- l. Traffic plan during construction phase
- m. ~~Other state and federal permits~~
- n. Other features and designs as deemed reasonably necessary from time to time by the Tangipahoa Parish Council.
- o. ~~A Decommission Plan in compliance with this ordinance~~
- p. A Decommission Plan in compliance with this ordinance.
- q. Any parcels that are part of the project that is interrupted by a road or other parcels not part of the project must be identified on the site plan labeled as individual areas (example: a, b, c...).
- r. An application fee of \$750.00.

## **E. Provisions for permit review**

1. Following the provisions of Tangipahoa Parish Code, additional or more thorough consideration shall be given to the following as the Parish determines whether the project needs to be approved, denied, or conditionally approved:
2. Project Rationale. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
3. Siting Considerations. Siting considerations, such as avoiding areas/locations with a high potential for biological conflict such as wilderness study areas, areas of environmental concern, county and state parks, historic trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds, or scenic areas designated by the parish; avoiding areas of erodible slopes and soils, where concerns for water quality, severe erosion, or high storm runoff potential have been identified; and, avoiding known sensitive historical, cultural or archeological resources.
4. Site and Development Plans. Site and development plans, which identify and/or locate all existing and proposed structures; setbacks; access routes; proposed road improvements; any existing inhabitable structures within one quarter mile of a photovoltaic solar project or one-half mile of a concentrated solar project; existing utilities, pipelines, and transmission lines; proposed utility lines; utility and maintenance structures; existing topographic contours; existing and proposed drainageways; proposed grading; areas of natural vegetation removal; revegetation areas and methods; dust and erosion control; any floodplains or wetlands; and other relevant items identified by the parish staff or planning commission. All maps and visual representations need to be drawn at an appropriate scale.
5. Due to the complexity of large-scale solar power plant projects, the applicant must submit an economic impact study detailing the estimated economic impact on the Parish, including but not limited to jobs created, estimated annual taxes, or any other information that may be required by the Parish.
6. Visual Impacts, Appearance, and Scenic Viewsheds. Potential visual impacts may be caused by components of the project such as above ground electrical lines, accessory structures, access roads, utility trenches and installations, and alteration of vegetation. More visually sensitive proposals may require analysis from significantly more vantage points, such as different distances and sensitive locations. A photo simulation is required. Significant visual impacts that cannot be adequately mitigated are grounds for denial.
7. Wildlife Habitat Areas and Migration Patterns. Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the United States Fish and Wildlife Service (USFWS) will be necessary.
8. Environmental Analysis. In the absence of a required state or federal agency environmental review for the project (e.g., NEPA), the parish will require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area.
9. Solid Waste or Hazardous Waste. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes, as well as collection methods for solid waste generated by the project.
10. Height Restrictions and FAA Hazard Review. Compliance with any applicable airport overlay zoning requirements and the ability to comply with FAA regulations pertaining to hazards to air navigation must be demonstrated if within five nautical miles of a FAA regulated airport.
11. Prior to work and during all construction until complete a Transportation Plan for Construction and Operation Phases. Follow Tangipahoa Parish Code of Ordinances Chapter 20, section 20-11.

12. The Drainage Plan must follow the latest development drainage requirements of the Parish of Tangipahoa (Tangipahoa Parish Code of Ordinances Chapter 17, section 17-10.1).

13. STORMWATER POLLUTION PREVENTION PLAN (SWPPP) - is a site specific written document and drawing(s) required by the EPA and LDEQ for LPDES general permits for discharge of stormwater from construction activities (LAR100000 AND LAR200000), LPDES multi-sector general permit, or any LPDES individual permit which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.

14. Public Safety. Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.

15. Noise limitations. Submit sufficient information regarding noise, so as to demonstrate compliance below Sixty dBA as in section 5 below.

16. It is preferred that any related special provision application applications for substations or transmission lines be considered in conjunction with the special provision application for the solar power plant; however, if the details of those improvements are not available at the time of application for the solar power plant, they may be considered later, through subsequent special provision application review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation must be disclosed with the application for the solar power plant.

17. Decommissioning Plan. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (parish, any lessor or property owner, etc.) that ensure proper final reclamation of the solar energy project. Among other things, revegetation and road repair activities should be addressed in the plan.

18. Other State & Federal Permits

19. Substantial modifications to any previous Parish Council approved site plan

#### **G. Permit Applications**

1. A permit application is required for each identified area (a, b, c..) submitted as part of a project.
2. The permit fee is \$60.00 per acre with a minimum fee of \$8,500.00.
3. All plans must be certified by licensed Louisiana Engineer.
4. Solar panel materials must be listed and labeled by a Nationally Recognized Testing Agency. Documentation of compliance must be provided with the seal and signature of a licensed design professional in Louisiana.
5. Any permit issued pursuant to this Chapter will expire three years from the date of issuance, unless construction has commenced. After the expiration of a permit, the applicant may reapply.

**BE IT FURTHER ORDAINED** that this ordinance shall become effective immediately upon signature of the Parish President and all previous ordinances in conflict with said ordinance are hereby repealed.

The above and foregoing ordinance having been duly submitted to the Tangipahoa Parish Council in writing; introduced at a public meeting of the Tangipahoa Parish Council; discussed at the said public hearing; after motion and second was submitted to the official vote of the Tangipahoa Parish Council.

On motion by Mr. Vial and seconded by Mr. Ingraffia, the foregoing ordinance was hereby declared adopted on this 8th day of November, 2021 by the following roll-call vote:

**YEAS:** Forrest, Ingraffia, Joseph, Bruno, Ridgel, Mayeaux, Wells, Vial, Hyde

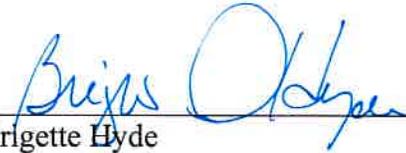
**NAYS:**

**ABSENT:** Coates

**NOT VOTING:**

**ATTEST:**

  
\_\_\_\_\_  
Jill DeSpoue  
Clerk of Council  
Tangipahoa Parish Council

  
\_\_\_\_\_  
Brigitte Hyde  
Chairwoman  
Tangipahoa Parish Council

**INTRODUCED:** October 25, 2021

**PUBLISHED:** October 21, 2021 OFFICIAL JOURNAL Hammond Daily Star

**ADOPTED BY TPC:** November 8, 2021

**DELIVERED TO PRESIDENT:** 10<sup>th</sup> day of November, 2021 at 8:30am

**APPROVED BY PRESIDENT:**   
\_\_\_\_\_  
Robby Miller 11/11/2021  
Date

**VETOED BY PRESIDENT:** \_\_\_\_\_  
Robby Miller Date

**RECEIVED FROM PRESIDENT:** 12<sup>th</sup> day of November, 2021 at 8:30am