



Town of Exeter, Rhode Island

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TOWN OF EXETER

ADOPTED DECEMBER 7, 2015

AMENDMENTS TO EXETER CODE OF ORDINANCES:

APPENDIX A – ZONING ARTICLE XI – RENEWABLE ENERGY SECTION 11.1 – SOLAR

AND

APPENDIX A – ZONING ARTICLE II – ZONING DISTRICT USE REGULATIONS SECTION 2.4.1 – USE CATEGORY

Section 11.1.A. Utility scale solar photovoltaic facility

- (a) Purpose. The purpose of this section is to promote the creation of utility scale solar photovoltaic facilities by providing standards for the placement, design, construction, operation, monitoring, modification, and removal of such facilities that address public safety, minimize impacts on scenic, natural, and historic resources, and are compatible with the Town's Comprehensive Plan.
- (b) Applicability. The provisions of this section shall apply to construction, operation, and/or repair of any utility scale solar photovoltaic installation.
- (c) Utility scale facility means the equipment and requisite hardware that, as a primary purpose, provide and are used for collecting, transferring, converting, storing, or using electricity and off-loading said electricity to the grid. The primary use of a utility scale solar facility is to provide

energy for the commercial facility on which said facility is located or to produce energy solely to off-load electricity to the grid. Any excess energy produced by a commercial facility may be off-loaded to the grid.

(d) General Requirements

- (1) Major Land Development. Each utility scale solar photovoltaic installation application must be reviewed by the Exeter Planning Board in accordance with Section 11.1.B.
- (2) Location. Utility scale solar photovoltaic installations shall be allowed in accordance with Section 2.4.1 of the Town of Exeter Zoning Ordinance Use Tables.
- (3) Exemptions. Net metering solar photovoltaic installations for residential or commercial uses shall be allowed in all zoning districts as a matter of right pursuant to Section 11.1.B.
- (4) Building permit and inspection. No solar photovoltaic installation shall be constructed, installed, or modified without first obtaining a building permit and shall be subject to periodic inspections as deemed necessary by the Building Official and/or Electrical Inspector.
- (5) No individual panel within a ground-mounted solar photovoltaic installation shall exceed 15 feet in height, as measured from pre-development lot grade at the location of the panel.
- (6) A roof-mounted solar photovoltaic installation shall not exceed the permitted building height as set forth in Section 11.1.B.
- (7) Ground-mounted solar energy systems shall conform to the yard requirements of the applicable zoning district or be setback a distance equal to the total height of a panel, whichever is greater.
- (8) A ground-mounted solar photovoltaic facility shall be designed to prevent unauthorized access subject to the review and acceptance of the Planning Board and concurrence of the Director of Public Works and the Fire Marshal as it relates to the provision of emergency service.
- (9) Parking and circulation. The applicant shall demonstrate that adequate access and parking are provided for service and emergency vehicles as determined by the Board in consultation with the Fire Marshal.
- (10) Drainage. Erosion and sedimentation control shall conform to the Rhode Island Department of Environmental Management Stormwater Design Manual and all applicable regulations, local and state.

- (11) Landscaping. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the large-scale ground-mounted, solar photovoltaic field, or as otherwise prescribed by applicable laws, regulations, and by-laws. Additional landscape buffers may be required in areas where no natural buffer exists.
- (12) Reasonable efforts, as determined by the Board, shall be made to place all utility connections from the facility underground, depending upon appropriate soil conditions, shape, topography of the site, sub-surface conditions, and any requirements of the utility provider.
- (13) Lighting of a ground-mounted solar photovoltaic facility shall be consistent with local, state, and federal law. Lighting of other parts of the facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the facility shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- (14) Required documents. Pursuant to RIGL 45-23-38, the Planning Board shall review site plans as major land development projects in accordance with Section 11.1.B of the Town of Exeter Subdivision Regulations. The following items are required for submission in order for the Administrative Officer to certify the application as complete and place it on an agenda for review. The Planning Board may waive any document requirement it deems appropriate upon written request of the applicant.
- (a) Class I survey site plan showing:
- (1) Property lines and all physical features for the project site;
 - (2) Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, and screening vegetation or structures.
 - (3) Blueprints or drawings of the solar photovoltaic installation showing the proposed layout of the system and any potential shading from nearby structures or vegetation.
 - (4) One- or three-line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all current state electrical code compliant disconnects and over current devices.
 - (5) Documentation of major system components to be used, including the photovoltaic panels, mounting system and inverter.
 - (6) An operation and maintenance plan

- (7) Proof of liability insurance.
- (8) Decommission plan.
- (9) Financial pro forma for the project.
- (10) A zoning certificate for the property on which the solar facility is proposed.

Section 11.1.B. Residential/small scale solar photovoltaic facility

- (a) Purpose. The purpose of this section is to promote the creation of residential scale solar photovoltaic facilities by providing standards for the placement and design of such facilities.
- (b) Applicability. The provisions of this section shall apply to construction, operation, and/or repair of any residential scale solar photovoltaic installation.
- (c) Residential/small scale facility means the equipment and requisite hardware that provide and are used for collecting, transferring, converting, storing, or using electricity for water heating, space heating, cooling and reducing on-site consumption of utility power, or other applications that would otherwise require the use of a conventional source of energy such as petroleum products, natural gas, manufactured gas, or electricity produced from a nonrenewable resource. A system is considered a residential scale facility only if it supplies electrical power solely for on-site use, except that when a property upon which the facility is installed also received electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be off-loaded to the grid. A residential/small scale facility shall be considered an accessory use to the primary residential use of the property.
 - (1) Ground-mounted residential/small scale facility means that the installation of the facility is built on the ground.
 - (2) Roof mounted residential/small scale facility means that the installation of the facility is built on the roof of a building.
- (d) General requirements.
 - (1) All residential/small scale solar photovoltaic facilities must obtain a building permit and/or a special use permit as required in Section 2.4.1 Zoning Use Table.
 - (2) No individual panel within a ground-mounted solar photovoltaic installation shall exceed 15 feet in height, as measured from pre-development lot grade at the location of the panel.

- (3) No individual panel within a roof-mounted solar photovoltaic installation shall exceed the permitted building height for the zoning district in which the structure the panel is mounted on is located.
- (4) All panels and other equipment and structures that are part of the installation shall be setback from all property lines as is required within the requisite zoning district.
- (5) All ground-mounted solar photovoltaic facilities shall be designed to prevent unauthorized access, including, but not limited to protective fencing.
- (6) All solar photovoltaic facilities shall be constructed and operated in a manner that minimizes any adverse visual, safety, and environmental impacts.
- (7) A zoning certificate for the property on which the solar facility is proposed.

2.4.1 Use Category	DISTRICT										
	RE - 2	RU-3	RU-4	CR-5	B	LB-R	LI	OS/PL	GWOL	Planned District	PVOD
69. Utility scale solar photovoltaic facility	N	N	S	S	Y	Y	Y	N	Y	S	Y
70. Residential/small scale solar photovoltaic facility – ground mounted	Y	Y	Y	Y	Y	Y	Y	N	Y	S	Y
71. Residential/small scale solar photovoltaic facility – roof mounted	Y	Y	Y	Y	Y	Y	N	N	Y	N	Y