



AGRISOLAR POLICY GUIDE



Introduction

The *Agrisolar Policy Guide* was designed to facilitate policy learning and innovation in the United States. By collating existing initiatives and key provisions, this guide serves as a resource for regulators, land use planners, decision makers, and others who are interested in state-of-the-art agrisolar policy. The AgriSolar Clearinghouse is impartial towards policy; the intention of this guide is not to advocate for certain initiatives, but to provide a central platform for education and engagement. The goal of this guide is to support policy innovation for better co-location.

The policy initiatives included in this guide were selected to feature a full suite of state-level and a sampling of county-level regulatory strategies across different types of agrisolar practices (crops, grazing, and pollinator habitat). These policy initiatives showcase a range of approaches to drive innovation in farmland solar, including market mechanisms, scoring systems, mandates, and voluntary programs.

Despite the diversity of approaches, one common goal persists across all initiatives: to promote the expansion of renewable energy in a manner that mitigates impacts to farmland. To that end,

TABLE OF CONTENTS

Introduction
Existing State-Level Initiatives
Summary of Local Land Use Code Analysis
Size of Solar Energy Systems
Solar Allowable Zoning Designations
Solar Specifically on Agricultural Land
Permitting
Height Restrictions
Setbacks
Noise, Dust, Glare
Vegetation Management
Fencing
Vegetation Barrier / Screening
Decommissioning
Decommissioning Bond
County-level Agrisolar Regulation Comparisons
Northeast Region
Southeast Region
Midwest Region
Mountain West Region
West Coast Region



these initiatives are led by both state energy and agriculture agencies, which demonstrates the cross-sector collaboration needed to effectively manage agrisolar. Key themes across initiatives include sustained growth of solar, prioritization of agricultural activity, maintenance of performance standards, and land stewardship.

While the policy approaches are diverse, the geographic representation is not. There is an evident cluster of state-level agrisolar policy initiatives in the Midwest and Northeast U.S. This lack of geographic representation is not the result of sampling method, but a reflection of the current state of affairs. This guide presents five existing state-level initiatives as of March 2023 and is intended to be regularly updated as funding and capacity allow.

Existing State-level Initiatives

The included policies are not exhaustive. Many local initiatives and tools exist, which can be reviewed in the [Policy Approaches for Dual-Use and Agrisolar Practices](#).

Although not included in this guide, other key considerations related to agrisolar policy may be useful for users. First, the absence or presence of policy can provide a strong signal to industry actors. Second, how agrisolar is legally defined, including how inclusive or exclusive the definition is of the various types of co-location, is important. Other key considerations include but are not limited to: the relevant electric utility, interconnection, system scale, community solar, net metering, farmer/landowner agreements, ownership models, and distinctions between on-farm and off-farm energy use.

STATED GOALS

"To sustain the development of new renewable resources in support of the Illinois Renewable Portfolio Standard."

OBJECTIVES

Maintain a methodology for distinguishing between projects submitted to the Traditional Community Solar block.

Provide a scoring system that prioritizes qualitative aspects of individual projects in order to allocate additional credit for featuring key objectives, including agrivoltaics.

SETTINGS

"System accommodates continuous growth of crops underneath or between the solar photovoltaic modules, with height enough for labor and/or machinery as related to tilling, cultivating, soil amendments, harvesting, etc., and grazing animals. At least 50% of the project footprint must feature agricultural production at the time of project energization."

Part I Application (Agrivoltaic Development Plan)

- Description demonstrating the planned agricultural use of the site.
- Explanation of the viability of the agricultural use.
- Crop(s) are compatible with the design of the solar system, accounting for such factors of crop selection, sunlight percentage, etc.
- Detail of system design (no design parameters imposed; besides maximum system rated capacity of 5MW AC).
- Attestation of the intent to utilize agrivoltaics throughout the lifetime of the Renewable Energy Certificate (REC) Contract.
- Detail of provisions for decommissioning to preserve the land's agricultural resources and utility during and after the project's lifetime.
- Commitment to annual reporting.

Part II Application

- Active agricultural use is demonstrated.

IMPLEMENTATION

Developed and managed by the Illinois Power Agency (IPA). Administered through a third-party Program Administrator, "Energy Solutions."

MECHANISM

Point system. Accrual of points elevates projects in the Traditional Community Solar category for REC delivery contract. By reward of a point available for scoring criterion "Built Environment – Agrivoltaics," the point system secures commitment to utilizing agrivoltaics.

MONITORING

Project developers commit to annual reporting each July to the Program Administrator throughout the lifetime of the project. Report shall include account of crop/herd productivity and other success metrics. Projects are subject to random inspections throughout the life of the REC Contract.

DEFINITION

"[A] dual-use configuration where solar photovoltaic energy generation and agricultural production (crops, livestock, and livestock products as defined by 505 ILCS 5/3.02) are directly integrated and simultaneously producing within the footprint of the project."

OTHER

The initial 50% project footprint requirement may be reevaluated in the drafting of the IPA's next Long-term Renewable Resources Procurement Plan.

RESOURCES

[Traditional Community Solar Project Selection - Final Guidelines](#)

[Illinois Power Agency 2022 Long-Term Renewable Resources Procurement Plan](#)



STATED GOALS

“To develop a long-term sustainable solar incentive program that promotes cost-effective solar and supports diverse installations that provide unique dual-use benefits.”

OBJECTIVES

Develop 80MW AC capacity of dual-use systems that create an optimized balance between electricity generation and the agricultural productive capacity of the underlying soils.

Allow for variety and flexibility of potential farming operations in conjunction with solar energy production.

SETTINGS

“Solar generating unit located on farmland must not interfere with the continued use of the land for agricultural purposes. Solar generating unit is a raised structure that allows growth of crops and use of labor/machinery underneath the panels for present and future uses.”

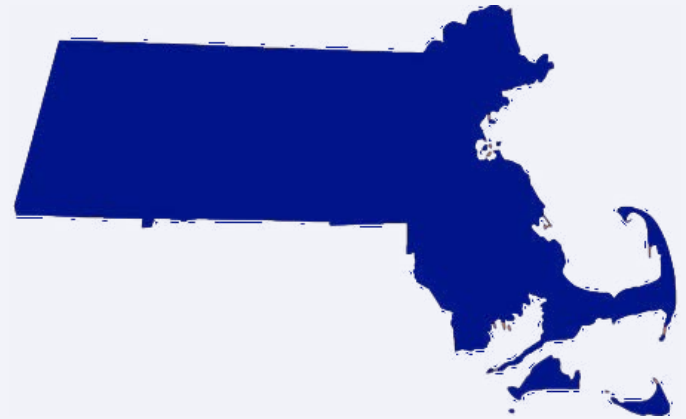
Project developer must submit itemized documentation detailing compliance with qualifying provisions, including but not limited to:

- Use of Shading Analysis Tool.
Approved Agricultural Plan, submitted as a Pre-Determination Application for review by UMass Clean Energy Extension.
- “Eligible Farmland” criteria met.
- Required system design parameters: panel height (8’ fixed tilt, 10’ tracking); 50% maximum direct sunlight reduction requirements; Compatible sunlight needs; Growing season/time of day considerations; Maximum system rated capacity of 5MW AC.
- Commitment to annual reporting.

IMPLEMENTATION

Developed and administered by the Massachusetts Dept. of Energy Resources (MDOER) in consultation with MA Dept. of Agricultural Resources (MDAR).

UMass Amherst Clean Energy Extension and UMass Agricultural Extension jointly consult and provide re-



view of draft Pre-Determination Applications.

MECHANISM

Feed-in tariff. \$0.06/kWh compensation rate adder for dual-use systems. Additional adders can be pursued.

MONITORING

Annual reporting that details crop/herd productivity and other success metrics must be provided to MDOER and MDAR throughout the lifetime of the project.

DEFINITION

“Agriculture Solar Tariff Generation Unit: A Solar Tariff Generation Unit located on land in agricultural use or important agricultural farmland that allows the continued use of the land for agriculture.”

OTHER

Applicants may request the issuance of an exception from system design parameters and/or a waiver for decreased yield.

RESOURCES

[Guideline Regarding the Definition of Agricultural Solar Tariff Generation Units](#)

[SMART Guideline Regarding the Definition of ASTGU](#)

[SMART Program Incentives for Solar Arrays](#)

STATED GOALS

“To positively address competing good land use issues by allowing solar energy facilities to be placed on lands enrolled in the Farmland Development Rights program, and by preserving agricultural land for future use as intended by the Farmland and Open Space Preservation Act.”

OBJECTIVES

Develop conditions under which the Michigan Department of Agriculture and Rural Development (MDARD) may allow for solar energy development on lands enrolled in the Farmland Development Rights (FDR) Program.

Establish expectations for responsibilities in carrying out the development, maintenance, and decommissioning of a solar energy array on property enrolled in the FDR Program.

SETTINGS

MDARD may determine eligibility for permitting commercial solar on FDR Program property if the following conditions are met:

- Structures are consistent with farm operations.
- Within the fenced area, the site is designed and planted to achieve a score of at least 76 on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites.
- Groundcover is to be established and maintained throughout lifetime of the system.
- Any portion of the site not included in pollinator plantings must maintain USDA NRCS Conservation Cover Standard 327.
- Amendment of the FDR Agreement between Landowner and MDARD.
- Tax credits are not claimed during the deferment period (construction-decommissioning).
- Financial surety bond payable to the State of Michigan for the entire deferment period.
- The land is returning to agricultural use and continues to be subject to the FDR Program.

IMPLEMENTATION

Developed and administered by the Michigan Dept. of Agriculture & Rural Development (MDARD).



MECHANISM

Mandate. Mandated planting and maintenance of pollinator habitat consistent with a score of at least 76 on the Michigan Pollinator Habitat Planning Scorecard for Solar Sites.

MONITORING

No mention of monitoring authority or process.

DEFINITION

No definition provided.

OTHER

Tax credits are not claimed during the deferment period (construction-decommissioning).

RESOURCES

[Policy for Allowing Commercial Solar Panel Development on PA 116 Lands](#)

[Michigan Pollinator Habitat Planning Scorecard for Solar Sites](#)

STATED GOALS

“To support the establishment of habitat for pollinators, songbirds, and other species at solar sites, and to generate other project co-benefits such as water management, grazing and soil health.”

OBJECTIVES

Encourage site management practices that provide native pollinator habitat and reduce stormwater runoff and erosion at solar generation sites.

Set forth the requirements a project must follow to claim that a solar site provides benefits to pollinators, songbirds, and game birds and gain recognition under the Habitat Friendly Solar Program.

SETTINGS

Project developer must:

- Locate solar projects outside of “remnant prairie and important habitats,” as defined by the Minnesota Dept. of Natural Resources (MDNR).
- Refer to MDNR’s *Prairie Establishment & Maintenance Technical Guidance for Solar Projects* document for design guidelines.
- Refer to Minnesota Board of Water and Soil Resources’ (BWSR) *Sample Habitat Friendly Solar Planting Plan Specifications* for project and seed specifications.
- Establish at least 85% of the site’s land area with native seed mixes.
- Prior to submitting a site permit application, obtain approval for vegetation management plan.
- Make the site’s vegetation management plan publicly available.
- Continue meeting standard requirements through annual inspections and submittal of monitoring forms.

Project developer must submit itemized documentation, including but not limited to:

- Complete Project Planning Assessment Form.
- Site plan with relevant map.
- Plan for project planting, including detail of native seed mix(es) (reporting rates in ounces/acre and seeds per sq. ft.), planting layout, and maintenance specifications).
- Any supplemental long-term management plans.

IMPLEMENTATION

Developed and administered by the Minnesota Dept. of Natural Resources (MDNR) in partnership with the Board of Water and Soil Resources (BWSR). MDNR addresses the regulatory aspect of solar site established, whereas the BWSR provide guidance through the Habitat Friendly Solar Program.



MECHANISM

Voluntary program. Engagement with the Habitat Friendly Solar program may be voluntarily pursued by solar developers seeking to earn recognition for delivering solar sites that provide benefits to gamebirds, songbirds, and pollinators.

MONITORING

Monitoring of the site’s vegetation is required three times a year during the first three years of the project as vegetation establishes, and then twice a year in following years to determine maintenance needs. Site management practices are reported to the BWSR. Qualified natural resource staff must submit the “Established Project Assessment Form” with three site images to local government or other BWSR representatives – at the end of the third year of vegetation establishment, and every three years thereafter.

OTHER

Seed must originate from within 175 miles of the project site. Government staff must be allowed to conduct random inspection of seeds.

RESOURCES

[Minnesota Habitat Friendly Solar Program](#)
[State of Minnesota House of Representatives HF3353.1](#)

[Prairie Establishment & Maintenance Technical Guidance for Solar Projects](#)

[Guidance for Developing a Vegetation Establishment and Management Plan for Solar Facilities](#)

[Sample Specifications for the Establishment of Native Vegetation and Part of Habitat Friendly Solar Projects](#)

[Habitat Friendly Solar Site Assessment Form for Project Planning](#)

STATED GOALS

"To encourage novel co-use, dual-use, agriphotovoltaics, agrisolar, and/or agrivoltaic activities in the development of renewable energy projects. To promote a balanced approach between renewable energy siting and other New York State policies, goals, and objectives."

OBJECTIVES

Provide criteria for developers to consider in the siting and design of projects that minimize impacts to natural and environmental resources during all phases of the project (design, operations and maintenance, and decommissioning).

Avoid sensitive or protected land, minimize solar project impacts to agricultural and environmental resources, and provide community benefits.

SETTINGS

"The submission of a complete Smart Solar Siting Scorecard (Scorecard) for each Bid Facility is mandatory under the Request for Proposals." Featuring two broad categories – "Agricultural Protection" and "Environmental Protection – Forested Lands" – proposers pursue points through commitment to "Avoidance" and "Minimization" strategies. Some strategies are mandatory and do not accrue points. No partial points are awarded.

Part I Proposal:

- Use the Scorecard's *Agricultural Avoidance Flow Chart* to determine the *Agriculture Avoidance Score* (maximum of 50 points). Complete checklist of strategies relevant to Score.
- Proposer must address all strategies listed – both mandatory and optional – to calculate the *Agriculture Minimization Score* (maximum of 45 points).
- Strategies that must be addressed include but are not limited to: Land Use and Operations (soil conservation, project landscaping and infrastructure, monitoring, maintenance, and operations), Co-utilization (pollinators and apiaries, crop(s) production, grazing).

Part II Proposal:

- Use the Scorecard's *Environmental Avoidance Flow Chart* to determine the *Environmental Avoidance Score* (maximum of 30 points). Complete checklist of strategies relevant to Score. Proposer must address all strategies listed – both mandatory and optional – to calculate the *Forested Lands Minimization Score* (maximum of 10 points).
- Strategies that must be addressed include but

are not limited to:
Environmental Protection (carbon storage, wildlife, and wildlife habitat, and soils).



IMPLEMENTATION

Developed and administered by the New York State Energy Research and Development Authority (NYSERDA).

MECHANISM

Bid preference. The *Smart Solar Siting Scorecard* is used to score projects submitted to the Step Two Bid Proposal process – projects that pledge to meet multiple beneficial objectives earn more points and are thus evaluated more favorably in NYSEDA's RFP process.

MONITORING

The project developer must hire or designate an *Environmental Monitor* to supervise construction, restoration, and monitoring in agricultural areas and interface with New York State Department of Agriculture and Markets (NYSDAM). On-site monitoring of agricultural and environmental commitments must be completed at least three times during the growing season (spring, summer, fall).

DEFINITION

"Agrivoltaics shall mean the simultaneous use of areas of land for both solar photovoltaic power generation and agriculture including the co-location of solar photovoltaic panels and production of crops and/or animal farming such as grazing on the same property."

OTHER

Proposers may pursue extra credit points for Community Benefits and Collaboration (maximum 25 points), as well as Innovation in practice or design (maximum 5 points).

RESOURCES

[RESRFI22-1 Appendix 2. RESRFP22-1 Smart Solar Siting Scorecard](#)

[New York State Senate Bill S7861A](#)

[New York State Department of Agriculture and Markets' Guidelines for Solar Energy Projects - Construction Mitigation for Agricultural Lands](#)



Summary of Local Land Use Code Analysis (10 areas throughout the country)

Size of Solar Energy Systems

Solar energy systems are typically separated into small, medium, and large systems. Small ranges from 2.5 to about 10 acres. Large is anywhere from 10 to 320 acres, with most being 20 to 40 acres. More permissive counties don't have any written maximum size.

Solar Allowable Zoning Designations

Solar energy systems are allowed in almost all zoning, to a degree, with more issues to be addressed in residential, agricultural, and commercial areas.

Solar Specifically on Agricultural Lands

Mainly, the regulations pertain to avoiding "prime farmland" with special permitting discretions. Both the West and East coasts have some recognition of dual-use allowances.

Permitting

Acreage, MW size, and zoning overlay all play a part in the level of scrutiny a solar project re-

ceives during the permitting stage.

Applications have a varying degree of scrutiny. Topics typically addressed include:

- Address and contact information
- Maps with topography (contours), political, and property boundary delineations
- Project drawings/site plans – depicting easements, right of ways, fenced areas, equipment locations, distance to roads and property boundaries
- Drainage/flooding/stormwater management plan and mapping
- Interconnection agreement and electrical design
- Traffic plan – driveways, loading/unloading, construction vehicle impacts, parking
- Environmental mitigations: dust, weeds, soils, biodiversity reviews, buffer strips, screening
- Economic impact plan – including taxes

- Visual impact
- Impact of local airports/air traffic
- Police review
- Waste management
- Application fees
- Decommissioning/reclamation plans

Height Restrictions

Maximum heights range from 12 to 45 feet. Most fall between 15 and 25 feet.

Setbacks

Setbacks range from 25 to 500 feet (average 100 to 300 feet) depending on the size of system, neighboring parcels being residential or occupied, and which side is deemed to be front.

Noise, Dust, Glare

Some localities do not address glare at all, while others seem to be sensitive to glare for public right-of-ways and planes traveling over. Most localities do not address noise in their solar ordinances. Several areas set limits of 50 to 60 decibel limit at boundary line. About half of the localities require a dust and/or erosion plan, while others have no such requirements.

Vegetation Management

Almost all localities required a plan to protect soil during construction with revegetation after construction. Some plans require specific types of plantings and how the plants will be cared for (no chemical fertilization or herbicide/pesticides application).

Fencing

Almost all localities require a 6- to 8-foot-tall fence with required signage. Some provide detailed descriptions of the type of fencing necessary.

Vegetation Barrier / Screening

Almost all localities require screening the solar array and creating a visual buffer with vegetation

or wildlife-friendly fencing. Sometimes it is only required if adjacent properties are residential, public right-of-ways, or sensitive areas. Some specify that native vegetation, evergreens, or shrubs of specified heights and distances from boundaries should be used.

Decommissioning

All localities require some level of decommissioning information. Plans were required to address site reclamation, revegetation (exclusion for noxious weeds), disposal of solar energy equipment and construction materials (including hazardous materials), the timeframe for decommissioning to start (typically within 12 months after energy production ends), and the proposed work schedule for decommissioning. Additional requirements for some localities include:

- Costs of decommissioning (including salvage) to be updated every five years in detail
- High degree of detail on means for decommissioning certified by a professional engineer

Decommissioning Bond

Depending on the location, some areas do not require a bond and others have a three- or five-year bond, which is renewed every three or five years. Additional requirements for some localities include:

- Bond, irrevocable standby letter of credit, or other form of security for the amount requisite for decommissioning a site appropriately
- Security deposit into government escrow
- Some added 20 to 50% of the declared commissioning sum as contingency funds

County-level Agrisolar Regulation Comparisons

See the following pages for examples.

Montgomery, New York

Year Established

2022 and 2019, amended [2017 local law](#)

Size

Small/Medium - A utility-scale solar energy system shall not occupy greater than 45% of the total acreage of the parent parcel or 80% for Dual Use Systems in all residential zones and no greater than 70% in all commercial, interchange and industrial zones

Large - A maximum of 20 acres of solar panel systems on any one parcel, unless such system is a Dual-Use Solar System in which instance the maximum will be forty (40) acres.

Solar Allowed on Which Zoning Designations

Allowed on all zoning districts except for residential or agricultural zoning districts where more than thirty (30%) percent of land to be disturbed by the solar energy system has been classified as having NRCS Class I or Class II soils

Solar on Agricultural Lands

Utility Scale Solar Facilities are permitted especially in all zoning districts in the Town of Montgomery except for land areas in residential or agricultural zoning districts where more than 30% percent of land to be disturbed by the solar energy system has been classified as having NRCS Class I or Class II soils unless said system is classified as a Dual Use System in which event this restriction shall not apply

Permitting

All applications for utility-scale solar energy systems shall be accompanied by an application for special use permit and site plan review, and all applicable fees as may be established by Town Board resolution. Both site plan and special use permit reviews and approvals are required. The Planning Board shall, however, concurrently review the site plan and special use permit applications.

Solar Energy Facility Application Requirements

Permit Application Requirements:

- i) A completed application form.
- ii) Plans and drawing of the solar energy system installation.
- iii) Electrical Diagram.
- iv) Documentations of access to the project site.
- v) Land Grading and Vegetation Clearing Plan and a Cut and Fill Analysis Plan.
- vi) Stormwater pollution prevention plan (SWPPP).
- vii) Documentation of utility notification.
- viii) Decommission plan and description of financial surety.
- ix) Photo simulations of the proposed solar energy system.
- x) Part 1 of the Full Environmental Assessment Form.
- xi) Details of the proposed noise generated by inverters.
- xii) Compliance with general standards for Special Use Permits.

Setback Requirements

In all zoning districts:

- Minimum setback is 150 feet from front property line.
- Rear and side yard setbacks seem to be the same.

Noise Restrictions

N/A

Dust Restrictions

N/A

Glare Restrictions

The design, construction, operation, and maintenance of any solar energy system shall prevent the misdirection and/or reflections of solar rays onto neighboring properties, public road, and public parks.

Vegetation Management

Site plans shall be developed to provide, to the maximum extent possible, for the preservation of natural vegetation in large unbroken blocks that also allows for contiguous vegetated spaces to be established when adjacent parcels are developed.

Fencing

Minimum of seven (7) feet in height incorporating adequate wildlife openings for smaller mammals and rodents to pass.

Screening / Vegetative Barrier

Existing on-site vegetation designated to be utilized as screening shall be preserved to the maximum extent possible and shall be diligently maintained to protect its vitality.

Decommissioning / Reclamation Plan

Plan shall identify the anticipated life of the project, method and process for removing all components of the solar energy system and returning the site to its preexisting condition, and estimated decommissioning costs, including any salvage value. Utility-scale solar energy systems which have not been in active and continuous service for a period of 12 months shall be deemed abandoned and removed at the owner's or operator's expense.

Decommissioning / Reclamation Bond

The Planning Board shall require the filing of acceptable security for the purposes of removal and restoration. The amount of any decommissioning security shall be no less than 150% of the estimate of total cost of removal of the solar energy system and related facilities and restoration of the site. The amount of such security shall be reviewed every 3 years by the Planning Board to determine whether the current security amount is adequate. Acceptable forms of security shall include in order of preference: cash or a letter of credit that must be maintained in full force and effect, or a combination thereof. A bond shall only be allowed if deemed appropriate by the Town Board.

Mount Hope, New York

Year Established

2019

Size

Small/Medium - A solar facility or solar power plant shall only be permitted on lots with a minimum size of 10 acres. Developmental coverage of a lot with a solar facility or solar power plant shall not exceed 85%.

Large - No written restrictions on the maximum size of a solar power plant.

Solar Allowed on Which Zoning Designations

Solar facilities and solar power plants shall be permitted as structures in all zoning districts.

Solar on Agricultural Lands

No written restriction on solar energy systems on agriculturally zoned land.

Permitting

Site plan and special use permit approval granted by the Town of Mount Hope Planning Board is required under Article XI herein.

Solar Energy Facility Application Requirements

Site plans shall indicate the following:

- i) Location of all existing and proposed structures and outdoor signs.
- ii) Location of all uses not requiring a structure.
- iii) Location of driveways, parking and loading areas with the number of stalls provided therewith.
- iv) Existing and proposed storm drainage facilities.
- v) Location of buffer strips and screening where necessary.
- vi) Where the applicant wishes to develop in stages, a site plan indicating ultimate development shall be presented for approval.
- vii) In the case of uses requiring approval of the New York State Department of Health, the approval of said Department.
- viii) Names of all other agencies whose approval is needed for the proposed use.
- ix) All easements, restrictions, covenants and other matters of record affecting the subject premises shall also be shown on the plan. Written copies of said restrictions shall be provided, if requested.
- x) All farm operations in accordance with the New York State Agriculture and Markets Law within 500 feet of the property.
- xi) All existing or proposed wells and septic systems.
- xii) Stormwater pollution prevention plan.

Additional for solar facilities:

- a) A written narrative describing how the solar facility or solar power plant will be constructed, operated and maintained.
- b) Manufacturer's information and specifications for the proposed solar facility or solar power plant.
- c) A written narrative describing the eventual decommissioning of the solar facility or solar power plant.

Setback Requirements

All solar facility or solar power plant equipment and installations shall be subject to a minimum setback of 100 feet plus the setback

minimum from all property lines required in the zoning district. The Planning Board may require increased setbacks as it deems necessary based on the surrounding conditions.

Noise Restrictions

N/A

Dust Restrictions

N/A

Glare Restrictions

Solar facility and solar power plant panels and equipment shall be surfaced, designed and sited so as not to reflect glare onto adjacent properties and roadways.

Vegetation Management

N/A

Fencing

The solar facility or solar power plant installation shall be enclosed by a fence consistent with NYSERDA regulations. Planning Board may require a greater height in fencing depending on individual conditions.

Screening / Vegetative Barrier

The solar facility or solar power plant shall be screened when possible and practicable from adjoining lots and street rights of way through the use of architectural features, earth berms, landscaping, or other screening which will harmonize with the character of the property and surrounding area. The proposed screening shall not interfere with the normal operation of the solar collectors. Additional screening may be required as part of the Planning Board approval.

Decommissioning / Reclamation Plan

A written narrative describing the eventual decommissioning of the solar facility or solar power plant that describes the anticipated life of the solar facility or solar power plant, the estimated decommissioning costs and the method for insuring funds will be available for decommissioning and restoration of the site.

Decommissioning / Reclamation Bond

No bond required, but has information on payment for decommissioning. Whenever a notice or notices referred to in this publication has or have been served upon or posted on said real property requiring such owner or owners of the respective lots or parcels to remove a freestanding solar power system, ground-mounted solar power system, solar facility or solar power plant, and such owner or owners shall neglect or fail to comply with the requirements of such notice or notices within the time provided therein, the Town Supervisor may authorize the work to be done and pay the cost thereof out of general Town funds or authorize Town employees and equipment to perform the work. The Town shall be reimbursed for the cost of the work performed or services rendered by direction of the Town Supervisor, as herein provided, by assessment and levy upon the lots or parcels of land wherein such work was performed or such services rendered, and the expenses so assessed shall constitute a lien and charge on the real property on which they are levied until paid or otherwise satisfied or discharged and shall be collected in the same manner and at the same time as other Town charges.

Jefferson Davis Parish, Louisiana

Year Established
2022

Size
Small/Medium - No solar power plant will be erected on any site less than 10 acres in size.

Large - No written restrictions on the maximum size of a solar power plant.

Solar Allowed on Which Zoning Designations
No written restrictions on the type of land use for solar energy systems.

Solar on Agricultural Lands
No written restriction on solar energy systems on agriculturally zoned land.

Permitting
A solar power plant must be required to obtain all necessary permits from the state department of environmental quality, including the state division of air quality and the state division of water quality; the state department of natural resources; and any applicable permits required by the Police Jury, and applicable federal permits.

Solar Energy Facility Application Requirements
Permit Application Requirements:

- i) Project rationale.
- ii) Siting considerations.
- iii) Site and development plans.
- iv) Detailed estimate of annual taxes.
- v) Visual impacts.
- vi) Environmental analysis.
- vii) Solid waste or hazardous waste plans.
- viii) FAA hazard review if within five nautical miles of a FAA-regulated airport.
- ix) A transportation plan for construction and operation phases
- x) Drainage plan.
- xi) Stormwater pollution prevention plan (SWPPP).
- xii) The intended route for connecting to the power grid.
- xiii) Decommissioning plan.
- xiv) Other state and federal permits.
- xv) Substantial modifications to any previous Police Jury approved site plan.

Height Restrictions
Panel height will not exceed 15 feet. Poles and wires reasonably necessary to connect to public electric utilities shall not be subject to this requirement.

Setback Requirements
Solar power plant must be set back from all project boundary lines which make up the site perimeter with at least a 50-foot vegetative buffer. In addition, solar power plant structures must be located at least 500 feet from all existing occupied residences, places of worship or occupied structures. Additional setbacks may be required to mitigate noise, or to provide for designated road or utility corridors, as identified through the review process.

Noise Restrictions
No operating solar power plant shall produce noise that exceeds 60 dBA, as measured at the property lines of the project boundary.

Dust Restrictions
Site and development plans must include dust and erosion control.

Glare Restrictions
N/A

Vegetation Management
A vegetative maintenance plan is required for general upkeep of the premises. Adherence to the plan will be subject to periodic inspections by the Parish. Vegetated areas will not be subject to chemical fertilization or herbicide/pesticides application, except for those applications necessary to establish the vegetative cover and in accordance with the approved vegetative maintenance plan. None of the ground on the site of a Solar Power Plant shall be kept bare, without vegetation.

Fencing
A security fence of at least six feet must be placed around the perimeter.

Screening / Vegetative Barrier
Requires at least a 50-foot vegetative buffer. Natural Screening: composed of healthy plants which possess growth characteristics of such a nature as to produce a dense, compact visual screen not less than six feet in height. Natural buffers may contain deciduous or perennial vegetation but shall contain existing or planted evergreen shrubs and trees suitable to local growing conditions that will provide an opaque visual screen during all seasons of the year.

Decommissioning / Reclamation Plan
A signed and notarized decommissioning plan must be submitted to the Police Jury. It must be in a form suitable to be recorded with the clerk of court, and include a signed statement from the party responsible for completing the decommissioning plan acknowledging such responsibility.

The plan must be approved by the Parish Engineer.

Decommissioning / Reclamation Bond
Bond. A five-year bond in the amount of the anticipated decommissioning cost, the amount of which shall be approved by the Parish Engineer.

- i) The cost of decommissioning must be reevaluated every five years and a new bond must be posted to reflect the anticipated cost. Every quarter, a certified letter must be submitted to the Police Jury showing a record of all premiums paid.
- ii) The first year of the bond's premiums must be paid upon commencement of the project, with monthly payments (which will each be a year in advance) to recur thereafter.
- iii) Any failure to pay a month's premium a year in advance of when due shall be a premium payment default, for which the Police Jury may revoke the solar power plant's permit.
- iv) The Police Jury shall be additionally named as beneficiary of the bond, and shall have the right therein to call the bond pursuant to the terms and conditions of the decommissioning plan.

Tangipohoa Parish, Louisiana

Year Established

2022

Size

Small/Medium - No solar power plant will be erected on any site less than 10 acres in size.

Large - No written restrictions on the maximum size of a solar power plant.

Solar Allowed on Which Zoning Designations

No written restrictions on the type of land use for solar energy systems.

Solar on Agricultural Lands

No written restriction on solar energy systems on agriculturally zoned land.

Permitting

Local, state and federal permits. A solar power plant must be required to obtain all necessary permits from the state department of environmental quality, including the state division of air quality and the state division of water quality; the state department of natural resources; and any applicable permits required by the parish, and applicable federal permits.

Solar Energy Facility Application Requirements

Permit Application Requirements:

- i) Name of the project, names and addresses of the business owners, names of the property owners and the engineers and surveyors.
- ii) If the site is leased, a lease memorandum executed by all parties to the lease.
- iii) Date, scale, and accurate north arrow of the site plan showing all property to be included in the project.
- iv) Boundaries and actual dimensions and shape of parcel, including total acreage, with bearings and distances.
- v) Site plan showing streets, circulations, driveways, service buildings, easements, arrangement and number of solar panels, and streets; also fencing, gates and vegetative buffer.
- vi) Horizontal and vertical (elevation) to scale drawing with dimensions that show the location of the solar panels and system on the property.
- vii) Vicinity map showing the location and surrounding land use.
- ix) Names and addresses of adjoining property owners.
- x) Elevation certificate and preliminary drainage plan.
- xi) Land contours.
- xii) Plan illustrating the intended layout and green space.
- xiv) Traffic plan during construction phase.
- xv) Other features and designs as deemed reasonably necessary from time to time by the parish council.
- xvi) A decommissioning plan in compliance with this section.
- xvii) Economic impact report.
- xix) 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).
- xx) An application fee of \$750.00.
- xxi) Public Notice requirements.

Height Restrictions

The height of solar panels shall be measured from the highest natural grade below each solar panel to the top of that panel. Panel height will not exceed 15 feet. Poles and wires reasonably neces-

sary to connect to public electric utilities shall not be subject to this requirement.

Setback Requirements

The solar power plant must be set back from all project boundary lines which make up the site perimeter with at least a 50-foot vegetative buffer. In addition, solar power plant structures must be located at least 500 feet from all existing occupied residences, places of worship or occupied structures. Additional setbacks may be required to mitigate noise, or to provide for designated road or utility corridors, as identified through the review process.

Noise Restrictions

Submit sufficient information regarding noise, so as to demonstrate compliance below 60 dBA.

Dust Restrictions

Site and development plans must include dust and erosion control.

Glare Restrictions

To address these concerns, all applications submitted pursuant to this section for approval of any solar power plant permit must include a detailed map analysis highlighting all airport operations and/or designated flight paths within five nautical miles of the outermost proposed boundaries of any proposed solar power plant.

Vegetation Management

A vegetative maintenance plan is required for general upkeep of the premises. Adherence to the plan will be subject to periodic inspections by the parish. Vegetated areas will not be subject to chemical fertilization or herbicide/pesticide application, except for those applications necessary to establish the vegetative cover and in accordance with the approved vegetative maintenance plan.

Fencing

A six-foot security fence must be placed around the perimeter of the solar power plant.

Screening / Vegetative Barrier

Solar power plants must be constructed with evergreen vegetative screening. Existing forested vegetative buffers. Existing undisturbed vegetative buffers with six trees over 50 feet deep within every 100 feet of project boundary line shall not be required to install new plant material if the existing vegetation creates a continuous opaque visual barrier within 25 feet of the project boundary line. For existing vegetative buffer locations where gaps are within the visual barrier, shrubs must be added along the edge of the property line as required to create an opaque barrier. New shrubs shall reach a minimum of six feet within a three-year period. Vegetative planting must only use native trees and shrubs.

Decommissioning / Reclamation 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.

Decommissioning / Reclamation Bond

A five-year bond in the amount of the anticipated decommissioning cost. The cost of decommissioning must be reevaluated every five years and a new bond must be posted to reflect the anticipated cost. Every year a certified letter must be submitted to the parish showing a record of all premiums paid.

Dekalb County, Illinois

Year Established
2018, amended 2022

Size
Small - Small-sized solar energy systems are less than 20 acres in size and are called Solar Gardens by definition.

Medium - Medium-sized solar energy systems are greater than 20 acres in size are considered Solar Farms by definition.

Large - No written restrictions on the maximum size of a solar power plant.

Solar Allowed on Which Zoning Designations

Solar Gardens are allowed in ALL Zoning Districts, and shall require a Special Use Permit. Solar farms are allowed as Special Use in the A-1 Zoning District, and shall require a Special Use Permit.

Solar on Agricultural Lands

Solar Gardens are allowed in ALL Zoning Districts, and shall require a Special Use Permit whether the accessory or principal use of the property. Solar Farms are ground-mounted SES that are the primary use on the lot(s) on which it is located, designed for providing energy to off-site uses or export to the wholesale market. Solar farms are allowed as Special Use in the A-1 Zoning District, and shall require a Special Use Permit.

Permitting

Solar farms and solar gardens are allowed as Special Uses in the A-1 Zoning District, and shall require a Special Use Permit. Except as otherwise noted in this Section, they must comply with all required standards for structures in the district in which the system is located.

Solar Energy Facility Application Requirements

Special Use Permit Application:

- i) Filing fee per requirements of the County.
- ii) Legal description of the property.
- iii) Outboundary plat of the property.
- iv) Site plan: A detailed site plan for both existing and proposed conditions must be submitted, showing location of all solar arrays, other structures, property lines, rights-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, farm tile, electric equipment, fencing, and screening materials and all other characteristics requested by DeKalb County. The site plan should also show all zoning districts, and overlay districts.
- v) Endangered Species and Wetlands. An SES developer shall be required to initiate a natural resource review consultation with the Illinois Department of Natural Resources (IDNR) through the department's online, EcoCat program. Areas reviewed through this process will be endangered species and wetlands. The cost of the EcoCat consultation will be borne by the developer.
- vi) Legal Descriptions.
- vii) Landscape Plan.

Height Restrictions

Ground- or pole-mounted SES shall not exceed a maximum height of twelve (12) feet, when oriented at maximum tilt.

Setback Requirements

- 1) All components, except the interconnection point, installed as part of the solar facility shall be setback at least one hundred (100) feet from a property line or right-of way.
- 2) In addition, all components, except the interconnection point, installed as part of the solar facility shall be setback at least three hundred (300) feet from a property line or right-of-way of any property that is twelve (12) acres or less and has an occupied structure.
- 3) In addition to meeting the one hundred (100) foot or three hundred (300) foot minimum setback noted above, all components, except the interconnection point, installed as part of the solar facility must also be setback at least one hundred (100) feet for every three (3) feet of height of the SES,

when oriented at maximum tilt from the nearest outer wall of any occupied structure not located on the subject property.

Noise Restrictions
N/A

Dust Restrictions
N/A

Glare Restrictions

Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties.

Vegetation Management

Top soils shall not be removed during development, unless part of a remediation effort. Soils shall be planted to and maintained in perennial vegetation to prevent erosion, manage run off and build soil. A plan must be approved by the Soil Water Conservation District and paid for by the developer. DeKalb County has a Noxious Weed Ordinance which is to be followed.

Fencing

No fencing is required however if installed on the property the fencing shall have a maximum height of eight (8) feet, and shall be a primarily woven wire or agricultural style fencing. The fence shall contain appropriate warning signage that is posted such that is clearly visible on the site.

Screening / Vegetative Barrier

Active SES shall be designed to conform to the DeKalb County Comprehensive Plan and to blend into the architecture of the building or may be require to be screened from routine view from public right-of-ways other than alleys. Screening may be required to the extent it does not affect the operation of the system.

Decommissioning / Reclamation Plan

Decommissioning Plan include:

- 1) Provisions describing the triggering events for decommissioning the project.
- 2) A description of the methodology and cost to remove all above ground and below ground facilities of the approved Special Use Permit
- 3) Provisions for the removal of all above ground and below ground facilities.
- 4) Methodology and cost to restore all areas used for construction, operation, and access to a condition equivalent to the land prior to the SES construction.
- 5) A work schedule and a permit list necessary to accomplish the required work.
- 6) Methodology to identify and manage any hazardous or special materials
- 7) Proof that the necessary amount and form of financial security has been received by the County in the form of an escrow account that names DeKalb County as the Beneficiary.
- 8) A provision that the terms of the decommissioning plan shall be binding upon the SES owner or operator and any of their successors, assigns, or heirs.

Decommissioning / Reclamation Bond

Proof that the necessary amount and form of financial security has been received by the County in the form of an escrow account that names DeKalb County as the Beneficiary. The amount of security shall be equal to the positive difference between the total cost of all decommissioning and restoration work and the net salvage value of all removed SES equipment or materials, plus a twenty-percent contingency. To determine that amount, the SES owner and the DeKalb County Board shall:

- a) Obtain bid specifications provided by a professional structural engineer.
- b) Request estimates from construction/demolition companies capable of completing the decommissioning of the SES project; the DeKalb County Engineer, and an independent engineer of the County's choosing, the Director of Community Development will review all estimates and make a recommendation to the DeKalb County Board for an acceptable estimate. DeKalb County reserves the right to pursue other estimates.
- c) Certification of the selected estimate by a professional structural engineer. All costs to secure the estimates will be funded by the SES owner.

Piatt County, Illinois

Year Established

2014

Size

Small/Medium - No solar farm shall be erected on any lot less than 10 acres in size.

Large - No written restrictions on the maximum size of a solar power plant.

Solar Allowed on Which Zoning Designations

Solar Farm. Solar Energy Systems, Commercial/Solar Farms, shall be permitted in the A1, AC, I-A district as a special use. Not allowed as a use in Residential Districts, Business Districts, Industrial Districts, or Interchange Districts other than I-A.

Solar on Agricultural Lands

Solar Farm. Solar Energy Systems, Commercial/Solar Farms, shall be permitted in the A1, AC, I-A district as a special use.

Permitting

Solar Farm. Solar Energy Systems, Commercial/Solar Farms, shall be permitted as a special use.

Solar Energy Facility Application Requirements

Special Use Permit Requirement:

Narrative presenting satisfactory evidence showing that the proposed use of the real estate will not have a deleterious effect on the soil, such that the land could not later be restored to agricultural use; that the proposed use will have a minimal negative impact on the use of surrounding lands; that the granting of the proposed use will not encourage the spread of uses other than proposed and will not encourage mixed uses in the same general area.

Solar Farm SUP application requirements:

- i) Applicable fees.
- ii) Two copies of all documents proving ownership or interest in the subject property.
- iii) A site plan.
- iv) A copy of the FEMA/FIRM map.
- v) A NRI/LESA report from the Piatt County Soil and Water district.
- vi) A site plan showing proposed conditions.
- vii) The applicant shall submit an acceptable weed/grass control plan.
- viii) Solar Farm Developers shall be required to initiate a natural resource review consultation through the IDNR.
- ix) An AIMA executed by the Illinois Department of Agriculture and the applicant.
- x) A map showing all subsurface field tile locations, as well as all surface drainage ditches.
- xi) A written demonstration shall be provided that the applicant is in the queue to acquire an Interconnect agreement.
- xii) All solar power plant applications shall be accompanied by a preliminary map and plan showing the roads and rights-of-ways.
- xiii) A decommission plan.
- xiv) Indemnification and Liability.

Height Restrictions

N/A

Setback Requirements

The facility shall be set back 100 feet from the front and 50 feet from the rear property lines and 50 feet from the side property lines.

Noise Restrictions

Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district.

Dust Restrictions

An erosion control plan shall be provided.

Glare Restrictions

N/A

Vegetation Management

All areas occupied by the facility that are not utilized for access to operate and maintain the installation shall be planted and maintained with a native shade-tolerant grass or other vegetation for the purpose of soil stabilization. The applicant shall adhere to the weed/grass control plan.

Fencing

Perimeter fencing having a maximum height of 8 feet shall be installed around the boundary of the solar farm.

Screening / Vegetative Barrier

N/A

Decommissioning / Reclamation Plan

A decommission plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months, the operating company and/or land owners have six months to complete the decommission plan or the County will take the necessary decommission steps and all costs associated therewith shall be borne by the applicant. The plan shall include provisions for removal of all structures (including equipment, fencing and roads) and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. The plan must include an estimate of the decommissioning costs certified by a professional engineer. The decommissioning estimate must exclude any estimate of salvage value. The applicant shall provide the county with a new estimates of the cost of decommissioning the facilities every five years.

Decommissioning / Reclamation Bond

Decommissioning security financing shall be required by the county in order to assure the proper decommissioning of the site. This security financing should be in the form of an irrevocable letter of credit. The County Board may, in its sole discretion, agree to accept security, or a portion thereof, another form such as a bond or corporate guarantee.

Boulder County, Colorado

Year Established

2018

Size

Small - 0-2.5 acres

Medium - 2.5-10 acres

Large - >10 acres

Solar Allowed on Which Zoning Designations

Small solar energy facilities allowed on all zoning with by site plan review or special review.

Medium solar energy facilities allowed on forestry, agricultural, rural residential, and estate residential with limited impact special review or special review. Medium solar energy facilities allowed on transitional, business, commercial, light industrial, and general industrial through site plan review.

Large solar energy facilities allowed on forestry, agricultural, rural residential, and estate residential with special review. Large solar energy facilities allowed on transitional, business, commercial, light industrial, and general industrial through limited impact special review.

Medium and Large SES are NOT allowed on suburban residential, multifamily, manufactured homes zoning, or mountain institutional.

Solar on Agricultural Lands

>0.5 acre on significant agricultural lands requires Solar Energy System Development Report. Total disturbed areas associated with the ground-mounted system cannot exceed 7 acres on parcels smaller than 70 acres in size, or 14 acres on parcels larger than 70 acres in size.

Permitting

Small solar energy facilities require Uses Permitted by site plan review or special review.

Medium solar energy facilities require Uses Permitted by limited impact special review, special review or, site plan review.

Large solar energy facilities require Uses Permitted by special review or limited impact special review.

All permits require a Land Use Review Pre-Application Conference with a Planner to discuss the proposal.

Medium and Large facilities require a public hearing in front of the Board of County Commissioners – Applicants will have an opportunity to make a presentation to the Board.

Solar Energy Facility Application Requirements

Submittal Requirements:

- i) Vicinity map.
- ii) Site plan.
- iii) Sketch plan map.
- iv) Preliminary map plan.
- v) Final plat map.
- vi) Exemption map.
- vii) Development report.
- viii) Engineering report.
- ix) Required title information.
- x) Solar Energy System Development Report (required for an application for a ground-mounted solar energy system with disturbed area greater than 0.5 acre on lands designated as Significant Agricultural Lands).
 - a) An installation plan and a site plan showing the proposed disturbed area.

b) Proposal to minimize soil disturbance and compaction through best management practices.

c) A management plan which includes best practices for maintaining or improving the existing soil quality and agricultural integrity of the land.

d) Abandoned systems must be removed from the property in compliance with any deconstruction regulation in place at that time.

Other Management plans include:

- i) Baseline soil test.
- ii) Soil and vegetation management plan.
- iii) Description of how the location and configuration of the solar installation on the property will facilitate and permit agricultural uses either co-located with the solar energy system or on other areas of the property including but not limited to crops, grazing, and pollinator habitat.
- iv) Weed control plan.
- v) Reclamation plan describing revegetation for the area of disturbance.

Height Restrictions

Ground-mounted systems shall not exceed 15 feet in height, except to accommodate site specific needs and as approved through review.

Systems exceeding 15 feet in height require an increased setback of 75 feet from all property lines, unless it is demonstrated that a lesser setback or topographical or vegetative screening adequately mitigates visual impacts.

In no case shall a system exceed 25 feet in height.

Setback Requirements

110 feet from center line of roads

100 feet from property lines

Noise Restrictions

N/A

Dust Restrictions

N/A

Glare Restrictions

N/A

Vegetation Management

Erosion control and revegetation plan. Location of existing and proposed landscaping including a revegetation plan. The site plan shall illustrate the type, height, and/or caliper of the trunk of proposed plantings. All plantings will be specified by type and location.

Fencing

N/A

Screening / Vegetative Barrier

Only if the array exceeds the 15-foot height requirement.

Decommissioning / Reclamation Plan

At decommissioning:

All disturbed will be reclaimed and revegetated to the satisfaction of the County, in consultation with the landowner.

Revegetation and reclamation will include, but is not limited to, the use of native plant species when appropriate, integrated management of weed control and prevention, and full establishment of appropriate vegetation for a minimum of three consecutive growing seasons.

No species on List A, B, or C in the County's Noxious Weed Management Plan may be used to meet revegetation requirements.

Decommissioning / Reclamation Bond

N/A

Weld County, Colorado

Year Established
2021

Size
Small - <5 acres Only one solar facility can be located on a 35-acre parcel and cannot be adjacent to another

Medium - 5-160 acres near an urban area; 5-320 acres in an ag/rural area

Large - >160 acres near an near urban area; >320 acres in the ag/rural area

Solar Allowed on Which Zoning Designations

Allowed in ag-rural and near-urban planning areas. Size of SEF depends on which area. SEF allowed on I-1 zoned parcels through administrative process. SEF not allowed on residential except for private use on-site. For medium or large SEF: A statement which explains that if the USE is proposed to be located in the A (Agricultural) Zone District, the applicant has demonstrated a diligent effort has been made to conserve prime agricultural land in the locational decision for the proposed USE.

Solar on Agricultural Lands

No system greater than 30 MW in Agricultural zone

Permitting

Small solar energy facilities require a zoning permit, which is processed administratively.

Medium and Large facilities require Use by Special Review (USR) or 1041 permits, respectively. These permits require Planning Commission and Board of County Commissioner review and approval.

Solar Energy Facility Application Requirements

Permit Application Requirements:

- i) Surface drainage analysis.
- ii) Dust and weed mitigation plan.
- iii) Floodplain mapping.
- iv) Decommissioning / reclamation plan
- v) Statement of transportation construction impacts.
- vi) Statement of development standards.

Comment From Weld County Officials:

While the code doesn't specify for the medium-scale activities the same parameters as the small-scale activities, the Weld County Planning Commission has the ability to require medium-scale projects to follow the same, more rigorous, or less rigorous requirements for dust, setbacks, environmental conditions, etc.

The Weld County official said the regulations were made at the higher (potentially more political) levels without land use planner advice aside from the head of the department.

Height Restrictions

Ground-mounted solar collectors shall not exceed 25 feet, measured from the highest grade below each solar panel to the highest extent of the solar panel rotation.

Setback Requirements

Small Solar System – shall conform to the setback requirements of the underlying zone.

Additionally, the improved area must be at least 500 feet from exist-

ing residential buildings and residential lots of a platted subdivision or planned unit development. The residential setback requirement may be reduced if appropriate screening through landscape or an opaque fence is installed, or upon submittal to Weld County of a waiver or informed consent signed by the residence owner agreeing to the lesser setback. If landscaping or opaque fencing is substituted for setback, a landscaping plan or fencing plan shall first be submitted to and approved by the Department of Planning Services.

Noise Restrictions

N/A

Dust Restrictions

A Small Solar System – operators shall continuously employ the practices for control of fugitive dust detailed in their dust mitigation plan submitted.

Glare Restrictions

Small Solar System – shall be designed, located, or placed so that concentrated solar glare from its solar collectors will not be directed toward or onto nearby properties or roadways at any time of the day.

Vegetation Management

The Dust Mitigation Plan shall be provided at the time of 5 ACRE SEF application submittal, which includes a description of those methods by which dust emanating from the proposed 5 ACRE SEF and the weeds growing upon the Impacted Area will be mitigated.

Fencing

Small Solar System – shall be enclosed with a security fence as approved pursuant to a fencing plan submitted to the Department of Planning Services.

Screening / Vegetative Barrier

Only required if the array will be less than the required setback from residential buildings.

Decommissioning / Reclamation Plan

At decommissioning:

Reclamation cost estimates, which shall be updated every 5 years from the establishment and submittal of the Security, shall include all costs associated with the dismantlement, recycling, and safe disposal of facility components and site reclamation activities, including the following elements:

- a) All labor, equipment, transportation, and disposal costs associated with the removal of all facility components from the facility site.
- b) All costs associated with full reclamation of the facility site, including removal of non-native soils, fences, and constructed access roads.
- c) All costs associated with reclamation of any primary agricultural soils at the facility site to ensure each area of direct impact shall be materially similar to the condition it was before construction.
- d) All decommissioning/reclamation activity management, site supervision, site safety costs.
- e) Any other costs, including administrative costs, associated with the decommissioning and reclamation of the facility site.
- f) The estimated date of submission of the Security to Weld County.

Decommissioning / Reclamation Bond

Prior to construction:

An irrevocable standby letter of credit, bond, or alternate form of Security in an amount sufficient to fund the estimated decommissioning/ reclamation costs required by this Code.

Yolo County, California

Year Established

2011; amended 2016 and 2020

Size

Small - Small accessory use solar energy system are greater than 2.5 acres and no larger than 7.5 acres.

Medium - Medium-sized solar energy system shall mean a private on-site or utility solar energy conversion system occupying more than 7.5 acres and no more than 30 acres of land, and that will be used to produce utility power to onsite uses and/or off-site customers. Medium-sized solar energy system generates 1 MW or less.

Large - "Large-scale solar energy system" shall mean a utility solar energy conversion system occupying more than 30 acres of land, and that will be used to produce utility power to off-site customers. A large or utility solar energy system has a total generation capacity of more than one (1) megawatt.

Solar Allowed on Which Zoning Designations

Accessory solar energy system (2.5 to 7.5 acres) allowed on all zoning designations.

Medium-sized solar energy system (7.5 to 30 acres) allowed on A-N, A-X, A-I, all commercial and industrial designations, and Public and Quasi-Public (PQP) zones. Not allowed on Residential, A-C, A-R, and Public Open space zones.

Large-scale solar energy system (> 30 acres) allowed on A-N, A-X, A-I, all industrial and Public and Quasi-Public (PQP) zones. Not allowed on Residential, Commercial, A-C, A-R, and Public Open Space zones.

Solar on Agricultural Lands

Medium-sized and large-scale solar energy systems are encouraged to locate on predominantly non-prime farmland and non-Williamson Act contracted land, as feasible. Any medium-sized solar energy system that locates on prime farmland or farmland under Williamson Act contract shall require a Minor Use Permit. All utility solar energy systems shall mitigate for the permanent loss of agricultural land.

Permitting

Small accessory use system can be permitted through the issuance of a Building Permit and Site Plan Review, provided the application meets the Development Standards. The Site Plan Review approval is ministerial (not discretionary) and does not require a public hearings.

Medium-sized solar energy systems may be approved through Site Plan Review if the facility is located on non-prime farmland that is not under a Williamson Act contract. Any medium-sized solar energy system that is located on prime farmland or on land that is enrolled in the Williamson Act shall require the issuance of a Minor Use Permit.

Large-scale solar energy systems occupying no more than 120 acres of land may be approved through the issuance of a Major Use Permit by the Planning Commission. Large-scale solar energy systems greater than 120 acres requires approval from the Board of Supervisors, following a recommendation from the Planning Commission.

Solar Energy Facility Application Requirements

Application Requirements for site or use permits:

- i) Name and address. The name, address, and signature of the applicant and, for privately initiated, property-specific applica-

- tions, the name, address, and signature of the property owner.
- ii) A statement of the proposed new construction or use.
- iii) A Site or Plot Plan.
- iv) A statement from the applicant that the proposed project is consistent with the General Plan text and maps.
- v) A statement from the applicant that he or she has read the Design Guidelines that apply to the project and the project has been designed to be as consistent with the Guidelines as is feasible.
- vi) Other documents, drawings, and plans as required by the Director.
- vii) A fee shall be submitted.

Height Restrictions

Ground-mounted solar facilities shall meet the height limit requirements of the zone in which they are located, except that auxiliary equipment may exceed this limit.

Setback Requirements

Solar uses shall require a minimum 100-foot buffer from riparian corridors.

Medium-sized solar energy systems shall meet the front, rear, and side yard setback requirements of the zone in which they are located, with the following exception: in agricultural zones, the setbacks shall be at least 50 feet from all property lines.

Large-scale solar energy systems must be setback at least 50 feet from any property line.

Utility solar energy systems shall be located no closer than 100 feet from any residential dwelling on an adjacent property.

Noise Restrictions

N/A

Dust Restrictions

N/A

Glare Restrictions

N/A

Vegetation Management

A soil erosion and sedimentation control plan, including revegetation plan.

Fencing

N/A

Screening / Vegetative Barrier

A utility solar energy system shall have a visual buffer of native vegetation that provides a visual screen to reduce the view of the solar energy system from residences on adjacent lots, including those lots located across a public right-of-way. Solar energy systems proposed to locate in a designated scenic corridor shall require visual screening.

Decommissioning / Reclamation Plan

Unless otherwise approved by the County, decommissioning shall begin no later than 12 months after a medium-sized or large-scale solar energy system has ceased to generate electricity. Within six months of the beginning of decommissioning, the solar energy system and all structures associated with it shall be removed, all materials shall be recycled or otherwise reused to the extent reasonably practicable, and the property shall be returned to its condition prior to the installation of the solar energy system or to some other condition reasonably appropriate for the designated land use.

Decommissioning / Reclamation Bond

N/A

San Luis Obispo County, California

Year Established

2015

Size

Small - Tier 1 SEF If a proposed SEF is 20 acres or less, is not located on Prime Farmland, and has previously developed for industrial or commercial purposes and degraded or contaminated and then abandoned or underused.

Medium - Tier 2 SEF If a proposed SEF is 40 acres or less, is not located on Prime Farmland, and is ground-mounted; and located in urban areas, or located in rural areas on sites designated as Commercial Service (CS) or Industrial (IND).

Large - Tier 3 SEF If a proposed SEF is greater than 40 acres or does not meet the criteria for Tier 1 or Tier 2 SEFs and is not located on Prime Farmland.

Solar Allowed on Which Zoning Designations

Tier 1 SEF are an allowable use, subject to the land use permit required by the specific use standards on all zoning EXCEPT Residential, Suburban, Residential, Single-Family, Residential, Multi-Family, Open Space, Recreation land uses.

Tier 2 and Tier 3 SEF are an allowable use, subject to the land use permit required by the specific use standards on Agriculture, Rural Lands, and Residential, Rural land uses.

Tier 2 – Tier 3 SEFs are allowable up to 20 acres in size when proposed on parcels in the Residential, Single-Family (RSF); Residential, Multi-Family (RMF); or Residential, Suburban (RS) land uses.

Tier 2 SEF are an allowable use, subject to the land use permit required by the specific use standards on Commercial, Retail, Commercial, Service, Industrial, and Public Facilities Land Uses.

Tier 3 SEF are an allowable use, subject to the land use permit required by the specific use standards on Commercial, Service, Industrial, and Public Facilities Land Uses.

Solar on Agricultural Lands

SEFs shall not be sited on designated Prime Farmland. Where proposed on parcels with Prime Farmland, the SEF shall be sited on other areas of the parcel. If a proposed project demonstrates dual-use design measures that ensure the long-term productivity of agricultural uses on site, or protects Important Agricultural Soils through other means, the project is allowable without an open space easement through a Conditional Use Permit in consultation with the Agriculture Department.

Permitting

Tier 1 SEF is 20 acres or less shall require Site Plan Review or Minor Use Permit.

Tier 2 SEF is 40 acres or less shall require a Minor Use Permit or proposed projects that are 40 acres or less and located in the Renewable Energy (RE) Combining Designation may be eligible for Site Plan Review.

Tier 3 SEF shall require a Minor Use Permit where allowable

Solar Energy Facility Application Requirements

Minor Use Permit or Site Plan Review Requirements:

- i) Preliminary floor plan.
- ii) Architectural elevations.
- iii) Adjacent land use information within 100 feet of the site.
- iv) Landscape plan.
- v) Contour map.
- vi) Supplementary development statement.
- vii) Reduced drawings.
- viii) List of names and addresses of all owners of property located

ed within 300 feet of the perimeter of the parcel to be developed, accurate as of the day the application is filed with the County.

Height Restrictions

15 feet height restrictions for Residential, Open Space, Recreation, and Public Facilities land use. 45 feet height restrictions for All Other Land Use Categories. Ground-mounted SEFs shall be located a minimum of 18 inches from the ground to allow wildlife movement and line of sight for wildlife.

Setback Requirements

Tier 1 and Tier 2 SEF: Setback of 25 to 30 feet on all sides in rural, urban, and village areas.

Tier 1 and Tier 2 ground-mounted solar electric facilities that are 40 acres or less in size shall be set back from all adjacent parcels in a Residential land use category 10 feet more than the minimum setbacks.

Tier 3 SEF: Setback of 100 feet on all sides.

Noise Restrictions

N/A

Dust Restrictions

N/A

Glare Restrictions

All SEFs shall use nonreflective surfaces that minimize glare to the greatest extent feasible. Rotating SEFs shall have tracking system design and shall not create concentrated reflections directed at occupied structures, recreation areas, Sensitive Resource Areas, or public roads.

Vegetation Management

N/A but does have specific language to protect soil for the purpose of dual use.

Fencing

No explicit requirement for fencing, but screening may be required as seen in vegetative barrier.

Screening / Vegetative Barrier

SEFs requiring a discretionary permit shall be sited for screening from residences, Sensitive Resources Areas for visual resources, and areas subject to Highway Corridor Design Standards. Screening measures shall use existing site characteristics to the greatest extent feasible, including existing vegetation and natural topography. Where a project cannot be sited to provide adequate screening, the project shall provide additional screening such as landscaping, or wildlife-friendly fencing.

Decommissioning / Reclamation Plan

Decommissioning and restoration. A decommissioning and restoration plan shall be submitted that includes the removal of all facility elements and reclamation of the site. Plans shall address: removal of all facility elements and reclamation of the site including, but not limited to, evaluation of adjacent grasses and vegetation, soil preparation, seed/crop planting, and watering and fertilization (if necessary). Removal and restoration shall also address all facility elements, including but not limited to, solar modules, trackers, tracking, posts, power station electrical equipment, underground conduits and cables, concrete pads, fences, security lighting, and access road gravels.

Decommissioning / Reclamation Bond

The permit application for any energy-generating facility except for Tier 1 SEF, Tier 1 WECS, and accessory energy-generating facilities shall include a cost estimate of the decommissioning work with the decommissioning and restoration plan required by Subsection 22.32.040.A, for review by the County or qualified third-party consultant approved by the County. A bond shall be posted in the amount identified in the cost estimate prior to issuance of any construction permits.