

ORDINANCE OF THE TOWN COUNCIL

IN AMENDMENT OF THE TOWN OF COVENTRY CODE OF ORDINANCES, 2008
PART II – GENERAL LEGISLATION,
CHAPTER 255, ARTICLE XXI – Special Regulations – Solar Power Generators

Ordinance No. 2025-18

Passed:

Hillary V. Lima, *Council President*

Approved:

Daniel O. Parrillo, *Town Manager*

The Town Council of the Town of Coventry hereby ordains as follows:

Section 1. The Town of Coventry Code of Ordinance, Part II General Legislation is hereby amended by amending the following Chapter and Sections of Article XXI:

Article XXI, Chapter 255 – Zoning

§ 255-2140. Ground Mounted Solar Installations.

- A. Minor solar installations. Minor solar installations are permitted in all zones as an accessory use. Minor solar installations shall comply with all dimensional requirements for accessory structures as required by Article IX of this chapter.
- B. Medium and major solar installations.
- (1) ~~All medium and major solar installation is a permitted use or is permitted by special use permit in all zoning districts.~~ require the issuance of a use variance pursuant to Article IV of this chapter.
- (2) Medium solar installations covering more than 20,000 square feet of area shall require minor land development approval from the Planning Commission pursuant to Coventry's Subdivision and Land Development Regulations.¹
- (3) Unless otherwise specified by this article, medium solar installations shall meet all applicable zone requirements for accessory structures, including but not limited to lighting, and signage.

43 C. Major solar installations.

44 (1) All major solar installations require the issuance of a ~~special use permit from the~~
45 ~~Zoning Board of Review~~ use variance pursuant to Article IV of this chapter and major
46 land development approval from the Planning Commission pursuant to Article V of
47 the Coventry Subdivision and Land Development Regulations.

48 D. General design standards for all ground-mounted solar installations.

49 (1) Ground-mounted solar installations shall not exceed 12 feet in height as measured
50 from the original grade of the ground surface to the highest point of the solar
51 installation, including the top of any support structure or panel. The Planning
52 Commission may allow heights exceeding 12 feet in nonresidential zones for solar
53 parking lot canopies.

54 (2) No removal of topsoil or unnecessary grading/disturbance of the ground is permitted
55 as part of the installation or maintenance of a ground-mounted solar installation. Any
56 topsoil that must be moved shall be stored and stabilized on-site for future use.
57

58 (3) ~~Ground-mounted solar installations proposed on lots of record that are nonconforming~~
59 ~~by area shall require a special use permit.~~

60 (3) To the maximum extent practicable, all ground-mounted solar installations shall be
61 located so as to take advantage of existing cleared land. Clearing of forest or
62 woodland shall be avoided to the greatest extent practicable.

63 (4) To the maximum extent practicable, all cleared areas below and surrounding a
64 ground-mounted solar installation shall be maintained in a vegetated state to stabilize
65 soils and prevent erosion.

66 (5) To the maximum extent practicable, all electrical connection and distribution lines
67 shall be located entirely within the structure of the solar installation, underground, or
68 within the structure to which the installation is supplying energy. Electrical equipment
69 between the installation and the utility connection may be above-ground if required by
70 the utility.

71 E. Supplemental design standards and requirements for major and medium solar installations.

72 (1) Whenever development plan review is required for a major or medium solar
73 installation, the application shall include:

74 (a) The proposed site layout detailing any landscape changes, including but not
75 limited to any clearing of trees or forest that has occurred during the 24 months
76 prior to application;

77 (b) A diagram of all electrical components;

78 (c) A description of the major system components to be used;

79 (d) An operation and maintenance plan including measures for maintaining safe
80 access to the installation, storm water controls, as well as general procedures for
81 operational maintenance of the installation;

82 (e) A decommissioning plan in conformance with this chapter, including proof of

- 83 financial surety for the removal of the solar installation;
- 84 (f) Proof that the appropriate utility company authority has been notified of the
85 applicant's intent to construct a solar distributed generation facility and to submit
86 an interconnection application (required with initial submission at pre-application
87 or master plan phase);
- 88 (g) Proof of utility interconnection approval (required not later than preliminary plan
89 phase);
- 90 (h) Any memorandum of lease, easement, or utility/distribution agreements;
- 91 (i) Proof of liability insurance;
- 92 (j) The contact information for the project contractors;
- 93 (k) A shading analysis;
- 94 (l) A viewscape analysis demonstrating that the reasonable steps have been taken in
95 the siting of the proposed solar installation to reduce negative impacts on rural
96 and forested viewsapes;
- 97 (m) A landscape plan (where required); and,
- 98 (n) Additional documents may be required by the Planning Commission. The
99 Planning Commission may waive requirements of the land development review
100 process upon written request of the applicant at pre-application.
- 101 (2) Setbacks and coverage. All medium and major solar installations shall maintain the
102 property line setbacks for nurseries or greenhouses as set forth in dimensional
103 regulations (Code § 255-610 of this chapter). Maximum lot coverage shall be 15%.
- 104 (3) Buffers. All medium and major solar installations shall maintain a vegetated buffer
105 between the installation and all property boundaries to screen the solar installation
106 from view from abutting properties and roads. Buffers may be incorporated into the
107 required setback area.
- 108 (a) Medium solar installations in residential zones shall maintain a vegetated buffer
109 of not less than 20 feet.
- 110 (b) Major solar installations in residential zones shall maintain a vegetated buffer of
111 not less than 40 feet. A buffer plan prepared by a registered landscape architect
112 and incorporating native species from the Rhode Island Native Plant Database
113 shall be submitted as part of the project's application for major land development.
- 114 (c) All access roads through the buffer shall be angled or curved to obstruct views of
115 the solar installation.
- 116 (d) Existing vegetation shall be supplemented with additional native species where
117 necessary to ~~insure~~ ensure that the buffer adequately screens the solar installation
118 from view beyond the property boundaries on a year-round basis.
- 119 (e) Medium and major solar installations in industrial, commercial and business
120 zones may request permission from the Zoning Board of Review (~~through a~~
121 ~~special use permit~~) or, in the case of a Unified Development Review, the

122 Planning Commission to use a reduced ten-foot hybrid buffer that combines a
123 vegetated buffer with solid or slatted security fencing to both secure and obscure
124 view of the panels. The ten-foot hybrid buffer shall be extended to 20 feet where
125 the solar installation abuts a residential zone.

126 (4) Security. A fence shall surround the perimeter of a major or medium ground-mounted
127 solar installation of no less than seven and no more than 10 feet in height.

128 (5) Emergency services. The owner or operator shall provide a copy of the project
129 summary, electrical schematic and site plan to the local fire chief. Upon request, the
130 owner or operator shall cooperate with the local emergency services in developing an
131 emergency response plan. Upon request, the owner or operator shall cooperate with
132 the local emergency services to conduct basic on-site safety and operational training.
133 The owner or operator shall identify a responsible person for public inquiries
134 throughout the life of the solar installation.

135 (6) Signage. No signs are allowed on the security perimeter fencing except for a sign
136 displaying the installation name, address and emergency contact information, and
137 trespassing/warning/danger signs to ensure the safety of individuals who may come in
138 contact with the installation. No sign shall exceed four square feet in area. Externally
139 lit signs must be orientated such that the light is directed away from any adjacent
140 properties and traffic arteries.

141 (7) Lighting. Lighting of solar installations shall be consistent with local, state and federal
142 law and shall be limited to that required for safety and operational purposes. Light
143 fixtures shall either be approved by the International Dark-Sky Association (IDA) or
144 meet the criteria for such approval and shall be both fully shielded and full cut-off. All
145 lighting fixtures shall be shielded so as to prevent light from being directed onto
146 neighboring properties.

147 (8) Removal of solar installations. The property owner and the owner/operators of the
148 solar installation shall be jointly and severally responsible for removing all obsolete,
149 abandoned or unused equipment within 12 months after a solar installation has ceased
150 operations. Removal shall include:

151 (a) Physical removal of all systems, structures, equipment, wiring and security from
152 the site both above and below ground.

153 (b) All removed components shall be recycled whenever feasible.

154 (c) Disposal of all solid and hazardous waste in accordance with local, state and
155 federal waste disposal regulations; and

156 (d) Stabilization or revegetation of the site as necessary to minimize erosion. The
157 Town may allow the owner or operator to leave landscaping or designated below
158 grade foundations in order to minimize erosion and disruption to vegetation.

159 (9) Decommissioning. Unless otherwise approved in writing by the Planning
160 Commission, all major and medium solar installations shall be removed in accordance
161 with their approved decommissioning plan. Prior to beginning decommissioning
162 operations, the owner or operator shall notify the Building Official by USPS certified
163 mail of the proposed dates for discontinuing operation of the installation and
164 commencing removal activities, and the anticipated date for completing the

165 decommissioning.

166 (10) Abandonment. Absent prior written approval from the Planning Commission
167 extending the time for removal of a solar installation for extenuating circumstances, a
168 solar installation shall be considered abandoned when it has been nonoperational for
169 more than one year. If an owner or operator fails to remove a solar installation within
170 150 days of abandonment, the Town may take unilateral action to remove the solar
171 installation without further notice at the owner's or operator's expense.

172 (11) Financial security. Applicants shall provide a form of surety, either through escrow
173 account, bond or otherwise, to cover the cost of removal in the event the Town must
174 remove the installation and restore the landscape. The amount and form of said surety
175 shall be determined by the Planning Commission with review and input by the Town
176 Engineer, Town Finance Director and Town Solicitor and such other Town
177 officials as deemed necessary. As part of any lease agreements, the applicant shall
178 submit a fully inclusive estimate of the costs associated with removal. The surety
179 amount established by the Planning Commission shall include a mechanism for
180 calculating increased removal costs due to inflation and any expected salvage or resale
181 value. Such surety will not be required for municipally or state-owned installations.

182 (12) Modifications. All material modifications to a solar installation made after issuance of
183 the required building permit shall require approval by the Planning Department. Any
184 addition to the size of the area will require a new application.
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186 1. Editor's Note: See Ch. 213, Subdivision of Land.
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189 _____
190 **Solicitor's note to be provided.**
191

192 **Section 2.** This ordinance shall take effect upon its passage and final adoption.
193

194
195 Positive Endorsement:

Negative Endorsement: (Attach reasons)

196
197
198 _____
199 Town Solicitor

Date

Date

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201
202 Introduced by/Pursuant to: Council President Hillary V. Lima at the request of the Executive
203

204 Referred to/for:

Planning Commission on February ____, 2025

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206 First Reading on _____, 2025

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208 Public Hearing on _____, 2025