



## Legislation Details (With Text)

|                        |            |                      |   |              |  |
|------------------------|------------|----------------------|---|--------------|--|
| <b>File #:</b>         | 17-0585    | <b>Version:</b>      | 1 | <b>Name:</b> | Temporary Moratorium on Ground Mounted Solar Panels & Arrays |
| <b>Type:</b>           | Resolution | <b>Status:</b>       |   |              | Passed   |
| <b>File created:</b>   | 4/17/2017  | <b>In control:</b>   |   |              | City Council   |
| <b>On agenda:</b>      | 4/17/2017  | <b>Final action:</b> |   |              | 4/17/2017  |
| <b>Enactment date:</b> | 4/17/2017  | <b>Enactment #:</b>  |   |              | R-17-120   |

**Title:** Resolution to Impose a Temporary Moratorium on Ground Mounted Solar Panels and Arrays in the Front Open Space in Residential and Parking Zoning Districts

**Sponsors:** Zachary Ackerman, Julie Grand, Christopher Taylor

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 4/17/2017 | 1    | City Council | Approved | Pass   |

Resolution to Impose a Temporary Moratorium on Ground Mounted Solar Panels and Arrays in the Front Open Space in Residential and Parking Zoning Districts

Whereas, The City's Zoning Ordinance does not specifically define ground mounted solar panels or arrays, but they are considered an accessory structure included in other definitions in the Ordinance;

Whereas, Accessory buildings are currently allowed to be placed in front of a principal building as long as the accessory building is behind the required or average front setback line;

Whereas, The "required front open space" is defined as the area between the front lot line and the front setback line and the "front open space" is defined as the area between the front lot line and the front of the principal building;

Whereas, In some cases, there is enough space to place an accessory building behind the setback line yet still in front of the house in residential districts with more than the 40' setback;

Whereas, Recent application for accessory structures have brought to the forefront the need to revise the City's Zoning Ordinance to define ground mounted solar panels or arrays, and to ensure that the Ordinance provides for specific requirements for placement of ground mounted solar panels or arrays in the front open space, given their size, and compatibility with other surrounding residential uses;

Whereas, City Council is concerned that allowing ground mounted solar panels or arrays, in the front open space between the dwelling unit and front setback line was not specifically contemplated when the ordinance was drafted; and

Whereas, The City has received 3 applications for ground mounted solar panels or arrays in the front open space;

RESOLVED, That, for the purposes of this resolution, "ground mounted solar panels or arrays" shall include any solar energy panels mounted on racks, poles, or other structures affixed to the ground;

RESOLVED, That City Council hereby directs the Planning Commission to make recommendations regarding regulations for ground mounted solar arrays within 180 days;

RESOLVED, That City Council hereby imposes a moratorium deferring consideration of all requests for permits to erect new ground mounted solar panels or arrays in the front open space of all R-1, R-2, R-3, R-4, R-5, R-6, and P zoning districts for a period of 180 days from the date of this resolution;

RESOLVED, That City Council finds it necessary to impose this temporary moratorium in order to promote the public health, safety, and welfare of City residents, while the Planning Commission develops regulatory language pertaining to ground mounted solar arrays in the front open space; and

RESOLVED, That, prior to the expiration of this moratorium, City Council may extend this moratorium for an additional 180 days to allow sufficient time to consider appropriate regulations.

Sponsors: Ackerman, Grand and Taylor