Section 17: SOLAR ENERGY SYSTEMS (added March 14, 2023)
All Solar Energy Systems installed in the Town of Jackson after the effective date of this ordinance shall comply with the following regulations.

17.1 Authority and Purpose

This Solar Energy System ordinance is enacted in accordance with RSA 674:17(I)(j) and the purposes outlined in RSA 672:1-III-a as amended. The purpose of this ordinance is to accommodate Solar Energy Systems and distributed generation resources in appropriate locations, while protecting the public's health, safety, and welfare. To help accomplish this purpose, only Roof-mounted Solar Energy Systems, Ground-mounted Solar Energy Systems and Community-scale Solar Energy Systems all of which are Accessory Uses and have Solar Land Coverage of no more than 1 acre are permitted.

17.2 Definitions

17.2.1 *Solar Energy System:* A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage, and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

17.2.2 *Solar Photovoltaic System:* A Solar Energy System that converts solar energy directly into electricity, the primary components of which are but not limited to solar panels, mounting devices, inverters, and wiring.

17.2.3 *Grid-connected Solar Energy System*: A Solar Photovoltaic System that is connected to an electric circuit served by an electric utility company.

17.2.4 *Roof-mounted Solar Energy System (Accessory Use)*: A Solar Photovoltaic System mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure.

17.2.5 *Ground-mounted Solar Energy System (Accessory Use)*: A Solar Photovoltaic System mounted on a rack or pole that is ballasted on, or is attached to, the ground including but not limited to fixed, passive, or active tracking racking systems.

17.2.6 *Solar Land Coverage*: Land area that encompasses all components of a Ground-mounted Solar Energy System including but not limited to mounting equipment, panels, and ancillary components of the system.

17.2.7 *Community-scale Solar Energy System (Accessory Use)*: A Roof-mounted Solar Energy System or a Ground-mounted Solar Energy System that has a Solar Land Coverage of no more than 1 acre, and whose ownership and electric bill credits are shared by two or more owners of residences or businesses in Jackson.

17.2.8 *Accessory Use (as applied to Roof-mounted or Ground-mounted Solar Energy Systems):* Notwithstanding Section 3.2, for purposes of this section, a Roof-mounted or Ground-mounted Solar Energy System is an Accessory Use if the Solar Energy System provides, annually, no more than 150% of the calculated annual electrical demand of the primary use.

17.3 General Regulations

17.3.1 Solar Energy System installations and modifications of existing Solar Energy Systems require a building permit prior to installation or modification.

17.3.2 The application for a building permit for a Solar Energy System installation or modification shall include:

17.3.2.1 A drawing showing the location of the proposed Solar Energy System.

17.3.2.2 The plan for screening a proposed Ground-mounted Solar Energy System from abutting properties and adjacent rights of way.

17.3.2.3 Information indicating that the glare factor of the installation meets current industry standards used to minimize glare.

17.3.3 During construction, all pertinent building permit instructions shall be followed.

17.3.4 The Solar Energy System will not materially endanger public health or safety.

17.3.5 Solar Energy Systems shall comply with all current building, electric, fire and other safety codes, state and federal laws and regulations, local noise and other ordinances, and performance standards of this ordinance.

17.3.6 Solar Energy System components must have UL certifications or equivalent listings.

17.3.7 Grid-connected Solar Energy Systems shall comply with the interconnection requirements of the local electric utility.

17.3.8 Reasonable measures to minimize glare as viewed from adjacent properties and roads shall be taken.

17.3.9 All Solar Energy Systems for governmental use are exempt from land use regulations pursuant to NH RSA 674:54

17.3.10 Solar Energy Systems shall be deemed to be abandoned if operations have been discontinued for more than 6 months. An abandoned Solar Energy System shall be removed, the solar panels safely and appropriately disposed of, and the site of Ground-mounted Solar Energy Systems restored within 6 months of abandonment.

17.4 <u>Roof-mounted Solar Energy Systems (Accessory Use)</u>

Roof-mounted Solar Energy Systems are permitted as an Accessory Use within all zoning districts, subject to the following development standards.

17.4.1 Height:

17.4.1.1 On a flat roof the Solar Energy System may exceed the zoning district height limits by up to 10 feet.

17.4.1.2 On a pitched/sloped roof the Solar Energy System may not extend above the highest point of the roof.

17.4.2 Emergency Access: Roof-mounted Solar Energy Systems shall comply with applicable state and local fire codes to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide areas for smoke ventilation, and provide emergency egress from the roof.

17.5 <u>Ground-mounted Solar Energy Systems (Accessory Use)</u>

Ground-mounted Solar Energy Systems are permitted as an Accessory Use within all zoning districts, when accessory to one or more permitted primary and/or accessory structures, subject to the following development standards.

17.5.1 Ground-mounted Solar Energy Systems shall not exceed 20 feet in height when the panels are oriented at maximum design tilt (highest point of the Solar Energy System).

17.5.2 All equipment locations of Ground-mounted Solar Energy Systems, except for utility connections, shall comply with the setback requirements of the zoning district in which they are installed. Tracking Systems shall have the setback measured from the

point and time where the array is closest to the lot line. No portion of a Solar Energy System may cross into the setback.

17.5.3 Ground-mounted Solar Energy Systems shall have reasonably effective visual screening from public ways and neighboring commercial/residential uses based on the viewsheds, contours of the land and abutting land uses.

17.5.4 To the maximum extent practical, all wiring associated with the utility connection shall be underground.

17.5.5 Ground-mounted Solar Energy Systems are exempt from lot coverage and impervious surface requirements if the area under the System contains a pervious or vegetative ground cover.

17.5.6 Land clearing shall be limited to what is necessary for the installation and operation of the Solar Energy System and to insure sufficient all-season access to the solar resource given the topography of the land.

17.5.7 Erosion control measures shall be used during construction.

17.5.8 Fencing shall be installed if required by the electric code or the utility. Additional security or fencing may be required if the location of the Solar Energy System presents a safety concern for abutting uses.

17.5.9 Following construction, cleared land areas must be restored with vegetative ground cover.

17.5.10 Noise levels at the property line shall be at reasonable levels given the location of the facility with due consideration to the surrounding land uses.

17.5.11 Onsite lighting shall be minimal and limited to access and safety requirements only. All lighting shall be downcast and shielded from abutting properties.