

AN ORDINANCE PERTAINING TO SOLAR ENERGY SYSTEMS

THE CITY OF LEWISTON HEREBY ORDAINS:

Appendix A of the Code of Ordinances of the City of Lewiston, Maine, is hereby amended as follows:

APPENDIX A

ZONING AND LAND USE CODE

ARTICLE II. DEFINITIONS

Sec. 2 Definitions

Solar energy device means a structure or part of a structure, including but not limited to solar collectors or photovoltaic panels, which provides for the collection, storage, conversion, and distribution of solar energy.

Solar energy system means a complete assembly of one or more solar energy devices and associated mounting hardware or equipment, including but not limited to racking, cables, inverters, transformers, batteries, a substation, or power lines which provides for the collection, storage, conversion, and distribution of solar energy.

Solar energy system, ground mounted means any solar energy system that is structurally mounted to the ground and is independent of any other structure or building.

Solar energy system, roof mounted means any solar energy system that is mounted on the roof a building or structure.

Utility structures means buildings which house or service utility services, including but not limited to structures such as radio towers, transmitting stations, substations, transmission lines, telephone exchanges, microwave towers and solar energy devices or systems, or satellite dishes serving more than a residential use on a single lot. Solar energy devices or systems or satellite dishes serving a residential use on a single lot shall be considered accessory to such use. Roof-mounted solar energy devices or systems shall be considered accessory uses.

ARTICLE XI. DISTRICT REGULATIONS

Sec. 22. Land Use Requirements

(c) *Land Use Table* (See attached Land Use Chart)

REASONS FOR THE PROPOSED AMENDMENT

The purpose of this amendment is to clarify the development and review process for solar energy projects in the City and to streamline the permitting of such projects. Article XI Sec. 22(c) establishes the uses allowed in each district. Because solar energy systems are not listed in Article XI Sec. 22(c), a solar energy project can be permitted as a conditional use under Article V Sec. 3(g) only if the Board of Appeals or the Planning Board determined that the proposed solar energy system was “substantially similar to and compatible with permitted or conditional uses” in the relevant district.

By adopting this amendment to stipulate that solar energy systems are conditional uses in every district, the City would provide clarity to applicants for such projects and would remove the extra step of requiring applicants to demonstrate similarity before applying for a conditional use permit.

CONFORMANCE WITH 2017 COMPREHENSIVE PLAN

The proposed text amendment is compatible with the 2017 Legacy Lewiston Comprehensive Plan for the following reasons:

- By eliminating a step in the application process for solar energy projects this amendment makes it easier to “promote a healthful and sustainable business environment by investing actively in efficient infrastructure...” (Vision Statement and Guiding Principles, page 116)
- By streamlining the permitting process for solar energy projects, the proposed amendments anticipate the near-term growth in demand for renewable energy in “recognition of the shift in the market that favors authenticity, social, and environmental responsibility...” (Prioritize Economic Vitality, Market Shifts, page 164)
- By defining a solar energy system as a conditional use, the proposal follows the Comprehensive Plan’s mandate to “actively invite new investment and create the critical mass of economic energy needed to launch the City into a new era of growth and productivity.” (Prioritize Economic Vitality, page 164)

