

# CITY OF NORTHAMPTON

## MASSACHUSETTS

*In the Year Two Thousand and Eighteen*

**Upon the Recommendation of the Mayor and Public Shade Tree Committee**

### 18.231 An Ordinance Relative to Large-Scale Ground-Mounted Solar Arrays

An Ordinance of the City of Northampton, Massachusetts, providing that Chapter 350 Code of Ordinances, City of Northampton, Massachusetts, be amended by modifying allowances under special permit for ground mounted solar photovoltaic arrays.

## ORDINANCE

An Ordinance of the City of Northampton, Massachusetts. Be it ordained by the City Council of the City of Northampton, in City Council assembled, as follows:

### USES ALLOWED

#### Uses Allowed By-Right [for all zoning districts]:

- Rooftop solar hot water and photovoltaic
- Accessory solar photovoltaic (PV) ground-mounted on a parcel with any building/use, provided that the PV is sized to generate no more than the greater of 150%~~100%~~ or 12 KW of the annual projected electric use of the non-PV building/use. Same setbacks as for detached accessory structures.

#### Site Plan Approval Required for the Following [for all zoning districts]:

- Solar photovoltaic of any size, ground-mounted; with administrative site plan from the Office of Planning & Sustainability:
  1. Over any legal parking lot or driveway; or
  2. At any landfill site not separate from the site-assigned property by any road; or
  3. At an airport not separated from the runways by any road; and
  4. If power and telecommunications extensions not visible from the public way.

#### Special Permit Approval required for the following uses by Planning Board unless otherwise noted [for RR, SR, URA, URB, WSP, ]:

- Private utility or substation, small-scale hydroelectric generation excluding solar photovoltaics
- Solar photovoltaic (PV), large-scale ground-mounted not requiring the removal of more than 25,000~~5~~ acres of total forest canopy ~~board feet of timber~~ or for more than 5 acres of forest canopy see below. The removal of trees on the subject parcel(s) is counted toward this limit for any proposed PV installation or for tree removal that occurs- within 12 months immediately prior to an application for installation of such a system.

Setbacks:

Front = 50 feet

Side = 50 feet

Rear = 50 feet

Maximum height = 30 feet

Open space = 20%

A planted buffer to abutting residential property shall be at least 15 feet in width along the property boundary. It shall contain a screen of plantings of vertical habit in the center of the strip not less than three feet in width and six feet in height at the time of occupancy of such lot. Individual shrubs shall be planted not more than five feet on center, and individual trees thereafter shall be maintained by the owner or occupants so as to maintain a dense screen year-round. At least 50% of the plantings shall be evenly spaced. Whenever possible, existing trees and ground cover should be preserved in this strip, reducing the need to plant additional trees. Trees may not be cut down in this strip without site plan approval.

Projects resulting in more than 5 acres of canopy removal shall only be eligible for Special Permit

Approval when all of the following conditions are met:

1. No work or disturbance occurs within 100 feet of any state-protected bordering vegetated wetlands area, within a riverfront area, or within 200 feet of a certified or certifiable vernal pool.
- ~~1-2.~~ No work or disturbance within any area on a Massachusetts Natural Heritage Program Priority or Estimated Endangered Species habitat.
3. No work or disturbance occurs on greater than one acre of state or federal prime agricultural soils.
- ~~2-4.~~ No work or disturbance occurs on greater than one acre of slopes at or steeper than 20%.
- ~~3-5.~~ When at least 50% of the property, which the City identifies as having ecological or recreational value, is donated to the City in fee or by a permanent conservation restriction and public right-of-way easement for mitigation.
6. The project must be carbon neutral over the first ten years of operation. The applicant shall provide the following calculations:
  - a. The total volume of trees to be removed (provided by an independent certified forester)
  - b. Subtracting the estimated timber in replacement trees provided under the Significant Tree section of this zoning ten years after planting
  - c. Converting the net timber to be removed to short tons of carbon (using research from the Northern Institute of Applied Climate Science or other methodology approved by the permit granting authority)
  - d. Subtracting the carbon offsets (short tons of carbon) provided by the solar photovoltaic project over ten years of operation.
  - e. IF there is any net release of carbon with the above calculations, the applicant shall assign Renewable Energy Credits (REC) to the City to match or exceed said release of carbon.
- ~~4-7.~~ Within the area beyond the first 5 acres of canopy removed, stumps for removed trees must remain in place and no excavation/soil disturbance is allowed other than what would be required to bore support posts for the PV panels.