

DRAFT AMENDMENTS TO  
THE TOWN OF HOPKINTON  
ZONING ORDINANCE

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[*The following definitions to be added/deleted from Section 2]*

**Sec. 2. Definitions.**

*Accessory solar energy system.* A solar energy system that is incidental and subordinate to the principal use(s) of the parcel or development, and is either 1) entirely roof-mounted or mounted on a solar canopy and 2) generates no more energy than one-hundred percent (100%) of the energy that is necessary to support the principal use(s) of the parcel on which the solar energy system is located.

*Contaminated site solar energy system.* A principal solar energy system located on a contaminated site pending remediation or a remediated and restricted contamination site. A contaminated site solar energy system shall be reviewed as a major land development if it would occupy 40,000 square feet of area or more, inclusive of inter-row and panel/collector spacing. A contaminated site solar energy system shall be reviewed as a minor land development if it would occupy less than 40,000 square feet of area, inclusive of inter-row and panel/collector spacing.

*Contaminated site pending remediation.* A property that has been identified and confirmed by RIDEM as being contaminated through issuance of a "Letter of Responsibility", but which has not yet been remediated to the satisfaction of RIDEM.

*Ground-mounted solar energy system.* A solar energy system that is structurally appended to the ground and is not supported to a structure or building.

*Major solar energy system Land Development Project.* A principal solar energy system that occupies 40,000 square feet of area or more, inclusive of inter-row and panel/collector spacing, or which requires waivers or ordinance amendments, which shall be reviewed as a Major Land Development Project pursuant to the procedures and standards set forth in the Town of Hopkinton Subdivision and Land Development Regulations.

~~*Minor solar energy system Land Development Project.* A principal solar energy system that occupies less than 40,000 square feet of surface area, inclusive of inter-row and panel/collector spacing, which shall not require waivers or ordinance amendments, which shall be reviewed as a Minor Land Development Project pursuant to the procedures and standards set forth in the Town of Hopkinton Subdivision and Land Development Regulations.~~

~~*Photovoltaic Solar Energy System (PSES)*—All equipment, machinery and structures utilized in connection with the conversion of solar energy to electricity, including but not limited to, distribution lines, transmission, storage, collection, and supply equipment, substations, transformers, inverters, service and access roads, and solar energy producing panels; a PSES may include solar energy generation, which is located at a commercial, industrial, agricultural, institutional, or public facility. These are systems whose main purpose is to generate energy for sale back into the energy grid system, rather than being consumed on the site.~~

~~*Principal solar energy system.* A solar energy system that is ground-mounted and 1) the only use occupying a parcel, or 2) that produces more than one hundred percent (100%) of the energy that is necessary to support the other use(s) occupying the parcel.~~

~~*Remediated and restricted contamination site.* A property (1) that has been identified and confirmed by RIDEM as having contained a hazardous material contamination; (2) on which remediation activities were conducted to the satisfaction of RIDEM as documented within a "Letter of Compliance" or an "Interim Letter of Compliance"; and (3) for which RIDEM has required the use of the property to be restricted through an Environmental Land Use Restriction.~~

~~*Roof-mounted solar energy system.* A solar energy system that is structurally appended to the roof of a building or structure.~~

~~*Solar Access*—A property owner's right to have sunlight shine on the owner's land. The enforcement of this right is through the Zoning Ordinance that establishes height and setback requirements.~~

~~*Solar canopy.* An elevated structure that hosts overhead solar panel installation to provide shade above a parking lot.~~

~~*Solar energy system.* The equipment and requisite hardware that provide and are used for collecting, transferring, converting, storing, or using incident solar energy for water heating, space heating, cooling, generating electricity, and off-loading said electricity to the grid, or other applications that would otherwise require the use of a conventional source of energy such as petroleum products, natural gas, manufactured gas, or electricity produced for a nonrenewable resource. This shall include photovoltaic arrays and installations that utilize ground-mounted systems. A solar energy system when the principal use of a parcel shall be deemed to be a manufacturing use.~~

Solar energy system operator. The agent or entity that conducts the daily operation and maintenance of the solar energy system under contractual agreement with the solar energy system owner.

Solar energy system owner. The owner of equipment and appurtenances comprising the solar energy system; said entity may also be the solar energy system operator.

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*[The following use categories to be added/deleted to table of permitted uses]*

### **Section 5. – District Use Regulations**

#### **Table of Permitted Uses**



	Zoning Districts	RFR - 80	RES - 1	Neighborhood Business	Commercial	Manufacturing	Aquifer Primary	Overlay Secondary
3								
306	Major Solar Energy System Land Development Project	N	N	N	N	S*	N	N
307	Minor Solar Energy System Land Development Project	N	N	N	N	S*	N	N
308	Accessory Solar Energy System	S*	S*	S*	S*	S*	S*	S*
309	Contaminated Site Solar Energy System	N	N	N	N	P	N	N
486	Photovoltaic Solar Energy System	X	X	X	X	X	X	X

\*A special use permit granted for a Major or Minor Solar Energy System Land Development Project or Accessory Solar Energy System may not be granted in conjunction with a dimensional variance.