

**2023-01-ORD requested by La Sandra Darensbourg Gordon, Councilwoman, District 1, for an Ordinance to amend the Zoning Ordinance of 1981 to provide regulations for solar energy systems.**

**Michael Albert** – So the issue of solar power generation has kinda hit the region been a lot of things on the new about it some questions how we regulate it where our code is currently on it the way the code is situated currently solar farms would really be permissible in M-2 and by interpretation in open land. What we doing with this ordinance is defining large scale solar operations as well as small scale so the first one being the large scale farming hundreds of units and the other being what you would have on personal property or whether it's commercial or residential providing regulations for how these operate and the way the parish is approaching it is to officially make it a permitted use in M-2 and to make it a special permit use in both open land and M-1, so the industrial zoning and agricultural zoning. We have included industry standards we worked with some representatives for solar advocacies, and we have the support of Ms. Darrensbourg on this and I think that what we have in the code should cover most of the concerns that any resident or business might have both with in terms of the extent of the operations and things like decommissioning and the overall maintenance all that is set up in performance regulations. I can answer any questions, if there are any.

**Commissioner Petit** – any questions before we open the public hearing.

**Commissioner Frangella** – yes, I have a question. Under the A for the larger systems it says that the setback is waived, basically it's not subject to the property line setbacks for common property line of two or more participating lots. If it's an adjacent lot, does it still have to be a 30 ft. setback?

**Michael Albert**- where that comes into play is if you have two large pieces of land and it's like one solar farming operation across the two of them the common lot line would not have the setbacks applied there they treating it as one property. Not for my solar panel next to your property, I wouldn't get to ignore it in that instance because I don't own your property as well.

**Commissioner Frangella** – if I own two lots and I put it right on the property line on one lot and I sell the other lot.

**Michael Albert** – the sales wouldn't come into it but the development on the property would if someone would permit something on it. I have no objection to removing that if it comes to it, we could require consolidation of the properties, it's not an issue.

**Commissioner Frangella** – I just don't want someone to get in there and if they decide to sell that lot because it combine with other things on there that beside the panel and they put it right close to what kind of situation we find ourselves in.

**Michael Albert** – I mean if you want to we can have that change made before council.

**Commissioner Frangella** – well it's up to the other commissioners.

**Commissioner Petit** – if you remove that it will fall back to the 30 ft. that would be quiet a bit.

**Michael Albert** – well yes, but if two properties where in common ownership we would require them to.....

**Commissioner Petit** – resub divide it.

**Michael Albert** – yes.

The public hearing was open and closed, no one spoke for or against.

**Commissioner Petit** – Sounds like maybe just look at some options for tweaking that, that piece.

**Michael Albert** – well what would be helpful for us is if we if we actually have a request from you all to make that amendment going for council just so that it's on the record, if there is no objections.

**Chris Welker** – Also I just want to point out it says participating lots so it's not necessarily a common ownership question, because if it's common ownership it's easier for us to trigger a re-subdivision, but if it's two large properties separately owned that are participating it's single.

**Michael Albert** – yea if we are, like we don't use participating language anywhere else in the code, so it would probably be better if we

**Commissioner Frangella** – like what does participating mean, if they going to be on both pieces of property that's owned by them oh yea you can go straight forward through but I might have where I got a repair shop next to them on one lot and I got everything else on the other lot

**Michael Albert** – the only question that might come in play if um one of these stretches across the parish boundaries and at that point the proper remedy maybe getting a variance.

**Commissioner Petit** – and that can be addressed through the permitting process, I guess that's why I was trying to put that up being addressed that way, the only kind of hiccup here would be if there was a sale of one lot and somebody maybe objective at that point solar panels are pretty removal right.

**Michael Albert** – yea, there is also a decommissioning plan that required so when these things are done or significant changes is done to it if there were abutting properties we could require that as part of the plan.

**Commissioner Petit** – re-subdividing is one thing, but it does add some additional cost that may be unnecessary. Right?

**Michael Albert** – nah I wouldn't call it unnecessary. There are many instances of permitting requiring people to go through administrative subdivisions first on all manner of land uses.

**Commissioner Petit** – ok, so that would be only applicable to the large systems right.

**Michael Albert** – correct.

**Commissioner Petit** – do we want to make a recommendation to make some adjustments there and remove that which would basically require a re-subdivision.

**Michael Albert** – we could simply remove the second line of A.

Commissioner Price made a motion to remove the second line from section 6 A, seconded by Frangella.

YEAS: Keen, Frangella, deBruler, Ross, Price, Petit

NAYS: None

ABSENT: Krajcer, Jr.

**PASSED**

Commissioner Frangella made a motion to consider, seconded by Price.

YEAS: Keen, Frangella, deBruler, Ross, Price, Petit

NAYS: None

ABSENT: Krajcer, Jr.

**PASSED**