



**GARDINER CITY COUNCIL**  
**AGENDA ITEM INFORMATION SHEET**



<b>Meeting Date</b>	02/05/2020	<b>Department</b>	Code Enforcement
<b>Agenda Item</b>	4.3 Approve Sending Proposed Amendments to the Land Use Code to First and Second Read/Addressing the Treatment of Commercial Solar Arrays		
<b>Est. Cost</b>	n/a		

**Background Information**

Attached are proposed amendments to the Land Use Code to Address the Treatment of Commercial Solar Arrays:

The following amendments are being proposed:  
 Section 17; Definitions  
 Section 7: Amend Land Use Table in subsection 7.6.4  
 Section 6: Revise subsection 6.2.3.3 Activities Subject to Site Plan Review/adding a new section 6.2.3.3.7

Planning Board Chair Debby Willis will be present to help facilitate the discussion.

<b>Requested Action</b>	'I move to send the proposed amendments to the Land Use Code addressing the treatment of commercial solar arrays to a first and second read on 2/19/2020 and 3/4/2020 respectfully.'
<b>City Manager and/or Finance Review</b>	The City Manager recommends the above action.
<b>Council Vote/ Action Taken</b>	
<b>Departmental Follow-Up</b>	

<b>City Clerk Use Only</b>	1 <sup>st</sup> Reading _____	Advertised _____	<b>EFFECTIVE DATE</b> _____
	2 <sup>nd</sup> Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

## Proposed Amendments to the Land Use Code to Address the Treatment of Commercial Solar Arrays

Proposed additions to the ordinance are underlined;  
proposed deletions are ~~struck through~~.

1. Amend Section 17 Definitions by inserting a new definition of a “Solar Electric Production Facility” in proper alphabetical order to read as follows:

**Solar Electric Production Facility:** A use that is engaged in the production of electricity through the use of solar technology that is either the principal use of the property or that is a secondary use on the property that is not associated with or accessory to the principal use of the property.

2. Amend the Land Use Table in Section 7 Zoning Districts to add Solar Electric Production Facility as a use in Subsection 7.6.4 Industrial, Wholesale and Transportation Uses to read as follows:

### 7.6.4 Industrial, Wholesale & Transportation Uses

#### Key to Land Use Table

Y = “Allowed”

N = Not Allowed

C = Code Enforcement Officer Review

P = Permitted with Review

SD = Subdivision Review

#### Legend

The legend at the top of the columns identifies the various zoning districts as follows:

RP	Resource Protection	SLR	Shoreland Overlay Limited Residential
SL	Shoreland	RG	Residential Growth
R	Rural	HDR	High Density Residential
PR	Professional/Residential	TD	Traditional Downtown
PIC	Planned Industrial/Commercial	PD	Planned Development
CC	Cobbossee Corridor	ECR	Education/Community Recreation
MUV	Mixed Use Village	PHD	Planned Highway Development
IT	Intown Commercial	CPD	Cobbossee Planned Development

Industrial, Wholesale & Transportation Uses																
	RP	SLR	SL	R	RG	HDR	PR	TD	PIC	PD	ECR	CC	MUV	PHD	IT	CPD
Commercial Firewood	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	N
Composting Facility	N	N	N	P	N	N	N	N	N	P <sup>6</sup>	N	N	N	N	N	N
Fuel Storage Facility	N	N	N	N	N	N	N	N	P	P <sup>6</sup>	N	N	N	P	N	N
Manufacturing Heavy	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N
Manufacturing Light	N	N	N	N	N	N	N	P	P	P <sup>6</sup>	N	P <sup>7</sup>	P <sup>6</sup>	P	P <sup>7</sup>	N
Passenger Transit Facility	N	N	N	N	N	N	N	P	P	P	N	P <sup>7</sup>	P	P	P	N
Recycling Facility	N	N	N	P	N	N	N	P	P	P <sup>6</sup>	N	N	N	N	N	N
Sawmill	N	N	N	P	N	N	N	N	C	P <sup>6</sup>	N	N	N	N	N	N
<u>Solar Electric Production Facility</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P<sup>15</sup></u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Trucking & Freight Facility	N	N	N	N	N	N	N	N	C	P <sup>6</sup>	N	N	N	N	N	N
Waste Processing Facility	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N
Wholesale & Warehouse	N	N	N	N	N	N	N	P	C	P	N	P <sup>7</sup>	N	P	P	N
Windmill Small	N	P	P	C	P	P	P	P	C	C	P	P	P	P	P	P
Windmill Mid-size	N	N	N	P	N	N	N	N	P	P	P	N	N	P	N	N
Windmill Large	N	N	N	P	N	N	N	N	P	P	P	N	N	P	N	N

NOTE 15: Solar Electric Generating Facilities are only permitted on lots with a lot area of five (5) acres or more.



3. Amend the development review provisions of Section 6 to revise subsection 6.2.3.3 Activities Subject to Site Plan Review to add a provision requiring review of proposals for the establishment or expansion of a Solar Electric Generating Facility to read as follows:

6.2.3.3.6 Any activity that disturbs more than 40,000 square feet of land, ~~or~~  
6.2.3.3.7 The establishment or expansion of a Solar Electric Generating Facility.