

ARTICLE SOLAR

AMEND ZONING BYLAW SOLAR ENERGY SYSTEMS

To see if the Town will vote to amend the Zoning Bylaw to remove restrictions on, and streamline permitting for, solar energy systems, or act in any other manner in relation thereto.

(Inserted by the Select Board at the request of the Planning Board)

DESCRIPTION:

This article would encourage construction of solar energy systems by permitting solar energy systems on nonconforming lots and small-scale solar energy systems wherever other structures are permitted, and by streamlining permitting for small-scale solar energy systems.

PROPOSED MOTION:

That the Zoning Bylaw, Chapter 135 of the Code of the Town of Lexington, be amended as follows (~~struck-~~ ~~though~~ text is to be removed and underlined text is to be added), and further that non-substantive changes to the numbering of this bylaw be permitted to comply with the numbering format of the Code of the Town of Lexington:

1. In §135-3.4 Table 1, Permitted Uses and Development Standards, row O.1.13 (Solar Energy System, Small-Scale), replace the symbol “R” with the symbol “Y” in every column in which it appears.
2. Amend §135-4.2.2 so that it reads:
4.2.2 Lot Regularity. No structure other than a Solar Energy System may be erected on any lot that does not have an area in which a circle, the diameter of which is 80% of the minimum lot frontage, tangent to the lot frontage and within all other lot lines, may be located.
3. Amend §135-4.2.4.1 so that it reads:
 1. **Minimum Lot Frontage Required.** ~~Every lot must~~ No structure other than a Solar Energy System may be erected on any lot that does not have at least the minimum frontage set forth in Table 2 for the district in which the lot is located on a street, ~~as defined in the Zoning Bylaw.~~ Frontage on unaccepted ways in existence prior to the adoption of the subdivision control law must receive a favorable determination from the Planning Board. Ways laid out, but not constructed, may not be used as frontage.
4. Replace §135-4.2.3 with the following:
4.2.3 Lot Area.
 1. Lot Area. No structure other than a Solar Energy System may be erected on any lot that does not have at least the minimum lot area set forth in Table 2 for the district in which the lot is located.
 2. Developable Site Area. No dwelling may be erected on any lot that does not contain a contiguous developable site area that is at least 90% of the minimum lot area for the district in which the lot is located.
5. Amend §135-6.11.3.3 so that it reads:
 3. Large-scale ~~and Small-scale~~ Solar Energy Systems ~~shall not be~~ located in the front, side, or rear minimum required Yard shall require a special permit. Small-scale Solar Energy Systems located in the front, side, or rear minimum required Yard shall be subject to site plan review under §135-9.5.

6. Amend §135-7.3.4 so that it reads:

7.3.4 Protected uses. Notwithstanding other provisions of §7.3 and any preliminary site development and use plan, the following uses and structures protected by MGL c. 40A, §3 shall be permitted in any PD, CD, or RD district:

1. Building-mounted Solar Energy Systems and Small-scale Solar Energy Systems shall be permitted by right.
2. Canopy Solar Energy Systems, and Large-Scale Solar Energy Systems, ~~and Small-scale Solar Energy Systems~~ shall be permitted with site plan review under §135-9.5.

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