

ORDINANCE NO. 2021 - 16

AN ORDINANCE AMENDING THE SEARCY ZONING CODE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has, pursuant to Article 9-4-2 of the Searcy Zoning Code, conducted a public hearing upon proposed amendments to the Zoning Code text heretofore adopted by the City Council for the City of Searcy: and

WHEREAS, the Planning Commission for the City of Searcy, Arkansas, has, upon conclusion of the said public hearing, made a finding of fact that the amendments to the Zoning Code text are consistent with the purposes of the Zoning Code and the Plans adopted by the said Planning Commission; and

WHEREAS, upon the aforesaid finding of fact, the Planning Commission has recommended to the City Council the amendments to the Zoning Code text; and

WHEREAS, the City Council has reviewed the requested code changes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL FOR THE CITY OF SEARCY, ARKANSAS:

SECTION 1. The Zoning Code text of the City of Searcy, Arkansas be amended as follows:

Add the following article to Chapter 5: Use Standards and Special Provisions

Art. 5-10 Solar Energy Systems

5-10-1 Purpose

The following sets forth standards to promote the use of clean energy in the City of Searcy, adding to efficiency and economy in the process of development. Specifically, this section supports sunlight as a safe, clean, and abundant energy source. Further, it supports wise and efficient use of funds through lower energy

bills, jobs for system installers and manufacturers, and the generation of electricity without the emissions and pollution associated with fossil fuels.

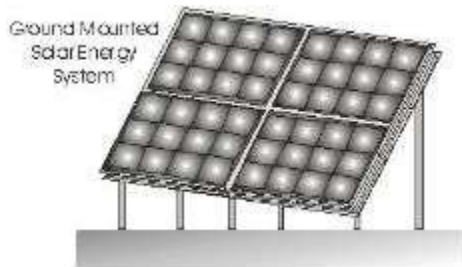
This section also encourages acceptance of solar energy by the community by providing standards designed to maintain good civic design through visual harmony in residential neighborhoods. The regulations support the appropriate use of land by preventing residential properties from being converted to non-residential use.

5-10-2 Definitions

The following definitions apply to solar energy systems

Solar Energy System, General: An energy system which converts solar energy to usable thermal, mechanical, chemical or electrical energy to meet all or a significant part of a structure's energy requirements.

Solar Energy System, Ground Mounted: A solar energy system that is supported by a grid system that is attached to the ground.

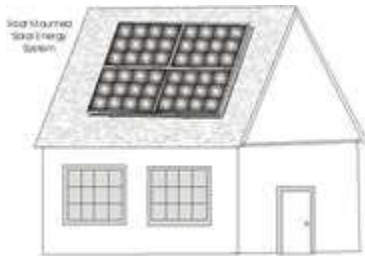


Solar Energy System, Pole Mounted: A solar energy system with solar panels attached to the top or side of a vertical pole.



Solar Energy System, Residential: Any ground mounted, pole mounted, or roof mounted solar collection system primarily for on-site residential use, and consisting of one or more free-standing, ground, or roof mounted solar arrays or modules, or solar related equipment, intended to primarily reduce on-site consumption of utility power.

Solar Energy System, Roof Mounted: A solar energy system that is supported by a grid system that is attached to the roof's structural members.



Solar Farms, Residential: Solar energy systems constructed in residential districts for the sole purpose of net metering where no primary building exists that would receive the benefits of power generated therein.

Solar Panels (solar energy systems): A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

5-10-2 Roof-mounted systems

Roof-mounted systems may be installed on any portion of the primary residence and accessory building subject to the following.

Roof mounted systems installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five (5) feet above a flat roof installation.

In no instance shall any part of the system extend beyond the edge of the roof. On residences with flat roofs, the solar panels shall not extend more than five feet above the roof line.

5-10-2 Ground-mounted and pole-mounted panels.

The following shall govern the location of solar panels not mounted on the roof of the principal structure in residential zoning districts.

Residential Solar Systems are permitted in all residential districts subject to the following.

1. Solar farms on vacant lots with no residential structure and which are devoted solely for net metering are considered commercial uses and are not permitted in residential zoning districts.
2. Solar energy systems are prohibited within the front yards of residential lots.
3. The height of ground mounted solar energy systems and systems mounted on non-residential structures shall not exceed 9 feet in height.
4. The height of a pole mounted sign shall not exceed the eave of the roof of a one-story structure or 9 feet, whichever is smaller.
5. Ground-mounted and pole-mounted solar energy systems must reflect a ten-foot side and rear yard setback.
6. Solar energy systems in residential zones shall first provide energy to a primary residential structure before any excess energy produced is utilized for net metering.

SECTION 2. The regulation and preservation of property uses and values in accordance with a Comprehensive Plan and the continued utilization of lands within the City of Searcy in accordance therewith being necessary for the preservation of the public peace, health, safety and welfare, an emergency is hereby declared, and this Ordinance shall be in full force and effect from and after its passage.

PASSED AND ADOPTED THIS 8th DAY OF JUNE, 2021.

/s/ Kyle Osborne
Mayor of Searcy

ATTEST:

/s/ Jerry Morris
City Clerk