

**TOWN OF PORTSMOUTH, RI**  
**Ordinance # 2021-11-08**

**AN ORDINANCE AMENDING THE TOWN CODE OF THE**  
**TOWN OF PORTSMOUTH**

Be it ORDAINED by the Town Council of the Town of Portsmouth:

Section 1. The Town Code, Chapter 405 entitled “Zoning” is hereby amended as follows:

**Chapter 405. Zoning**

**Article V. Use Regulations**

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6. If designated in the Tables by the letter "M", the use is permitted with the approval of the Major Land Development Review by the Planning Board subject to such restrictions as set forth elsewhere in this Ordinance and such further restrictions as said Board may establish.

	R10	R20	R30	R40	R60	C-1	I-L	I-H	WD	TC
<b>J. Solar Energy Systems (Article XX)</b>										
1. Large Solar Energy System	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	M	M	M	M	N
2. Medium Solar Energy System	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	<del>S</del> <u>N</u>	M	M	M	M	N
3. Small Solar Energy System	S	S	S	P	P	P	P	P	P	S
4. Accessory Roof Mounted Solar Energy System	P	P	P	P	P	P	P	P	P	P

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**Article XX Solar Energy Systems (SES)**

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**Section E. SES Dimensional Requirements**

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2. Yard Setbacks and Vegetative Buffer Area Requirements:

\* \* \*

b. Medium and Large SES:

- i. Yard setback areas must maintain ~~fifty (50')~~ one hundred (100) foot minimum setbacks on all sides, and one hundred fifty (150) foot minimum setbacks on all sides that abut residentially-zoned property. Where this standard conflicts with the requirements of yard setbacks in Article IV section B, this standard is to supersede.

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**Section G. Medium and Large SES Siting Requirements**

1. Site Design

\* \* \*

- d. Land Clearing: Wherever practical clearing of natural vegetation shall be limited to what is necessary for the construction, operation, and maintenance of the solar energy system or otherwise prescribed by the applicable laws, regulations, and ordinances. The disturbance and removal of topsoil from the site shall be limited to those areas that are required for the installation of the proposed solar energy system. ~~The applicant shall utilize existing cleared land or that which minimizes the impact on forest and habitat.~~ In no case shall more than twenty (20) percent of the area inclusive of inter-row and panel/collector spacing covered by the solar panels, be on cleared woodlands. In no case shall the total area of cleared woodland exceed 20,000 square feet.

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Section 2. This Ordinance shall take effect upon passage.

**ADOPTED BY TOWN COUNCIL  
ACTION ON: November 8, 2021**

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**Jennifer M. West, Town Clerk**