TOWN OF PORTSMOUTH, RI

Ordinance # 2021-12-13

TEMPORARY MORATORIUM ON MEDIUM AND LARGE GROUND-MOUNTED SOLAR ENERGY SYSTEMS

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

Section 1. Legislative Findings and Intent

A. On December 14, 2020, the Town Council enacted Ordinance # 2020-12-14, which amended the Portsmouth Zoning Ordinance to provide for the regulation of Solar Energy Systems (SES) in the Town of Portsmouth (the “Solar Ordinance”), effective retroactively to May 11, 2020.

B. Since the Solar Ordinance went into effect, the Town has experienced an influx of applications for the development and installation of ground-mounted SES.

C. On November 8, 2021, the Town Council enacted Ordinance # 2021-11-8, which amended certain provisions of the Solar Ordinance with regard to the location, minimum setbacks, and site design requirements for medium and large SES.

D. The Town Council finds that the provisions of the Solar Ordinance may need further amendments to provide for more detailed and rigorous standards for the siting and approval of ground-mounted SES, which have the potential for serious adverse impacts on the environment and on surrounding properties and neighborhoods.

E. The Town Council has determined that a six (6)-month moratorium on new applications for medium and large ground-mounted SES is necessary, in order for the Town to further study and evaluate the provisions of the existing Solar Ordinance, to determine whether further amendments are appropriate to address concerns pertaining to the existing Ordinance, and to protect the public health, safety and welfare of the residents of Portsmouth.

Section 2. Moratorium

A. The Town of Portsmouth hereby declares and imposes a moratorium effective immediately for a period of six (6) months on the acceptance, processing and/or approval of any application for a medium or large ground-mounted SES pursuant to the Solar Ordinance.

B. This moratorium shall not, however, apply to any pending application before the Portsmouth Planning Board for which a certification of completeness has been
issued pursuant to the provisions of the Portsmouth Land Development and Subdivision Regulations.

Section 3. This Ordinance shall take effect upon passage.

ADOPTED BY TOWN COUNCIL
ACTION ON:

Jennifer M. West, Town Clerk