

**From:** [Michael Behrendt](#)  
**Subject:** Solar ordinance - comments from Agriculture Commission \*  
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To the Planning Board,

Last night the Agriculture Commission reviewed the draft solar ordinance for possible impacts on agriculture in Durham. The commission asked that I pass on to the Planning Board two requested changes to the current draft:

- 1) In the Table of Uses, there is a footnote<sup>2</sup> above CU for freestanding enterprise systems in the Rural and RC zones. The footnote reads: “2. A freestanding enterprise solar energy system in the Rural or Residence C District that is located on a lot which is in use as commercial agriculture is a Permitted Use (P).” While the intent of the Planning Board here was to bolster agriculture by providing additional revenue to farmers, the Agriculture Commission was concerned about how this provision might play out in practice, perhaps leading to more farm land being turned over for solar systems, and the potential for abuse for any proposal that might be considered “commercial agriculture.” **The commission requests that the footnote be removed simply leaving this as CU in both zones.**
  
- 2) **The commission requests that the following provision be added under 6. Enterprise Solar Energy System – principal use:** “d. The Agriculture Commission shall have an opportunity to provide comments on any application for a freestanding enterprise system proposed to be located in the Rural District. The Planning Department shall notify the Agriculture Commission in a timely manner upon receipt of such any such site plan (whether preliminary or formal) or conditional use application.”

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