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**Town Planner's Review**  
**Wednesday, January 26, 2022**

IX. **Solar Ordinance**. Presentation by Town Councilor Jim Lawson about the updated draft solar ordinance.

➤ I recommend that the Planning Board provide any comments on the revised draft.

Several years ago the Durham Energy Committee worked with the staff to write a new ordinance to address solar installations, both small arrays for single family use and large arrays for commercial use. An ordinance is needed because there is virtually no direction now about solar installations. The word “solar” appears only twice in the present zoning ordinance: in the method for determining building height and in a description of the HDC’s purview.

The committee’s proposal was presented to the Planning Board which spent several months reviewing and modifying it. The board formally initiated a zoning amendment for the solar ordinance on April 10, 2019. The draft was then presented to the Town Council for consideration. Several concerns were expressed about the proposal – in particular about how to facilitate the installation of arrays for single-family use while protecting views from the street and how to protect the community from potential adverse impacts of large utility-scale arrays. The council tabled the document and Councilor Jim Lawson offered to work on improving it.

Councilor Lawson has spent considerable time working on the proposed ordinance, responding to issues raised earlier, addressing a number of technical issues, and generally improving and refining the document. He met with me recently and we have included a few adjustments. I think that the proposal is now ready for a formal review. It probably makes sense to start the review with the Town Council since it was the council that tabled the earlier draft. The council would examine the revised draft and, at its option, formally initiate it as is or with changes. It would then send it to the Planning Board for consideration. The board would hold a public hearing and then make its recommendation to the Town Council. The Town Council would need to hold its own public hearing prior to adoption.

Jim would like to give a presentation to the Planning Board about the revised draft, explaining the changes, some of the technical aspects, and how the ordinance would operate. If the board has concerns or suggestions, he can then incorporate them into the draft, as appropriate, before giving it to the Town Council.