

## **ORDINANCE 23-2022**

### **AN ORDINANCE AMENDING CERTAIN SECTIONS AND ADDING A NEW SECTION TO CHAPTER 158 (ZONING CODE) OF THE CITY OF HOPKINSVILLE, KENTUCKY CODE OF ORDINANCES TO DEFINE AND REGULATE THE PLACEMENT OF SOLAR ENERGY SYSTEMS**

#### **SUMMARY**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOPKINSVILLE, KENTUCKY AS FOLLOWS:**

By summary the City of Hopkinsville, Kentucky Code of Ordinances [‘the Code’] is amended as follows:

#### **§158.002 DEFINITIONS**

§158.002 is amended by the Ordinance. The Ordinance retains existing definitions and amends the Code to include the following definitions: SOLAR ENERGY SYSTEMS (SES) including INTEGRATED SOLAR ENERGY SYSTEM, ROOFTOP SOLAR ENERGY SYSTEM, and GROUND MOUNTED SOLAR ENERGY SYSTEM; DECOMMISSIONING PLAN FOR GROUND MOUNTED SES; EXEMPT SOLAR ENERGY SYSTEM; PHYSICAL CONSTRUCTION (SES FACILITY); SES FOOTPRINT; and SITING BOARD REGULATED SES.

#### **§158.045 REQUIREMENTS FOR SOLAR ENERGY SYSTEMS (SES)**

§158.045 is created by the Ordinance. Subsection A provides the purpose of the Section; Subsection B specifies that the provisions of the section are applicable to the siting, construction, installation, and decommissioning of any new SESs within the City of Hopkinsville and provides exceptions; Subsection C provides the requirements for a zoning/building permit prior to physical construction; Subsection D provides general requirements applicable to Integrated and Rooftop Solar Energy Systems including provisions related to solar access, tree removal, height restrictions, lighting, and historic preservation; and Subsection E provides general requirements applicable to Ground Mounted SESs including provisions related to solar access, tree removal, lighting, height restrictions, siting restrictions including setbacks and variance procedures, screening, signage, decommissioning, and application requirements, supplemental exhibits, and the requirement for a surety instrument.

## APPENDIX A: SCHEDULE OF USES

Appendix A of the Ordinance is amended. The Ordinance retains existing provisions for Subsection A. The Ordinance amends Subsection B entitled “Schedule” to include or revise the following:

	<b>EST 1</b>	<b>R 1</b>	<b>R 2</b>	<b>R 3</b>	<b>R 4</b>	<b>R 5</b>	<b>B 1</b>	<b>B 2</b>	<b>B 3</b>	<b>B 4</b>	<b>P 1</b>	<b>I 1</b>	<b>I 2</b>
Electric power and steam generating plants <u>(excluding Solar Energy Systems)</u>													R
<u>Solar Energy System (Integrated SES)</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>
<u>Solar Energy System (Rooftop SES)</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>
<u>Solar Energy System – Ground Mounted (Small Scale SES)</u>							<u>CU</u>	<u>R</u>		<u>R</u>	<u>CU</u>	<u>R</u>	<u>R</u>
<u>Solar Energy System – Ground Mounted (Intermediate Scale SES)</u>								<u>CU</u>		<u>CU</u>		<u>CU</u>	<u>R</u>
<u>Solar Energy System – Ground Mounted (Large Scale SES)</u>													<u>CU</u>

All other uses appearing within Appendix A, Subsection B are retained.

The full text of this Ordinance is on file in the office of the undersigned City Clerk of the City of Hopkinsville at 715 South Virginia Street, Hopkinsville, Kentucky, where it is available for public inspection between the hours of 8:00 a.m. to 4:30 p.m., Monday through Friday.

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**ORDINANCE 23-2022 SUMMARY  
AMEND CHAPTER 158, ZONING CODE (SOLAR ENERGY SYSTEMS)**

**PUBLICLY READ AND PASSED FIRST TIME:** \_\_\_\_\_

**PUBLICLY READ AND PASSED SECOND TIME:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_

**Wendell A. Lynch  
Mayor**

**ATTEST:** \_\_\_\_\_

**Christine M. Fletcher, MMC  
City Clerk**

**I, H. Douglas Willen, hereby certify I am an Attorney licensed to practice law in the Commonwealth of Kentucky, my office is located at 317 West Ninth Street, Hopkinsville, Kentucky 42240. I further certify the foregoing Summary of Ordinance 23-2022, of the City of Hopkinsville, Kentucky, was prepared in accordance with the requirements of KRS 83A.060(9), and is a true and accurate summary of the contents of said Ordinance.**

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**H. Douglas Willen**