

16-4-18 Solar Field Overlay Zone (SFOZ)

A. **Purpose.** The purpose of the Solar Field Overlay Zone (SFOZ) is to provide flexibility while promoting sustainable development and renewable energy options. The Town promotes the use of solar panels on roof tops within residential developments and commercial developments but is aware that large areas of land to house Solar Fields are in need. This zone is meant as a holding overlay zone by which allowing for future development of property to occur in an organized and sustainable pattern. The zone is not meant to negate current entitlements in the way of underlying zoning or pre-existing overlay zoning. SFOZs should:

1. Promote the use of underutilized land.
2. Further economic development.
3. Promote employment opportunities within the Town of Gila Bend.
4. Help meet utility companies requirements as related to the percentage of renewable energy in which such utilities are required by State and Federal guidelines.

B. General Requirements and Standards.

1. Modification of Restrictions of the Underlying Zoning District(s).
 - a. A SFOZ may be used to modify the zoning restrictions of the underlying zoning district of a parcel, in accordance with the requirements of this section. The procedures set forth in Section 16-3-12 shall be followed.
 - b. The SFOZ designation, if approved by the Council, shall be considered a holding zone. The underlying zoning of the site shall stay in effect until the removal and/or reversion of the SFOZ by the Council. The removal and/or the reversion of the SFOZ shall be conducted in accordance with Section 16-3-12 as a Major Change and can be submitted by the property owner(s), their representative or the Town.

2. Ownership, Lease or Option.

The land proposed for the SFOZ may be owned by multiple owners if all parties with interests in such land have signed off on the zoning modification. A SFOZ shall not be approved unless the applicant(s) has/have acquired actual ownership of, executed a binding sale for, ~~or~~ executed a long term lease (ten (10) years or more) or entered into an option agreement for all the property composing the proposed SFOZ.

3. Conformance with the General Plan.

The proposed SFOZ shall be in conformance with the Goals and Objectives within the Land Use Elements of the Town of Gila Bend General Plan. The Town Council has enacted the SFOZ to be utilized as a holding zone for future development. An SFOZ overlay may only be

utilized for the use of Solar Field(s) for the production of renewable energy; and shall be in accordance with the requirements of this section.

4. SFOZ Regulations

Minimum size: The minimum size of a SFOZ shall be one hundred (100) acres. The Council may approve a SFOZ which is less than one hundred (100) acres, but no less than forty (40) acres, upon showing that the property is adjacent to or across the street from a SFOZ and approval of the proposed SFOZ will contribute to renewable energy production for the public.

5. Front, Rear and Side Yard Building Setback Regulations.

Solar Field building setbacks from all property lines which form the perimeter of the boundaries of the SFOZ or from all interior and exterior dedicated street right-of-ways shall be thirty five (35) feet.

6. Operation and Maintenance Requirements for Solar Fields.

The property shall be maintained by the owner(s) of the property and/or the operators of the Solar Field in such a way that the property shall be cleared of debris, weeds, trash etc. The equipment shall remain in good repair and working order; malfunctioning, equipment in disrepair or inoperable equipment shall be removed from the property immediately.

C. Schedule of Construction.

1. Upon submittal of the SFOZ the applicant shall also submit a schedule of construction. The development of the Solar Field must begin within one (1) year of the approval by Council of the SFOZ in accordance with Section 16-3-12.
2. The applicant may propose to develop the Solar Field in phases. Such phasing schedule will be submitted with the application to the Town for review and approval by Council and shall be in accordance with Section 16-3-12.