

**AN ORDINANCE AMENDING THE COUNTY ZONING ORDINANCE TO
PROVIDE COMPREHENSIVE GUIDELINES FOR THE SAFE AND ORDERLY
DEVELOPMENT OF SOLAR ENERGY IN PANOLA COUNTY AND THE
REGULATION THEREOF.**

WHEREAS it is in the best interest of Panola County to facilitate the siting, construction, installation, and decommissioning of solar energy systems (SESs) in Panola County in a manner that encourages local economic development and protects the health, safety, and welfare of the citizens of Panola County, and at the same time mitigates any adverse impacts to wildlife, agricultural lands, forests, and other natural landscapes; and

WHEREAS the intent of Panola County is to increase energy security and diversify the energy portfolio, to promote the use of Mississippi-based energy resources, to decrease the cost of energy, to bolster local economic development and employment prospects, to increase consumers' choices in energy consumption, to encourage the use of a renewable energy resource, and to reduce pollution; and

WHEREAS the intent of Panola County is not to compromise or contradict the health, safety, or environmental requirements contained in other federal, state, and local laws, nor is it to create heightened standards for the siting, construction, installation, and decommissioning of SESs that would discriminate against SESs relative to other similar commercial, industrial, or utility projects within Panola County;

NOW THEREFORE, BE IT ORDAINED by the Board of Supervisors of Panola County as follows:

Article I, Title and Purpose §F, Panola County, Mississippi Land Use District Ordinance be and same is hereby amended by adding to it the following definitions:

Solar Energy System ("SES") means a device or structural design feature that provides for the collection of solar energy for electricity generation, consumption, or transmission or for thermal application. For purposes of this section, SES refers only to (1) photovoltaic SESs that convert solar energy directly into electricity through a semiconductor device, or (2) solar thermal systems that use collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling. SES includes all components of the electricity generating facility (inverters, transformers, switchgear, substations, communications infrastructure, and other ancillary or related equipment), but does not include transmission lines or generation tie lines connecting the SES to a utility-owned substation.

Ground Mounted Solar Energy System ("GSES") means an SES that is structurally mounted to the ground and does not qualify as an Integrated Solar Energy System

(ISES). For purpose of this section, any solar canopy that does not qualify as an ISES shall be considered a GSES, regardless of where it is mounted.

Article III, District Regulations, be and is hereby amended to include the following designation and classification and the permitted use:

Solar Energy Systems may only be permitted in Zoning Districts A, Agriculture Districts.

No SES shall be constructed, modified, or operated in the County, except pursuant to this provision of the Zoning Ordinance. All SES developments must be consistent with all applicable state and federal laws and regulations and shall obtain all necessary state and federal permits as well as approved and permitted by the Panola County Land Development Commission.

In addition to all other applicable regulations under the Zoning Ordinance, the following regulations apply to GSES:

- A. Fencing. A GSES located in Panola County shall have safe and suitable fencing completely surrounding the project area. Said fencing shall be constructed in a manner which shall be approved by the Office of the Panola County Land Development and the Panola County Land Commission. Any fencing located within the corporate limits of the City of Batesville shall be constructed in accordance with all regulations implemented by the City of Batesville.
- B. Setback. A GSES shall be set back from all property lines at least thirty (30) feet, unless a lesser setback is approved by the Panola County Land Development Commission as a variance.
- C. Signage. A SES shall display signs stating the risks that may result from contact with a SES, identifying the owner of the SES and providing emergency contact information. All signs shall comply with the requirements of the Panola County Land Development Commission for displaying any advertisement or sign.
- D. Decommissioning. Unless otherwise approved by the Panola County Land Development Commission, decommissioning of a GSES shall begin no later than twelve (12) months after a GSES has permanently ceased to generate electricity, and the owner or operator of the GSES shall return the property to its condition prior to the installation of the GSES or to some other condition reasonably appropriate for the designated land use within twenty-four (24) months after a GSES has permanently ceased to generate electricity. Notwithstanding anything to the contrary, a GSES will not be considered to have permanently ceased to generate electricity unless it has failed to diligently pursue the production of, or restoration of the GSES's ability to produce, electricity for at least six (6) consecutive months. A decommissioning plan shall be

required to ensure that facilities are properly removed after their useful life. The plan shall include provisions for removal of all structures, foundations, electrical equipment and internal or perimeter access roads, restoration of soil and vegetation, and a plan ensuring financial resources will be available to fully decommission the site.

- E. Glare. Documentation of coordination with the FAA shall be provided with the site plan review if required by applicable law.
- F. Lighting. Exterior lighting within the GSES shall be the minimum necessary for security and should be designed to minimize the impact to landowners, including the use of light hoods, low glare fixtures and directing the lights at the ground.
- G. Warnings. ASES shall display signs stating the risk that may result from contact with a SES, identifying the owner of the SES and providing emergency contact information. All signs shall comply with the requirements of the Panola County Land Use District Ordinance for displaying any advertisement or sign.

APPROVED AND ADOPTED this the 3rd day of October, 2022.

PANOLA COUNTY BOARD OF
SUPERVISORS

BY: 

COLE FLINT, President