

ORDINANCE NUMBER 2025 - ____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF BRYANT TO THE BRYANT ZONING CODE.

WHEREAS, the City of Bryant established the Bryant Zoning Regulations under Ordinance 99-16 dated September 27, 1999; and

WHEREAS, the Bryant Planning Commission has prepared new regulations to implement the needed changes to the Zoning Regulations; and

WHEREAS, the Planning Commission of the City of Bryant, Arkansas conducted a duly advertised public hearing concerning the proposed regulations, subsequent to which they credited the proposed regulations to the City Council for its adoption.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRYANT, ARKANSAS:

Section 1. Adoption

The City of Bryant does hereby adopt the attached sections of the Zoning Regulations of the City of Bryant shall be amended by reference as a technical code amendment pursuant to A.C.A. 14-55-207.

Section 2. Codification

The City of Bryant City Council does hereby direct the Planning and Development Director to codify and organize these adopted sections with the Zoning Code in a proper manner.

Section 3. General Repealer

All laws, ordinances, resolutions, or parts of the same, which are inconsistent or in conflict with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency or conflict.

Section 4. Severability

Should any title, section, paragraph, item, sentence, clause, or phrase of this Ordinance be declared or adjudged invalid or unlawful by a court of competent jurisdiction, such declaration or adjudication shall not affect the remaining portions of the Ordinance which shall remain in full force and effect as if the portion so declared or adjudged or unconstitutional was not originally a part of the Ordinance.

PASSED AND APPROVED this ____ day of _____, 2025.

Approved:

Attest:

Mayor Chris Treat

Mark Smith, City Clerk

Section 10.14: Utility-Scale Solar Arrays

A. Purpose

1. The purpose of these regulations are as follows:
 - a) To ensure that utility-scale solar energy systems (USESs) are installed in a manner that preserves the public health, safety, and welfare of the community.

B. Definitions

- Utility-Scale Solar Energy System (USES): A solar power generation system designed primarily to supply power to off-site users or the utility grid, typically generating more than 1 megawatt (MW) of electricity.
- Accessory Solar Energy System: A solar array designed to serve on-site electrical needs.
- Glare: Light reflection that may cause visual discomfort or safety concerns, particularly for motorists or nearby property owners.

C. Application Requirements and Review Process

1. A conditional use permit and an approved site development plan are required for the construction of a utility-scale solar energy system.
2. Utility-Scale Solar Energy Systems are permitted by Conditional Use Permit (CUP) in the following Zoning districts:
 - a) Industrial/Mining
 - b) Other districts as determined by the Planning Commission and approved by the City Council.
3. All applications for a USES shall include:
 - a) Site development plan showing panel layout, fencing, setbacks, access roads
 - b) Electrical diagram, including grid interconnection points
 - c) Glare analysis for nearby residences and public roads
 - d) Landscaping and screening plan
 - e) Erosion and stormwater control plan (if disturbing >1 acre)

- f) Decommissioning plan (see Section 10.14.E)
- g) Proof of liability insurance

D. Development Standards

1. Lot Dimensions

- a) Lot Size: 5 Acres Min. – 10 Acres Max.

2. Setbacks

- a) Front, Side, and Rear – 100 Ft.
- b) Street ROW – 100 Ft.
- c) Must maintain a 300ft setback from any offsite residential structures.

3. Height

- a) 12 Ft Max. (Measured from grade to top of panel at maximum tilt.)

4. Fencing

- a) When abutting another Industrial / Mining (I/M) or commercial zoned property: Minimum 6-foot chain link or security fencing required around perimeter.
- b) When abutting a residential district, a minimum 6' high wood, rock or masonry fence is required with a landscape screen to buffer the solar arrays from the residential district. See the Bryant Landscape Regulation for specific landscape treatment.
- c) A bond for the maintenance of the fencing and landscape buffer is required.

5. Screening & Landscaping

- a) Evergreen vegetative buffers (average spacing of 6ft OC) shall be placed along property lines abutting residentially zoned property or public right-of-way.
- b) Landscaping must be maintained and replaced as needed for the life of the project.

6. Glare, Noise, & Lighting

- a) Systems must be sited and designed to prevent glare onto neighboring homes, public rights-of-way, or aviation paths.
- b) USESs must not exceed 50 dBA at property boundaries.

- c) Night lighting must be fully shielded and motion-activated for safety.

7. Access & Maintenance

- a) All arrays must have locked, gated access with visible contact signage. Gate must have Knox Box or Knox Lock for Access by emergency services.
- b) Maintenance and inspection logs must be available to city inspectors upon request.

E. Decommissioning

1. A decommissioning plan must be submitted and approved before construction can begin on a USES. The plan must include the following:
 - a) Removal of all solar equipment and support structures
 - b) Restoration of topsoil and vegetation
 - c) Timeframe for decommissioning (<12 months from cessation of operations)
2. A financial surety (bond, escrow, or letter of credit) shall be required and reviewed every 5 years.

F. Permit Duration and Renewal

- CUPs shall be valid for 25 years, with an option for renewal upon application to the Planning Commission.

G. Enforcement and Revocation

- Failure to maintain the site or comply with permit conditions may result in revocation of CUP and enforcement under the City Code.