

ORDINANCE NO. 6600 OF 2025

BY THE CADDO PARISH COMMISSION:

AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 52 OF THE CODE OF ORDINANCES RELATIVE UTILITIES, TO INCLUDE SOLAR FARM REGULATIONS, AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Parish has seen an increase in the interest in the placement of solar farms; and

WHEREAS, local regulations for solar farms are needed in addition to the applicable zoning regulations.

NOW, THEREFORE, BE IT ORDAINED, by the Caddo Parish Commission in due, legal and regular session convened, that Chapter 52, Caddo Parish Code of Ordinances, is hereby amended to read as follows:

Chapter 52 - UTILITIES

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ARTICLE IV-RENEWABLE ENERGY POWER PLANTS

Sec. 36-224. Renewable energy power plants (solar energy).

- (a) *Purpose.* The purpose of this section is to establish minimum regulations, in addition to the applicable zoning regulations, for the placement, construction and modification of solar power plants, as defined herein, while promoting the safe, effective and efficient use of such energy systems.
- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Abandonment. If any solar power plant falls into a state of disrepair for a 180-day period, such solar power plant shall be deemed abandoned, and must undertake decommissioning of the facility as specified in the UDC 6.1(FF). Should the cause of the disrepair be due to any natural disaster, or other force majeure, the owner/operator shall request an extension beyond the 180-day period and submit a plan of repair to the parish commission.

Accessory solar energy systems include any photovoltaic, concentrated solar thermal, or solar hot water devices that are accessory to and incorporated into the development of an authorized use of the property, and which are designed for the purpose of reducing or meeting on-site energy needs.

Concentrating solar thermal devices or concentrated solar thermal power (CST) means systems that use lenses or mirrors, and often tracking systems, to focus or reflect a large area of sunlight into a small area. The concentrated energy is absorbed by a transfer fluid or gas and used as a heat source for either a conventional power plant, such as a steam power plant, or a power conversion unit, such as a sterling engine. Although several concentrating solar thermal technologies exist, the most developed types are the solar trough, parabolic dish and solar power tower.

Photovoltaics (PV) means a technology that converts light directly into electricity.

Solar power plant, except as expressly limited below, means any use of land where a series of one or more solar energy systems are placed in an area on a parcel of land for the purpose of converting sunlight into electricity, photovoltaics (PV), for the primary purpose of wholesale or retail sales of generated electricity.

- (c) *General regulations.*
 - (1) All solar power plants must comply with the minimum regulations and design standards set forth in the UDC, applicable to the district in which it established.
 - (2) *Local, state and federal permits.* A solar power plant must be required to obtain all necessary permits from the state department of environmental quality, including the state division of air quality and the state division of water quality; the state department of natural resources; and any applicable permits required by the parish, and applicable federal permits.
 - (3) This section shall be supplemental to and shall not abridge any other applicable local, state, or federal rules, regulations, or laws, including without limitation any more restrictive provision set forth in this code, the UDC, or any publication in succession to

either. Should any state or federal legislation go into effect, the owner/developer must comply with any such rules which may apply.

- (4) The owner/developer shall provide to the parish a maintenance guarantee in the amount of \$80.00 per linear foot of road right-of-way pending review of the economic index at the time of issuance of the guarantee. The cost per linear foot may vary at the time of inspection. The maintenance guarantee shall become effective upon the notice to proceed and will remain in effect until 90 days after the completion of the project. An approved traffic plan shall be submitted prior to the issuance of the maintenance guarantee. The contractor shall provide both pre and post construction to verify damages caused by the construction. In the event that roads within the traffic plan sustain damages due to construction activities, all repairs shall be completed within 90 days from the completion of the development and in accordance with parish standards. Substandard road conditions, as a result of construction activities, shall be repaired to the satisfaction of the department of public works within ten calendar days from the written notification thereof. If the road repairs have not been completed in the allotted time frame the maintenance guarantee will be called in to make the necessary repairs.
- (d) *Provisions for Parish Commission review.* In addition to the zoning regulations specified in the UDC, consideration shall be given to the following as the parish determines whether the project needs to be approved, denied, or conditionally approved:
 - (1) Project rationale. Project rationale, including estimated construction schedule, project life, phasing, and likely buyers or markets for the generated energy.
 - (2) Siting considerations. Siting considerations, such as avoiding areas/locations with a high potential for biological conflict, such as wilderness study areas, areas of environmental concern, county and state parks, historic trails, special management areas or important wildlife habitat or corridors; avoiding visual corridors that are prominent scenic viewsheds, or scenic areas designated by the parish; avoiding areas of erodible slopes and soils, where concerns for water quality, severe erosion, or high storm runoff potential have been identified; and avoiding known sensitive historical, cultural or archeological resources.
 - (3) Due to the complexity of large-scale solar power plant projects, the applicant must submit an economic impact study detailing the estimated economic impact on the parish, including but not limited to jobs created, estimated annual taxes, or any other information that may be required by the parish.
 - (4) Wildlife habitat areas and migration patterns. Specifically include information on any use of the site by endangered or threatened species and whether the project is in a biologically significant area. If threatened or endangered species exist in the area, consultation with the United States Fish and Wildlife Service (USFWS) will be necessary.
 - (5) Environmental analysis. In the absence of a required state or federal agency environmental review for the project (e.g., NEPA), the parish will require an analysis of impacts to historic, cultural and archaeological resources, soil erosion (water and wind), flora, and water quality and water supply in the area.
 - (6) Solid waste or hazardous waste. As applicable, the application must include plans for the spill prevention, clean-up, and disposal of fuels, oils, and hazardous wastes, as well as collection methods for solid waste generated by the project.
 - (7) Prior to work and during all construction until complete a transportation plan for construction and operation phases. Follow section 42-14.
 - (8) The drainage plan must follow the latest development drainage requirements of the parish.
 - (9) Stormwater pollution prevention plan (SWPPP) is a site-specific written document and drawings required by the EPA and LDEQ for LPDES general permits for discharge of stormwater from construction activities (LAR100000 and LAR200000), LPDES multi-sector general permit, or any LPDES individual permit which describes and ensures the implementation of practices that are to be used to reduce the pollutants in stormwater discharges associated with construction or other industrial activity at the facility.
 - (10) Public safety. Identify and address any known or suspected potential hazards to adjacent properties, public roadways, communities, aviation, etc., that may be created by the project.

- (11) Noise limitations. Submit sufficient information regarding noise, so as to demonstrate compliance with the parish noise ordinance.
- (12) It is preferred that any related special provision application applications for substations or transmission lines be considered in conjunction with the special provision application for the solar power plant; however, if the details of those improvements are not available at the time of application for the solar power plant, they may be considered later, through subsequent special provision application review. At a minimum, the intended route for connecting to the power grid and the alternative locations of any substation must be disclosed with the application for the solar power plant.
- (13) Decommissioning plan. Describe the decommissioning and final land reclamation plan to be followed after the anticipated useful life, or abandonment, or termination of the project, including evidence of proposed commitments with affected parties (parish, any lessor or property owner, etc.) that ensure proper final reclamation of the solar energy project. Among other things, revegetation and road repair activities should be addressed in the plan.
- (14) Other state and federal permits.
- (18) Substantial modifications to any previous parish commission approved site plan.
- (f) *Building Permit applications.*
 - (1) A permit application is required for each identified area (a, b, c) submitted as part of a project.
 - (2) The permit fee is \$60.00 per acre with a minimum fee of \$8,500.00.
 - (3) All plans must be certified by licensed state engineer.
 - (4) Solar panel materials must be listed and labeled by a nationally recognized testing agency. Documentation of compliance must be provided with the seal and signature of a licensed design professional in the state.
 - (5) Any permit issued pursuant to this section will expire three years from the date of issuance, unless construction has commenced. After the expiration of a permit, the applicant may reapply.
- (g) *As-built plans.* Upon completion of site construction, a certified as-built plan by an engineer must be submitted to the parish engineer and/or drainage district engineer for approval. The as-built plan shall receive approval prior to final inspection and prior to issuance of any letter of completion and/or the notice to proceed to any utility provider. Once approved, it must be filed with the clerk of court.
- (h) *Decommissioning, abandonment, hazard abatement.* A signed and notarized decommissioning plan must be submitted to the parish. It must be in a form suitable to be recorded with the clerk of court. The decommissioning plan must include at the minimum all the following provisions and requirements:
 - (1) Initiation upon "abandonment" of a solar power plant as defined in this section.
 - (2) A five-year bond in the amount of the anticipated decommissioning cost. The cost of decommissioning must be reevaluated every five years and a new bond must be posted to reflect the anticipated cost. Every year a certified letter must be submitted to the parish showing a record of all premiums paid.
 - (3) Any additional conditions which may be defined or established from time to time by the parish council upon which decommissioning will be initiated (i.e., of lease, condition of a potential public safety hazard, etc.).
 - (4) Complete removal of all non-utility-owned equipment conduits, structures, fencing, roads and foundations; and restoration of property to a condition prior to development of the solar power plant, unless the landowner requests in writing that the access roads or other land surface areas not be restored.
 - (5) The decommissioning plan must provide for the remediation of any environmental hazards remaining on the site, as determined by the EPA, state DEQ, or the parish government.
 - (6) The timeframe for completion of removal and decommissioning activities must begin within 60 days of termination of site use, abandonment, or revocation of permit and be completed within 12 months unless otherwise extended by the parish council within its sole discretion for good cause shown.

- (7) If the solar power plant, the contract, lease, or any other interest in the solar power plant is going to be sold, the new owners must follow the steps required in this subsection (h) for the decommissioning plan.
- (8) A signed statement from the party responsible for completing the decommissioning plan acknowledging such responsibility.

Upon any failure to initiate or complete any decommission plan, the parish or its authorized representative may take action as authorized by law, including but limited to calling the bond, revoking any previously issued permits, or initiating any civil action or criminal action as described below.

(i) *Violations.*

- (1) Upon finding of any inappropriate or illegal activities on the part of any person which would violate the provisions of this section, the planning department director or his designee shall notify in writing the persons responsible for such actions indicating the following:
 - a. The nature of the violations.
 - b. The actions necessary to correct the violations.
 - c. The date by which corrective actions should be taken and completed.
 - d. Actions which will take place if such corrective action is not taken.
 - e. When such corrective action has not been taken or is deemed inadequate based upon the conditions listed in this section, an order for the discontinuance of the use or occupation of any land, building or structure or any illegal additions, alterations or structural changes thereto may be issued.
 - f. Any other action authorized by this section to ensure compliance with or to prevent violation of any provision.
- (2) Any person violating any provision of this section shall be guilty of a misdemeanor and upon conviction shall be punished for each offense not more than \$500.00 or imprisonment not to exceed 30 days. Each day such violation continues shall be deemed to be a separate offense.