

STATE OF NEW YORK

9810--A

IN ASSEMBLY

April 9, 2024

Introduced by M. of A. BURDICK -- read once and referred to the Committee on Energy -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the general municipal law, in relation to siting of carport-mounted solar energy systems

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The general municipal law is amended by adding a new article 5-M to read as follows:

ARTICLE 5-M

CARPORT-MOUNTED SOLAR ENERGY SYSTEMS

5 Section 119-hh. Legislative intent.

6 119-ii. Carport-mounted solar energy systems.

7 § 119-hh. Legislative intent. The legislature hereby declares that it
8 is the policy of this state to foster and encourage the development of
9 solar energy generating systems, to take advantage of a safe, abundant,
10 renewable and non-polluting energy resource; to decrease the cost of
11 electricity to the owners of residential and commercial properties,
12 including single-family houses; to increase employment and business
13 development in the state, to the extent reasonably practical, by
14 furthering the installation of solar energy systems; and to provide for
15 the development of solar energy systems in non-residential zoning
16 districts and mixed commercial and residential zoning districts.

17 § 119-ii. Carport-mounted solar energy systems. 1. For the purposes of
18 this article "carport-mounted solar energy system" shall mean a solar
19 energy system not to exceed five megawatts of generating capacity which
20 is located and mounted on a roof or structure above real property exclu-
21 sively in use for vehicle parking.

22 2. No local government shall under any zoning ordinance, zoning law,
23 or law or ordinance of general applicability which determines permissi-
24 ble uses in city, town, or village zoning districts, prohibit the
25 construction, installation, or operation of a carport-mounted solar
26 energy system with a nameplate capacity of five megawatts or less, in

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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1 any non-residential zoning district or mixed commercial and residential
2 zoning district of any such city, town or village, provided however, if
3 the zoning district is a certified agricultural district the agricul-
4 tural impacts of the projects shall be minimized to the extent practica-
5 ble.

6 § 2. This act shall take effect on the first of January next succeed-
7 ing the date on which it shall have become a law.