



## LUC MODEL ZONING TEXT

### Solar Energy: Definitions

#### Article XXXX Definitions.

Solar energy related definitions:

- a) **Accessory Solar Energy**: A solar collection system consisting of one or more roof/structure mounted and/or ground/pole mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. Large solar energy production facilities consist of one or more free-standing ground/pole, or roof/structure mounted solar collector devices, solar related equipment and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. These production facilities primarily produce electricity to be provided off-site.
- c) **Solar Energy Equipment**: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter, batteries, mounting brackets, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) **Solar Photovoltaic (PV)**: The technology that uses a semiconductor to convert light directly into electricity.
- e) **Clear Fall Zone (Solar Energy)**: An area surrounding a ground/pole mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the primary lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the primary parcel and will not intrude onto a neighboring property.

**LUC Model Text (Zoning & Subdivision Committee; July 9, 2020)**



## LUC MODEL ZONING TEXT

### Solar Energy Systems (Version 1)

#### Section XXXX Solar Energy Systems (Less than 50 MW)

##### A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
3. Roof/Structure mounted solar energy systems:
  - a. Shall be flush-mounted, or as long as it matches the slope of the roof, shall have a maximum tilt of no more than five (5) percent steeper than the roof pitch on which it is mounted.
  - b. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
  - c. May be mounted to a principal or accessory building.
  - d. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs and may not be taller than eighteen (18) inches above the roofline of a flat roof.
4. Ground/Pole mounted solar energy systems:
  - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
  - b. Shall be permitted in the rear or side yard only.
  - c. Shall be erected within an established clear fall zone.
  - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.



5. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
6. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
7. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
  - a. Elevation of the proposed solar energy system(s) at maximum tilt.
  - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
  - c. Proof of notice to the electric company regarding the proposal.
  - d. Letter from the County Health Department/District or appropriate sanitary sewer operating authority stating location will not interfere with the septic or sewer system, whichever is applicable, on the property.

#### B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

Principal Solar Energy Production Facilities are prohibited in any district.

**LUC Model Text (Zoning & Subdivision Committee; July 9, 2020)**



## LUC MODEL ZONING TEXT

### Solar Energy Systems (Version 2)

#### Section XXXX Solar Energy Systems (Less than 50 MW)

##### A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
3. Roof/Structure mounted solar energy systems:
  - a. Shall be flush-mounted, or as long as it matches the slope of the roof, shall have a maximum tilt of no more than five (5) percent steeper than the roof pitch on which it is mounted.
  - b. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
  - c. May be mounted to a principal or accessory building.
  - d. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs and may not be taller than eighteen (18) inches above the roofline of a flat roof.
4. Ground/Pole mounted solar energy systems:
  - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
  - b. Shall be permitted in the rear or side yard only.
  - c. Shall be erected within an established clear fall zone.
  - d. The minimum setback distance from the property lines for structures comprising the solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the heights of the solar energy system or at least twenty (20) feet from the nearest property line, whichever is greater.



5. Solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
6. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
7. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
  - a. Elevation of the proposed solar energy system(s) at maximum tilt.
  - b. Evidence of established setbacks of 1.1. times the height of any structure and "clear fall zone".
  - c. Proof of notice to the electric company regarding the proposal.
  - d. Letter from the County Health Department/District or appropriate sanitary sewer operating authority stating location will not interfere with the septic or sewer system, whichever is applicable, on the property.

#### B. Principal Solar Energy Production Facilities

It is the purpose of this regulation to promote the safe, effective and efficient use of principal solar energy production facilities principally designed to produce greater levels of electrical energy, either for consumers with higher energy demand levels or designed primarily to produce energy to be supplied directly to the electrical grid. No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility, or subsidiary use, as defined by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

All principal solar energy production facilities shall meet the following requirements:

1. The proposed solar energy project must be located on at least five (5) acres of land.
2. For purposes of determining lot coverage, the total surface area of all ground mounted and freestanding solar collectors including cells, panels, and water collector devices shall be considered impervious. Panels mounted on the roof of any building shall be subject to the maximum height regulations as specified in the underlying zoning district.
3. To the extent feasible, all on-site utility and transmission lines, that are the responsibility of the principal solar energy production facility to maintain, shall be placed underground.
4. Roof/Structure mounted solar energy systems:



- a. Shall be flush-mounted, or as long as it matches the slope of the roof, shall have a maximum tilt of no more than five (5) percent steeper than the roof pitch on which it is mounted.
- b. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
- c. May be mounted to a principal or accessory building.
- d. Combined height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs and may not be taller than eighteen (18) inches above the roofline of a flat roof.
5. Ground/Pole mounted solar energy systems:
  - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
  - b. Shall be erected within an established clear fall zone.
6. Solar energy systems shall be designed and located in order to prevent reflective glare towards any inhabited building on adjacent properties as well as adjacent street right of ways.
7. The proposed principal solar energy production facility must comply with any applicable airport zoning overlay and height restrictions, and the ability to comply with the FAA regulations pertaining to hazards to air navigation must be demonstrated.
8. All mechanical equipment of solar energy systems including any structure for batteries or storage cells, shall be completely enclosed by a minimum eight (8) foot high fence with a self-locking gate, and provide screening in accordance with the zoning resolution.
9. Setback requirements from property lines and adjacent zoning districts shall be twenty (20) feet or the principal structure setback, whichever is greater.
  - a. Roof-mounted solar energy equipment are exempt from setback requirements, provided that the equipment is located within the footprint of the roof.
10. Solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
11. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of the application and shall include:
  - a. Elevation of the proposed solar energy system(s) at maximum tilt.
  - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
  - c. Proof of notice to the electric company regarding the proposal.



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- d. Letter from the County Health Department/District or appropriate sanitary sewer operating authority stating location will not interfere with the septic or sewer system, whichever is applicable, on the property.
- e. Letters from the County Engineer, Township, and State Department of Transportation regarding the status of any Road User Maintenance Agreement.

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