

134– ALTERNATIVE ENERGIES

134.1 SMALL SOLAR FACILITIES: Small Solar Facilities are facilities of fifty (50) megawatts or less. Solar facilities that produce over fifty (50) megawatts shall be required to submit an application with the Ohio Power Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations.

PERMITTED USES:

134.1.1 Integrated Solar Energy Solar Systems: subject to the restrictions contained herein any construction, erection, or siting of an Integrated Solar Energy System shall be a permitted use in all zoning districts.

134.1.2 Rooftop Solar Energy Systems: subject to the restrictions contained herein any construction, erection, or siting of a Rooftop Solar Energy System shall be a permitted use in all zoning districts. Rooftop Solar Energy Systems that follow the contour of the roof in which it is attached shall not require a permit so long as it doesn't exceed a maximum height of one (1) foot above the roof.

134.1.3 Ground Mounted Solar Energy Systems: Subject to the restrictions contained herein, as well as any other relevant condition as the Board of Zoning Appeals may determine, herein any construction, erection, or siting of a Ground Mounted Solar Energy System shall be a conditional use in all zoning districts.

134.1.4 All Other Small Solar Energy Systems/Facilities: Subject to the restrictions contained herein, as well as any other relevant condition as the Board of Zoning Appeals may determine, herein any construction, erection, or siting of Small Solar Systems/Facilities, other than Integrated, Rooftop, and Ground Mounted Solar Energy Systems (“All Other Small Solar Facilities”) shall be a conditional use in all zoning districts.

134.2 GENERAL REQUIRMENTS:

134.2.1 Height:

- A) The maximum height of any Integrated or Rooftop Solar Energy System shall not exceed the maximum height applicable to principal structures located in the zoning district where located. An Integrated or Rooftop Solar Energy system mounted on a roof shall not vertically exceed the highest point of the roof to which it is attached.
- B) The Maximum height of any Ground Mounted Solar Energy System (Including any Other Small Energy Systems) shall be no higher then the maximum height for an accessory structure for the district in which it is located.

134.2.2 Coverage:

- A) An Integrated or Rooftop Solar Energy System shall cover no more than Eighty (80) percent of a structure's walls and/or roof, as applicable.

- B) Ground Mounted Solar Energy Systems shall be included as part the accessory structure and/or the impervious surface total for the purpose of calculating ground coverage for the district in which it is located.

134.2.3 Visual Buffer:

- A) A Ground Mounted Solar Energy System shall have a visual buffer of natural vegetation, plantings, and/or fencing that provides reasonable visual screening to minimize view of and noise from Small Solar Facilities on adjacent lots and from any public right-of-way. Ground Mounted Solar Energy Systems located on corner lots shall comply with the applicable requirements (including, but limited to, those for yards, buffering, and screening) for lots in the zoning district where located.

134.2.4 Lighting:

- A) Any lighting for a Small Solar Facility shall meet any lighting restrictions applicable to the zoning district where located. In the event there are no applicable provisions regarding lighting, all lighting in, of, and associated with the Small Solar Facility must narrowly focus light inward toward the solar equipment, be downlit and shielded, and result in a maximum horizontal illuminance level not to exceed one foot-candle. Small Solar Facilities shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.

134.2.5 Noise:

- A) Any small Solar Facility shall comply with the noise resolution and all applicable noise restrictions set forth within the Township, including, but not limited to, those applicable to zoning district where located.

134.2.6 Setbacks:

- A) Any Small Solar Facility must comply with the setback requirements applicable to the zoning district where located.

134.2.7 Maintenance:

- A) Small Solar Facilities must be maintained in good working order at all times. The owner of the property and the owner of the Small Solar Facilities shall, within thirty (30) days of permanently ceasing operation of a Small Solar Facility, provide written notice of abandonment to the Zoning Inspector. An unused Small Solar Facility may stand no longer than three (3) month following abandonment. All costs associated with the dismantling/demolition of the Small Solar Facility and associated equipment shall be borne by the property owner. A Small Solar Facility is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Small Solar Facility and, in the case of Ground Mounted Solar Energy System installed returning the property to a graded, seeded and/or landscaped state similar to its condition prior to the construction/installation.

134.2.8 Building Permits:

- A) All Small Solar Facilities and parts thereof shall obtain all applicable required building permits from the State of Ohio and County or other local building jurisdiction.

134.2.9 Advertising:

- A) Small Solar Facilities and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (Name, Insignia, Logo and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.

134.2.10 Other Restrictions:

- A) A Small Solar Facility shall comply with all applicable federal, state, and local laws, rules, and regulations.

134.3 SMALL WIND FARM: A Small Wind Farm is defined by Ohio Revised Code (ORC) section 519.213 as having an aggregate generating capacity of less the 5-megawatt capacity.

PERMITTED USES:

134.3.1 Small Wind Farm: Subject to the restrictions contained herein, as well as any other relevant condition as the Board of Zoning Appeals may determine.

134.3.2 Application: A zoning application shall be accompanied by a full site plan, including a decommissioning plan.

134.3.3 GENERAL REQUIREMENTS:

134.3.4 Each wind tower shall be back a distance equal to 1.1 times its total height from any public right-of-way, any overhead utility lines, and all property lines.

134.3.5 A Small Wind Farm shall comply with all Federal Aviation Administration (FAA) regulations.

134.3.6 No part of the system, including guide wire anchors, may extend closer than twenty (20) feet to any property line.

134.3.7 All intra-project power lines and transmission lines associated with project shall be underground.

134.3.8 A Small Wind Farm shall comply with all applicable building and electrical codes.

- 134.3.9** Safety: The tower shall be designed and installed so as to not provide climbing rungs from a level measured ten (10) feet from the finished grade and installed but not to exceed the manufactured specifications.
- 134.3.10** Noise: Small Wind energy systems shall not exceed sixty (60) dB, as measured at the closest neighboring dwelling.
- 134.3.11** Advertising: Small Wind Farm and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (Name, Insignia, Logo and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.
- 134.3.12** Lighting: Any lighting for a Small Wind Farm shall meet any lighting restrictions applicable to the zoning district where located. In the event there are no applicable provisions regarding lighting, all lighting in, of, and associated with the Small Wind Farm must narrowly focus light inward toward the solar equipment, be downlit and shielded, and result in a maximum horizontal illuminance level not to exceed one foot-candle. Small Solar Facilities shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.
- 134.3.13** Maintenance: Small Wind Farms must be maintained in good working order at all times. The owner of the property and the owner of the Small Wind Farms shall, within thirty (30) days of permanently ceasing operation of a Small Wind Farms, provide written notice of abandonment to the Zoning Inspector. An unused Small Wind Farm may stand no longer than three (3) month following abandonment. All costs associated with the dismantling/demolition of the Small Wind Farm and associated equipment shall be borne by the property owner. A Small Wind Farm is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Small Wind Farm and, returning the property to a graded, seeded and/or landscaped state similar to its condition prior to the construction/installation.
- 134.3.14** Small Wind Farms shall not be built on vacant lots.