

## ZC-2025-3 - Roof top solar panels suggestion for amendment

Exhibit A

Additions are highlighted in yellow

Deletions are in red text and ~~strikeout~~.

### Suggestion for proposed amendment

#### 2.02.0 WORDS AND TERMS DEFINED

“GROUND FLOOR AREA/ FOOTPRINT” means the horizontal area of the foundation measured from the exterior faces of exterior walls and/or exterior roof supports.

“GROUND-MOUNTED SOLAR ENERGY SYSTEMS” means a solar energy system that mounts a solar panel or panels and facilities on or above the ground.

“HAZARDOUS WASTE” means substances or materials that by reason of their toxic, caustic, corrosive, abrasive, or other injurious properties may be detrimental or deleterious to the health of any person or others coming into contact with such material or substance and which can not be handled by routine waste management techniques.

“INDUSTRIALIZED UNIT” means a structure as defined in Ohio Revised Code 3781.10 for which a letter of certification and insignia has been issued by the Ohio Board of Building Standards pursuant to Ohio Administrative Code 4101:2- 1-62(A).

“INTEGRATED SOLAR ENERGY SYSTEMS” means a solar energy system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.

“JUNK” means waste, discarded or salvaged materials including, but not limited to, scrap metals, building materials, batteries, glass, paper, plastic, rags, rope, rubber, cordage, barrels, machinery and dismantled or wrecked vehicles or parts thereof.

“ROOF” means a covering structure of rigid permanent waterproof materials.

“ROOFTOP SOLAR ENERGY SYSTEMS” means a solar energy system that is mounted to a structure or building’s roof on racks.

“SCHOOL” means any public school chartered by the Ohio Board of Regents or conforming to minimum standards prescribed by the state board of education and any private or parochial school certified by the Ohio Department of Education which offers state approved courses of instruction.

“SIGN” see signs, Article 9.

“SMALL SOLAR FACILITY” means a Solar Energy System other than ground-mounted, integrated, or rooftop Solar Energy Systems, and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty (50) megawatts.

“SOLAR ENERGY” means radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.

“SOLAR ENERGY SYSTEM” means a system and associated facilities that collect Solar Energy, which may include, but is not limited to, an Integrated Solar Energy System, Rooftop Solar Energy System, or Ground-Mounted Solar Energy System.

“SPA” see “day spa”.

### **5.00.01 PROHIBITED USES.**

- A. Any use not specifically listed in this resolution shall not be permitted, nor shall any zoning certificate be issued therefor, unless and until a zoning amendment to provide for such use has been adopted and is in effect in accordance with Article 3 or a variance has been granted in accordance with Article 12.
- B. Lighting fixtures and devices from which direct glare is visible on adjoining roads or lots shall be prohibited. Flashing lights and beacons shall be prohibited.
- C. Mobile homes shall be prohibited except in the existing mobile home park located at 8701 Mayfield Road (U.S. 322), listed as parcel number 11- 257500 in 1995.
- D. No junk vehicle shall be stored or located except in accordance with the provisions of Section 5.00.05 of this resolution.
- E. Junk yards and the storage of junk or burial of junk shall be prohibited.
- F. Automotive wrecking and automotive wrecking yards shall be prohibited.
- G. Manufactured home parks shall be prohibited.
- H. The storage, incineration or burial of hazardous waste shall be prohibited.
- I. Landfills for the burial of solid waste shall be prohibited.
- J. Medical marijuana cultivators, processors or retail dispensaries shall be prohibited in accordance with O.R.C. Section 519.21.

### **K. Small Wind Farms as defined in O.R.C. Section 519.213**

~~K-L~~ No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this resolution, and any additional conditions and requirements prescribed, is or may become hazardous, noxious, or offensive due to emission of odor, smoke, fumes, cinders, dust, noise, gas, vibration, electrical interference, refuse matter, water carried wastes, or which will interfere with adjacent landowners' enjoyment of the use of their land.

**5.01.02 PERMITTED ACCESSORY BUILDINGS, STRUCTURES AND USES (which are on the same lot with and incidental or subordinate to the principal permitted building , structure or use and subject to the provisions of 5.01.03 of this resolution).**

- A. Breezeways as defined herein. For purposes of this resolution, a breezeway shall not be used to connect an accessory building to a principal building if the accessory building without the breezeway would violate any other provisions of this resolution.
- B. Decks, patios and open-sided porches.
- C. Gazebos, pavilions.
- D. Home occupations as defined herein and in accordance with Section 5.01.12.
- E. Off-street parking and loading/unloading spaces in accordance with Article 7.
- F. Private garages designed and used for the storage of motor vehicles owned and/or operated by the occupants of the principal building or structure. There shall be no more than one (1) detached garage per lot. Attached garages shall not be considered accessory buildings.
- G. Residential recreational facilities in accordance with Section 5.01.13.
- H. Storage buildings used by the owner and/or occupant for keeping tools, equipment, supplies and other personal property.
- I. Signs in accordance with Article 9.
- J. Outdoor fireplaces with a permanent foundation. Outdoor Hydronic Heaters (OHH)
- K. Type B family day-care homes and Type B homes (whether licensed or not licensed by the Director of Job and Family Services) within a single family detached dwelling.
- L. Garage, yard, barn or estate sales. No zoning certificate is required., as defined herein, shall not be considered outdoor fireplaces.
- M. Solar Energy Systems in accordance with Article 8.

#### **5.02.02 PERMITTED ACCESSORY BUILDINGS, STRUCTURES AND USES.**

Permitted accessory buildings, structures and uses which are on the same lot with and incidental or subordinate to the principal permitted building, structure or use are:

- A. Loading/unloading spaces as regulated by the provisions of this resolution.
- B. Parking spaces as regulated by the provisions of this resolution.
- C. Signs as regulated by the provisions of this resolution
- D. Solar Energy Systems in accordance with Article 8.

## **6.09.0 CONDITIONAL BUILDINGS, STRUCTURES AND USES IN ALL DISTRICTS**

**6.09.01 GROUND-MOUNTED SOLAR ENERGY SYSTEMS** Subject to the provisions of Article 6, Ground-Mounted Solar Energy Systems may be permitted as an accessory use by the board of zoning appeals as a conditional use in any zoning district, subject to the following conditions:

A. A Ground-Mounted Solar Energy System shall not exceed an aggregate stated capacity of 100 kilowatts.

B. Any Ground-Mounted Solar Energy System shall comply with all applicable noise restrictions set forth within the Township, including, but not limited to, those applicable to the zoning district where located. In the event there are no applicable provisions regarding noise, no such system shall emit sound to an adjacent lot at a level exceeding sixty (60) decibels.

### **C. Location**

1. Any Ground-Mounted Solar Energy System must comply with the setback requirements applicable to the zoning district where it is located.

2. Any Ground-Mounted Solar Energy must be located at least fifty (50) feet from any lot line.

3. No Ground-Mounted Solar Energy System shall be located on the front façade of any structure or on any façade facing a public right-of-way.

4. No Ground-Mounted Solar Energy System shall be located in front of a principal building or structure. The Ground-Mounted Solar Energy System must be located entirely in the back yard. In the case of corner lots, no Ground-Mounted Solar Energy System shall be located between a principal building or structure and a public right-of-way.

D. The maximum height of any Ground-Mounted Solar Energy System at any point shall not exceed six (6) feet.

E. Ground-Mounted Solar Energy Systems shall be included as part of any lot/tract/ground coverage calculation applicable to the zoning district where they are located.

F. Any Ground-Mounted Solar Energy System must be situated on the property such that it can be adequately served by the appropriate safety services and response personnel and vehicles can safely reach and service the property, including the area where the Ground-Mounted Solar Energy System is located.

G. A Ground-Mounted Solar Energy System shall have a visual buffer of natural vegetation, plantings, and/or fencing designed to do and that does all of the following:

1. Enhances the view from any existing residential dwelling and from any public right-of-way;

2. Is in harmony with the existing vegetation and viewshed in the area;

3. Provides reasonable visual screening to minimize view of and glare and/or noise from the Ground-Mounted Solar Energy System to adjacent lots and from any public right-of-way; and

4. Is at least six (6) feet tall.

H. Ground-Mounted Solar Energy Systems located on corner lots shall comply with the applicable requirements (including, but not limited to, those for yards, buffering, and screening) for lots in the zoning district where they are located.

I. The solar panels in any Ground-Mounted Solar Energy System shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.

J. The Ground-Mounted Solar Energy system shall meet any conditions or other requirements as determined by the Board of Zoning Appeals in connection with the issuance of a Conditional Use Permit.

## **Article 8 Solar Energy**

### **801.00 PURPOSE**

The purpose of this article is to thoughtfully regulate certain solar energy production, recognize the need for certain solar harvesting operations where specific conditions are met, and promote the public health, safety and general welfare of the township in accordance with R.C. 519.213.

### **801.01 PROHIBITED SOLAR ENERGY SYSTEMS IN ALL DISTRICTS**

A. The following Solar Energy Systems shall be prohibited in all Zoning Districts.

#### **1. Small Solar Facilities**

### **801.02 PERMITTED SOLAR ENERGY SYSTEMS IN ALL DISTRICTS**

A. The following Solar Energy Systems shall be permitted as an accessory use in all Zoning Districts, in accordance with the regulations contained in this Article.

#### **1. Integrated Solar Energy Systems**

#### **2. Rooftop Solar Energy Systems**

### **801.03 REGULATIONS FOR PERMITTED SOLAR ENERGY SYSTEMS**

A. An Integrated or Rooftop Solar Energy System installed on a roof must not extend vertically beyond the highest point of the roof to which it is affixed.

B. An Integrated or Rooftop Solar Energy System shall not exceed an aggregate stated capacity of 100 kilowatts.

C. Any Integrated or Rooftop Solar Energy Systems shall comply with all applicable noise restrictions set forth within the Township, including, but not limited to, those applicable to the zoning district where located. In the event there are no applicable provisions regarding noise, no such system shall emit sound to an adjacent lot at a level exceeding sixty (60) decibels.

D. Any Integrated or Rooftop Solar Energy Systems shall be maintained in good working order at all times.

E. All Integrated or Rooftop Solar Energy Systems shall obtain all applicable required Building Permits from the State of Ohio and County or other local building jurisdictions.

### **801.04 CONDITIONAL USE SOLAR ENERGY SYSTEMS IN ALL ZONING DISTRICTS**

A. The following Solar Energy systems may be allowed in accordance with the conditions set forth in Article 6 of this Resolution and subject to approval by the Board of Zoning Appeals:

#### **1. Ground-Mounted Solar Energy Systems**