

By: Mickelson

ORDINANCE NO. 16-2022

AN ORDINANCE TO AMEND THE CODIFIED ORDINANCES OF THE VILLAGE OF GRANVILLE, TO ADD CHAPTER 1192, SOLAR ENERGY SYSTEMS

WHEREAS, the Council of the Village of Granville, Ohio, has determined that it is necessary to update the Zoning Code of the Village.

NOW, THEREFORE, BE IT ORDAINED that the Council of the Village of Granville, Licking County, Ohio hereby amends the Codified Ordinance pertaining to the Zoning Code, in the Village of Granville.

Section I. Chapter 1192, entitled Solar Energy Systems of the Codified Ordinances of the Village of Granville and shall read as follows:

**CHAPTER 1192
SOLAR ENERGY SYSTEMS**

1192.01 PURPOSE

The purpose of this Chapter is to promote a sustainable quality of life and establish regulations to facilitate the use and operation of Solar Energy Systems within the Village of Granville in all zoning districts.

As part of this Chapter, it is in the public interest to encourage Solar Energy Systems that have a positive impact on energy conservation, with limited adverse impact on the community. While the Village of Granville finds that increased use of Solar Energy Systems are an important component of community sustainability, reasonable restrictions that protect the public health, safety, and welfare; preserve the enjoyment of private property; promote orderly land use; and maintain property values and historic aesthetics are necessary to harmonize the interests of all Village residents

1192.02 DEFINITIONS

The following words and phrases, when used in this article, shall have the meaning ascribed to them by this section:

- (a) “Abandonment” means discontinued use of the Solar Energy System in whole or part.
- (b) “Applicant” means the person or entity filing an application under this Chapter.
- (c) “Community Solar Energy System” means any Solar Energy System designed to supply energy to more than one parcel or dwelling unit.
- (d) “Construction Code” means any applicable building code, regulation, ordinance, and/or standards and specification. Includes, but is not limited to, Licking County Building Code, Ohio Building Code, NEC (NFPA 70) and Fire Code, and their successors and/or updates.
- (e) “Facility Owner” means the Home Owner, entity or entities having any interest in the Solar Energy System, including their respective successors and assigns.
- (f) “Ground-Mounted” means a Solar Energy System that is mounted on a rack or pole that rests or is attached to the ground.
- (g) “Home Owner” means the titled owners and any successor in the title of the property where the Solar Energy System is installed.

- (h) “Operator” means the person or entity responsible for the day-to-day operation and maintenance of the Solar Energy System.
- (i) “Roof-Mounted” means a Solar Energy System that is mounted on a rack that is fastened to a structure roof.
- (j) “Solar Cell” means the basic photovoltaic device that generates electricity when exposed to light.
- (k) “Solar Energy System” means the equipment, assembly or building construction and requisite hardware that provides and is used for collecting, transferring, converting, storing, or using incident solar energy for water heating, space heating, cooling, generating, electricity, or other applications that would otherwise require the use of a conventional source of energy such as petroleum products, natural gas, manufactured gas, or electricity produced from a nonrenewable resource.
- (l) “Solar Energy System Project Master Plan” means a phased plan to install a larger scale Solar Energy System meant to be complete over a period of time, submitted as part of an associated application.
- (m) “Solar Panel” means a component of a Solar Energy System that captures the sun’s energy and produces energy, either electrical, heat, or hot water for use or distribution include photovoltaic an electrical device consisting of an array of connected solar cells, heat collectors and interstitial spaces including Trombe panels, or hydronic panels for water heating systems.

1192.03

APPLICABILITY

The Planning and Development Director or designee, shall consider the following factors, and any other relevant information, when evaluating a Solar Energy System application for approval or rejection.

- (a) No person shall construct, erect, maintain, extend, or remove a Solar Energy System in any zoning district in the Village without compliance with the provisions of this chapter and applicable related requirements of the Village of Granville Codified Ordinances, and all applicable Construction Codes.
- (b) Solar Energy Systems constructed prior to the effective date of this Chapter shall not be required to meet the requirements of this code; unless any physical condition or modification renders such system un-repairable or un-useable. If any pre-existing Solar Energy System is destroyed or damaged to such an extent that it cannot be returned to original service; or any such damage or modification creates an unsafe condition it shall be replaced or removed in conformity with this Chapter.
- (c) Expansion of an existing Solar Energy System (e.g., additional Solar Panels) shall be added in conformity with this Chapter, unless such expansion is part of an approved Solar Energy System Project Master Plan. The Village Manager or their designee may waive associated fees when other expansions occur within four (4) years of original installation.
- (d) Repair of an existing Solar Energy System previously permitted under this Chapter shall not require an additional application.
- (e) Nothing in this regulation shall preclude standalone systems for small accessory lighting, ventilation, or battery storage systems either roof or ground-mounted. In

such a case, the cumulative area of the standalone system shall not exceed two (2) square feet.

1192.04 CONTENTS OF APPLICATION

An application for a Solar Energy System shall be approved or rejected in compliance with the standards and criteria of this Chapter and the application shall include at a minimum the following required items.

- (a) A narrative describing the proposed solar energy system, including the number, manufacturer, and model of the solar panels to be installed, and a description of ancillary systems.
- (b) A site plan to scale of the subject property showing the planned location of the solar panels, setback lines, proposed and existing ancillary equipment, buildings, and structures.
- (c) A description of emergency and normal shutdown procedures and location of electrical disconnection switch.

1192.05 DESIGN, PERFORMANCE, AND APPLICATION STANDARDS

The standards below shall apply to any Solar Energy System in the Village installed after the effective date of this Chapter.

- (a) **Lighting.** Solar Energy Systems shall be lit only if required by an applicable authority. Lighting of other parts of the Solar Energy Systems, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting structures.
- (b) **Construction and Electrical Codes.** To the extent applicable, Solar Energy Systems shall comply with all construction and electrical codes as evidenced by successful inspections by the Licking County Building Code Department.
- (c) **Flood Hazard Overlay District (FHOD).** Any Solar Energy System in the FHOD shall comply with the provisions of Chapter 1177.06(e) of this Code.
- (d) **Appearance and Signage.** The factory or original equipment manufacturer identification and/or logo are permitted. Required signage and emergency services disconnect placard shall be appropriate warning signs (Danger-High Voltage or Caution-Electrical Shock Hazard or any other recognized safety precaution signage) installed at the base of the Solar Array.
- (e) **Roof Applications.** Roof-mounted Solar Energy Systems shall be permitted in all zoning districts provided the system complies with all other requirements of zoning and building regulations, subject to the following restrictions.
 - (1) Pitched roof-mounted arrays shall be parallel to the roof. The distance between the roof and the uppermost portion of the solar panels shall not exceed 12 inches.
 - (2) Roof-mounted arrays shall be compliant with Ohio Building Code (OBC), National Electric Code (NEC), Ohio Fire Code (OFC), and International Fire Code (IFC) based on review and approval by the Granville Township Fire Chief or their designee.
 - (3) Roof-mounted panels on a flat roof shall not project vertically more than two feet from the surface of the roof and shall be buffered as much as practical so they are not visible from public streets or adjacent properties.
- (f) **Ground Applications.** Ground-mounted Solar Energy Systems shall only be authorized as a primary use in the Institutional District and Planned Commercial

District; and only be authorized as an accessory use in all districts. The requirements below shall apply.

- (1) Ground-mounted Solar Energy Systems shall be considered a Conditional Use, and will be subject to the Conditional Use Permit process as outlined in Chapter 1145 of this Code.
- (2) Ground-Mounted Solar Energy Systems shall meet accessory structure standards outlined in Chapter 1157.14 of this Code.
- (3) Ground-mounted Solar Panels located on the ground or attached to a framework located on the ground shall not exceed ten feet in height above the adjacent grade.
- (4) All related mechanical equipment, other than the actual photoelectric panels shall be fully screened from the ground-level view of adjacent properties by materials or plantings as approved by the Planning and Development Department, and must be maintained and effective through the life of the Solar Energy System.
- (5) The bounds of a ground-mounted Solar Energy System shall not exceed 70 percent of remaining area lot coverage.
- (6) For sites larger than one (1) acre, Ground-Mounted Solar Energy System applications shall also include the following
 - i. Dust and weed mitigation plan, which describes the methods of controlling overgrowth of groundcover and production of dust or other airborne nuisances produced as a result of the Solar Energy System.
 - ii. Reclamation plan addressing removal of Solar Energy System during decommissioning, and demonstrating the restoration of site to reasonably similar condition prior to development.
 - iii. A surface drainage plan, prepared and stamped by a state-certified Professional Engineer.
 - iv. Landscape plan, showing existing trees and shrubs, those to be removed, and those to be planted.
- (g) Solar Energy Systems in the Architectural Review Overlay District (AROD). In order to maintain the historic character of the AROD, the additional standards below shall apply to installation of Solar Energy Systems in the AROD. These standards apply to both primary and accessory structures.
 - a. Solar Energy Systems shall be installed in a manner which does not damage or obscure character-defining features of an historic resource. Solar Panels should be located so as not to change an historic roofline or obscure the relationship of an historic roof to character-defining features such as dormers and chimneys.
 - b. Installation of any Solar Energy System must be reversible and not damage the historic integrity of any structure.
 - c. Siting of Solar Panels in relation to the public right-of-way described below shall be considered an administrative review per Chapter 1161.
 - i. On a rear-facing roof of a primary structure
 - ii. On accessory structures, and not readily visible from the right-of-way.
 - iii. Rear yard location not readily visible from the public right-of-way.
 - iv. On a side-facing side roof of any structure that is not readily visible from the right-of-way.

- d. Siting of Solar Panels in relation to the public right-of-way described below shall be subject to Planning Commission approval per Chapter 1161.
 - i. On any structure readily visible from the right-of-way.
 - ii. In a side yard area and visible from the public right-of-way.
 - iii. On a front-facing roof of a primary or accessory structure.
- e. Ground-Mounted Solar Energy Systems are not permitted in any front yard in the AROD.
- (h) Community Solar Energy Systems are a permitted use in the Institutional District and Planned Commercial District, and are a conditional use in all other districts.

1192.06 ABANDONMENT

The standards below shall apply to any Solar Energy System in the Village installed after the effective date of this Chapter and subsequently abandoned by the property owner.

- (a) Upon abandonment or discontinuation of use, the owner shall physically remove the Solar Energy System within 30 days from the date of abandonment or discontinuation of use. This period may be extended 30 days at the request of the owner but only upon the approval of the Planning and Development Director. "Physically remove" shall include, but not be limited to:
 - (1) Removal of the Solar Energy System and related above grade structures.
 - (2) Restoration of the location of the solar energy system to its previous and/or natural condition, except that any landscaping and/or grading may remain in the after-conditions.
 - (3) Associated roof repairs shall be made within 60 days of abandonment.

1192.07 APPLICATION FEE

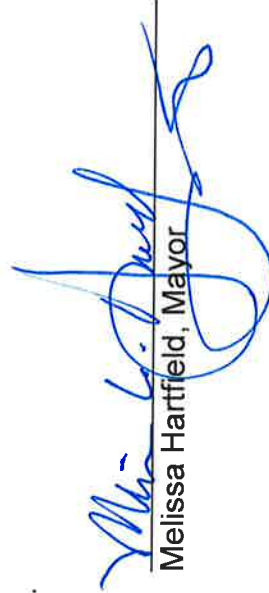
A Zoning Application and fee of \$100.00 is required to begin processing of Solar Energy System installation requests. The owners of any project of a size and scope requiring plans be reviewed and approved by the Village Engineer shall be responsible for the associated costs.

Section II. This ordinance shall become effective upon the earliest date allowed by the laws of the State of Ohio and the Charter of the Village of Granville.

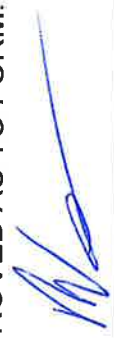
Passed this 7th day of December, 2022.

ATTEST:


Autumn Klein, Clerk of Council


Melissa Hartfield, Mayor

APPROVED AS TO FORM:


William Mattes, Law Director