ARTICLE 27

SOLAR ENERGY SYSTEMS

GENERAL

1. Solar energy production systems with a generating capacity of fifty (50) megawatts or more shall be required to submit an application with the Ohio Power Sitting Board (OPSB) and the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations.
2. No system less than fifty (50) megawatts shall be constructed, installed, altered or expanded in any zoning district within Hartford Township without first obtaining the necessary permitting.
3. Accessory solar energy systems include building-mounted or ground-mounted collection devices that provide electrical power for the property they are located on and can have the ability from time to time too sale excess production to the local utility company. These systems shall not be used to generate electricity for other users or for the sale to other users.
4. Production solar energy systems include building-mounted or ground-mounted collection devices on a larger scale than accessory systems. They have the ability to supply the electrical needs of the primary structure or structures not connected to utility service. They can also be built with the intent to connect to the grid to sale electricity to the local utility company. These systems shall not be used to generate electricity for other users or for the sale to other users.
5. No solar energy system shall be used for the display of advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be larger than eight (8) square feet.
    a. Solar energy systems established with appropriate building/electrical permit from Hartford Township prior to the effective date of this ordinance shall be exempt from this ordinance.
6. This section shall not be deemed to supersede any other provisions of local, state or federal law.

27.2 Building-mounted Accessory Solar Energy Systems

1. Location

a. Building-mounted solar energy systems are allowed on permitted principal/primary structures or accessory structures.

b. Only building-integrated and/or flush-mounted solar energy systems shall be used when installed on the front building elevation.

2. Horizontal Projection

a. Solar energy systems shall not extend more than four (4) feet beyond the exterior perimeter of the building on which the system is mounted or built, as measured horizontally from the façade or roof edge on which the system is mounted.

b. All setback restrictions shall apply, as regulated by the respective zoning district.

3. Height

a. Height shall be measured from the lowest edge to the highest edge of the system.

b. A system shall not extend more than five (5) feet above the highest point on the roof line. The maximum height in the respective zoning district shall not be exceeded.

27.3 Ground-mounted Accessory Solar Energy Systems

1. In addition to the application requirements above, the applicant shall also submit a scaled Site Plan drawing(s) which includes the following information:

    a. Existing and proposed contours, at a minimum of two (2) foot intervals;

    b. Location, setbacks, exterior dimensions and square footage of all existing and proposed structures;

    c. Location and size of existing waterways, wetlands, 100-year flood-plains, sanitary sewers, drain tiles and water distribution systems, where applicable;

    d. Location of any overhead or underground utilities and easements.

2. Setback

    a. In all zoning districts, accessory systems shall not be located in any front yard.

    b. In all zoning districts, all accessory systems shall comply with the respective set-back requirements, as measured from the property line to the closest edge of the system.

3. Height

    a. The height shall not exceed the height limits for accessory structures in the respective zoning district, as measured from adjoining grade at base to the highest elevation of the equipment.

27.4 Building-mounted solar energy production systems

1. Location

    a. Building-mounted solar energy systems are allowed on permitted principal/primary structures or accessory structures.

    b. Only building-integrated and/or flush mounted solar energy systems shall be used when installed on the front building

elevation.

2. Horizontal Projection

a. Solar energy systems shall not extend more than four (4) feet beyond the exterior perimeter of the building on which the system is mounted or built, as measured horizontally from the façade or roof edge on which the system is mounted.

b. All setback restrictions shall apply, as regulated by the respective zoning district.

3. Height

a. Height shall be measured from the lowest edge to the highest edge of the system.

b. A system shall not extend more than five (5) feet above the highest point on the roof line. The maximum height in the respective zoning district shall not be exceeded.

27.5 Ground-mounted Solar Energy Production Systems

1. In addition to the application requirements above, the applicant shall also include with the site plan drawing(s) the following information:

a. Existing and proposed contours, at minimum two (2) foot intervals;

b. Location, setbacks, exterior dimensions and square footage of all existing and proposed structures;

c. Location and size of existing waterways, wetlands, 100-year flood-plains, sanitary sewers, drain tiles and water distribution systems, where applicable.

d. Location of any overhead or underground utilities or easements.

2. Setback

a. Systems shall comply with the respective setback requirements as measured from the property line to the closest edge of the system.

b. The above setback requirements may be modified by the Board of Zoning Appeals (BZA) if it is determined that such are inappropriate or are not necessary. This includes cases with interior property lines or property lines between adjacent neighbors participating in a common solar energy production system.

c. Every solar energy production system shall be setback at least one hundred (100) feet from the nearest bank of any lake, stream or other body of water that may be navigable or available for public use.

d. Except for bodies of water described above, perimeter fencing and screening are not subject to setback requirements.

4. Height

a. The height shall not exceed fifteen (15) feet in height, as measured from the adjoining grade at the base to the highest elevation of the equipment. A substation or switchyard, including poles and wires necessary to connect to public electric utility, shall not be subject to this requirement.

5. Fencing and Screening Required

a. The area containing any and all mechanical equipment of solar energy production systems shall be completely enclosed by a chain link fence with a minimum height of eight (8) feet and a self-locking gate.

Said fence must set in the center of a (2) feet wide vegetation free zone. No non- permanent structures (trailers, tents, porta johns, tool or equipment sheds, etc.) can be left inside the chain link enclosure or on adjacent properties after completion

of said project. Failure to maintain the fencing shall constitute a violation of this code.

b. Systems shall be constructed with evergreen vegetative screening where existing buffers do not obscure solar energy system perimeters from dwelling units on adjacent parcels. At maturity required vegetative screening shall not be less than fifteen (15) feet tall, regardless of line-of-sight. Failure to maintain the vegetative screening shall constitute a violation of this code.

c. Fencing and screening requirements do not apply to linear electrical lines and their appurtenances outside the boundary of fenced solar energy system.

27.6 Decommissioning

1. Solar Energy Accessory Systems that have been issued a zoning violation for lack of energy production will have six (6) months to remove all solar panels and any and all equipment that is necessary to operate a Solar Energy Accessory System be it electrical or thermal.
   a. Upon failure to accomplish the removal the Zoning Inspector will take action as authorized by Article 23 Paragraph 23.7 of the Hartford Township Zoning Resolution.
2. Solar Energy Production Systems that are no longer producing electricity shall be completely removed (including underground wiring, underground cement or metal footings, structures, and all fencing) from the property within six (6) months from the date that it stops the production of electricity. Any earth disturbance as a result of the removal of the ground-mounted solar energy system shall be returned to previous condition within thirty (30) days or as soon as weather permits.
3. Due to the potential size (up to 50 megawatts) of the solar energy production systems and the possibility that other entities, such as electric utility companies, may be involved it is required that all solar energy

production systems shall submit a decommissioning plan to the Zoning Inspector as part of the permit approval process and it shall be filed with the Hartford Township Zoning Board. The Decommissioning Plan shall include the following provisions and requirements:

a. Defined conditions upon which decommissioning will be initiated (i.e., end of lease, condition of a potential safety hazard, the system is no longer used to produce electricity, etc.).
b. Signed statement from the party responsible for completing the Decommissioning Plan acknowledging such responsibility.

4. Failure to comply

a. Upon failure to accomplish the Decommissioning Plan the Zoning Inspector will take action as authorized by Article 23 Paragraph 23.7 of the Hartford Township Zoning Resolution.