

ADDITION INCLUDED IN THIS DOCUMENT

Section 26.10

Solar Energy Accessory Systems

These regulations are established to provide a zoning tool to manage the undesired impacts of solar energy accessory systems in accordance with Section 519.02 of the Ohio Revised Code, while promoting the benefits of these systems to reduce the on-site consumption of utility supplied electricity and the environmental benefits thereof. In accordance with Section 519.02 of the Ohio Revised Code, in the interest of public health and safety and in the interest of the public convenience, comfort, prosperity, and general welfare these regulations are established.

No person shall cause, allow or maintain the use of a solar energy accessory system without first having obtained a zoning permit from the zoning inspector. All solar energy accessory systems shall meet the following requirements:

- A. A solar energy accessory system shall be used for the generation of power to reduce on-site consumption of utility power and/or provide power to a structure that is not connected to utility service. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company and/or the regional transmission organization.
- B. A roof/structure mounted solar energy accessory system:
 - 1) Shall be a permitted use and subject to all requirements of this Article as well as permit requirements.
 - 2) May be mounted to a principal or accessory structure.
 - 3) Combined height of the solar energy accessory system and structure to which it mounted may not exceed the maximum building height allowed in that zoning district for the type of structure to which it is attached.
- C. A ground/pole mounted solar energy accessory system:
 - 1) Shall be a permitted use and subject to all requirements of this Article as well as permit requirements.
 - 2) Shall not exceed 15 feet in height.
 - 3) Shall be permitted in the rear or side yard only.
 - 4) The surface area of a ground mounted system, regardless of the mounted angle, shall be calculated as part of the overall lot coverage. Not to exceed 10% of lot size.
 - 5) The minimum setback distance from the property lines for solar energy accessory systems and their related equipment shall be whatever the current zoning code requirement is for that district or 20 feet, whichever is greater.

- 6) Solar energy accessory systems shall not be constructed until all applicable zoning and building permits have been approved and issued.
- 7) Solar energy accessory systems that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are no longer producing electricity. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be returned to a natural condition within thirty (30) days of removal or as soon as weather permits.
- 8) A site plan shall be drawn to scale and accurately dimensional, and be submitted at the time of application, and shall include the following:
 - a. Property lines and physical dimensions of the site.
 - b. Location of solar energy system(s) and all related equipment, setbacks from property lines, and any structures on the property.
 - c. Elevation of the proposed solar energy system(s) at its maximum tilt.
 - d. Estimated rated capacity of the solar energy equipment.
 - e. Sketched drawing showing where the location of solar accessory will be placed on subject lot.
- 9) Any changes in layout, capacity, or style of the solar modules would require a notice be given to the Zoning Inspector for review prior to final issuance of zoning permit.

Section 26.11

Solar Energy Production Systems

These regulations are established to provide a zoning tool to manage the undesired impacts of solar energy production systems in accordance with Section 519.02 of the Ohio Revised Code, while promoting the benefits of these systems to reduce the consumption of utility supplied electricity and the environmental benefits thereof. In accordance with Section 519.02 of the Ohio Revised Code in the interest of public health and safety and in the interest of the public convenience, comfort, prosperity, and general welfare these regulations are established.

No person shall cause, allow or maintain the use of a solar energy production system without first having obtained a zoning permit from the zoning inspector. All solar energy production systems shall meet the following requirements:

- A. A solar energy production system shall be used for the generation of power to reduce consumption of utility power by the applicant and/or provide power to a structure that is not connected to utility service. This provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local company and/or regional transmission organization.
- B. A solar energy production system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
- C. A solar energy production system shall not be permitted in a residential district but will be a conditional use in all other districts and subject to all requirements of this Article as well as conditional use permit requirements.
- D. For the purposes of determining lot coverage, the total surface area of all ground mounted and free-standing solar collector devices shall be considered impervious. Panels mounted on the roof of any building shall be subject to the maximum height regulations as specified with the underlying zoning district. Ground mounted solar energy equipment not to exceed 40% of the total lot size.
- E. Ground mounted solar energy production systems not to exceed 15 feet in height.
- F. All on-site utility and transmission lines installed as part of the solar energy production system shall be placed underground.
- G. ~~In order to assure there are not adverse impacts to aviation due to glare from the solar energy production system, a statement from the Federal Aviation Administration (FAA) stating whether or not a permit is required from the FAA. If a permit is required, said permit shall be issued prior to a zoning permit being issued by the Washington Township Zoning Inspector. As of 2016, the State of Ohio is within the Federal Aviation Administration (FAA), Great Lakes Region Airports Division, Detroit Airports District Office.~~
- H. 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.
- I. The minimum setback distance from the property lines, for solar energy production systems and their above ground related equipment shall be whatever the current zoning code requirement is for that district or 100 feet, whichever is greater.

- J. Solar energy production systems that are no longer functioning shall be completely removed from the property within twelve (12) months from the date they are not producing electricity. Any earth disturbance as a result of the removal of the ground mounted solar energy system shall be returned to a natural condition within thirty (30) days or as soon as weather permits.
- K. A site plan shall be submitted at the time of application and shall include:
- a. Property lines and physical dimensions of the site.
 - b. Location of solar energy production system(s) and all related equipment, setbacks from property lines, easements, and any structures on the property.
 - c. Location of any required signage.
 - d. Elevation of proposed solar energy production system(s) at its maximum tilt.
 - e. Design specifications of the proposed solar energy equipment in sufficient detail to demonstrate compliance with the requirements of this section, which shall be updated prior to the final issuance of the zoning permit.
 - f. Scaled drawing no smaller than 1"= 100' .
- L. Any changes in layout, capacity or style of the solar modules would require a notice be given to the Zoning Inspector for review prior to final issuance of zoning permit.

List of Corrections Included in this Document

WASHINGTON TOWNSHIP LIST OF AMENDMENTS TO ZONING RESOLUTION

1. Section 2.02 Definitions

As is currently:

“**Sign**” means any device for visual communication which is designed, intended, or used to convey a message, advertise, inform or otherwise direct attention to a person, institution, organization, activity, business, place, object or product. Definitions for specific types of signs are found in Section 27.02 of this Resolution.

Should read:

“**Sign**” means any device for visual communication which is designed, intended, or used to convey a message, advertise, inform or otherwise direct attention to a person, institution, organization, activity, business, place, object or product. Definitions for specific types of signs are found in Section 28.02 of this Resolution.

Explanation:

Section 27.02 refers to Provision for Parking Required, whereas Section 28.02 refers to Definitions in Article XXVIII Signs.

2. Section 3.03 Board of Zoning Appeals 3.03.04 Powers and Duties

As is currently:

- F. Authorize extensions of time for completion of work specified in zoning certificate, in accordance with Section 4.08 of this Resolution.

Should read:

- F. Authorize extensions of time for completion of work specified in zoning certificate, in accordance with Section 4.06 of this Resolution.

Explanation:

Section 4.08 refers to Temporary Certificate of Zoning Compliance, whereas Section 4.06 refers to Expiration of Zoning Certificates that mention time and extension granted by the Board of Zoning Appeals.

3. **Section 3.03 Board of Zoning Appeals**
3.03.04 Powers and Duties

As is currently:

- G. Declare zoning permits void, pursuant to Section 4.09 of this Resolution.

Should read:

- G. Declare zoning permits void, pursuant to Section 4.10 of this Resolution.

Explanation:

Section 4.09 refers to Schedule of Fees, Charges and Expenses, whereas Section 4.10 refers to Void Zoning Certificate.

4. **Section 4.11 Violation and Penalty**
4.11.01 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates

As is currently:

Zoning certificates or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement set forth in such approved plans and applications or amendments thereto. Any use, arrangement, or construction not in conformance with that authorized shall be deemed a violation of this Resolution, and punishable as provided in Section 4.10.03.

Should read:

Zoning certificates or certificates of occupancy issued on the basis of plans and applications approved by the Zoning Inspector authorize only the use, and arrangement set forth in such approved plans and applications or amendments thereto. Any use, arrangement, or construction not in conformance with that authorized shall be deemed a violation of this Resolution, and punishable as provided in Section 4.11.03.

Explanation:

Section 4.10.03 refers to a section that does not exist, whereas Section 4.11.03 Penalties for Violation lists these.

5. Section 8.03 Public Hearing by the Board of Zoning Appeals

As is currently:

The Board of Zoning Appeals may hold a public hearing within thirty (30) days after receipt by the Secretary of an application for a variance. If such a hearing is held, copies of the notice for such hearing shall be mailed by first class mail to the property owners within 500 feet from the property, as specified in Section 8.02 E above. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

Should read:

The Board of Zoning Appeals may hold a public hearing within thirty (30) days after receipt by the Secretary of an application for a variance. If such a hearing is held, copies of the notice for such hearing shall be mailed by first class mail to the property owners within 500 feet from the property, as specified in Section 8.02 D above. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance.

Explanation:

Section 8.02 E refers to each application specific provisions, whereas Section 8.02 D refers to the specifics of property owner notification.

6. Section 8.04 Action by Board of Zoning Appeals

As is currently:

Within thirty (30) days after the public hearing pursuant to Section 8.03, or sixty (60) days from the date of the application if such hearing is not held, the Board of Zoning Appeals shall either approve, disapprove, or approve with supplementary conditions the request for variance. In granting any variance, the Board of Zoning Appeals may prescribe appropriate and reasonable conditions. Violation of the conditions and/or safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution under Section 4.10 of this Resolution.

Should read:

Within thirty (30) days after the public hearing pursuant to Section 8.03, or sixty (60) days from the date of the application if such hearing is not held, the Board of Zoning Appeals shall either approve, disapprove, or approve with supplementary conditions the request for variance. In granting any variance, the Board of Zoning Appeals may prescribe appropriate and reasonable conditions. Violation of the conditions and/or safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this Resolution under Section 4.11 of this Resolution.

Explanation:

Section 4.10 refers to Void Zoning Certificate whereas Section 4.11 refers to Violation and Penalty.

7. Section 11.02 Rules of Application

11.02.03 Accessory Uses

As is currently:

An accessory use or structure is a subordinate use or structure clearly incidental and secondary to the principal permitted building or use, and located on the same lot with such principal building or use. Accessory uses or structures shall be allowed in accordance with the specific district regulations and the requirements of Article XXV this Resolution.

Should read:

An accessory use or structure is a subordinate use or structure clearly incidental and secondary to the principal permitted building or use, and located on the same lot with such principal building or use. Accessory uses or structures shall be allowed in accordance with the specific district regulations and the requirements of Article XXV of this Resolution.

Explanation:

The word "of" inserted in this paragraph to make it more grammatically correct.

8. Section 21.04 Development Standards

A. Lot and Area Requirements

As is currently:

The area or parcel of land for a special use shall not be less than that required to provide space adequate for off-street parking areas, yards and open spaces sufficient to maintain the character of the neighborhood. The size of the parcel of land occupied by the proposed use, and all setbacks, shall be shown on the Development Plan required in Section 22.03.

Should read:

The area or parcel of land for a special use shall not be less than that required to provide space adequate for off-street parking areas, yards and open spaces sufficient to maintain the character of the neighborhood. The size of the parcel of land occupied by the proposed use, and all setbacks, shall be shown on the Development Plan required in Section 21.03.

Explanation:

Section 22.03 refers to Scope and Application of (FP) District whereas Section 21.03 refers to a previous section in its own (SU) District.

9. **Section 23.22 Performance Standards**

As is currently:

Section 23.212 Performance Standards

Should read:

Section 23.22 Performance Standards

Explanation:

Section 23.22 was incorrectly numbered.

10. **Section 26.08 Individual and Multiple Wind Turbine Systems**
B. Multiple Wind Turbine Systems

As is currently:

More than one (1) wind turbine system and/or systems that do not fully comply with the standards of Section 25.08 A above shall be considered as a permitted use only in the SU District shall be subject to the requirements of that district, as well as the following:

Should read:

More than one (1) wind turbine system and/or systems that do not fully comply with the standards of Section 26.08 A above shall be considered as a permitted use only in the SU District shall be subject to the requirements of that district, as well as the following:

Explanation:

Section 25.08 A refers to a section that does not exist, whereas Section 26.08 A refers to earlier in its own section.

11. **Section 26.08 Individual and Multiple Wind Turbine Systems**
B. Multiple Wind Turbine Systems

As is currently:

3) The requirements of Section 25.06 A 3) through 5) shall apply.

Should read:

3) The requirements of Section 26.08 A 3) through 5) shall apply.

Explanation:

Section 25.06 A refers to a section that does not exist, whereas Section 26.08 A refers to earlier in its own section.

12. **Section 28.07 General Requirements**
D Portable Signs

As is currently:

Portable signs, as defined in Section 28.02E, shall be permitted as temporary signs, so long as the gross sign area for the property, as specified in Section 28.07C.2 above, is not exceeded.

Should read:

Portable signs, as defined in Section 28.02 B.7, shall be permitted as temporary signs, so long as the gross sign area for the property, as specified in Section 28.07C.2 above, is not exceeded.

Explanation:

Section 28.02E refers to a section that does not exist, whereas Section 28.02 B.7 refers to the proper definition.

13. **Section 13.03 Permitted Uses**

As is currently:

- D. Temporary seasonal roadside stands offering for sale primarily agricultural products grown on the premises, subject to the provisions of ORC 512.21 (C).

Should read:

- D. Temporary seasonal roadside stands offering for sale primarily agricultural products grown on the premises, subject to the provisions of ORC 519.21 (C).

Explanation:

ORC 512.21 (C) does not pertain here, whereas Section 519.21 (C) of the Ohio Revised Code under Section 519 TOWNSHIP ZONING, addresses these provisions.

14. **Section 13.02 Agricultural Uses Defined**

As is currently:

“**Agricultural use**” “means the same as stated in Section 521.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Should read:

“**Agricultural use**” “means the same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

Explanation:

Section 521.01 of the Ohio Revised Code refers to Maintenance and repair of private sewage collection tiles, whereas 519.01 of the Ohio Revised Code refers to the proper definition, also referred to correctly in Section 2.02 Definitions.