

July 1, 2024

Logan-Union-Champaign Regional Planning Commission
PO Box 219
East Liberty, Ohio 43319

RE: McArthur Township Zoning Text Amendment – Solar

Dear LUC Regional Planning Commission:

Today, the McArthur Township Zoning Commission received a Certified Resolution from the McArthur Township Board of Trustees initiating a zoning text amendment regarding accessory solar and principal solar facilities.

The Board of Trustees resolution was to amend the McArthur Township Zoning Resolution to adopt the LUC Model Solar Text, Version One (1), which makes allowances for solar as an accessory use, but prohibits Principal Solar Energy Production Facilities. That text is enclosed as part of this submittal.

The McArthur Township Zoning Commission will meet at 6:30 PM on Tuesday August 6th to hold a public hearing on this matter.

Should the proposed amendment be adopted, it will be incorporated in *Article X Supplementary District Regulations* as **Section 1050 Solar Energy Systems**.

Zoning Inspector Wes Dodds will serve as the primary point of contact for this amendment. He can be reached by phone at 937-844-9022, or by email to dodds.w@gmail.com.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Wes Dodds
Zoning Inspector



Zoning Text Amendment Checklist

Date: _____ Township: _____

Amendment Title: _____

Notice: Incomplete Amendment requests **will not** be processed by our office. LUC Regional Planning Commission will return them to the requestor, stating the reason the amendment was not accepted.

Each Zoning Text Amendment change must be received in our office along with a cover letter, explaining the proposed zoning text change (s). All items listed below must be received **no later than 10 days** before the next scheduled LUC Regional Planning Commission Executive Board Meeting (second Thursday of every month). It is recommended that a person who is able to provide further information on the amendment attend the Zoning and Subdivision Committee meeting to answer any additional questions that may arise.

Required Item:	Completed by Requestor:	Received by LUC:
Cover Letter & Checklist	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Request (stated in cover letter)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Description of Zoning Text Amendment Change (s)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Date of Public Hearing (stated in cover letter)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Township Point of Contact and contact information for zoning amendment (stated in cover letter)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Attachment of Zoning Text Amendment with changes highlighted or bolded	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copy of current zoning regulation, or section to be modified for comparison	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Non-LUC Member Fee, If applicable	<input type="checkbox"/> N/A	<input type="checkbox"/>

Additionally, after final adoption regarding this zoning text amendment, please provide LUC with a letter stating the results of the Trustees vote, along with a copy of the adopted language.

Please see reverse side for a timeline of the Township Zoning Amendment Process, per ORC 519.12

McArthur Township, Logan County Zoning Text Amendment

AMEND Article II Definitions BY ADDING THE FOLLOWING TEXT:

ARTICLE II DEFINITIONS

Solar energy related definitions:

- a) **Accessory Solar Energy**: A solar collection system consisting of one or more roof/building mounted, ground/pole mounted, and/or other structure mounted solar collector devices and solar related equipment, and is intended to primarily reduce on-site consumption of utility power. A system is considered an accessory solar energy system only if it supplies electrical or thermal power solely for on-site use, except that when a property upon which the system is installed also receives electrical power supplied by a utility company, excess electrical power generated and not presently needed for on-site use may be used by the utility company.
- b) **Principal Solar Energy Production Facility**: An area of land or other area used for a solar collection system principally used to capture solar energy and convert it to electrical energy. These production facilities primarily produce electricity to be used off-site. Principal solar energy production facilities consist of one or more roof/building mounted, ground/pole mounted, and/or other structure mounted solar collector devices, solar related equipment, and other accessory structures and buildings including light reflectors, concentrators, and heat exchangers, substations, electrical infrastructure, transmission lines and other appurtenant structures and facilities. Examples include "Small Solar Facility" and "Community Solar Facility" as defined by statute or herein.
- c) **Solar Energy Equipment**: Items for the purpose of generation, transmission, and storage of electricity, including but not limited to a solar photovoltaic cell, solar panels, lines, pumps, inverter(s), batteries, mounting brackets, racking, framing and/or foundation used for or intended to be used for the collection of solar energy.
- d) **Solar Photovoltaic (PV)**: The technology that uses a semiconductor to convert light directly into electricity.
- e) **Clear Fall Zone (Solar Energy)**: An area surrounding a ground/pole mounted or other structure mounted solar energy system into which the system and/or components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing the structure's failure that shall remain unobstructed and confined within the property lines of the lot where the system is located. The purpose of the zone being that if the system should fall or otherwise become damaged, the falling structure will be confined to the lot and will not intrude onto a neighboring property.
- f) **Small Solar Facility**: Pursuant to ORC 519.213 (A) (2), "Small Solar Facility" means solar panels 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 50 MW.
- g) **Community Solar**: Also known as shared solar, or solar gardens, is an energy model that allows customers to buy or lease part of a larger off-site shared solar photovoltaic (PV) system. For the purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

McArthur Township, Logan County Zoning Text Amendment

CREATE ~~Section 10⁵⁰~~ Small Solar Energy Systems (Less than 50 MW) BY ADDING THE FOLLOWING TEXT:

SECTION 10 ~~50~~ SMALL SOLAR ENERGY SYSTEMS (LESS THAN 50 MW)

A. Accessory Solar Energy Systems

It is the purpose of this regulation to promote the safe, effective, and efficient use of accessory solar energy systems installed to reduce the on-site consumption of utility-supplied electricity. An accessory solar energy system shall be considered a permitted accessory use in any district provided all requirements and regulations as set forth below are met.

No person shall cause, allow or maintain the use of an accessory solar energy system without first having obtained a zoning permit from the zoning inspector.

All accessory solar energy systems shall meet the following requirements:

1. An accessory solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. An accessory solar energy system shall not be used for the generation of power for the sale or donation of energy to other users, although this provision shall not be interpreted to prohibit the sale or donation of excess power generated from time to time to the local utility company or the sale or donation of power as part of a net metering or similar arrangement. Net metering or similar arrangements are those where electricity produced by the accessory solar energy system displaces electricity that would otherwise be purchased from an electric utility or supplier for the lot where the accessory system is located. Net metering or similar arrangements shall be incidental and secondary to the production for on-site use.
3. Accessory solar energy systems with a generation output of five hundred (500) watts or less, or a combination of accessory solar energy systems with an aggregate generation output of five hundred (500) watts or less, shall not require a permit and shall be exempt from the requirements of this section, provided that the system is independent and disconnected from the electrical service(s) supplied to the lot on which the accessory solar energy system is located.
4. Roof/Building mounted accessory solar energy systems:
 - a. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - b. May be mounted to a principal or accessory building.
 - c. The height of the solar energy system and building to which it is mounted may not exceed the ridgeline of the roof for hip, gable, and gambrel roofs.
5. Ground/Pole mounted accessory solar energysystems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110)

percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.

6. Other structure mounted accessory solar energy systems:
 - a. Shall be no taller than seventy-five (75) percent of the maximum building height allowed in that zoning district for accessory buildings.
 - b. Shall be permitted in the rear or side yard only.
 - c. Shall be erected within an established clear fall zone.
 - d. The minimum setback distance from the property lines for structures comprising solar energy systems and all related equipment shall be at least one hundred ten (110) percent of the height of any structure or at least twenty (20) feet from the nearest property line, whichever is greater.
7. Accessory solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street right of ways.
8. Accessory solar energy systems and all solar energy equipment that are no longer functioning shall be completely removed from the property within six (6) months from the date they are no longer producing electricity, become damaged, discontinued or broken. Any earth disturbance as a result of the removal of the accessory solar energy system shall be graded and reseeded within thirty (30) days of removal.
9. In addition to the site plan required for any zoning permit or conditional use permit, the following shall also be submitted at the time of application and shall include:
 - a. Height of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any ground/pole mounted or other structure mounted solar energy system and "clear fall zone".
 - c. Proof of notice to the electric utility company, Soil and Water Conservation District (for drainage impact purposes), and County Health Department/District (for on-site sewage treatment impacts) regarding the proposal.

B. Principal Solar Energy Production Facilities

No Principal Solar Energy Production Facility shall be located in a zoning district where such facilities are not explicitly listed as a permitted or conditionally permitted use.

It is not the purpose of this regulation to regulate a major utility facility as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater).

Principal Solar Energy Production Facilities are prohibited in any district.