

Date of Request.

June 20, 2024

Logan-Union-Champaign Regional Planning Commission
c/o Gram Dick
PO Box 219
East Liberty, OH 43319
gramdick@lucplanning.com

RE: Zoning Text Amendment Application, Perry Township, Logan County

Amendment topic: Solar Energy Systems (Less than 50 MW), Article XII Definitions, and Official Schedule of District Regulations M-1 District Conditional Uses

Dear LUC Regional Planning Commission Committee Members:

The Perry Township Zoning Commission met at 7:00 PM on June 20th, 2024. During the meeting, amendments to the Zoning Resolution were initiated by motion of the Zoning Commission. The amendments propose alterations to the text of the Zoning Resolution.

Description of Zoning Text Amendments.

Included with this cover letter, you will find a copy of the existing zoning as it appears in the Zoning Resolution. Proposed changes are in red and ~~strike through~~. Please refer to these attachments for further information.

- Amend “solar energy related definitions” in Article XII Definitions and Amend Section 565 Solar Energy Systems. The text of Section 565 and the “solar energy related definitions” in Article XII regulate solar energy systems less than 50MW.
- Amend “Business, Service” in Article XII Definitions.
- Add “Service Business” as a conditional use in the Light Manufacturing District (M-1).

Public Hearing.

The Perry Township Zoning Commission of Logan County, Ohio, will hold a public hearing concerning the proposed amendments at 7:00 PM on July 15th, 2024, in the Perry Township Building. The address is _____.

Point of Contact.

Please consider me, Sandra Wilcox, Township’s point of contact for this matter. My contact information is below:

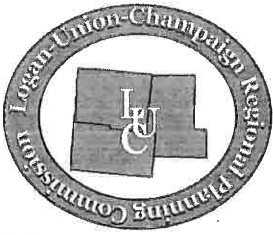
Address: 895 county Rd 142 East Liberty OH 43319
Email: 3249sandy@gmail.com
Phone: 937-441-8977

Sincerely,

Sandra E. Wilcox

Attachments.

1. Proposed Zoning Resolution Text Amendments (text changes shown ~~removed~~ and red)



Logan-Union-Champaign
regional planning commission

Director: Bradley J. Bodenmiller

Zoning Text Amendment Checklist

Date: 06/20/2024 Township: Perry

Amendment Title: Solar Energy Systems, Article XII Definitions, and Official Schedule of District Regulations M-1 District Conditional uses.

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

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

Perry Township
Logan County, Ohio

Zoning Resolution



Amendment

Perry Township
Logan County, Ohio

Zoning Resolution

As Adopted: November 2022

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Section 565 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.
- 2.3. 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.
- 3.4. Roof/Building Structure mounted 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. ~~Combined~~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.
- 4.5. Ground/Pole mounted 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.
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.
- 5.7. Accessory Ssolar 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.
- 6.8. Accessory Ssolar 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 ground-mounted accessory solar energy system shall be graded and reseeded within thirty (30) days of removal.

7-9. 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 other than a building 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, or subsidiary use, as defined by the Ohio Revised Code, which is regulated by the Ohio Power Siting Board (50 MW or greater). It is also not the purpose of this regulation to regulate public utilities that meet the definitions as stated in the O.R.C. 4905.02 or O.R.C. 4905.03 and the three criteria of O.R.C. 4905.65(B).

Principal Solar Energy Production Facilities are prohibited in any district.

Basement

A story all or partly underground but having at least one half (1/2) of its height below the average level of the adjoining ground.

Building

Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building, Accessory

A subordinate building detached from, but on the same lot as the principal building, the use of which is incidental and accessory to that of the main building or use.

Building, Height

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and the mean height between the eaves and ridge for gable, hip and gambrel roofs. Where a building is located on sloping terrain, the height may be measured from the average ground level of the grade at the building wall.

Building Line

See setback line.

Building, Principal

A building in which is conducted the main or principal use of the lot on which said building is situated.

Business, Convenience-Type Retail

A small retail business whose market area is the neighborhood or part of the community, which provides convenience-type goods and personal services for the daily needs of the people within the residential area. Uses include, but are not limited to, drug stores, beauty salons, barber shops, carry-outs, dry cleaning and laundry facilities, supermarkets, etc.

Business, Drive-in

Any business, structure, or premise which is designed primarily to service occupants of motor vehicles without the occupants having to leave the vehicle.

Business, Service

Any profit making activity which renders primarily services to the public or to other commercial or industrial enterprises or which services and repairs appliances and machines used in homes and businesses. Some retail sales may be involved in connection with the service rendered.

Business, Shopping-Type Retail

A retail or service business which supplies a wide variety of comparison goods and services to consumers in a market area that includes the community or an area greater than a community. Examples of shopping-type businesses are furniture stores, automobile sales and service and clothing shops.

Channel

A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.

or partially independent of any building for support.

8. Sign, Projecting. Means a display sign which is attached directly to the building wall and which extends more than fifteen (15) inches from the face of the wall.
9. Sign, Roof. Means a display sign which is erected, constructed and maintained above the roof of the building.
10. Sign, Temporary. Means a display sign, banner or other advertising device constructed on cloth, canvas, fabric or other light temporary material, with or without a structural frame, intended for a limited period of display, including decorative displays for holidays or public demonstrations.
11. Sign, Wall. Means a display sign which is painted on or attached directly to the building wall and which extends not more than fifteen (15) inches from the face of the wall.

Solar energy related definitions:

- a) Accessory Solar Energy. A solar collection system consisting of one or more roof/~~building~~structure mounted, ~~and/or~~ 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, free-standing~~ ground/pole ~~mounted, and/or reef/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. These production facilities primarily produce electricity to be provided off-site.~~
- 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 ~~primary~~ 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 ~~primary parcel~~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.
- e)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)

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system. For the purposes of this Resolution, "Community Solar" is considered to be a "Principal Solar Energy Production Facility".

Story

That part of a building between the surface of a floor and the ceiling immediately above.

Telecommunication Tower

Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a) It is constructed on or after October 31, 1996;
- b) It is owned or principally used by a public utility engaged in the provision of telecommunication services;
- c) It is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Transient Lodgings

A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such it is open to the public in contradistinction to a boarding house, rooming house, lodging house, or dormitory which is herein separately defined. Examples include: hotel, motel, and apartment hotel.

Transport Terminals

Any business, structure, or premise which primarily receives or distributes goods.

Structure

Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, and billboards.

Supply Yards

A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

Swimming Pool

A pool, pond, lake, or open tank containing at least one and one-half (1.5) feet of water at any point and maintained by the owner or manager. Farm ponds are exempt from this definition.

1. Private. Exclusively used without paying an additional charge for admission by the residents and guests of a single household, a multifamily development, or a community, the members and guests of a club, or the patrons of a motel or hotel; and accessory use.
2. Community. Operated with a charge for admission; a primary use.

Service Station

Any building, structure, or land used for the dispensing and sale at retail of any automobile fuels, oils, or accessories, including lubrication of automobiles and replacement or installation of minor parts and accessories but not including major repair work.

Through Lot

See Lot types

<u>ZONING DISTRICTS</u>	<u>PERMITTED USES</u>	<u>CONDITIONAL USES</u>	<u>PLANNED UNIT DEVELOPMENT</u>
(Symbols as used on the Official Zoning Map)	(Accessory uses and essential services are included)	(Permitted upon issuance of a Conditional Use Permit by the Board of Zoning Appeals)	(permitted upon Approval by the Board of Zoning Appeals)
1	2	3	4
B-2 LOCAL BUSINESS	Convenience-type retail; Personal services; Office; Service business; Public & quasi-public uses; Single & multi-family dwellings*;	Shopping-type retail; Eating & drinking estab.; Commercial recreation; Public service facility;	Residential; Commercial; Public & quasi-public uses individually or in combination;
B-3 CENTRAL BUSINESS	Retail business; Offices; Service business; Eating & drinking estab.; Transient lodgings; Commercial recreation; Public & quasi-public uses; Single & multi-family dwellings*;	Drive-in business; Printing & publishing; Public service facility;	Residential; Commercial; Public & quasi-public uses individually or in combination;
M-1 LIGHT MANUFACTURING	Light manufacturing and related offices; Public and quasi-public uses; Very low residential*; Wholesale & warehousing;	Printing & publishing; Public Service facility; Service Business; Signs & advertising structures; Storage facilities; Transport terminals; Signs & advertising structures; Public Service facility;	Commercial; Commercial; Industrial; Public and quasi-public uses individually or in combination;
M-2 HEAVY MANUFACTURING DISTRICT	Light & heavy manufacturing & related offices; Wholesale & warehousing; Printing & publishing; Transport terminals; Supply yards; Service business; Public & quasi-public uses; Very low residential*;	Signs & advertising structures; Mineral extraction; Junk storage & sales; Public service facility;	Commercial; Industrial; Public and quasipublic uses individually or in combination