

**Minutes of the Urbana Board of Trustees Meeting
held Monday, August 01, 2022**

The Board of Urbana Township Trustees met on this date with Paul Wright, Roger Koerner, and Blair Stinson present. The minutes of the July 18, 2022 meeting were reviewed and accepted as presented. The Financial Status Reports were reviewed and accepted as presented.

Guests Present:

Lewis Terry
Jim Heiser
Mike Terry
Mary Kay Russell
Cathy Williams
Yale T. Cline
Gerald Mirtes
Mikole Whitman
Jamie Whitman
Barbara Behling
Lynn Adell Mirtes
Carmen Brenneman
Bill Brenneman
Marsha Hildebran
Joe Anderson
Jeremy Rapp
Jeff Jackson
Patti Jackson
Chuck Baumer
Julie Baumer
Joe Anderson

Trustees

Trustee Wright – I assume that you are all here about the same thing, who would like to go first?

Mr. Yale Cline – See attached.

We ask that you adopt a resolution restricting wind or solar in excess of 50 megawatts in Urbana Township. And we ask that you do so tonight.

Trustee Wright– anybody have any questions, or other comments, remarks?

Ms. Brenneman - My name is Carmen Brenneman and I ask that you identify yourselves.

Mr. Wright introduced the trustees and fiscal officer.

Ms. Behling – I'm Barbara Behling and I live on County Line Road. I have a question. Why didn't you respond?

Fiscal Officer Perry – the trustees did respond. They passed a resolution on June 17th. (The fiscal officer read the Resolution.) The time frame was short from when they asked at the county township association meeting at the end of May, and when they wanted a response. Once the Resolution was prepared and signed, it was emailed to Andrea Millice at the Commissioner's Office.

Audience Member – how did you decide?

Trustee Stinson – You guys, for 2.5 years I came to every township meeting. When Pattern Energy came in here, this was something new. We were the first township to be approached about solar and had to deal with it. Or I didn't because I wasn't a trustee then, but these guys, including Mr. Terry did. They were approached about solar before any other township in this county. What they were asking was if it was ok that they pursued solar through the Ohio Power Siting Board. They were told that anything over 50 megawatts was going to the Ohio Power Siting Board.

Ms. Williams – That is what they do. They tell people that.

Mr. Stinson – Has anybody been offered a solar contract by any of these companies.

Ms. Brenneman – they came to the door several times.

Trustee Stinson – Roger and I were both offered contracts. We took it to a lawyer and had it dissected. The legal statement always came back to what the OPSB did. It always went back to the OPSB. Maybe they did get pushed by Pattern, but they agreed to let it be up to the landowners.

Mike Terry – I farm a lot of ground in Urbana Township. My concern, is if the township took a stance on this it would hold some weight. Some landowners see the dollars and that's all they see. There is only so much farmland in the area, and I fear the absentee farm owners are the ones signed up and they are going to be the ones in support of it.

Ms. Williams – You all said you didn't have a lot of time, so do we need to get petitions? Whatever we have to do to have a voice.

Trustee Stinson – I was on zoning commission before coming a trustee. I always thought this should go before the zoning board. The zoning commission should have the lead on this. They would go through the process and have a public meeting, and then it would come to the trustees.

Ms. Williams – so I wonder if this was pushed on the commissioners?

Ms. Brenneman– Isn't that the law that was passed down on the state?

Mr. Stinson – the commissioners can override us. Kathy back to what you said.

Ms. Williams – do I need to go talk to the commissioners tomorrow?

Mr. Stinson– I think the first thing would be to get with LUC. We want to do this right.

Ms. Williams– do you think if you sent something to the commissioners asking for more time that maybe we could revisit this?

Trustee Stinson – for my own clarity. This is for over 50. What happens if someone comes for 20?

Ms. Brenneman – Union Township is doing utility scale and the less than 50 megawatts.

Ms. Baumer - Does that prohibit someone putting a panel on their property?

Trustee Stinson – no. I have solar on my property.

Mr. Baumer – what does 50 megawatts transfer in to acreage? It's about 3000 megawatts in an acre of ground? So is it 15-20 acres of ground? Huge farms would destroy the acreage of the township.

Trustee Stinson – the contract that we turned down is a deceiving contract. Going back to what you said before, there are panels now that are over 450 megawatts. 50 megawatts was once 500 acres. Now they are saying a megawatt can be done on 2 acres. With technology advancing that footprint is going to get smaller and smaller. I have 24 panels and I am making 120% of my electricity.

Again, we are talking tonight and you are asking at banning anything over 50 megawatts.

Audience member - I would like for you to rescind that letter that you sent to the commissioners.

Ms. Baumer – maybe rescind is too extreme of a word. Maybe amendment is the better word. Its word-smithing, but , oh by the way if there is something more we need to do, then who do we need to contact?

Jeremy Rapp - were you guys given the same time frame? 9 townships respond, and why did you guys remain neutral?

Trustee Wright – we had a unique situations. One resident was wanting to put solar panels around Cedar Bog. I am not saying that anything was wrong. We were the first township to have anything to do with this.

Trustee Stinson - this township was the first approached. These guys did a good job. If that application was accepted, you still have to go through the process.

Connie? (audience member) – once panels are installed on farmland, doesn't it always have to stay that way? Also, one megawatt requires 2.5 acres. On a larger scale who is funding the projects?

Ms. Williams – we are. Heavily subsidized.

Trustee Stinson - the private companies pay for the panels, and then it is sold. We could go on and say corn is subsidized. Again, I have solar panels personally, but I don't want to see a solar farm, but I think there are places where solar can be put in. It doesn't have to be on prime farm land. I know Yale that is what you were worried about was looking out your window and seeing solar panels.

Mr. Cline – I look out my windows and see solar.

Mr. Stinson – I have a place, my neighbor has a place, there are places where they can do this. I really feel that the trustees did a good job when they did this.

Mr. Cline - Will you revise that letter tonight?

Mr. Wright – why does it need to be tonight? We will talk about it again, but I am not going to make that promise. I can't guarantee it.

I think we have to be careful too. Maybe they won't need these panels with technology, maybe they will have a 20 here and a 20 there.

Mr. Baumer – who is responsible for removing and disposing of those panels? We have no decommissioning of the panels right now in the U.S. How do we know that those people are going to maintain it?

Mr. Stinson – they have to maintain that bond and it has to continue through the length of the project, with the caveat that they can continue another 10 years.

Mr. Heiser – I live on Dugan Road. Do they already have signed leases on Dugan Road and Three Mile Road?

Mr. Wright – Jim this is the first I have heard about anything on Sloan, Dugan and Three Mile Road.

Mr. Heiser – do they also have a 40 year lease on Hickory Grove Road?

Trustee Stinson – I think that is around 400 acres.

Ms. Williams– I didn't think that was going to go through.

Trustee Stinson – that is Bauer's and Channel's. That lease is approaching 10 years and nothing has happened. Don was a wealth of knowledge on this. He laughed about it and took the money and said nothing is going to happen. I have never seen their lease, but on the lease we were offered sub leasing was not allowed.

Ms. Williams – really? Over 10 years?

Trustee Stinson – Channel's and Bauer's were unique. They had wind and solar.

Mr. Heiser – my understanding was that First energy was going to install and maintain it, but the property owner was responsible for decommissioning. How much is solar panels and how much is wind?

Trustee Stinson– zero wind. If you get on the OPSB site, you will see the wind is abandoned. These guys here, they had all of that ground signed west of 68. They came in and killed that. When that happened, that project was pretty much done because they don't have the acreage.

Ms. Williams – there has been so much turmoil. There are families that don't have Christmas together because of the wind. We are a target here. Where they were going to hook the transmission lines together here in Ohio. There are people here that are vested. Which is why we need this resolution. These people who want this are vested.

Trustee Stinson – who benefited in Rosewood? But don't think that some project is going to just roll over on this.

Mr. Cline – everything so far is pretty well consistent. One thing that is missing out of all of this, is what happens if those solar fields catch fire. I talked to a fire chief, and he said we have no idea what to do or how to put it out. Well, then now we have our well problems. This is one big factor that you need to think about. If my well is shot, I am not going to be happy.

Trustee Stinson – I'm sorry about that guys, but I wish everyone would get this passionate about that. 40% of the corn production is used for ethanol. Start doing your research on how much is spent there. Again though we have to all state that the end project isn't feeding the world it is also about making energy. I think there would be a benefit if we can compromise a little bit.

Mr. Anderson - I am Joe Anderson – we don't want to drink it. I raise cattle. It is tixic. There is a solar farm around Pickaway county. There are empty houses all around it. It's ridiculous.

Mr. Heiser – does Urbana Townshp get any money?

Trustee Stinson – we get very little.

Mr. Heiser – So Philadelphia gets the benefit?

Ms. Williams – somebody said something about Dugan Road. Property values generally decline around solar fields.

Mr. Heiser – the property owners on the 213 acres around Dugan and Sloan.

Mr. Terry – I am Lewis Terry former trustee. This didn't come about until a few months ago. We dealt with this two years ago. I got a call a few weeks ago that Pattern withdrew their application because of the loss of the land. Going back to two years ago, we took a neutral position, because if they applied they were going to have to go to the OPSB. So now that SB 52 has been put in place, they gave the commissioners the authority to place buffer zones.

Right now, Dugan Road and Sloan are pretty much off the board. The one on Three Mile Road, I think that was Pattern. Anyhow, the notice stuck on my mailbox said prohibited. Yeah, nine townships have prohibited that. But they have done that since after SB 52.

Trustee Koerner – we will go over that tonight. I can't say that we are going to make a decision.

Mr. Baumer – I vote for coal gas and nuclear.

Trustee Wright – I agree with you.

Mr. Baumer – California is going to be the first to go. Ford is building electric trucks that are going to overpower the grid.

Ms. Baumer – you mentioned about the zoning, that the normal process would be that you take it to the zoning board. The normal policy is to go before the zoning board. You are saying the people who want that kind of usage override that process?

Mr. Stinson – I have been saying that since they were the first approached. The zoning board should have something like this for a change of use.

Ms. Baumer – should we have this in our zoning?

Trustee Stinson - Prior to this new state law, OPSB made all of the decisions. Basically they were a rubber stamp. The local zoning people have no say.

Ms. Baumer – ok so the state law said hey you really need to start talking to the local folks so they have a say in what is going on.

That is why this response is so important.

Ms. Williams – farmland is ag. Aren't they coming in as far as zoning and calling this ag?

Ms. Baumer – so what we are really asking is that since we are blindsided...

Trustee Stinson – I think the process is to go to LUC. If we are going to do this we are going to do this right. If that means that we go to the zoning commission. We can let the commissioners know that we need to wait on this.

Ms. Baumer – if you said hey county commissioners we need to amend our resolution, who else do we need to tell so that you folks get more time?

Trustee Stinson – I want to stress one more time, I am asking you guys for the opportunity to do that correctly. None of us are going to let something like this come in to our township. I am not going to let you be blindsided.

Mr. Cline – can I make a simple request to contact Mr. Bodenmiller and have him help you through the process?

Trustee Wright – Mr. Bodenmiller got promoted. Luke is a great resource and we will definitely get them involved.

Trustee Stinson – we will get them involved. I don't know that we solved anything.

I do appreciate what you said about the toxicity and the fire. I think you have to be careful about what you read. I don't know why solar panels would burn. For solar panels to burn there would have to be something there to start that fire.

Mr. Baumer – the other thing to consider is a 30-40 megawatt power field, do you know how much power that is? The panels are made of silicone and silver.

Trustee Stinson – that power is not stored there. My inverters are on my panels.

Lewis Terry – a year or a year and a half ago, we went and toured the solar panels in Piqua. The city of Piqua powers about half of the city with solar. Right west of town, there is about 90 acres that power that town. I hear what you are saying about fire, but I can't believe the city of Piqua would have put that in if that was a concern. If something goes wrong, there are inverters on each panel.

I mean I am not for it, but it is pretty impressive. Actually they had two. A 90 acre one and a 10-12 acre one.

Mr. Wright – anybody have anything else?

Ms. Williams – thank you very much were hearing us out.

Mr. Stinson – Thank you. We don't know how anyone feels unless they come in here and let us know.

OLD BUSINESS

Bo did get done down at Ardell's. She was so pleased with it. She sent me a text.

Roger – sent me the same text.

VACATING MOORE'S RUN ROAD

Fiscal Officer Perry – I received a sample resolution from Jane about vacating Moore's Run Road. I need though the reasons behind it, as well as the parcels around it so I can prepare a resolution.

Trustee Stinson – I can get that for your.

Trustee Wright – For old business, does anyone have any questions that you want Sandi to ask Kerry Brugger?

Trustee Stinson – I do. I will get those to you.

Ms. Perry – I heard back from Moorefield Township, and the lady said they will let me know tomorrow if they wanted to place a bid.

Trustee Wright – any other old business?

Trustee Wright – Tree's Drive Thru is renewing their liquor license and they need to know if we are going to object to it. Do we have any objections?

Trustee Koerner – no. Trustee Stinson – no.

Trustee Wright – Richard said that the fax machine doesn't want to fax anymore.

Ms. Perry– I can try to see if my printer will work on that.

Trustee Stinson– let's talk about what went on tonight. I would like to contact LUC tomorrow to see what kind of map they recommend. I know they wanted a vote tonight.

Mr. Cline– when I was in here two weeks ago and I was talking to Sean, I asked him for a copy of what was in the handbook about solar. It was a paragraph and I about died.

Trustee Stinson – that is the things that I want to talk to Brad about. Give me your phone number I will call you and let you know about how that went. I will take that on personally. Once we have something I will let you know.

Trustee Koerner – we aren't going to let it die.

Lewis Terry – I think that since SB 52 things have changed.

Mr. Cline - when I was here and he (Pattern) talked about no reflection in the panels I was so mad.

Trustee Stinson – the ones over there don’t pivot. My panels don’t reflect. They are called super black. I don’t know who made the comment about them not lasting long, but my panels have been in for 10 years and they are at 98%.

Also about Briarwood, Anthony is requesting to be part of the group that meets. Jane told him about it.

Trustee Koerner – I think this is a pre-meeting with the prosecutors and engineer.

Ms. Perry – I can ask Jane about it.

Lewis Terry – we have done a couple of these that had roots in the right of way, but if it is on their property then it is their responsibility. The township has paid a lot of money because these tree roots get in the four inch tile.

Mr. Wright – what is going to happen is the health department is going to say, this brown water isn’t going to cut it.

Lewis Terry – father time is catching up to the tile.

Richard McCain and Zoning Inspector Sean Tullis were absent.

Fiscal Officer

The following bills were presented for payment:

Check No.	Date	Payee	Total Amount
	08/01/2022	BWC	\$84.46
	08/01/2022	US Treasury	\$1,473.80
19752	08/01/2022	Pioneer	\$123.31
19753	08/01/2022	Williams Hardware	\$195.08
19754	08/01/2022	CT Communication	\$131.15
19755		VOID	
19756		VOID	
19757		VOID	
Total			\$2,007.80

Mr. Stinson moved, seconded by Mr. Koerner that the bills were approved. Roll call was as follows: Mr. Wright, yes; Mr. Koerner, yes; Mr. Stinson, yes.

INFORMATION PACKET
REGULATING SOLAR ENERGY DEVELOPMENT IN URBANA TOWNSHIP

Contents:

- **Statement by Urbana Township Resident Yale Cline**
- **Questions and Answers about Solar Development in Urbana Township**
- **Summary of Senate Bill 52 Provisions Granting Local Control for Wind and Solar Development**
- **Logan-Union-Champaign Regional Planning Commission Model Language for Prohibiting Solar Development Under 50 MW When Power is Generated for Use Off-Site**

YALE CLINE
REMARKS BEFORE THE URBANA TOWNSHIP BOARD OF TRUSTEES
AUGUST 1, 2022

Good evening. My name is Yale Cline and I reside in Urbana Township on Three Mile Road. I am here tonight to respectfully request that you take immediate action to protect the residents of this township from large scale and utility scale solar development.

Champaign County residents, including Urbana Township residents, worked for years to secure a voice for local government in determining where wind and solar development would be located. We signed petitions, we wrote letters and some of us testified in the Ohio General Assembly. Working with others across Ohio, we succeeded when Senate Bill 52 became law on October 11, 2021. The law gives us the tools we need to protect our interests. We just have to use these tools.

The law now authorizes the County Commissioners to adopt a map designating areas of the county where utility scale projects of 50MW (Mega Watts) or more are restricted. The Commissioners asked all townships to pass Resolutions by June 24th reflecting their desires for allowing or restricting utility-scale development. Nine townships responded to the Commissioners asking their entire townships to be restricted. Urbana Township was not one of these townships. In fact, we understand Urbana Township simply did not respond at all.

We ask that you adopt a Resolution restricting wind or solar development of 50MW or more anywhere in Urbana Township. We ask you do this tonight. The Commissioners are working to prepare the county map and selecting a date for a public hearing on the map. There is very little time left and the residents of Urbana Township deserve to be protected by the map.

(NoMap)

Second, we understand the Trustees may mistakenly think they have acted to protect residents by including a general prohibition on commercial solar in the Urbana Township zoning resolution. The current zoning language is inadequate. First, the township does not have jurisdiction to zone for projects of 50MW or more. Only designation of restriction on the County map achieves protection from utility scale projects.

Moreover, the current zoning language does not use the definitions established in Senate Bill 52 and is ambiguous. The Logan-Union-Champaign Regional Planning Commission developed model zoning language for either allowing or prohibiting development of projects less than 50MW. Most township zoning boards have adopted the LUC language. We ask that the Urbana Township Zoning Commission revisit their ordinance and revise it with the model language to prohibit development of projects that generate power for use off-site.

I have prepared a packet of information on the new law. I have also prepared a list of sample questions and answers about regulating wind and solar. There are projects pending in Urbana Township and we do not have a moment to waste. Thank you.

REGULATING WIND AND SOLAR POWER GENERATION IN URBANA TOWNSHIP

QUESTIONS AND ANSWERS

Q: Does the Urbana township zoning board or zoning board of appeals have jurisdiction to regulate utility wind and solar development?

A: No. Only the County Commissioners can regulate utility-scale projects. They can designate restricted (prohibited) areas where development cannot occur. The Ohio Power Siting Board will not accept an application from a developer who proposes to build in a designated restricted area. The restricted areas will be indicated on a map adopted by the County following a public hearing.

Q: What happens if a utility project is proposed in an area that is not restricted?

A: The County Commissioners will evaluate the project and recommend to the Ohio Power Siting Board (OPSB) that it be approved or denied. The OPSB must make a finding that the project meets the “convenience and needs” of the public. They will consult the local comprehensive development plan and other criteria including the map. There is no guarantee a project located in an area where projects are not restricted would be denied. Not being designated on the County restricted map poses an ongoing risk to residents of unwanted development.

Q: Are there any utility-scale projects planned for Urbana Township?

A: Yes. There appear to be at least three active projects and one which has been withdrawn.

1. **EverPower Solar LLC** has two lease option agreements in the area of Hickory Grove Road and St. Rt. 54. This project will connect to the grid at the Mechanicsburg-Givens substation on St. Rt. 54. The grid operator reports that it will “Install a new 138 kV three breaker ring bus switchyard to interconnect the AE2-305 project. This will include the installation of all physical structures, P&C equipment, communications equipment, metering equipment, and associated facilities.”
2. **Pattern Energy Urbana Solar**. This project was intended to connect into the substation on Hickory Grove Road west of Route 68. On November 15, 2021 Pattern signed the Interconnection Construction Service Agreement with the grid operator PJM to connect at this substation.

Prior to signing the Agreement in 2021, a number of lease options west of Route 68 were terminated and two new lease options were signed near Sloan Road and Three Mile Road. Recently, PJM was notified the project had been withdrawn by the developer. Despite being withdrawn, the County Recorder's Office has no record of lease terminations for the remaining options. The current lease options could be sold to another developer such as EverPower Solar.

3. **AF1-053** This project is actively under study with the grid operator, PJM. It is a battery project designed to expand the capacity of another solar project. The interconnection point is the Mechanicsburg-Givens substation which would be upgraded pursuant to the PJM report on the EverPower Solar project.
4. **AF1-054** This project is also under active consideration for interconnection to the Mechanicsburg-Givens substation. Reference is made in the PJM reports to the Clearview Solar project although it is unclear what the connection to Clearview is. Clearview is a utility scale project under development by Open Road Renewables in Adams Twp.

Q: Are there any pending projects less than 50MW over which Urbana Township would have jurisdiction?

A: There are no known "Principle Solar Energy Production Facilities" under development or pending before the zoning commission at this time.

Q: Why is Urbana Township's Zoning Regulation for solar considered to be inadequate?

A: Provisions in the model language drafted and approved by the LUC Regional Planning Commission address glare, disposal of used panels, interference with septic systems and other requirements intended to protect both the property owner and neighbors. Urbana Township's Zoning Ordinance for solar panels does not address these subjects.

URBANA TOWNSHIP
CITIZENS REQUEST TO IMPLEMENT OHIO SENATE BILL 52
August 1, 2022

SENATE BILL 52 SUMMARY

1. Under the law, boards of county commissioners can restrict the siting of certain renewable energy projects within the unincorporated areas of the county. **These installations are defined as large solar facilities (nameplate capacity of 50 or more megawatts), economically significant wind farms (between 5 and 49 megawatts), and large wind farms (50 or more megawatts).**

There are two tracks that commissioners may take to exercise this authority.

The first is their ability to **designate restricted areas within the unincorporated area of the county. Commissioners may designate all or part of the unincorporated area of the county as a restricted area, prohibiting construction of or significant modification to the solar and wind projects described above.** Boards must comply with a statutory procedure including notice requirements and public meetings. If commissioners designate a restricted area, county voters may petition for a referendum to approve or reject the creation of the restricted area.

If a project is proposed in an unincorporated area *outside of a restricted zone*, the law allows, after certain procedural steps are completed, the board of county commissioners to adopt a resolution to either prohibit the construction of the project or limit its geographic scope. Unlike a resolution creating a restricted area, project-specific resolutions are not subject to voter referendum.

If the township resolution becomes effective through inclusion on the County map, the Power Siting Board may not accept any applications or grant any certifications for either a new project or a material amendment to a project located in a restricted area.

Residents across Champaign County support the adoption of a map indicating restricted areas. They do not want to have to worry every time a developer comes into town unannounced and persuades unsophisticated or elderly people to sign away the rights to their land for generation or more. Oftentimes leases are secured from absentee landowners who do not care about possible harms to the land or the agricultural community. For these reasons, a map indicating Urbana Township as a restricted areas is preferable to doing nothing and worrying about an unexpected project that comes along.

2. **Membership on the Power Siting Board is expanded by SB 52 to include two voting ad hoc members to represent local interests when the OPSB considers a utility project in an area that has not been restricted. One member is the chairperson of the township trustees and the other is the president of the board of county commissioners, or their designees.** If the project is in multiple townships and/or multiple counties, the affected political subdivisions must agree on a single representative to the OPSB to represent each type of political subdivision. Since Urbana Township currently is not restricted while all surrounding townships are restricted, the Chairman of the Urbana Township Trustees would be required to participate in the hearings held by the Ohio Power Siting Board in Columbus.

3. **A project which is less than 50 MW is defined as a Principal Solar Energy Production Facility.** This is 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. Large solar energy production facilities consist of one or more freestanding ground/pole, or roof/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. **These production facilities primarily produce electricity to be provided off-site.**

Principal Solar Energy facilities are regulated by Township Zoning Ordinance. The Logan-Union-Champaign Regional Planning Commission has developed two model zoning ordinances for consideration by Township Zoning Commissions. Version 1 prohibits principal solar facilities anywhere in the township. Version 2 permits principal solar systems subject to conditions.

Urbana Township has adopted language in its Zoning Resolution that states "Solar energy commercial operations are prohibited." The language adopted by the Urbana Township Zoning appears to be well intended but it appears to be deficient when comparing it to the Model Language prepared by the Logan-Union-Champaign Regional Planning Commission.

Urbana Township's regulations do not speak to the MW size of a project and do not recognize that the **Township has no jurisdiction over commercial projects which are 50MW or more.** Absent requesting to be a restricted area for projects of 50MW or more, **the township is vulnerable to unwanted development.** Moreover, the current ordinance fails to address glare or disposal of panels.

Citizens request that the Zoning Commission meet with the LUC to consider their more detailed and protective language.

CURRENT URBANA TOWNSHIP ZONING ORDINANCE FOR SOLAR

Section 1061 Solar Panels.

SOLAR PANELS

A. Solar panels are a permitted accessory use, subject to the following requirements:

1. Ground-mounted solar panels shall be located in the side or rear yard only in accordance with the setbacks established for all accessory uses and shall not exceed twelve (12) feet in height.
2. Roof-mounted solar panels on the principal building shall be installed on the plane of the roof material (flush mounted) or made part of the roof design (e.g. utilizing capping or framing compatible with the color of the roof or structure), but shall not extend more than eight inches from the roof surface. Accessory buildings shall not exceed the height requirements established for all accessory buildings.
3. All solar panel installations shall comply with all applicable building, plumbing, and electrical codes.
4. All applicants shall submit a site drawing showing the location of the unit in relation to existing structures on the property, the location of existing wiring and wiring for the solar panels, roads and other public right-of-ways and neighboring property lines.
5. There is no limit on the number of solar modules or arrays installed on each property, except for the following:
 - a. Solar energy commercial operations are prohibited.



LUC MODEL ZONING TEXT

Solar Energy: Definitions

Article XXXX Definitions.

Solar energy related definitions:

- a) **Accessory Solar Energy**: A solar collection system consisting of one or more roof/structure mounted and/or ground/pole 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. Large solar energy production facilities consist of one or more free-standing ground/pole, or roof/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. 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, batteries, mounting brackets, 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 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 and will not intrude onto a neighboring property.

LUC Model Text (Zoning & Subdivision Committee; July 9, 2020)



LUC MODEL ZONING TEXT Solar Energy Systems (Version 1)

Section XXXX 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. A solar energy system is permitted in all zoning districts as an accessory to a principal use.
2. A solar energy system shall not be used for the generation of power for the sale of energy to other users, although this provision shall not be interpreted to prohibit the sale of excess power generated from time to time to the local utility company.
3. Roof/Structure mounted solar energy systems:
 - a. Shall be flush-mounted, or as long as it matches the slope of the roof, shall have a maximum tilt of no more than five (5) percent steeper than the roof pitch on which it is mounted.
 - b. Shall not extend beyond the perimeter (or edge of roof) of the building on which it is located.
 - c. May be mounted to a principal or accessory building.
 - d. Combined height of the solar energy system and building to which it is mounted may not exceed the ridge/line of the roof for hip, gable, and gambrel roofs and may not be taller than eighteen (18) inches above the roofline of a flat roof.
4. Ground/Pole mounted 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.



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5. 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.
6. 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 ground mounted solar energy system shall be graded and reseeded within thirty (30) days of removal.
7. 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. Elevation of the proposed solar energy system(s) at maximum tilt.
 - b. Evidence of established setbacks of 1.1 times the height of any structure and "clear fall zone".
 - c. Proof of notice to the electric company regarding the proposal.
 - d. Letter from the County Health Department/District or appropriate sanitary sewer operating authority stating location will not interfere with the septic or sewer system, whichever is applicable, on the property.

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 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.

LUC Model Text (Zoning & Subdivision Committee; July 9, 2020)

Being no further business, Mr. Stinson moved to adjourn the meeting seconded by Mr. Wright.

Paul Wright Trustee Paul Wright, President

Sandi Perry Sandi Perry, Fiscal Officer