

VILLAGE OF GRAFTON
ORDINANCE NO.: 19-010

INTRODUCED BY:

MOTION BY: STRAH

SECONDED BY: SAUER

AN ORDINANCE AMENDING CHAPTER 1297 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF GRAFTON, PERTAINING TO SOLAR POWER PLANTS

WHEREAS, Council has determined it necessary, and in the best interests of the Village of Grafton and its citizenry, to amend Chapter 1297 of the Codified Ordinances;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Grafton, County of Lorain, and State of Ohio:

Section 1. That, Chapter 1297.05 and 1297.06 of the Codified Ordinances of the Village of Grafton, shall be amended as follows:

1297.05 GENERAL APPLICATION REQUIREMENTS.

No Solar Power Plant shall be erected or installed in the village until approval has been granted by the Village per all applicable ordinances, a grid interconnection agreement or power contract has been signed by the Village Administrator, and all requirements of the Building Department have been satisfied. Written application to construct a Solar Power Plant shall be made to the Village, in accordance with requirements contained in Chapter 1242 and 1250 as applicable. A proposed Solar Power Plant is also subject to the requirements of Site Plan Review described in Chapter 1248. The following supplementary information shall also be included in an application to construct a Solar Power Plant.

1. The application will also include the name, address and telephone number of the licensed and registered electrical contractor(s) that will make all installations.
2. A description of the probable useful life of the Solar Power Plant, along with a decommissioning plan for the system. Removal of a Solar Power Plant shall require at least a 90-day notification to the Village, the Village Administrator and the Village Electric Superintendent. Decommissioning shall include removal of solar panels and enclosed buildings with electrical equipment. Disturbed earth shall be graded and re-seeded. The Village of Grafton may require some form of Guarantee as determined necessary based on Planning Commission's recommendation and Council's approval to ensure proper facility decommissioning and prompt removal of solar panels and/or related equipment at the end of the useful life of the Solar Power Plant. Such Guarantee may be required as part of the zoning approval process and/or as part of any lease agreement(s) between the Village of Grafton and the owner of the facility.
3. A description of the proposed Solar Power Plant System, including information regarding its construction method of assembly and installation. This description shall include drawings showing proposed inverter, metering and utility grid connections.

Elevations of a typical solar panel unit and enclosed buildings shall be provided.

4. Description of related solar easements to be acquired to protect solar access for the Power Plant. This information is in addition to any on-site easements shown on a site plan submitted pursuant to Chapter 1248.02.

1297.06 SOLAR POWER PLANT DEVELOPMENT STANDARDS

Solar Power Plants are a conditional use in specific zoning districts, and shall meet the requirements of the underlying zoning district, Chapter 1250, and the additional performance and design standards requirements of this Section. Specific performance and design standards for Solar Power Plants are as follows:

1. **Maximum Height:** The maximum height for all structures associated with a Solar Power Plant is equal to the maximum permitted height of principal structures in the district it is located in.
2. **Setbacks:** All structures associated with a commercial Solar Power Plant shall be set back from all property lines and public road rights-of-way in compliance with the applicable zoning district. For Solar Park Developments, Council may determine that solar pedestal & panels do not qualify as structures for Zoning District setback purposes; however, a setback of least thirty feet (30') or one and one-half times the height of the structure, whichever is greater, shall be maintained from all property lines unless adjacent to residential uses, where Zoning District specified setbacks shall be maintained. This requirement is applicable to both residentially zoned lots and to existing residential uses both inside and outside the Village. Additional setbacks may also be required to mitigate noise and glare impacts.
3. **Security:** A security fence may be required around the perimeter of the Solar Power Plant. This determination shall be made as part of the conditional use and/or site plan review approval process, and will include a determination regarding height and material to be used. The decision to require a fence shall be based on specific site conditions and the nature and character of surrounding land uses.
4. **Noise:** No Solar Power Plant shall produce noise from transformers or other electrical equipment that exceeds 55 dBA as measured at the property line or 50 dBA as measured at the nearest neighboring habitable building. An independent noise study may be required to document compliance with this requirement as part of the approval process.
5. **Appearance:** Buildings and accessory structures shall, to the extent reasonably possible, use materials, colors, and textures that will blend with the existing environment. Appropriate landscaping and/or screening materials may be required to help screen the Solar Power Plant from neighboring residences.
6. **Electrical Connections:** All electrical interconnections within the project boundary shall be underground.
7. No Solar Power Plant shall be connected to the Village Municipal Power System without properly executed grid interconnection agreement or power contract. Under no circumstances shall Solar Power Plants provide power to off-site building(s), structures, uses or other power energy distribution systems (power grids) other than the Village Municipal Power System. All installations will be performed by a licensed electrical contractor.
8. All electrical control panels, as well as control equipment, shall be labeled and secured to prevent unauthorized access. All installations will include an external disconnect to

allow for the isolation of the alternative energy system from the Village Municipal Power System.

9. All Solar Power Plants shall be designed to conform to all the requirements of the Ohio Building Code, Ohio Residential Code the National Electrical Code and all other applicable regulations. All Solar Power Plants to be connected to the Village's Municipal Power System shall be metered, and shall have grid failure disconnect systems and shall adhere to O.R.C. § 4928.67 and UL 1741, Standard for Utility-Interactive Applications.

10. Solar panels shall be designed to absorb (not reflect) sunlight. Solar panel placement should be arraigned to minimize or negate any solar glare onto nearby properties or roadways, without duly impacting the functionality or efficiency of the solar system.

11. A private access road must be provided from a State or Village roadway to enclosed buildings to provide for maintenance and emergency vehicle access.

12. A clearly visible warning sign shall be placed at the base of all pad-mounted transformers and substations and on any fence surrounding the Solar Power Plant informing individuals of potential voltage hazards.

13. The Solar Power Plant shall not be artificially illuminated except to the extent required for safety or applicable federal, state or local regulations, and to the minimum extent necessary for security purposes.

Section 3. That, it is found and determined that all formal actions of this Council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

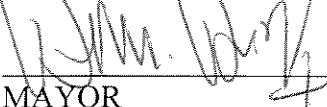
Section 4. That, this Ordinance shall be in full force and effect from and immediately after the earliest date allowed by law.



PRESIDENT OF COUNCIL

6-18-19


DATE PASSED



MAYOR

6-18-19

DATE APPROVED




CLERK-TREASURER

6-18-19

DATE ATTESTED

APPROVED AS TO FORM BY:



GRETCHEN A. HOLDERMAN, LAW DIRECTOR

Planning Commission recommended that this Ordinance be:

 X Approved _____ Disapproved

First Reading: 5-21-19
Second Reading: 6-4-19
Third Reading: 6-18-19