

## **Chapter 1,200 Solar Energy Systems**

**Solar Energy System:** Consists of solar arrays and facilities that produce under 50 megawatts or any solar array and facilities that do not fall under the jurisdiction of the Ohio Power Sitting Board (OPSB) but do not qualify as Small Solar Arrays as defined in this resolution.

Solar Energy Systems, regardless of size, shall only be installed on land owned by the applicant.

### **Section 1,200.01 Area, Bulk, and Height Regulations**

1. SETBACK: All structures affiliated with the operation, including the solar panels, shall meet or exceed the following requirements:

1.1 Solar modules shall have a minimum setback from non-participating parcel boundaries of 150 feet.

1.2 Solar modules shall have a minimum setback of 300 feet from non-participating residents existing as of application filing date.

1.3 Solar modules shall have a minimum setback from the edge of pavement of any Township, County, or State road within or adjacent to the project area of 150 feet.

2. MINIMUM ACREAGE: The minimum lot area shall be 5 acres and deemed Conditional Use.

3. HEIGHT: The maximum height of all structures affiliated with the operation, including the solar panels, shall not exceed 20 feet above ground level.

### **Section 1,200.02 Application**

1. Applicant must hold a local public meeting within 90 days after submitting application or material amendment to Jackson Township Trustees. Notice of this meeting will be stated in a newspaper in general circulation in the Township at least 14 days before the public meeting. The meeting shall be held with Jackson Township Trustees.

2. Applicant must notify all impacted boards of County Commissioners and Jackson Township Trustees of this meeting.

3. At the meeting, applicant must provide type of facility, maximum nameplate capacity and map of boundaries. (R.C. 303.61)

4. Within 90 days of public meeting, the board of County Commissioners may adopt a resolution that prohibits the construction of the proposed facility or limits the boundaries of the facility. If no resolution is adopted, the application may proceed. (R.C. 303.62)

5. County Commissioners can designate all or part of the unincorporated area of a county as a restricted area; no applications or amendments may be filed for a facility in the restricted area if the facility type is prohibited in that restricted area. (R.C. 303.58)

6. Application approval from the National Utilities Regulatory Commission (NURC), Federal Energy Regulatory Commission (FERC), Pennsylvania, New Jersey, and Maryland (PJM) for interconnection and fees have been paid shall be submitted to Jackson Township.

7. Federal permit papers completed and fees paid shall be submitted to Jackson Township.

8. Written permit and fees paid showing an interconnection with the local utility shall be submitted to Jackson Township.

9. SITE PLAN:

9.1 Solar panel locations on each parcel of land.

9.2 Structures to be located on the properties.

9.3 Power line below and above ground.

9.4 Adjacent property owners.

9.5 Zoning of the property and the adjoining property.

9.6 Roadway within the property and access points.

9.7 Security fence location.

9.8 Stormwater plan.

9.9 Safety and security procedures.

9.10 Emergency management plan.

9.11 Sign locations.

10. An appropriate security fence with a minimum height of 6 feet from ground level (height and material to be specified in the site plan permit process) shall be placed around the perimeter of the solar facility.

11. Appropriate warning signage (height, area, and material to be established through the site plan permit process) shall be placed at the entrance and perimeter of the solar facility project.

12. NOISE: no operating solar facility shall produce noise that exceeds any of the following limitations:

12.1 Fifty dBA as measured at the property line of any neighboring residentially zoned lot.

12.2 Sixty dBA as measured at the property lines of the project boundary.

13. A RUMA shall be required to be signed by the owner with Jackson Township Trustees to repair roads damaged by the project.

14. DECOMMISSIONING: At least 60 days prior to construction, applicant must submit a decommissioning plan, prepared by a registered engineer to Jackson Township Trustees for review. The plan must include parties responsible for decommissioning, schedule for decommissioning activities, and an estimate of decommissioning costs, which must be recalculated every five years. The applicant must also post a performance bond in the amount of 150% to ensure funds are available for decommissioning and it shall be submitted to Jackson Township. The bond shall be adjusted every five years based on the decommissioning cost. The bond shall never decrease even if the estimated costs decrease.

#### **Section 1,200.03 Landscaping and Buffering**

1. A detailed plan for landscaping and buffering shall be submitted with an Application for Special Use Permit.

#### **Section 1,200.04 Glint and Glare Impact**

1. A detailed study of the potential glint and glare impacts shall be submitted with the Application for Special Use Permit. This shall be done with a standard methodology, which shall be referenced in the study.

#### **Section 1,200.05 Environmental Impact Study**

1. A detailed study on the Environmental Impact of proposed project shall be submitted with the Application for Special Use Permit. This study shall include the following:

1.1 NOXIOUS WEED CONTROL PLAN or explanation of why this is not deemed necessary.

1.2 DRAINAGE MANAGEMENT PLAN: with a scaled map of current drainage tiles and any proposed changes, and any proposed driveways of any material and the anticipated impact of driveways on surface and sub-surface rainwater drainage. Applicants shall develop a stormwater drainage plan to show sediment ponds, erosion protection and runoff control for the property.

1.3 POLLINATOR IMPACT STUDY: to include details of any proposed pollinator habitats to be included in project.

1.4 POLLUTION PREVENTION PLAN: to include consideration of any chemical that would be present, including oil. Controls shall be commensurate to expected quantities.

## **Section 1,200.06 Decommissioning and Reclamation**

1. Any solar facility which has reached the end of its useful life or has been abandoned, shall be removed. The owner or operator shall physically remove the installation within 150 days after the date of discontinued operations. The owner or operator shall notify the Jackson Township Zoning Inspector by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

1.1 Physical removal of all ground-mounted solar energy installations, structures, equipment, security barriers and transmission lines from the site.

1.2 Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

1.3 Stabilization or re-vegetation of the site as necessary to minimize erosion. The Township may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

1.4 Absent a notice of a proposed date of decommissioning, the solar facility shall be considered abandoned when it fails to operate at more than 50% of the original designed capacity for two years without the extension approval of the Board of Zoning Appeals and ORC 505.86 regarding the removal of buildings or structures.

## **Section 1,200.07 Small Solar Arrays**

A small solar array may be allowed as an accessory use in conjunction with a lawful principle use. Like all accessory uses it must be subordinate and related to the principle use on the lot.

A solar array less than one acre in size shall be considered a small solar array.

Small solar arrays must comply with all regulations regarding accessory uses including lot coverage, location, height, and permitting.

Small solar arrays must produce power primarily for use on site.

Small solar arrays must be installed in accordance with the manufacturers' recommendations.

If a Small solar array becomes nonfunctional or damaged, it will be removed or repaired within 90 days. Any array that produces less than 50% of it's rated output will be considered nonfunctional. When a Small solar array is removed, all visible support structures will be removed as well.

In residential zoned lots, side yard setbacks will be doubled.