

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2023 – 121**

**By: Mayor Perciak and All Members of Council**

**AN ORDINANCE ENACTING A NEW CHAPTER 1476 OF TITLE SIX OF PART FOURTEEN OF THE BUILDING AND HOUSING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING SOLAR ENERGY FACILITIES, AND DECLARING AN EMERGENCY.**

WHEREAS, the construction, installation and use of solar energy facilities in residential, commercial and industrial buildings has risen in recent years; and

WHEREAS, it is in the City's best interest to provide standards for the placement, design and operation of solar energy facilities to the extent permitted by law in order to properly secure the health, safety and welfare of the user and the surrounding neighbors.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That new Chapter 1476 of Title Six of Part Fourteen of the Building and Housing Code of the Codified Ordinances of the City of Strongsville relating to solar energy facilities be and is hereby enacted to read in its entirety as follows:

**CHAPTER 1476  
SOLAR ENERGY FACILITIES**

<b>1476.01</b>	<b>Purpose and Intent.</b>
<b>1476.02</b>	<b>Definitions.</b>
<b>1476.03</b>	<b>Compliance and Permit Required.</b>
<b>1476.04</b>	<b>Use to Be Accessory.</b>
<b>1476.05</b>	<b>Roof Mounted Solar Arrays in Residential Districts.</b>
<b>1476.06</b>	<b>Roof Mounted Solar Arrays in Non-Residential Districts.</b>
<b>1476.07</b>	<b>Free-Standing/Ground Mounted Solar Arrays.</b>
<b>1476.99</b>	<b>Penalty.</b>

**1476.01 PURPOSE AND INTENT.**

The purpose of this Chapter is to provide for the construction and operation of Solar Energy Facilities as accessory uses in various Zoning Districts within the City, to provide standards for the placement, design, and operation of such facilities in order to protect the public health, safety, and general welfare, and to minimize the adverse impacts of Solar Energy Facilities on adjacent properties and on the aesthetic quality of the City.

**1476.02 DEFINITIONS.**

The words and terms used in this Chapter shall have the following meanings:

- (a) Solar Energy Facility: means a Solar Array intended to provide electrical power primarily for consumption on-site.

- (b) Solar Array: means any collection of Solar Panels, connectors, battery banks, controllers, wiring, meters, and switching devices intended to work in combination to convert solar energy to electrical power.
- (c) Solar Panel: means any device used for collecting solar energy and converting it to electrical power.

**1476.03 COMPLIANCE AND PERMIT REQUIRED**

Solar Energy Facilities shall be designed, erected, installed, operated, and/or maintained only in accordance with the provisions set forth in this Chapter. A permit issued by the Building Department shall be required prior to the erection, installation, connection, or operation of any Solar Energy Facility. Applicants shall provide written evidence that the power company has been informed of the intent to install a Solar Energy Facility at the subject site. Solar Energy Facilities shall be operated at all times in compliance with all applicable Federal, State, County and City regulations.

**1476.04 USE TO BE ACCESSORY**

Solar Energy Facilities shall only be permitted as accessory to a principal use or building located on the same lot or parcel. Such facilities shall be designed, installed, or constructed to provide electrical power to be primarily consumed by the principal use or building to which they are accessory. Cooperative facilities, electrical storage, and distribution of power are prohibited.

**1476.05 ROOF MOUNTED SOLAR ARRAYS IN RESIDENTIAL DISTRICTS**

Roof mounted Solar Arrays in Residential Districts shall be located, maintained, and operated in conformance with the following criteria and standards:

- (a) Roof mounted Solar Arrays shall be considered part of the principal building and not a separate accessory structure.
- (b) Solar Panels shall not extend more than twenty-four (24) inches above the plane of the roof of pitched roofs nor more than thirty-six (36) inches above the roofline of a flat roof.
- (c) Solar Panels shall not extend above the peak or ridgeline of a pitched roof or the parapet wall of a flat roof.
- (d) All accessory components shall be located either within the building or behind the front setback line of the principal building.
- (e) All accessory components shall comply with the minimum side and rear building setback lines for the dwelling.
- (f) Solar Panels shall have appropriate structural strength to withstand wind loads as provided in the Ohio Building Code.
- (g) Solar Panels shall be installed to avoid glare or reflection onto adjacent properties and rights-of-way.
- (h) Solar Arrays shall not contain advertising visible from off the premises.
- (i) Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- (j) Accessory components shall be screened from view from public rights-of-way and adjacent properties.

**1476.06 ROOF MOUNTED SOLAR ARRAYS IN NON-RESIDENTIAL DISTRICTS**

Roof mounted Solar Arrays in non-residential districts shall be located, maintained, and operated in conformance with the following criteria and standards:

- (a) Roof mounted Solar Arrays shall be considered part of the principal building and not a separate accessory structure.
- (b) Solar Panels shall not extend more than twenty-four (24) inches above the plane of the roof of pitched roofs nor more than thirty-six (36) inches above the roofline of a flat roof.
- (c) Solar Panels shall not extend above the peak or ridgeline of a pitched roof or the parapet wall of a flat roof.
- (d) All accessory components shall be located either within the building, behind the front setback line of the principal building, or hidden from view behind the parapet walls of buildings with flat roofs.
- (e) All accessory components shall comply with the minimum side and rear building setback lines for the principal building.
- (f) Solar Panels shall have appropriate structural strength to withstand wind loads as provided in the Ohio Building Code.
- (g) Solar Panels shall be installed to avoid glare or reflection onto adjacent properties and rights-of-way.
- (h) Solar Arrays shall not contain advertising visible from off the premises.
- (i) Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- (j) Accessory components shall be screened from view from public rights-of-way and adjacent properties.

**1476.07 FREE-STANDING/GROUND MOUNTED SOLAR ARRAYS**

Free-standing or Ground Mounted solar arrays shall be prohibited in all Residential and Business Zoning Districts

Free-standing or Ground Mounted solar arrays may be permitted in Public Facilities Districts, as provided in Chapter 1256 of the Zoning Code, and in Research-Development, General Industrial Districts and General Industrial-A Districts, as provided in Chapter 1262 of the Zoning Code, provided that a conditional use permit is granted, as provided in the applicable provisions of Section 1242.07 of the Zoning Code, subject to the additional following criteria and standards:

- (a) Maximum Height:  
Free-standing or Ground Mounted Solar Arrays shall not exceed a maximum height of fifteen (15) feet measured to the highest projection of any Solar Panel in final configuration and orientation.
- (b) Minimum Setback:  
Free-standing or Ground Mounted Solar Arrays shall be setback from all side and rear property lines a distance of not less than twenty (20) feet.
- (c) Location:  
Free-standing or Ground Mounted Solar Arrays shall be located behind the rear line of the principal building to which such facility is accessory.
- (d) Structural Support and Wind Load:  
Free-standing or Ground Mounted Solar Arrays shall have appropriate structural support and shall be designed to withstand winds as required by the Ohio Building Code.
- (e) Accessory Components:  
All accessory components shall be located either within the principal building or behind the principal building and within the required side and rear building setback lines for the principal building. Ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access. Accessory components shall be screened from view from public rights-of-way and adjacent properties.

(f) Wiring:

All electrical connections between free-standing or ground mounted Solar Arrays and the principal building shall be located underground.

**1476.99 PENALTY.**

Whoever violates or fails to comply with any of the provisions of this Chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) for each offense. A separate offense shall be deemed committed each day during or on which such violation or noncompliance occurs or continues.

**Section 3.** That in case of conflict between any provision of this Ordinance and any other ordinance or resolution, or part thereof, the provisions of this Ordinance shall prevail and apply, unless a conflicting provision is deemed to be more restrictive.

**Section 4.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 5.** That this Ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary in order to provide for regulation of solar energy facilities. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

First reading: September 5, 2023

Referred to Planning Commission

Second reading: October 2, 2023


September 6, 2023

Third reading: \_\_\_\_\_

Favorable recommendation by  
Approved: Planning Commission

Public Hearing: November 6, 2023

September 28, 2023

  
\_\_\_\_\_  
President of Council

Approved:   
\_\_\_\_\_  
Mayor

Date Passed: 11 06 2023

Date Approved: Nov. 6, 2023

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	<u>      </u>
Clark	<u>✓</u>	<u>      </u>
DeMio	<u>✓</u>	<u>      </u>
Kaminski	<u>✓</u>	<u>      </u>
Kosek	<u>✓</u>	<u>      </u>
Roff	<u>✓</u>	<u>      </u>
Short	<u>✓</u>	<u>      </u>

Attest: Aimee Pientka  
Clerk of Council

Ord. No. 2023-121 Amended:         
1<sup>st</sup> Rdg. 09-05-23 Ref: PC / P2E  
2<sup>nd</sup> Rdg. 10-02-23 Ref: P2E  
3<sup>rd</sup> Rdg. 11-06-23 Ref:       

Public Hrg. 11-06-23 Ref:         
Adopted: 11-06-23 Defeated:

**CITY OF STRONGSVILLE**  
**OFFICE OF THE COUNCIL**

**MEMORANDUM**

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**TO:** Planning Commission

**FROM:** Marialena Beach, Council Secretary

**DATE:** September 6, 2023

**SUBJECT:** Referral from Council: Ordinance No. 2023-121

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At its regular meeting of September 5, 2023, City Council referred the following Ordinance to the Planning Commission for its report and recommendation thereon:

- AN ORDINANCE ENACTING A NEW CHAPTER 1476 OF TITLE SIX OF PART FOURTEEN OF THE BUILDING AND HOUSING CODE OF THE CITY'S CODIFIED ORDINANCES CONCERNING SOLAR ENERGY FACILITIES, AND DECLARING AN EMERGENCY. *First reading 09-05-23.*

A copy of this ordinance is attached for Planning Commission review.

MB  
Attachments

## MEMORANDUM

**TO:** Aimee Pientka, Council Clerk  
Neal Jamison, Law Director

**FROM:** Mitzi Anderson, Administrator, Boards & Commissions

**SUBJECT:** Referrals to Council

**DATE:** September 29, 2023

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Please be advised that at its meeting of September 28, 2023, the Strongsville Planning Commission gave Favorable Recommendation to the following;

**ORDINANCE NO. 2023-121**

An Ordinance Enacting a New Chapter 1476 of Title Six of Part Fourteen of the Building and Housing Code of the City's Codified Ordinances Concerning Solar Energy Facilities, and Declaring an Emergency

**ORDINANCE NO. 2023-131**

An Ordinance Enacting a New Section 1252.38 of Title Six of Part Twelve-Planning and Zoning Code of the Codified Ordinances of the City of Strongsville in Connection with Short-Term Rentals in Residential Districts, and Declaring an Emergency