

ORDINANCE NO. 2009-27

BY COUNCILMEMBER SCHNEIDER

AN ORDINANCE ENACTING SECTION 1157.08 OF THE PLANNING
AND ZONING CODE TO PROVIDE FOR SOLAR PANELS AS AN
ACCESSORY USE

WHEREAS, the use of solar photovoltaic panels has become very prevalent for converting solar energy into electricity; and

WHEREAS, the Village's zoning regulations do not address the use of solar panels which, although environmentally friendly, can present an aesthetically unpleasing appearance depending upon the location of the solar panels; and

WHEREAS, this Council desires to strike a balance between the use of solar panels and their placement so as to preserve the aesthetics and property values of the community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Gates Mills, State of Ohio:

SECTION 1. That Section 1157.08 of the Planning and Zoning Code be enacted to read as follows:

‘1157.08 ENERGY GENERATING DEVICES.

Energy generating Solar Panels (PV) devices may be allowed as an accessory use subject to the following conditions:

- (a) Placement. Solar Panels (PV) located on the roof of a residential structure may not extend above the ridge line. Solar Panels (PV) shall not be located on the roof slope that is visible from a street line. Solar Panels (PV) attached to an accessory structure shall be placed only in a rear yard.
- (b) Architectural and Historic Board of Review. Any application for a Solar Panel (PV) shall be reviewed and shall require approval from the Architectural and Historic Board of Review pursuant to Chapter 1313 of the Building Code.
- (c) Exemption. Any Solar Panel (PV) attached or located on a roof or wall of a building that does not project more than six (6) inches from that surface is exempt from obtaining a zoning certificate, except for solar panels installed within the Historic District.
- (d) Definition. ‘Solar Panel (PV)’ shall mean single photovoltaic panel or a group of photovoltaic panels that convert solar energy into electricity.’

SECTION 2. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed the 8th day of December, 2009.

Connie White
President of Council

ATTEST:

Brenda Capite
Clerk

APPROVED:

Connie White
Mayor