



32 *Applicability.* Applicability. All new construction of single-family residences with living area greater than one  
33 thousand one hundred (1,100) square feet, townhouses, and any multi-story residential building where  
34 a section of roof can be reasonably allocated, as determined by the Director of the Building Department  
35 or the Planning and Zoning Department, to a separately metered dwelling unit (hereinafter referred to  
36 as "qualifying multi-story residential building"), ~~that apply for preliminary approval (or final approval if~~  
37 ~~no preliminary approval was obtained) by the Environmental Review and Preservation Board on or~~  
38 ~~after September 18, 2017 shall design and construct the roof so as to withstand the weight of all~~  
39 ~~product approved roofing material with the weight of solar collectors and shall install at least the~~  
40 ~~minimum amount of solar collectors required in subsection (2) of this section (W). This requirement~~  
41 ~~shall also apply to existing residential buildings as described above, if an alteration or addition is made~~  
42 ~~that either increases the square footage of the principal structure by seventy-five (75) percent or~~  
43 ~~greater, or that replaces seventy-five (75) percent or more of the existing sub-roof (any portion of the~~  
44 ~~sub-roof that is necessarily replaced due to damage from a natural disaster shall not be included in~~  
45 ~~the calculation of this percentage). and all alterations or additions made to existing residential~~  
46 ~~structures that either increases the square footage of the principal structure by seventy-five (75)~~  
47 ~~percent or greater, or that replaces seventy-five (75) percent or more of the existing sub-roof (any~~  
48 ~~portion of the sub-roof that is necessarily replaced due to damage from a natural disaster shall not be~~  
49 ~~included in the calculation of this percentage) must either~~

50 (a) install solar collectors in the amount set forth in Subsection (W)(2) below, or;

51 (b) pay a fee as set forth in Subsection (W)(3), to the City of South Miami Solar Trust Fund.

52 (1) Solar Collectors.

53 (a) Design and construct the roof so as to withstand the combined weight of all product approved  
54 roofing material and the weight of solar collectors and install at least the minimum number of solar  
55 collectors required in Subsection (W)(2)(b).

56 (b)(2) Minimum Required Installation. Solar collectors shall be installed in at least the following  
57 amounts, provided a sufficient solar zone exists to accommodate them as determined by the  
58 certification of an architect or engineer who shall also certify the total size of available solar zone  
59 in square feet: Either install

60 i. A minimum of one solar panel with a rating of two and three-quarters (2.75 kW nameplate  
61 photovoltaic capacity per one thousand (1,000) square feet of roof area or the maximum  
62 number for which provided there is sufficient space within the available roof top solar  
63 zone, whichever is less; or

64 ii. One hundred seventy-five (175) square feet of a solar collectors thermal system per one  
65 thousand (1,000) square feet of roof area, or the maximum number for which there is  
66 sufficient space within the available roof top solar zone, whichever is less.

67 iii. ~~Sufficient solar collectors to fill the available solar zone, to the extent that such~~  
68 ~~construction is allowed by the Florida Building Code.~~

69 (3c) Avoiding the Creation of Shade. Structures shall must be designed in such a way so as to  
70 maximize the available solar zone and ~~for structures which have been designed by an~~  
71 ~~architect or engineer, the plans submitted shall must include a certificate from the architect~~  
72 ~~or engineer of record certifying that the design of the structure has maximized the available~~  
73 ~~solar zone. The available solar zone does not include areas that are obstructed by objects~~  
74 ~~that Obstructions which are not located on the roof or another part of the same building, such~~  
75 ~~as landscaping or a neighboring building are not subject to these placement requirements.~~

76 (4d) Minimum Specifications for Solar Collectors.

77 i. Solar photovoltaic systems: Photovoltaic collectors satisfying the requirements of this  
78 section shall be at rated at no less than ten (10) watts DC faceplate capacity per square  
79 foot.

- 80 ii. Solar thermal systems: Single-family residential solar domestic water heating systems  
81 shall be OG-300 System Certified by either the Solar Rating and Certification Corporation  
82 (SRCC) or the International Association of Plumbing and Mechanical Officials (IAPMO).
- 83 iii. Solar photovoltaic systems and solar thermal systems shall must be installed in accord  
84 with all applicable state code requirements, including access, pathway, smoke  
85 ventilation, and spacing requirements, all applicable local code requirements, and  
86 manufacturer's specifications.

87 (5e) Approval and Compliance. The issuance of a City building permit for the installation of a  
88 solar collector must be obtained before the installation of a solar collector. ~~All solar~~  
89 ~~installations shall be permitted through the City.~~ The plans shall must demonstrate that the  
90 requirements of the City code and the Florida Building Code are satisfied and the engineer  
91 or architect of record shall must sign and seal the plans indicating compliance. Subsequent  
92 review approval shall must be carried out through the standard review processes for  
93 residential construction. Inspection shall must be performed by the Building Department as  
94 per the City's permit requirements for solar power or water heating installations. Enforcement  
95 of this subsection shall will be carried out by the City including the Code Enforcement  
96 Division.

97 (2) Payment-in-lieu. If solar panels are not installed as described above, then the property  
98 owner/applicant must pay a "Solar Collector Fee", in the amount set forth in the City's current  
99 Schedule of Fees and Fines. Said fee should be set at a level sufficient, at current market  
100 rates, to obtain the minimum amount of solar collectors that would otherwise be required.

101 (3) Solar Collector Trust Fund.

102 (a) Definitions. As used in this section, the following words shall have the following meanings:

103 Fund means the Solar Collector acquisition and development fund.

104 (b) Purpose. The fund is hereby created for the purposes of acquiring and developing Solar  
105 Collector Systems. Collectors on City property to provide electricity and hot water to City  
106 facilities.

107 (c) Funding sources. City budgeted funds as well as federal, state, county and private  
108 funding, including the Solar Collector Fees charged to developers in lieu of the  
109 installation of Solar Collectors on property to be developed and other similar sources.  
110

111 (d) Use of funds. Any monies deposited into the Fund and their interest or investment  
112 earnings must be applied toward the acquiring and developing of Solar Collectors on City  
113 property or, in the case of there being no appropriate City property, toward making no-interest  
114 loans to City residents who wish to put Solar Collectors on their homes. Such loans must be  
115 repaid over 20 years or less at a monthly amount that is at least what had been the average  
116 monthly cost of electricity for that particular residence plus \$50.  
117

118 (e) Each year as part of the city's annual budget process, the City Manager must submit a  
119 proposed spending plan for the Fund.  
120

121 \*\*\*

122 **Section 3. Codification.** The provisions of this ordinance shall become and be made part  
123 of the Code of Ordinances of the City of South Miami as amended.

124           **Section 4. Severability.** If any section, clause, sentence, or phrase of this ordinance is for  
125 any reason held invalid or unconstitutional by a court of competent jurisdiction, this holding shall  
126 not affect the validity of the remaining portions of this ordinance.

127           **Section 5. Ordinances in Conflict.** All ordinances or parts of ordinances and all sections  
128 and parts of sections of ordinances in direct conflict herewith are hereby repealed.

129           **Section 6. Effective Date.** The amendments shall become effective immediately upon  
130 enactment.

131           PASSED AND ENACTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

132           ATTEST:

APPROVED:

133  
134 \_\_\_\_\_

\_\_\_\_\_

135           CITY CLERK

MAYOR

136           1<sup>st</sup> Reading

137           2<sup>nd</sup> Reading

138  
139           READ AND APPROVED AS TO FORM:  
140           LANGUAGE, LEGALITY, AND  
141           EXECUTION THEREOF

COMMISSION VOTE:  
Mayor Philips:  
Commissioner Corey:  
Commissioner Gil:  
Commissioner Harris:  
Commissioner Liebman:

144 \_\_\_\_\_  
145           CITY ATTORNEY

146  
147