



Staff Report

CITY COUNCIL MEETING DATE: March 13, 2023

TYPE OF AGENDA ITEM: Action Item

TO: Mayor and City Council
CC: City Manager, City Clerk, Staff and Attorney
FROM: Barry Henderson, Development Services Director, Doug Capps
DATE: 3/9/2023
SUBJECT: Ordinance Discussion - Ground-Mounted Solar Panels

BACKGROUND:

Currently, the Land Development Code does not contain requirements or restrictions explicitly pertaining to ground-mounted solar panels.

DISCUSSION:

Brought forward by Councilmember Doug Capps.

A draft ordinance has been prepared by staff to discuss this topic. The draft ordinance can be found attached to this item.

GOALS & OBJECTIVES

FINANCIAL IMPACT

No known impact.

RECOMMENDED ACTION

Staff respectfully requests direction regarding the draft language of this ordinance.

Attachments

None

ORDINANCE:

AN ORDINANCE OF THE CITY OF CRESTVIEW, FLORIDA, AMENDING SECTION 2.02.00 – DEFINITIONS AND SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE CITY OF CRESTVIEW LAND DEVELOPMENT CODE TO DEFINE AND PROVIDE STANDARDS FOR GROUND MOUNTED SOLAR ENERGY SYSTEMS; PROVIDING FOR AUTHORITY; PROVIDING FOR SEVERABILITY; PROVIDING FOR SCRIVENER’S ERRORS; PROVIDING FOR LIBERAL INTERPRETATION; PROVIDING FOR REPEAL OF CONFLICTING CODES AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF CRESTVIEW, FLORIDA, AS FOLLOWS:

SECTION 1 – AUTHORITY. The authority for enactment of this ordinance is section 166.041, Florida Statutes, and The City of Crestview Land Development Code.

SECTION 2 – AMENDING SECTION 2.02.00 – DEFINITIONS, OF THE LAND DEVELOPMENT CODE. Section 2.02.00 of the Land Development Code is hereby amended with the addition of the following definition:

Ground-mounted solar energy system: A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground.

SECTION 3 - AMENDING SECTION 7.01.00 – ACCESSORY STRUCTURES, OF THE LAND DEVELOPMENT CODE. Section 7.01.00 of the Land Development Code is hereby amended with the addition of Section 7.01.05, as follows:

7.01.05 – Ground Mounted Solar Energy Systems

A. Placement:

1. A ground-mounted solar energy system shall be located only within a rear yard.
 2. The system shall be setback a minimum of seven and one-half (7.5) feet from any side or rear property line. Measurements for setback compliance shall be measured from the outermost edge of the structure (including the panels and/or associated mounting equipment) to the property line.
 3. The system shall not be located within any required buffer area, required landscape area, required parking lot landscaping, required parking spaces, stormwater management area, wetland buffer, driveway, or easement.
 4. If located in a floodplain project must comply with LDC Section 5.05.00.
- B. Maximum area coverage. A ground-mounted solar energy system shall be limited to a maximum of twenty-five (25) percent of the rear yard.
- C. Height standards. The maximum height of a ground-mounted solar energy system shall not exceed fifteen (15) feet as measured from the natural grade at the base of the structure to the highest point of the array or solar structure.
- D. Security. A minimum of a 6’ fence must be constructed in a way to eliminate unimpeded public access.

SECTION 4 - SEVERABILITY. If any word, phrase, sentence, paragraph or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5 - SCIVENER'S ERRORS. The correction of typographical errors which do not affect the intent of this Ordinance may be authorized by the City Manager or the City Manager’s designee, without public hearing, by filing a corrected or re-codified copy with the City Clerk.

SECTION 6 - ORDINANCE TO BE LIBERALLY CONSTRUED. This Ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

SECTION 8 - REPEAL OF CONFLICTING CODES, ORDINANCES, AND RESOLUTIONS. All Charter provisions, codes, ordinances and resolutions or parts of charter provisions, codes, ordinances and resolutions or portions thereof of the City of Crestview, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 9 – EFFECTIVE DATE. This ordinance shall take effect immediately upon its adoption.

Passed and adopted on second reading by the City Council of Crestview, Florida on the ____ day of _____, 2023.

Approved by me this ____ day of _____, 2023.

J. B. Whitten, Mayor

ATTEST:

Maryanne Schrader, City Clerk