ORDINANCE NO. 2023.03.14

TOWN OF CHATHAM, VIRGINIA

Code Adopted by Town Council on March 13, 2023

AMENDMENTS TO APPENDIX A, "ZONING," Sec. 3, "DEFINITIONS"

New definitions:

Free-standing solar panel: any device which is used to convert energy contained within the sun's rays into electricity, which is not mounted or attached to the roof of any other structure for support.

Large solar energy facilities: any solar energy device not solely used to provide electricity to the premises upon which the device is attached, affixed, mounted, or installed.

Roof-Mounted solar panel: any device which is used to convert energy contained within the sun's rays into electricity, which is mounted or attached to the roof of another structure for support, including solar panels supported by frames attached to the walls of dwellings or other buildings or structures.

Small solar energy facilities: any solar energy device solely used to provide electricity to the premises upon which the device is attached, affixed, mounted, or installed.

Amended definitions: (*added language in* ***bold italics*****)**

Accessory building or structure means a subordinate building, customarily incidental to and located upon the same lot occupied by the main building, ***including any free-standing solar panel***. On any lot on which is located a dwelling, any building which is incidental to the conducting of any agricultural use shall be deemed to be an accessory building.

SUBSTANTIVE AMENDMENTS

App. A, Sec. 4C(e)(2) and 5C(e)(2):
The provisions of this section shall not apply to church spires, belfries, cupolas, domes, monuments, water towers, chimneys, flues, flag poles, nor to parapet walls ***or roof-mounted solar panels*** extending not more than ***three*** feet above the limiting height of the building on which ~~it~~ ***they*** rest~~s~~.

App. A, Sec. 4C(f)(1):

Cornices, ~~and~~ eaves, ***and roof-mounted solar panels*** may project not to exceed three feet over any minimum required yard, provided that any such projection shall not be less than two feet from any lot line.

App. A, Sec. 7C(c)(2):
Church spires, belfries, cupolas, monuments, water towers, chimney flues, flag poles, television antennae, and radio aerials are exempt. Parapet walls ***and roof-mounted solar panels*** may be up to ***three*** feet above the height of the building on which the walls rest.

App. A, Sec. 8D(d):
Height regulations. Buildings may be erected up to a height of 35 feet. For buildings over 35 feet in height, approval shall be obtained from the zoning administrator. chimneys, flues, cooling towers, flag poles, radio or communication towers or their accessory facilities not normally occupied by workmen are excluded from this limitation. Parapet walls ***and roof-mounted solar panels*** are permitted up to ***three*** feet above the limited height of the building on which the walls rest.

ADDITIONS TO APPENDIX "A"

Sec. 2D. - Solar Energy Facilities.

(a) The following guidelines are intended to promote and regulate the development of small solar energy facilities in the Town of Chatham, Virginia while protecting the public health, safety and general welfare of the community.

(b) Small solar energy facilities shall be a Permitted Use in all zoning districts.

(1) Roof-mounted and wall-mounted small solar energy facilities may be mounted on a principal building or an accessory building but shall not exceed the maximum building height requirements for the zoning district in which they are located and shall not be more than 3 feet higher than the finished roof of the building to which it is mounted. These facilities shall meet the building setback requirements for the structures to which they are affixed and shall not extend more than 3 feet beyond the exterior perimeter of the building's roof.

(2) Ground-mounted small solar energy facilities shall meet the minimum setbacks for

principal or accessory structures in the zoning districts which they are located. The maximum height of these facilities shall be 10 feet as measured from the grade or base of the facility to its highest point.

(3) All small solar energy facilities shall be configured to avoid any glare being generated by the facility. Any such glare must be mitigated, masked, and directed away from adjoining property and from any road, when it creates a nuisance or safety hazard, as determined by the Town of Chatham.

(4) All small solar energy facilities (i) shall utilize components which have a UL listing or equivalent and (ii) shall comply with all applicable building and electrical codes when installed or updated and (iii) shall not generate or create electrical interruptions or interference with existing electrical or electronic uses.

(5) All small solar energy facilities shall be placed in a manner that permits reasonable access to the facility by emergency responders when such access is needed to ensure public safety. The placement and installation location of such facilities shall be pre-approved by the Pittsylvania County Fire Marshall or his designee as part of the building permitting process.

(6) The owner of a small solar energy facility shall completely decommission and remove the facility within 6 months if the facility ceases to generate electricity for a continuous period of 6 months. This period may be extended by the Town Planning Commission if the owner provides satisfactory evidence that the failure to generate electricity is due to circumstances beyond their control and the facility has not been abandoned.

(c) Large solar energy facilities shall not be a Permitted Use in any zoning district.