



CLERMONT
COUNTY OHIO

SOLAR + WIND FACILITIES

Senate Bill 52 and Zoning



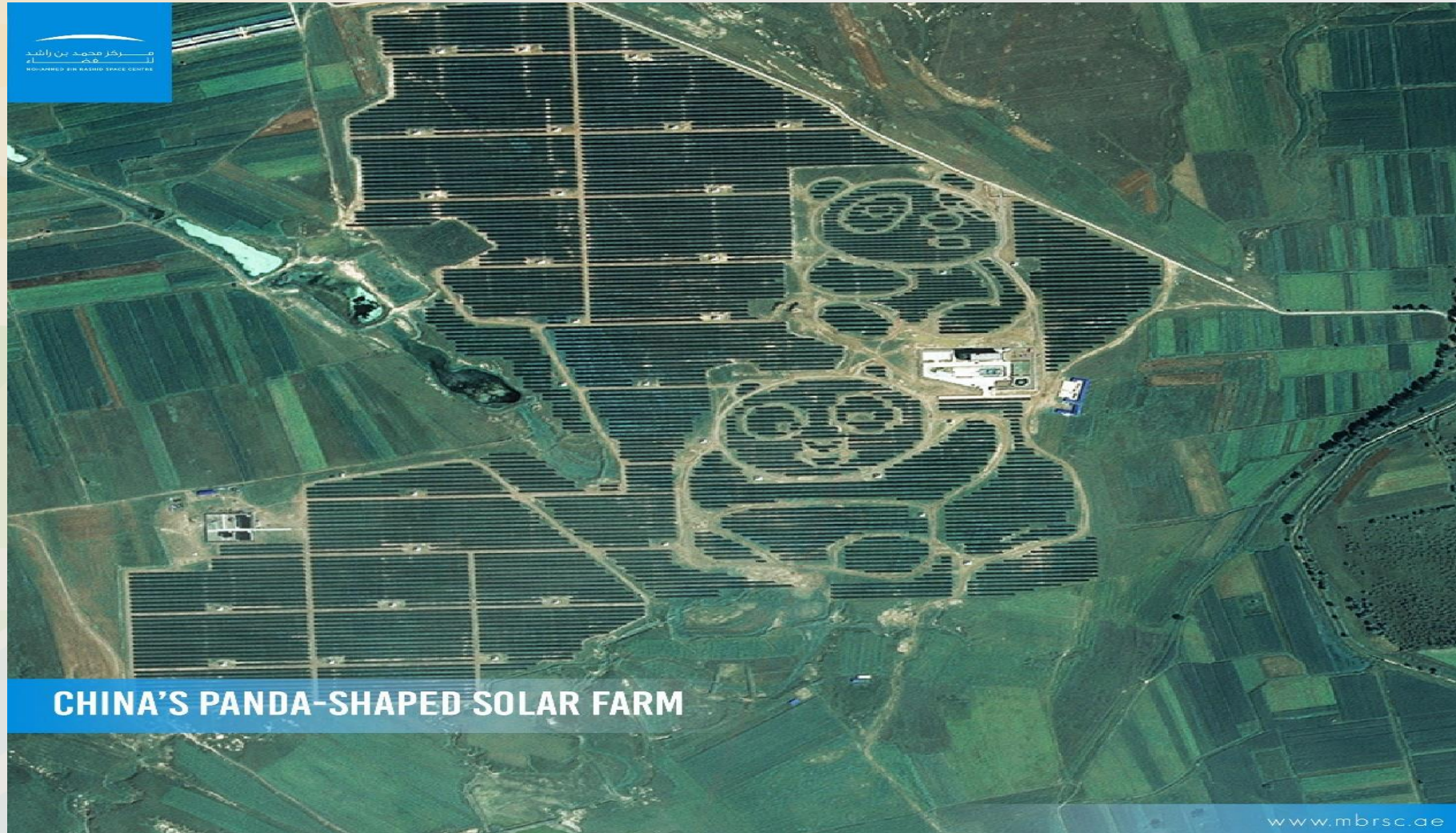
OVERVIEW

- Local Government approaches to Planning, Zoning, and Development and its impact on solar energy projects

TYPES OF SOLAR PROJECTS

- 1) Major utility-scale (> 50 MW)
- 2) Minor utility-scale (< 50 MW)
- 3) Commercial
- 4) Residential

MAJOR UTILITY-SCALE SOLAR PROJECTS



COMMERCIAL + INDUSTRIAL SOLAR FACILITIES



COMMERCIAL + INDUSTRIAL SOLAR FACILITIES

Located above the zoo's main parking lot on Vine Street in Cincinnati, Ohio, the canopy consists of nearly 6,400 solar PV modules, which contribute to approximately 20% of the zoo's total power needs



COMMERCIAL + INDUSTRIAL SOLAR FACILITIES

Equity Industrial Partners Corp, Melink Corporation operates one of the largest roof-mounted solar photovoltaic (PV) installations in the Midwest



RESIDENTIAL SOLAR PROJECTS



PLANNING OPTIONS

- [Comprehensive Plans](#) & [Growth Management Plans](#)
 - Provide the framework for a community's growth in the next 20-25 years.
 - Opportunity to incorporate alternative energy development goals, while also balancing these types of development against other community values.

Example 1: A community that has planned for an additional commercial/ industrial growth corridor, where a large-scale solar project is projected to be constructed.

Example 1a: A community that values both solar development and tree preservation could include a strategy to manage these competing priorities.

PLANNING OPTIONS

- **Functional Plans**
 - Stand-alone Plans that cover a specific topic
 - i.e., Energy or Sustainability
 - Policies, Goals, and Implementation Scenarios

Example: A community interested in “Sustainability or Diversification” may include goals of implementing alternative energy into their community facilities by a certain deadline, with interim action steps to work toward this goal.

[Case Studies: Melink Solar Projects](#)

ZONING OPTIONS

- Text Amendments:
 - Accessory Structure
 - Public Utilities
 - Conditionally Permitted Uses
 - Permitted Uses
 - General Provisions
 - General Exceptions:
 - i.e., Height Exceptions

COUNTYWIDE GOALS

- Strategic Planning
- Formal Guidance from the Township to the Clermont County Commissioners

SENATE BILL 52

- Signed into law October 11, 2021
- Increased control for local legislators on utility-scale solar and wind projects

1

RESTRICTED
AREA
DESIGNATION

2

COUNTY
REVIEW +
INVOLVEMENT

3

DECOMMISSIONING +
BONDING

COUNTY RESTRICTED AREAS

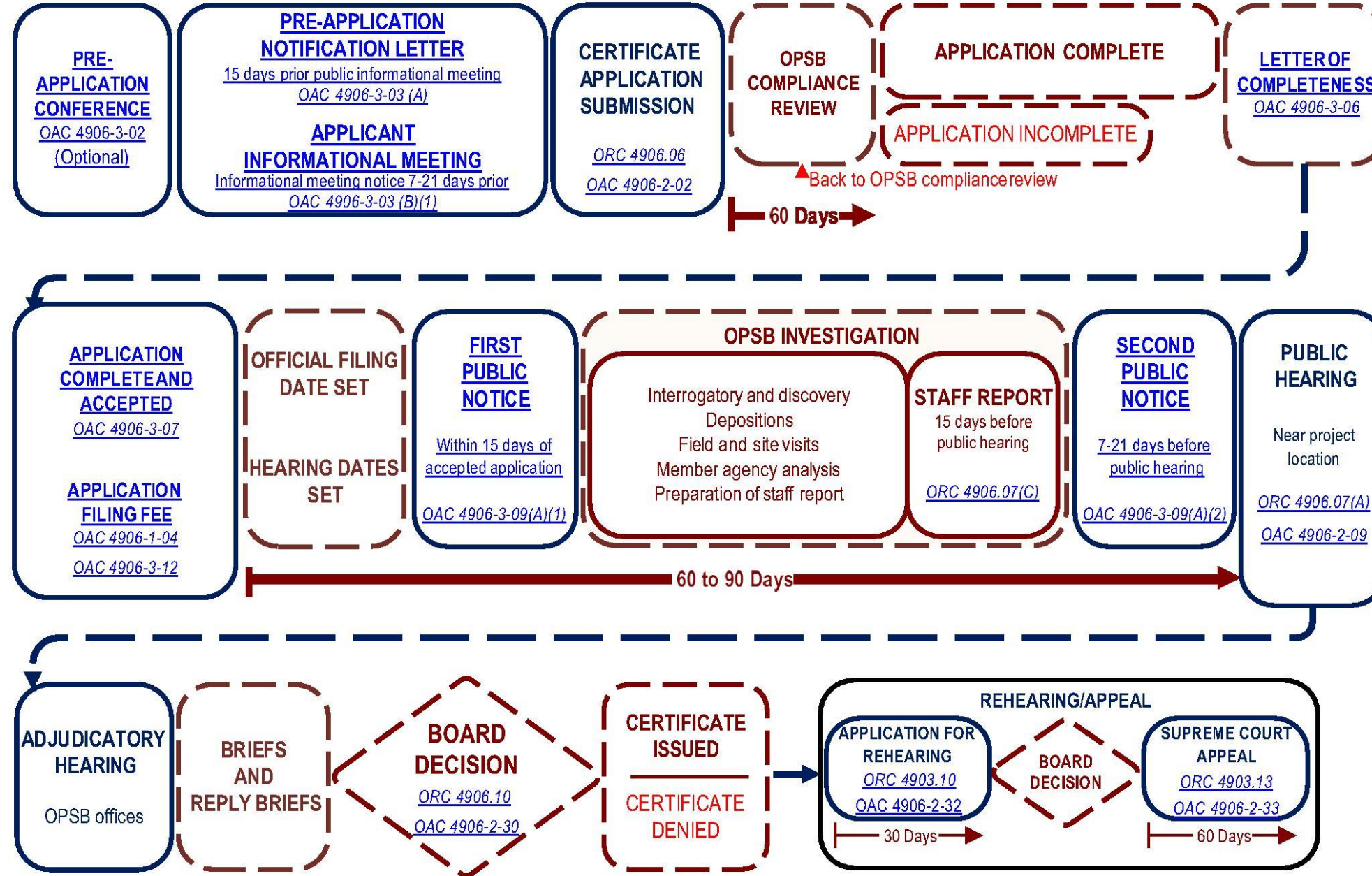
- BCC may designate unincorporated area(s) as “restricted areas”, prohibiting construction of large scale wind or solar projects
- If passed, the Resolution is binding on the Ohio Power Siting Board
- [O.R.C. 303.58 – 303.60](#)

PUBLIC MEETING + LOCAL REVIEW

- Project developers must hold public meeting minimum 90 days prior to applying for certificate/amendment from OPSB
- BCC has 90 days following the meeting to act on prohibiting or limiting the size of the project
- [O.R.C. 303.61 – 303.62](#)

THE OHIO POWER SITING BOARD (OPSB)

- Oversees application process for major public-utility scale facilities (50 MW or more)
- Staff research, consultation with project manager, site visits, etc.
- 11 total members; 7 voting members
- SB 52 adds two additional *local* voting members



LEGEND



Construction and operation are monitored by the OPSB

AD HOC VOTING MEMBERS ON OPSB

- Assigns two new voting members to OPSB:
 - Chairperson of the Board of Township Trustees
 - President of the BCC
- Total of 13 members on OPSB
 - 11 “permanent” members
 - Two local ad hoc members
- [O.R.C. 4906.02 – 4906.023](#)

DECOMMISSIONING PLAN

- Applicants must submit a comprehensive decommissioning plan to OPSB minimum 60 days prior to construction that includes:
 - List of all parties responsible for decommissioning
 - Schedule of decommissioning activities
 - Estimate of costs to decommission
- [O.R.C. 4906.21 – 4906.22](#)

IN SUMMARY

- Counties (and townships) now have more control than ever over the approval or denial of wind and solar projects
- Residents should voice their opinions with their township representatives
- Preparation and policy establishment will ease the decision making process

Additional Resources:

<https://farmoffice.osu.edu/our-library/energy-law>

<https://www.vorys.com/publications-3008.html>

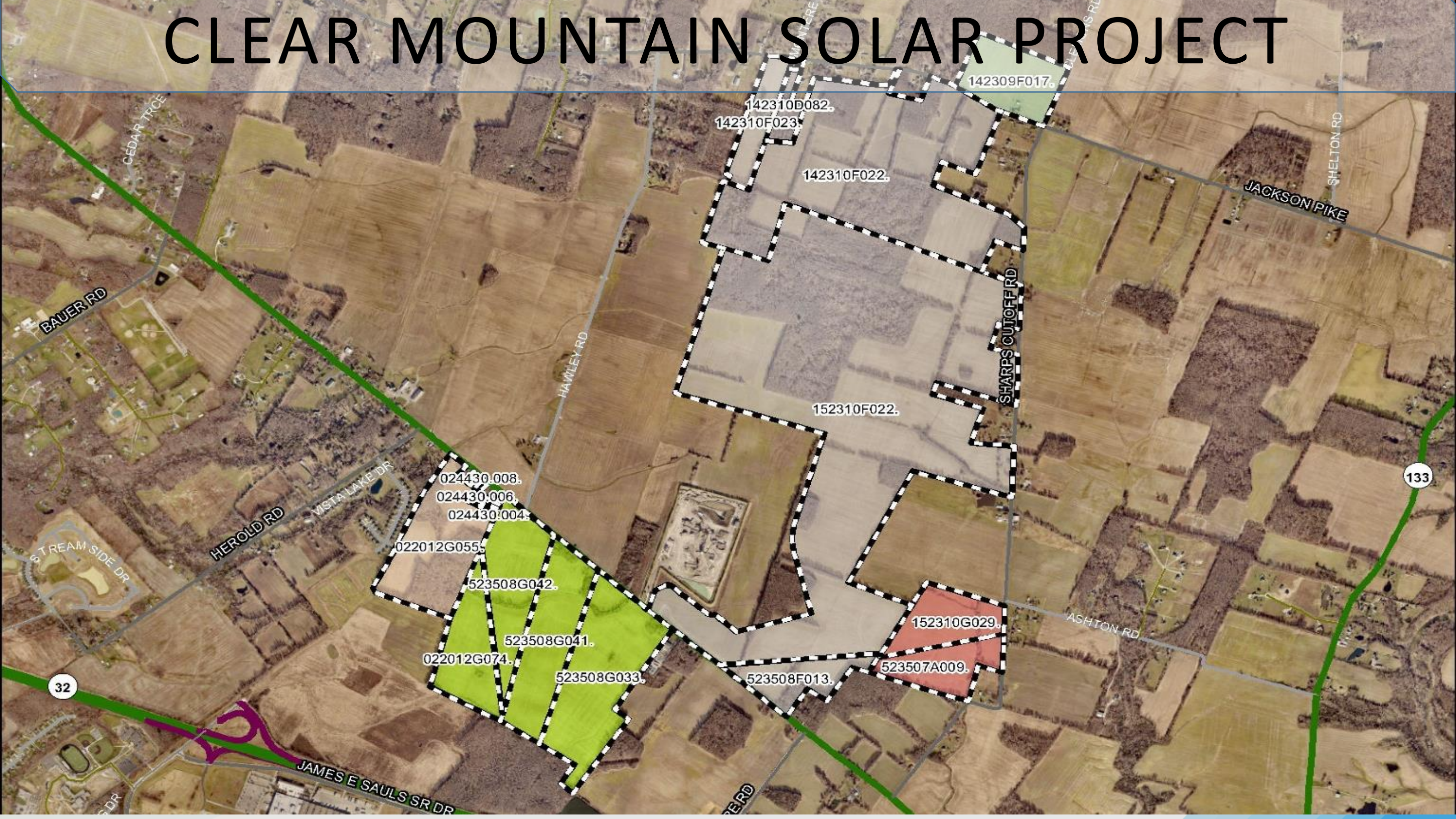
<https://www.dickinson-wright.com/news-alerts/ohio-legislature-adopts-new-wind-and-solar-siting>

<https://opsb.ohio.gov/>

<https://www.bricker.com/industries-practices/environmental-law/insights-resources/publications/ohio-general-assembly-passes-sb-52-changes-to-wind-and-solar-siting-requirements>

<https://opsb.ohio.gov/about-us/resources/solar-farm-map-and-statistics>

CLEAR MOUNTAIN SOLAR PROJECT



142309F017.

142310D082.
142310F023.

142310F022.

152310F022.

024430.008.
024430.006.
024430.004.

022012G055.

523508G042.

523508G041.

022012G074.

523508G033.

523508F013.

152310G029.

523507A009.

BAUER RD

CEDAR TRICE

HEROLD RD

VISTA LAKE DR

HAWLEY RD

MOUNTAIN VIEW RD

SHARPS CUTOFF RD

JACKSON PIKE

SHELTON RD

ASHTON RD

JAMES E SAULS SR DR

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