REQUEST:
Revising the Accessory Buildings and Structures, General requirements of the Unified land Development Regulations (ULDR) by amending the following section:

Chapter 9 — Buildings and Construction, of the Code of Ordinances – Establishing permitting and maintenance criteria for the installation of Photovoltaic Solar Systems.

Section 47-19.2.Z — 47-19.2.Z, Roof Mounted Structures – Establishing criteria to allow the installation of Photovoltaic Solar Systems.

Section 47-21.5 — 47-21.5, Landscape Plan Required – Establishing criteria for determining appropriate areas for the location of proposed trees in relation to Photovoltaic Solar Systems.

Section 47-35 — 47-35.1, Definitions – Establishing Photovoltaic Solar System as a defined term within the ULDR.

Case Number	11T12
Applicant	City of Fort Lauderdale
ULDR Sections	47-19.2 ACCESSORY BUILDINGS AND STRUCTURES, GENERAL 47-35 DEFINITIONS
Notification Requirements	Newspaper notice 10 days prior to meeting date.
Action Required	Recommend Approval or Denial of the proposal to the City Commission.
Written By	Anthony Fajardo, Acting Zoning Administrator

BACKGROUND/DESCRIPTION:

The City of Fort Lauderdale, along with other municipalities, has partnered with Broward County on the Go SOLAR – Broward Rooftop Solar Challenge initiative in order to further the goals of the U.S. Department of Energy (DOE) standards to reduce the installation costs of solar energy systems and promote the widespread adoption of renewable energy technology. The intent of this initiative is to make solar energy cost-competitive with other forms of energy by the end of the decade. The proposed code amendment will allow submittal of applications, issuing of permits, and scheduling of re-inspections for rooftop Photovoltaic Solar System (PV) permit applications through a web-based permitting system.

An interlocal agreement was entered into by the City of Fort Lauderdale and Broward County for permit related services in September 2012. As part of the initiative, Broward County has developed a model ordinance to address installation of Photovoltaic Solar Systems. Based on this ordinance, staff is recommending new language in the ULDR to establish standardized criteria by which photovoltaic solar systems can be installed pursuant to the goals of the DOE. The proposed criteria will apply to both residential and non-residential structures in all zoning districts within the City.

Proposed Ordinance Criteria:
The draft ordinance includes the following criteria and regulations:

Code of Ordinances, Chapter 9 – Proposed Revisions:

1. Acknowledgement of the interlocal agreement;
2. Requirements for proper maintenance;
3. An acknowledgment that neighboring development may occur regardless of the placement of existing or proposed PV systems; and,

Unified Land Development Regulations – Proposed Revisions:

Definition:

Rooftop photovoltaic solar system: A system which uses one (1) or more photovoltaic panels installed on the surface of a roof, parallel to a sloped roof or surface or rack-mounted on a flat roof, to convert sunlight into electricity.

Permitted Zoning Districts:

Photovoltaic Solar System(s) shall be permitted as an accessory to conforming and legal non-conforming structures (including legal non-conforming uses) in all zoning districts

Height:

The height of a proposed Photovoltaic Solar System shall be limited to the roof peak for structures with pitched roofs or limited to a height of five (5) feet above a flat roof as defined in Section

Neighboring Development:

The issuance of a permit for Photovoltaic Solar Systems does not restrict development from occurring on neighboring sites, nor does it establish the right to remain free of shadow due to such development or the growth of trees or vegetation on the neighboring site.

For more information please see the draft ordinance attached as **Exhibit 1**.

For further information on the Broward County Go SOLAR initiative please see the following website address:

http://www.broward.org/gogreen/gosolar/pages/default.aspx

PLANNING & ZONING BOARD REVIEW OPTIONS:

The Planning and Zoning Board acting as the Local Planning Agency shall determine whether the proposed change is consistent with the City of Fort Lauderdale's Comprehensive Plan and whether the Planning and Zoning Board recommends approval of the proposed amendments to the City Commission.

DRAFT ORDINANCE

Sec. 9-48. - General permit fees.

...

(2) Presale inspection, after-hours inspection, expedited plan review service, forty-year building safety inspection program ~~and~~, business tax inspections, and Go Solar - Rooftop Photovoltaic Solar System.

	Minimum For First Hour	Per Additional Man-Hour
a. Presale, inspection, after-hours inspection and business tax inspections	$145.42	$101.14
b. Expedited plan review service	$75.00	$75.00
c. Forty-Year Building safety inspection program	$300.00 flat fee	none
d. Go SOLAR Rooftop Photovoltaic Solar System	$552.00 Permit Fee $52.00 Re-inspection Fee including Credit Card Convenience Fee Flat fee	none

…

ARTICLE VII. - BUILDING MAINTENANCE CODE

…

Sec. 9-309. - Minimum standards for appurtenant structures.

(a) Chimneys, elevator shafts, mechanical and electrical equipment and devices shall be maintained in a satisfactory state of repair.

(b) Rooftop photovoltaic solar systems shall be properly maintained and be kept free from hazards, including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety, or general welfare.

Sec. 47-19.2. - Accessory buildings, structures, and equipment general

47-19.2.Z. *Roof mounted structures.*

1. Roof mounted structures such as air conditioners and satellite dish antennae shall be required to be screened with material that matches the material used for the principal structure and shall be at least six (6) inches high above the top most surface of the roof mounted structure. Vent pipes, skylights, cupolas, solar collectors and chimneys shall not be subject to this provision.

2. Rooftop photovoltaic solar systems shall be accessory to conforming and legal nonconforming buildings and structures in all zoning categories. Nothing contained within the ULDR, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems as accessory to conforming and legal nonconforming buildings, including buildings containing legal nonconforming uses.

    a. Installation of rooftop photovoltaic solar systems on a locally designated landmark or a property located within a designated historic district shall not be permitted without first obtaining a certificate of appropriateness from the Historic Preservation Board as indicated in Section 47-24.11, *Historic designation of landmarks, landmark site or building and certificate of appropriateness*.

    b. *Height.* The height of rooftop photovoltaic solar systems shall not exceed the highest point of the roof. For flat roofs with or without a parapet the rooftop photovoltaic solar system shall not be greater than five (5) feet above the roof.

Sec. 47-21.5. - Landscape plan required

47-21.5.A.3

3. The landscape plan shall consist of the following:

    a. ~~be designed~~ Designed so that landscaping shall not be adversely affected by factors such as salt exposure, prevailing winds, overhead obstructions, utility services, deep shadows, unusual soil conditions and shall identify and show location of existing trees on and adjacent to the development site~~.~~, and:

b. The design of the landscape plan shall take into consideration solar access for photovoltaic solar systems when determining appropriate areas on the development site for proposed tree locations.

47-35. DEFINITIONS

47-35.1. Definitions.

Rooftop photovoltaic solar system: A system which uses one (1) or more photovoltaic panels installed on the surface of a roof, parallel to a sloped roof or surface or rack-mounted on a flat roof, to convert sunlight into electricity.