

ORDINANCE NO. C-12-47

AN ORDINANCE AMENDING SECTION 9-48, GENERAL PERMIT FEES AND SECTION 9-309, MINIMUM STANDARDS FOR APPURTENANT STRUCTURES, OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE, FLORIDA; AMENDING SECTION 47-19.2.Z, ROOF MOUNTED STRUCTURES, 47-21.5, LANDSCAPE PLAN REQUIRED, AND SECTION 47-35, DEFINITIONS THE UNIFIED LAND DEVELOPMENT REGULATIONS OF THE CITY OF FORT LAUDERDALE, FLORIDA, TO IMPLEMENT THE GO SOLAR ROOFTOP PHOTOVOLTAIC SOLAR SYSTEM PERMITTING PROGRAM IN THE CITY OF FORT LAUDERDALE, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Broward County ("County") and the City of Fort Lauderdale ("City") have entered an interlocal agreement in which they agree to work together under a U.S. Department of Energy ("DOE") Rooftop Solar Challenge Agreement Number DE-EE0005701 ("Go SOLAR- Broward Rooftop Solar Challenge"); and

WHEREAS, Go SOLAR is part of a DOE initiative, which strives to make solar energy cost-competitive with other forms of energy by the end of the decade; and

WHEREAS, the goal of reducing the installation costs of solar energy systems is to contribute toward the widespread, large-scale adoption of this renewable energy technology and restore the U.S. leadership in the global clean energy race; and

WHEREAS, by streamlining permitting processes, making available best management practices for zoning codes, connecting solar power to the electric grid, and increasing access to financing, County, City, and other municipalities who are participating in Go SOLAR will clear a path for rapid expansion of solar energy and serve as models for other communities in the state of Florida and across the nation; and

WHEREAS, the County has created a web based permitting solution for rooftop photovoltaic (PV) installations, whereby applicants can apply online for a permit to install a PV

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system and immediately be issued a permit application, complete with pre-approved design plans and has agreed to accept the online applications, an agreed upon permit fee, and disseminate the application and permit fee to the City; and

WHEREAS, City agreed, at no additional cost to City, to transfer to County the authority to receive applications for rooftop PV installations within municipal boundaries, to issue permits for those rooftop PV installations that utilize pre-approved design plans under the City permit brand, and distribute to City an agreed upon fee for those rooftop PV installations within City municipal limits for which County issues permits; and

WHEREAS, this amendment to the City of Fort Lauderdale’s Code of Ordinance and Unified Land Development Regulations is necessary for the implementation of the program within City municipal limits;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That Section 9-48, General permit fees, of the Code of Ordinances of the City of Fort Lauderdale, Florida, (hereinafter referred to as “Code”) is hereby amended to read as follows:

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

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b. Expedited plan review service	75.00	75.00
c. Forty-Year Building safety inspection program	300.00 Flat fee	None
d. <u>Go SOLAR Rooftop Photovoltaic Solar System</u>	<u>\$552.00 Permit Fee</u> <u>\$ 52.00 Re-inspection Fee including Credit Card Convenience Fee</u> <u>Flat fee</u>	<u>None</u>

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SECTION 2. That Section 9-309, Minimum standards for appurtenant structures, of the Code is hereby amended to read as follows:

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.

SECTION 3. That Section 47-19.2, Accessory buildings and structures, general, of the Unified Land Development Regulations (hereinafter "ULDR") of the City of Fort Lauderdale, Florida, is hereby amended to read as follows:

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

...

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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.

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SECTION 4. That Section 47-21.5, Landscape plan required, of the ULDR of the City of Fort Lauderdale, Florida is hereby amended as follows:

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Sec. 47-21.5. - Landscape plan required.

A. Prior to the issuance of a landscape permit, a landscape plan shall be submitted to the department. The landscape plan shall include, but not be limited to, the following:

...

3. The landscape plan shall:

a. ~~be~~ Be 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. Take into consideration solar access for photovoltaic solar systems when determining appropriate areas on the development site for proposed tree locations.

...

SECTION 5. That Section 47-35.1, Definitions, of the ULDR of the City of Fort Lauderdale, Florida is hereby amended to read as follows:

Sec. 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.

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SECTION 6. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 7. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 8. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 20th day of November, 2012.

PASSED SECOND READING this the _____ day of _____, 2012.

Mayor
JOHN P. "JACK" SEILER

ATTEST:

City Clerk
JONDA K. JOSEPH

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