



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON OCTOBER 22, 2024

JACKSON TOWNSHIP – ZONING TEXT AMENDMENTS

APPLICANT: Jackson Township Trustees
3263 US Route 50
Williamsburg, OH 45176

REQUEST: Modifications to the Jackson Township Zoning Resolution

PROPOSED TEXT AMENDMENTS: Amendments to Article 14, Alternate Energy Regulations. See attached Exhibit A for specific text amendments

CONTENT OF REPORT:

Exhibit A: Proposed Article 14: Alternate Energy with Comments from Clermont County Prosecutor

Exhibit B: Jackson Township Resolution

STAFF ANALYSIS:

Jackson Township has proposed modifications to Article 14: Alternate Energy Regulations to modify existing regulations throughout the article. The list below summarizes the modifications based on the proposed changes provided by the Jackson Township:

- Section 1400 Add language in the Purpose section of the regulations.
- Section 1410 Add language for permissions in the Township, added sub category for Residential Wind Energy System (WES), amend minimum parcel size and other regulations
- Section 1420 Add language for Small Scale Solar Districts and amended and added regulations.
- Section 1430 Added language and modified regulations for Application Process for Utility Scaled Alternative Energy Systems.
- Section 1440 Amends Definitions within the Article.

The proposed text amendments are not in conflict with the provisions established in Section 519.12 of the Ohio Revised Code relative to the Township Zoning Authority and are consistent with actions meant to protect and preserve public health and safety. During review, Section 1420 includes a question mark (“?”) and a missing “space” of the “Small Scale Solar Districts” header, these should be corrected prior to adoption of any new text. The Clermont County Prosecutor also reviewed these regulations and provided comments that are attached. As the recommendation of the Planning Commission is nonbinding, staff

acknowledges that the proposed text amendments are permissible and the Township has the authority to process them according to their discretion.

RECOMMENDATION:

Staff recommends a motion to **RECOMMEND APPROVAL with conditions** as to form of the Jackson Township Text Amendments as submitted.

Exhibit A

Article 14

Alternate Energy

1400 Purpose

The requirements of this Resolution shall apply to all alternate energy facilities and structures as defined in this Article. No Wind Energy Conversion System, or private stand-alone solar panel, or commercial solar panel installation, or any components thereof shall be constructed, erected, installed, or located within Jackson Township, Clermont County until prior siting approval has been obtained pursuant to the Jackson Township Zoning Resolution.

The intent of these regulations is to preserve farming use activities above other interests and by doing so help to ensure other permitted land uses in agriculturally zoned areas do not become detrimental to that primary concern and endeavor, either by intensity, incompatibility or encroachment. Farming use of the land in this Township is to be the primary focus against which all other use is considered secondary (given agriculture constitutes and provides a major portion of the economic base for this Township.)

The property owner(s), including the owner(s) and leasers of any wind or solar facilities located within or that overlap into any part of the Township shall abide by all regulations as set forth in the Ohio Revised Code, Clermont County Building Code and Jackson Township Resolutions.

1410 The Power to Regulate Wind Energy Systems

Ohio Revised Code (ORC) section 519.213 confers power on the board of trustees or board of zoning appeals with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any small wind farm, whether publicly or privately owned, or the use of land for that purpose, which regulations may be more strict than the regulations prescribed in rules adopted under division (B)(2) of section 4906.20 of the Revised Code.

Utility Grid Wind Energy Systems (UGWES) and/or Solar Energy Facilities including any combination of energy systems capable of producing greater than one megawatts are not permitted.



A. Residential Wind Energy System (WES)

Residential wind energy systems shall be a permitted use in all zoning districts and shall be designed for, or capable of, operation at an aggregate capacity of less than five megawatts. A residential wind energy system shall be considered as an accessory use that is intended to primarily serve the needs of the consumer at that site. All proposed residential wind energy systems shall be subject to certain requirements as set forth below and after review by the Board of Zoning Appeals. Upon review by the Board of Zoning Appeals, additional restrictions or conditional uses may be added as warranted.

Minimum Parcel Size: ~~One~~ **Two** Acres

Tower Height: For property sizes between ~~4~~ **2** and 5 acres the tower height shall be limited to 65 feet including the highest point of the turbine blades. For property sizes of 5 acres or more, tower heights shall be limited to a height of 80 feet, including the highest point of the turbine blades, except as may be imposed by FAA regulations.

Clearance of Blade: ~~No portion of the wind energy system blade sweep shall extend within twenty feet of the ground. The minimum distance of the wind energy blade system shall not be less than 20 feet from the ground.~~ No blade sweep may extend over parking areas, driveways, property lines, or any type of building.

Set- Backs: Set-backs for the system tower shall be no closer ~~from~~ **to** the property line than the height of the tower, provided that that setback also complies with any applicable fire setback requirements. All towers must be located 1.5 times the tower height from the **any Public Right of Way, property line and any inhabitable structure**. Anchor points may extend to *within* 10 feet from the property line.- Building mounted systems shall be setback 30 feet from the property line, **the highest point of the system shall not exceed the horizontal distance to the nearest adjacent property line.** Anchoring systems and all components of such systems shall not project to within 10 (ten) feet of any adjacent property or any right of way. For buildings that are set back 500 (five hundred) feet or more from the right of way, a WES (Wind Energy System) can be constructed in a front yard.

Automatic Over-speed Controls: All wind energy conversion system shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the residential wind energy system. Turbine blade systems shall be rated to wind speeds of no less than 110 MPH measured at sea level.

Sound: Noise: Residential wind energy systems shall not exceed 60 dBA, as measured at the closest property line to the tower. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.

Approved Wind Turbines: Residential wind turbines must be approved by a small wind certification program recognized by the American Wind Energy Association

Compliance with FAA Regulations: Residential wind energy systems must comply with applicable FAA regulations.

Utility Notification: No residential wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected, net metered customer-owned generator. Off-grid systems shall be exempt from this requirement.

B. Utility Grid Wind Energy Systems (UGWES)

Compliance with the Federal Aviation Administration: The applicant shall comply with all applicable Federal Aviation Administration (FAA) requirements. If lighting is required by the FAA the light shall not be strobe lighting or any other intermittent white lighting fixtures, unless expressly required by the FAA. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to the FAA. No additional lighting permitted beyond the FAA minimum.

Climb Protection: All UGWES towers must be unclimbable by design or protected by anti-climbing devices.

Setbacks: All UGWES towers shall be set back a distance of no less than 1.4 5 times the UGWES tower height from any other building or structure. The distance for indicated setback shall be measured from the point of the other building or structure foundation closest to the UGWES tower to the center of the UGWES tower.

All UGWES towers shall be set back a distance of at least 1.5 times the UGWES combined tower height and highest point of the turbine blades from the right of way. The distance for the indicated setback shall be measured from the edge of the right of way to the center of the UGWES tower foundation.

All UGWES towers shall be set back a distance of at least 1.5 times the combined tower height and highest point of the turbine blades from any property line.

Signage: A sign of no less than four square feet must be displayed in an easily noticed area from a public roadway indicating the property address and toll-free telephone number, answered by a person twenty-four hours per day, seven days per week, for emergency calls. No UGWES tower or any part thereof, no fence surrounding the UGWES site, or any building or structure located upon the UGWES site may include or display any advertising sign, banner, insignia, graphics or lettering.

Wind Access Buffer: A wind access buffer of a minimum of nine hundred (900) feet must be observed to protect the wind rights of landowners adjacent to, but not participating in, the permitted project.

Birds: A qualified professional such as an ornithologist or wildlife biologist, shall conduct an avian habitat study, as part of the siting approval application process, to determine if the installation of the UGWES project will have a substantial adverse impact on birds.

Shadow Flicker: Site plan and other documents and drawings shall show mitigation measures to minimize potential impacts from shadow flicker. Shadow flicker shall not exceed 30 hours per rolling year.

Compliance with Other Standards: All power and communication lines running between UGWES towers, any adjacent structures, and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Jackson Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.

1420 Regulations - Solar Energy

Small Scale Solar Districts?

Systems with the primary intent of providing for the building(s) on a particular parcel.

Solar Panels, either free-standing or roof mounted, shall be permitted as an accessory use in all districts with zoning requirements related to visual appearance and appropriate safeguards.

Site Approval Application: In all districts, the applicant shall submit to the Zoning Administrator, along with a zoning permit application, the following information:


- a.) Maps, plans and/or detailed sketches showing the proposed location of the proposed solar panels.

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This formatting seems off. You have a,b, and c and then 1, 2, and a-h, then 3 and a-d I would recommend placing a 1 Under Site Approval Application, so it reads 1. In all districts, the applicant shall submit to the Zoning Administrator . . .

And then renumber the remaining sections, so that 1. becomes 2, 2 becomes 3, etc.

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- b.) Measurements from property lines and the public-right-of-way.
- c.) Distances from structures on neighboring properties.

 1. In the Residential or Business Districts all solar panels exceeding two square feet in area are prohibited in any front yard, on any face of a primary building or structure facing a street unless integrated with the ordinary construction of said building or structure, or in view of any adjacent street, except roof-mounted solar panels as set forth below.

2. Ground mounted solar panels shall:

- a.) Be considered an accessory use.
- b.) Be located in the side or rear yards only.
- c.) Zoning approval for ground mounted solar energy equipment which does not meet established setback requirements for accessory use structures may only be approved by the Jackson Township Board of Zoning Appeals as a Variance.
- d.) Not be installed without a valid permit from the Clermont County Building Department and the Jackson Township Zoning Administrator.
- e.) Shall not exceed 60 (sixty) inches maximum height as measured from the ground to the top of the highest part of the panel. Panels with height in excess of requirement require a variance granted by the Board of Zoning Appeals (BZA).
- f.) The minimum set back distance from the property lines for solar equipment shall be 10 (ten) feet from the rear and side lot property lines.
- g.) Shall meet isolation distances required for underground utilities and septic systems. Any required modifications will be at the expense of the solar panel collection system owner after receiving the appropriate approvals.
- h.) Shall be screened with a 8 (eight) foot high solid wood or vinyl fence from adjacent residential properties and public right of ways.

3. Roof mounted solar panels shall:

- a.) Not be installed without a valid permit from the Clermont County Building Department and the Jackson Township Zoning Administrator.
- b.) Solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to

which it is attached, **extend over the roof edge** or project more than five (5) feet above a flat roof installation.

- c.) In the Residential and Business Districts roof mounted solar panels shall be located on a rear or side facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front facing installation.
- d.) Roof mounted solar panels shall be located so as to not increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.

A. Utility Grid Solar Energy Systems (UGSES)

A Utility Grid Solar Energy System (UGSES) is designed and built to commercially provide electricity to the electric utility grid. A UGSES shall only be permitted in the Agricultural and Industrial Districts.

Lighting:

- During construction shall be limited to **(6:00 a.m. to 7:00 p.m.)** lighting should be angled inward and downward to eliminate glare on adjacent properties.
- Special considerations are provided for emergency and safety lighting.
- Post construction lighting will be limited to important and emergency areas (entrances, exits, buildings) at any time and at other areas as needed for repairs etc.
- Downlighting is to be used and in no case shall illumination extend beyond the perimeter of the solar facility.
- Lighting shall not impact or interfere with traffic on roads or properties adjoining or bordering the solar facility.

Noise:

- Noise associated with construction and operation shall be maintained at minimal levels. Construction shall be conducted between the hours of **(6:00 a.m. to 7:00 p.m.)** Monday through Saturday.
- The use of pile driving equipment is prohibited within 600 (six hundred) feet of any structure or private or public water system unless pile driving monitoring equipment is utilized to evaluate vibration.

Erosion and Sediment Control:

Should be in compliance with Clermont County Water Management and Sediment Control Regulations.


Setbacks:

- All aspects and components of the facility shall meet the minimum setback requirement of three hundred (300) feet. This is in addition to the buffer vegetation requirement for streams and bodies of water.

Buffers:

- A vegetative buffer shall be installed and maintained around the entire circumference of the facility and its components to reduce the visual impact on the surrounding property owners. In areas where there is not at least fifty (50) feet of a native timber buffer, a barrier consisting of a minimum of a double row of evergreens, with a beginning height of six feet and an anticipated height of thirty (30) to forty (40) feet shall be planted at the appropriate time of year, subsequent to the completion of construction. The applicant shall replace any dead or diseased tree in the buffer in a timely manner. All landscaping shall be approved by the township.
- A buffer vegetation of at least one hundred fifty (150) feet is required on either side of a stream or body of water. This vegetation buffer shall not include any plants listed as a prohibited noxious weeds by Rule 901:5-37-01 of the Ohio Administrative Code.

Signage:

- A sign of no less than four square feet must be displayed in a easily noticed area from a public roadway indicating the property address and toll-free telephone number, answered by a person twenty-four hours per day, seven days per week, for emergency. No UGSES panel or any part thereof, no fence surrounding the UGSES  , or any building or structure located upon the UGSES site may include or display any advertising sign, banner, insignia, graphics or lettering.
- Appropriate signage shall be placed at the entrance and perimeter of the solar field. The height, area and material is to be established through the site plan permit process.
- The 24 (twenty four) hour contact(s) including phone numbers will be clearly and visibly displayed at all entrances, viewable at a reasonable distance.

Height of Panels:

- The height of the solar panels shall not exceed 12 (twelve) feet when oriented at its maximum tilt.
- Solar energy components shall contain an anti-reflective coating,

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joint and severally.

Maintenance/Reclamation of Obsolete or Damaged Panels:

- Solar panel collection systems and all solar equipment shall be completely removed from the property within 12 (twelve) months from the date they are not producing electricity, or are damaged.
- Any earth disturbance shall be graded and reseeded.

Maintenance of Drainage Tiles

- Damaged or inoperable drainage tiles will be repaired prior to construction by the landowner and developer/owner. Repairs will be documented in a report provided to the landowner and township trustees with the location, nature and satisfactory completion of repairs.
- The landowner and owner/operator shall be responsible for all drainage tiles.
- The township trustees reserves the right to have a representative present during drainage tile repairs.

Grading Plan: A grading plan shall be in compliance with the County and approved by Zoning, requiring minimal earthwork and no import or export of soil. Topsoil may be stripped and stockpiled. To increase fertility these areas are to be seeded, take advantage of natural patterns of drainage flow. Drainage is not to be obstructed or impeded.

Safety

- All UGSES platforms must be unclimbable by design or protected by anti-climbing devices.
- The property shall be maintained by the landowner, owner and developer. It is to be kept free of hazards including but not limited to: faulty wiring, loose fastenings and the creation of unsafe conditions or detriment to the public health and safety.

Review Process:

Compliance with Other Standards:

- All power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Jackson Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interferes with the ability to bury lines.
- If applicable, all solar facilities must meet or exceed the standards and regulations of Federal Aviation Administration (FAA), , and any other local, state, or federal governmental agency with the authority to regulate such facilities.

1430 Application Process – Utility Scaled Alternative Energy Systems

A Utility Grid Wind Energy System (UGWES) as well as a Utility Grid Solar Energy System (UGSES) are designed and built to commercially provide electricity to the electric utility grid. A UGWES **These systems** shall only be permitted in the Agricultural and Industrial Districts.

Site Approval Application:

The applicant must submit an application with the applicable fees, to the Zoning Administrator for review:

- a.) Name and address of the applicant.
- b.) Evidence the applicant is the owner of the property or has written permission of the owner to make such application.
- c.) ~~A plot and development~~ **Site Plan Drawing: prepared, signed and sealed by a professional engineer** drawn-in sufficient detail to clearly describe the following:
 - Physical dimensions of the property, **existing structures including location and height of buildings, structures, towers, guy wires, guy wire anchors, security fencing and other above ground structures,** and proposed structures, **such as** ~~Location of existing and proposed structures including such structures as an anemometer and/or SCADA towers.~~
 - **Location of existing and proposed electrical lines and above and below the ground utilities located within one hundred feet of the exterior boundaries of the site housing of the UGWECS. This includes the outermost locations upon which towers, structures, fencing, facilities and other items associated with the UGWECS are placed. Specific distances to other on-site buildings, structures and utilities shall be provided, facilities.**
 - Existing topography, showing existing wetlands, **Proposed grading, removal of natural vegetations mitigation measures to minimize potential impacts on the natural environment including, but not limited to wetlands and other fragile ecosystems relocation of wetlands (if applicable).**
 - Setbacks
 - Proposed ingress and egress.
 - Proposed safety fencing to prevent trespassing.
 - Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems, and foundations for poles or racks.

- The number of panels to be installed.
 - A description of the method of connecting the array to a building or substation.
 - Access roads with details on dimensions, composition and maintenance.
 - Location of any required signage
- d.) Utility interconnection data and a copy of written notification to the utility company of the proposed connection.
- e.) Compliance with Other Standards: All power and communication lines running between UGWES towers, any adjacent structures, and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Jackson Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interferes with the ability to bury lines.
- f.) Specific information: all components of the respective alternative energy,
For UGWES: the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each Wind Turbine Generator (WTG) model, tower and electrical transmission equipment.
g.) ~~Electrical components and equipment used in mounting panels~~
- g.) A soil boring report.
- h.) Any additional information as normally required by the Township as part of this Zoning Resolution.
- i.) Prior to receiving site approval under this Resolution, the applicant, owner, and/or operator shall formulate a Decommissioning Plan to ensure that the UGWES and all facilities in the project are properly decommissioned after their useful life.
- j.) *Applications will not be processed until appropriate non-refundable fees including those expenses incurred by the Jackson Township Zoning Commission, The Jackson Township Board of Zoning Appeals and the Jackson Township Board of Trustees are submitted with a complete application. All reasonable expenses incurred by the Jackson Township Zoning Commission, The Jackson Township Board of Zoning Appeals and the Jackson Township Board of Trustees to review and certify the UGWES project plan shall be paid for by the applicant.*
- k.) Road Use Maintenance Agreement: Prior to the start of construction, the applicant and/or owner/operator shall enter into a Road Use Maintenance Agreement (RUMA) with the Clermont County Board of Commissioners and the Jackson Township Trustees to assure repairs to public roads which may be damaged by the construction of the project.

Decommissioning:

All property owner(s), entity owner(s) and leasers of any wind or solar facilities located with-in or that over-lap into any part of Jackson Township shall provide a bond(s) naming the Jackson Township Board of Trustees as a holder/barer to ensure the properties included shall be returned to its' original condition or better.

For maintaining the purpose of these bonds, the original or re-evaluation and cost analysis shall be conducted every three years by a licensed engineer(s) with proper training and experience in construction and decommissioning of the applicable commencing on the first day of construction. All bonds issued shall be updated for the purpose stated above. Re-issued bond(s) value(s) shall not be less than the previous bond and shall remain in the possession/barer of the Jackson Township Trustees.

Bonds related to decommissioning cost estimates shall not include costs to offset for resale or salvage values of equipment and materials. The applicant shall reimburse the township for an independent, third-party review and analysis by a licensed engineer regarding construction plans, initial cost analysis and decommissioning cost estimates for re-issued bonds every three years.

Bond(s) are to be completed within ninety (90) days of the original construction start date and within ninety (90) days of the re-evaluated cost issuance period.

Emergency Services:

Local Fire Department: The applicant, owner or operator shall submit to the local Fire Department a copy of the site plan. All electrical equipment associated with and necessary for the operation of the facility shall comply with all provisions of the National Electric Code (NEC), Ohio Commercial Building Code. Use of above ground lines are to be kept to a minimum. ~~Upon request of the local Fire Department, the owner or operator .~~

- a.) The applicant shall provide applicable training before, during and after construction for all emergency services for the Township and selected members of emergency service members in supporting Townships. The applicant shall provide a set of procedures and protocols for managing the risk of fire and for responding in the event of an emergency at the facility. The applicant shall conduct

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on-going regular training for the first responders during the operation of the facility on a regular basis, with intervals not to exceed 24 (twenty-four) months.

- b.) All means of shutting down the solar system will be clearly communicated to the fire chief and local emergency services. A final copy of the project summary, electrical schematic and site plan will be provided to the township fire chief.
- c.) Special equipment which may be required to ensure the safety of fire and rescue personnel when responding to an emergency at the facility shall be provided at no cost to the Township.
- d.) The applicant shall provide for and maintain a reasonable means of access for emergency services. Lock boxes and keys (or an equivalent) shall be provided at locked entrances for emergency personnel access. Warning signage shall be placed on electrical equipment and entrances to accessory buildings.

d.) The Photovoltaic/Solar panels shall not contain harmful chemicals such as cadmium or amorphous silicon, Prior to construction, the applicant shall provide written panel specifications to include composition, toxicological information and physical and chemical properties of all panels used in the facility. Only biodegradable cleansers and water can be used to clean the panels.

Decommissioning Plan:

Any Utility Scaled Alternative Energy System which is not used for six consecutive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the company /owner. The owner has ninety (90) days from the date of the notice of violation.

- a.) The decommissioning plan shall be submitted to the the Zoning Administrator with the application of the zoning permit.
- b.) The plan shall include provisions for removal of all structures and foundations, all ground mounted installations, structures, equipment set, utility barriers and transmission lines.
- c.) Restoration, stabilization of soil and vegetation to minimize erosion. The township may permit landscaping or designated below grade foundations to remain to minimize erosion.
- d.) Plan ensuring financial resources will be available to fully decommission the site.

- e.) Disposal of structures and/or foundations shall meet the provisions of the Clermont County Building Department and the requirements of the Ohio state and federal regulations Environmental Protection Agency for solid waste and/or hazardous waste disposal.
- f.) A valid demolition permit from the Clermont County Building Department shall also be required before removal of any towers, debris, access roads, electrical cabling, or structures.

g.) 

Section 1440 (previously 1460) – Alternative Energy Definitions

Access Roads – Provide construction and service access to necessary areas within any UGWES and UGSES project site.

Adverse Visual Impact – An unwelcome visual intrusion that diminishes the visual quality of an existing landscape.

Adjoining Lot Line – The property boundary lines between the real property for the proposed siting of a wind turbine generator or anemometer tower subject of the Application and real property owned by another person, persons or entity.

Anemometer – The instrument for measuring and recording the speed of the wind.

Anemometer Tower – A free-standing or guyed structure, which includes all accessory facilities on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator. May also be referred to as a meteorological tower.

Combined Energy System - Energy systems that are located on the same parcel or parcels of land that are within 500 (five hundred) feet of another energy system.

Decibel – A logarithmic unit of measurement that expresses the magnitude of sound pressure and sound intensity.

Db(A) – The sound pressure level in decibels. Refers to the “a” weighted scale defined by the American National Standards Institute (ANSI). A method for weighting the frequency spectrum to mimic the human ear.

Electrical Collection System – Consists of underground and overhead cables that carry electricity from and within groups of wind turbines and transmits it to a collection substation and point of interconnection switchyard, which transfers the

electricity generated by the project to the regional power grid.

Electromagnetic Fields (EMF) – A combination of invisible electric and magnetic fields of force. They can occur both naturally or due to human constructions.

Electromagnetic Radiation (EMR) – A wavelike pattern of electric and magnetic energy moving together through space.

Megawatt – A unit used to measure power, equal to one million watts.

Nacelle – The structure on a Wind Turbine tower that houses all the generator components including, but limited to, the gearbox and the drive train.

SCADA Tower – A freestanding tower containing instrumentation that is designed to provide present moment wind data for use by the supervisory control and data acquisition (SCADA) system.

Sensitive Environmental Areas – Any areas determined by the Ohio Department of Natural Resources that consist of unique or sensitive ecological, biological or related ecosystems.

Shadow Flicker – The effect caused by the sun's casting shadows from moving wind turbine blades.

Utility Grid Solar Energy System – A Utility Grid Solar Energy System is defined as an energy generation facility or area of land principally used to convert solar energy to electricity for resale at a profit.

Utility Grid Wind Energy System - A Utility Grid Wind Energy System is defined as an energy generation facility primarily consisting of Wind Turbines principally used to convert wind energy to electricity for resale at a profit.

Wetlands – Lands on which water covers the soil or is present either at or near the surface of the soil or within the root zone, all year or for varying periods of time during the year, including during the growing season.

Wind Access Buffer – The distance from adjacent landowners' properties to the nearest wind turbine generator. In a Utility Grid Wind Energy System, this term also applies to the distance between any two or more wind turbine generators.

Wind Energy Conversion Systems - Wind Turbines and associated facilities for generating electric power from wind with a interconnection to the common electrical grid, or a on-site single building, or a series of buildings.

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Wind Turbine – Consists of three major mechanical components: tower, nacelle and rotor.

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Exhibit B

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**BOARD OF TRUSTEES
JACKSON TOWNSHIP
CLERMONT COUNTY, OHIO**

RESOLUTION NO. 09-03-24-002

**A RESOLUTION TO PROCEED WITH TEXT CHANGES TO ARTICLE 14 OF
THE JACKSON TOWNSHIP ZONING REGULATION IN AND AS IT RELATES
TO SMALL SCALE SOLAR PROJECTS IN JACKSON TOWNSHIP**

The Board of Trustees of Jackson Township, Clermont County, Ohio ("Board") met in Regular Session on September 3, 2024 with the following members present:

Harold S. Herron, Chairman

William J. Wiederhold, Vice Chairman

Mr. Wiederhold moved for the adoption of the following Resolution:

WHEREAS, the Board resolved to proceed with Text Changes to Article 14 of the Jackson Township Zoning Code entitled "Alternate Energy".

WHEREAS, the Board resolves to post notice of the required public hearing in a newspaper of general circulation.

NOW THEREFORE, BE IT RESOLVED, by the Board, at least two-thirds (2/3) of all of the members of the Board concurring, as follows:

- 1) To present text changes to the Board of Zoning Committee for their review.
- 2) To post required notice of public hearing.

All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

This Resolution shall be in full force and effect immediately upon adoption.

Mr. Herron seconded the motion and on roll call the vote resulted as follow:

Mr. Speeg absent
Mr. Herron yes
Mr. Wiederhold yes

This resolution was duly passed on September 3, 2024.



Harold S. Herron, Chairman



William Wiederhold, Vice-Chairman

ABSENT

Joseph Paul Speeg, Trustee

State of Ohio :
Clermont County :

I, the undersigned Fiscal Officer of Tate Township, Clermont County, Ohio, hereby certify that the foregoing Resolution No. is taken and copied from the record of proceedings of the Board of Trustees of Jackson Township, Clermont County, Ohio, and that it has been compared by me with the resolution on the record and is a true and accurate copy. Further, I certify that the adoption of such resolution occurred in an open meeting held in compliance with R.C. § 121.22.

Date: 9/3/24 

Holly Isaacs, Fiscal Officer
Jackson Township
Clermont County, Ohio



Jackson Township Trustees
3263 US RT 50 Williamsburg, OH 45176 (513)625-1800
www.jacksontownshipclermontoh.gov

Jackson Township Zoning Code Text Amendment – Alternative Energy

September 3, 2024: Jackson Township Trustees adopted Resolution No. 09-03-24-002 requesting the Zoning Commission proceed with the text changes as presented, and to post the required notice of public hearing

September 12, 2024: Zoning Commission accepted the resolution and established the date of Thursday October 3, 2024, at 7:00 p.m. for the public hearing of said text amendment. Mrs. Maklem was instructed to post the required notice of public hearing in the Clermont Sun.

September 19, 2024: The legal notice of public hearing was published in the Clermont Sun. The information regarding the public hearing was placed on the township community calendar which appears on the township website. A copy of the proposed text amendment was made available at the Township Office as stated in the legal notice. The legal notice was also placed on the exterior bulletin board at the township office as all special notices are posted (per the information on the township website).

Staff Analysis: The proposed revisions to Article 14 of the Jackson Township Zoning Resolution are necessary to better regulate alternate energy facilities and structures within the township.

Staff Recommendation: The staff recommends the approval of the amendment to the Jackson Township Zoning Resolution Article 14 entitled Alternative Energy.

This page contains no comments