Chapter 32 Interpretation Memorandum #01-2017

From: Anne Russett, Planner IV, Community Development & Planning
To: Development Services, Building Services, and Community Development Staff
Re: Clarification on the Permitting of Attached (Roof-Mounted) Solar Facilities
Date: November 20, 2017

Purpose: As interest in solar energy increases in Cedar Rapids there have been several questions on the permitting processes related to solar energy facilities. The purpose of this formal Interpretation Memorandum is to clarify the permitting of attached solar facilities (i.e., solar panels mounted on a roof) within Chapter 32, Zoning of the Cedar Rapids Municipal Code.

Background: Chapter 32 explicitly defines a path for permitting detached solar facilities. These are solar facilities which include solar panels mounted on the ground and not to a structure. Current practice is to permit detached solar facilities as an accessory structure in all zone districts when another principal use exists on the parcel. If the solar facility is the principal use they are permitted as a utility use in the I-1 and I-2 Industrial Zone Districts. In addition, solar facilities may be approved on a parcel as part of a Planned Unit Development. Consideration to this may be given for parcels on which the I-1 or I-2 designations would not be appropriate due to concerns about other potential uses.

The current zoning regulations for siting detached solar facilities fall under the “Detached Accessory Structures and Buildings” Section of Chapter 32, the Zoning Ordinance:

SECTION 32.05 - DIMENSIONAL, PARKING, AND DEVELOPMENT STANDARDS
32.05.010 - DIMENSIONAL STANDARDS
Subsection 32.05.010.A.4. Detached Accessory Structures and Buildings

Subsection 32.05.010.A.4.g. Solar Energy Collector: A solar energy collector and heat storage unit to supply a principal building shall be considered an accessory structure and shall be subject to regulations applicable to accessory structures.
https://library.municode.com/ia/cedar_rapids/codes/code_of_ordinances?nodeId=CH32ZO

Issue: Currently, Chapter 32 does not directly address solar facilities located on, or proposed to be located on, primary or accessory structures otherwise known as attached solar facilities.

Interpretation: Chapter 32 does not contain language that expressly outlines the permitting of attached solar facilities. The current practice regarding attached solar has been to allow them as part of existing or proposed new structures in all zoning districts as long as they do not exceed height limits or encroach within required setbacks. This is the interpretation and process to be followed by City staff until the adoption of the updated zoning code in the summer of 2018. Attached solar facilities must
obtain both building and electrical permits. The applicant must provide structural information demonstrating the structure to which the solar facility is attached will support the weight of the solar panels.

**ReZone Cedar Rapids:** The City is in the middle of a comprehensive update to Chapter 32, known as ReZone Cedar Rapids. As part of this update, City staff is working to clarify the permitting of both detached and attached solar facilities. The approximate timeframe for adoption is summer 2018.