

MARICOPA COUNTY ZONING ORDINANCE

Chapter 12 – Development Regulations

SECTION 1206 – RENEWABLE ENERGY SYSTEMS ^{*1}

ARTICLE 1206.1 **PURPOSE:** Promote efficient implementation of small-scale renewable energy systems, while setting practical guidelines for such implementation that are respectful of the neighborhood context within which such systems may occur.

ARTICLE 1206.2 **GENERAL PROVISIONS:**

1206.2.1 Renewable energy systems, other than utility-scale electrical generating stations, are allowed as an accessory use within any zoning district, subject to the provisions of Article 1206.3.

1206.2.2 Deleted. ^{*2}

1206.2.3 Utility-scale concentrating solar power (CSP) generating facilities or photo-voltaic solar generating facilities of any output capacity are allowed as either a primary or accessory use within the IND-3 zoning district subject to the development standards of that district and provided that any water consumed during the production of electricity by the generating facility is supplied from a “renewable water source” as defined by this Ordinance.

1206.2.4 Utility-scale concentrating solar power (CSP) generating facilities or photo-voltaic solar generating facilities in other than the IND-3 zoning district may be approved as a special use as specified in Article 1301.1.21 of this Ordinance. ^{*2}

1206.2.5 Utility-scale large wind generating systems may only be approved as a special use as specified in Article 1301.1.21 of this Ordinance.

ARTICLE 1206.3 **DEVELOPMENT STANDARDS:**

1206.3.1 **LOCATION ON THE LOT**

- A) Renewable energy systems are permitted within the lot’s buildable area.
- B) Renewable energy systems are permitted within the rear yard provided the system is setback not less than **three (3) feet** from the side or rear lot lines.
- C) In the case of a corner lot, a renewable energy system shall not be nearer to the street-side property line than **one-half (1/2)** the distance of the required front setback for the zoning district in which the property is located.
- D) Ground-mounted equipment associated with renewable energy systems, other than solar panel(s)/collector(s) or wind turbines and their supporting structures,

MARICOPA COUNTY ZONING ORDINANCE

Chapter 12 – Development Regulations

may be located within a lot's side yard provided such equipment does not interfere with a building's ingress or egress.

1206.3.2 LOT COVERAGE

- A) Photo-voltaic solar panels and concentrating solar collectors associated with renewable energy systems shall not constitute an increase to lot coverage or rear yard coverage unless the panel(s)/collector(s) and supporting structure(s) in and of itself constitutes a building as defined in Chapter 2 herein. In which case, the panel(s)/collector(s) shall contribute to the overall lot coverage of the lot, and if located in the rear yard, the panel(s)/collector(s) shall contribute to the rear yard coverage of the lot. Lot coverage and rear yard coverage for photo-voltaic solar panels and concentrating solar collectors shall be calculated as enumerated in Article 1206.4.1 below.
- B) Dish type collectors as typically utilized in sterling engine technologies shall not constitute an increase to lot coverage or rear yard coverage.
- C) Small wind generating systems shall not constitute an increase to lot coverage or rear yard coverage.

1206.3.3 HEIGHT LIMITATIONS

- A) Renewable energy systems located within single-family, two-family, and multi-family zoning districts shall not exceed the height regulations of the zoning district in which the property is located.
- B) Renewable energy systems in other than single-family, two-family, and multi-family zoning districts shall not exceed the height regulations for the zoning district in which the property is located unless the system is appurtenant to a building, in which case the provisions of Article 1111.2 shall apply.
- C) Ground-mounted equipment associated with renewable energy systems, other than solar panel(s)/collector(s) or wind turbines and their supporting structures, which is located within a lot's side yard shall not exceed six (6) feet in height and shall be screened from view to a height equal to that of the equipment, or in the case of a commercial application, placed within a cabinet that is not taller than six (6) feet.

1206.3.4 EXEMPTION FOR CERTAIN OFF-GRID SOLAR PANELS

Off-grid photo-voltaic solar panels which serve only a single electrical fixture or appliance, such as low-voltage landscape lighting or similar, are exempt from the provisions of this

MARICOPA COUNTY ZONING ORDINANCE

Chapter 12 – Development Regulations

section. Photo-voltaic solar panels that are not in proper working order are subject to the provisions of Article 1206.6 herein.

ARTICLE 1206.4 MEASUREMENTS:

- 1206.4.1. If a solar panel(s)/collector(s) associated with a renewable energy system is deemed to constitute a building as articulated in Article 12-6.3.2(A) above, the lot coverage and rear yard coverage shall be calculated based on the aggregate horizontal area of the solar panel(s)/collector(s), regardless of angle to the sun or method of installation.
- 1206.4.2. The height of a renewable energy system shall be measured relative to the highest point of the system or supporting structure, whichever is higher. In the case where a solar array tracks the sun's movement across the sky, the height shall be measured relative to the array's most vertical position.
- 1206.4.3. Setbacks to renewable energy systems involving solar shall be measured relative to the edge of the solar panel(s)/collector(s), or supporting structure, whichever is closest to the property line from which the setback is being measured.
- 1206.4.4. The height of a renewable energy system involving wind technology shall be measured relative to the top of the blade sweep at a point where the blade is in its most vertical position, or to the top of the supporting structure, whichever is taller.
- 1206.4.5. Setbacks to renewable energy systems involving wind technology shall be measured relative to the blade sweep at a point where the tip of the blade, or edge of the supporting structure, is closest to the property line from which the setback is being calculated.
- 1206.4.6. The development standards identified in Article 1206.3 of this section may only be varied by the Board of Adjustment as specified under section 303 of this Ordinance or in conjunction with a Unit Plan of Development as specified in Sections 1002, 1003, and 1004 of this Ordinance.

ARTICLE 1206.5 ACCESS TO SUNLIGHT AND WIND:

The owner or future owners of a property onto which a renewable energy system is installed assumes all risk associated with diminished performance of said system caused by any present or future adjacent structure or landscaping that may interfere with the system's ability to produce power at its rated capacity, regardless of when that adjacent structure or landscaping is constructed or installed.