

**CITY OF HALLANDALE BEACH**  
**MEMORANDUM**

**DATE:** September 27, 2012

**TO:** The Planning and Zoning Board

**FROM:** Christy Dominguez, Director of Planning and Zoning

**SUBJECT:** Application # 61-12-TC Rooftop Photovoltaic Solar Systems Ordinance

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**PURPOSE:**

To amend Chapter 32, Article IV, Development Standards by amending Sec 32-8 "Definitions" and by creating section 32-244 entitled "Rooftop Photovoltaic (PV) Solar Systems" and to enter into an interlocal agreement between Broward County and the City of Hallandale Beach regarding the City's rooftop PV systems requirements.

**BACKGROUND:**

The Go SOLAR! Broward Rooftop Solar Challenge is a program that introduces a clear directive for the use of solar panels in the City of Hallandale Beach. The program is a U.S. Department of Energy grant-funded program that will make it easier for Broward County residents and businesses to convert to solar energy; by reducing the cost and wait time associated with the installation process for photovoltaic (PV) rooftop solar systems. It gives the opportunity for financial incentives for residents and businesses (potential users) and, it facilitates the permitting process for the City and its residents and businesses.

The City's Development Services Department, Building Division, has been communicating with Broward County in collaboration to create an electronic permitting system for the Broward Rooftop Solar System program. Broward County is one of only 22 governments in the nation to receive funding for the SunShot Program. Broward County has partnered with several state and local organizations participating in the program, including Florida Power & Light, Broward County School Board, Broward League of Cities, Broward County Board of Rules and Appeals, State Office of Energy, and Florida Solar Energy Center. To date, 13 cities in Broward County have committed to collaborate in the program including Deerfield Beach, Tamarac, Miramar, Davie, Lauderdale-By-The-Sea, Sunrise, Dania Beach, Oakland Park, Hillsboro, Pompano Beach, Fort Lauderdale, Coconut Creek, and North Lauderdale. The program is expected to commence by the end of October 2012.

**ANALYSIS:**

Presently, the City's Zoning and Land Development Code does not specifically address solar panels. Staff considers solar panels as mechanical equipment and permits their installations as well as other similar solar systems, such as hot water collectors mounted on rooftops. However, in order to ensure clarification and pursue the County's initiative, a Code Amendment to clarify the language in the Code is warranted. As a part of the

To: Planning and Zoning  
Fr: Christy Dominguez, Director of Planning and Zoning  
Re: Rooftop Photovoltaic Solar System Resolution  
September 27, 2012  
Page 2 of 3

initiative, staff conducted research of rooftop photovoltaic solar systems codes and reviewed ordinances, adopted or tentative, of the 14 collaborating municipalities. In addition, the draft Ordinance is consistent with:

- Broward County's draft Rooftop Photovoltaic Solar System Code, and
- Florida Statutes 163.04, where the State prohibits the prohibition of the installation of solar collectors, clotheslines, or other energy devices based on renewable resources.

According to the U.S. Department of Energy, sponsor of the Go SOLAR! Broward Rooftop Solar Challenge, the program is geared towards reducing the soft cost consisting of permitting, interconnection and inspections for solar projects which make up as much as 40% of the total installed cost of a rooftop PV solar system. Its intent to streamline and standardize the process to improve local market conditions and make solar electricity more cost competitive and available to the residents of Hallandale Beach.

The following is a summary of the proposed amendments to the Zoning and Land Development Code in the attached draft Ordinance:

1. Provides a definition of the words "Roof Line" and "Rooftop Photovoltaic Solar Systems" to clarify the proper technical meaning of these words otherwise not included in the Code of Ordinances.
2. Amends the use of rooftop photovoltaic solar systems to be considered as accessory equipment, permitted in all zoning districts.
3. Creates provisions for which rooftop photovoltaic solar systems shall not exceed the roof line in height.
4. Limits the height of rooftop photovoltaic solar systems to five (5) feet in the case of flat roofs.
5. Requires the applicants to conform to homeowner association regulations despite the issuance of the permit by the City.
6. Does not entitle the applicant to proscribe the development of growth of any trees or vegetation on another property.
7. Requires the rooftop photovoltaic solar system to be maintained and kept free from hazards.

As a commitment to promote green building practices, Broward County is also requesting the City of Hallandale Beach to partner in the Broward Rooftop Solar System program. An Interlocal Agreement between Broward County and the City of Hallandale

To: Planning and Zoning  
Fr: Christy Dominguez, Director of Planning and Zoning  
Re: Rooftop Photovoltaic Solar System Resolution  
September 27, 2012  
Page 3 of 3

Beach is required to commence the process of permitting through the Broward County Division of the Environmental Protection for the Rooftop PV Solar systems in the City.

The interlocal agreement, which will be presented to the City Commission with the Ordinance, specifies Broward County will perform all electronic plan reviews and provide technical assistance to the applicant as a means of reducing the cost and wait time associated with the solar panel installations. Broward County would accept applications electronically and collect the permit and inspection fees for the City which in turn, would be distributed to the City on a monthly basis. The City Building Division will conduct all the inspections. An applicant who wishes to install rooftop photovoltaic solar systems may apply for a permit through the City's regular permitting process or participate in the Broward Rooftop Solar System program.

**RECOMMENDATION:**

Planning and Zoning Board should review the proposed Ordinance and provide any comments. The Ordinance and related Interlocal Agreement will subsequently be presented to the City Commission for First and Second Readings.