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DATE: December 11, 2018

RE: ADVISORY DETERMINATION OF USE - Accessory use photovoltaic systems Issue

The City of Smithville wishes to encourage the use of accessory photovoltaic systems and confirm for property owners that such systems are allowed in all zoning districts when conforming to certain requirements.

Analysis

The City of Smithville controls the use and placement of buildings and structures on land through the establishment of zoning districts, as identified in the Zoning Ordinance. Each zoning district, which includes residential, commercial, industrial, and mixed-use districts, has a list of permitted buildings, structures, businesses and activities (for more information, please see Chapter 14, Zoning Ordinance: <http://z2.franklinlegal.net/franklin/Z2Browser2.html?showset=smithville>).

Determination

The Zoning Ordinance does not list photovoltaic systems as either a primary or an accessory use. Systems that are incidental to the main building and in compliance with Chapter 14 are treated as accessory structures and will be permitted by right in all zoning districts within the City of Smithville.

Authority

Pursuant to Chapter 14, the interpretation of the Zoning Ordinance and the application of regulations contained within it to any property shall be the responsibility of the Planning and Zoning Director.

Signed:

A handwritten signature in blue ink that reads "Jack Page".

Jack Page, Director of Utilities & Public Works