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State:	New York
Jurisdiction Type:	Municipal
Municipality:	Town of Ithaca
Year:	Unknown
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Title:	Town of Ithaca Subdivision Regulations; Solar Zoning
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Abstract

The Town of Ithaca has enacted a section on Solar Access within its chapter on the subdivision of land. The section is a short one, but vests power to the Planning Board to require a subdivision to be platted “so as to preserve or enhance solar access for either passive or active systems.” The Planning Board may also mandate site plan modifications if it determines that the solar orientation of the development needs improvement.

The Town of Ithaca has also included a section solely on solar collectors and installation within its Zoning Chapter. According to the section, rooftop and building-mounted solar collectors are permitted in all zoning districts but require a building permit before installation. Ground-mounted and free standing solar collectors are permitted as accessory structures in all zoning districts, subject to a number of requirements. Those requirements include location, height, and total surface area regulations. Similar to rooftop and building-mounted solar collectors, ground-mounted and free standing solar collectors also require a building permit before installation. The section goes on to describe the site plan review for solar collectors and when the property owner must remove a collector.

Resource

See separate PDF.

*Town of Ithaca, NY
Monday, April 20, 2015*

Chapter 234. SUBDIVISION OF LAND

Article IV. Reservation Requirements and Subdivision Design Standards

§ 234-25. Solar access.

The Planning Board may require subdivisions to be platted so as to preserve or enhance solar access for either passive or active systems, consistent with the other requirements of these regulations. Improvement of solar orientation may be a sufficient consideration, in the judgment of the Planning Board, to warrant site plan modifications.

*Town of Ithaca, NY
Monday, April 20, 2015*

Chapter 270. ZONING

Article XXVI. Special Regulations

§ 270-219.1. Solar collectors and installations.

[Added 10-16-2006 by L.L. No. 11-2006]

- A. Rooftop and building-mounted solar collectors are permitted in all zoning districts in the Town. Building permits shall be required for installation of rooftop and building-mounted solar collectors.
- B. Ground-mounted and freestanding solar collectors are permitted as accessory structures in all zoning districts of the Town, subject to the following requirements:
 - (1) The location of the solar collector meets all applicable setback requirements of the zone in which it is located.
 - (2) The height of the solar collector and any mounts shall not exceed 20 feet when oriented at maximum tilt.
 - (3) The total surface area of all ground-mounted and freestanding solar collectors on the lot shall not exceed 1,000 square feet.
 - (4) A building permit has been obtained for the solar collector.
 - (5) The solar collector is located in a side or rear yard.
- C. Where site plan approval is required elsewhere in this chapter for a development or activity, the site plan review shall include review of the adequacy, location, arrangement, size, design, and general site compatibility of proposed ground-mounted and freestanding solar collectors. Where a site plan exists, an approved modified site plan shall be required if any of the thresholds specified in § **270-191** of this chapter are met, including but not limited to proposed changes to or additions of ground-mounted or freestanding solar collectors where such changes or additions meet a § **270-191** threshold. Proposed changes to or additions of rooftop or building-mounted solar collectors shall not be considered in the determination of whether a site plan modification is required.
[Amended 6-9-2014 by L.L. No. 12-2014]
- D. All solar collector installations must be performed by a qualified solar installer, and prior to operation, the electrical connections must be inspected by a Town Code Enforcement Officer and by an appropriate electrical inspection person or agency, as determined by the Town. In addition, any connection to the public utility grid must be inspected by the appropriate public utility.

[Amended 4-12-2010 by L.L. No. 3-2010]

- E. When solar storage batteries are included as part of the solar collector system, they must be placed in a secure container or enclosure meeting the requirements of the New York State Building Code when in use and when no longer used shall be disposed of in accordance with the laws and regulations of Tompkins County and other applicable laws and regulations.
- F. If a solar collector ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall remove the collector, mount and associated equipment and facilities by no later than 90 days after the end of the twelve-month period.