

September 30th, 2024

City of Cincinnati
Zoning Administrator
805 Central Avenue, Suite 500
Cincinnati, Ohio 45202

RE: ADVISORY DETERMINATION OF USE – Accessory solar photovoltaic systems

The City of Cincinnati has set several building and energy-related goals under the Green Cincinnati Plan, including obtaining 40% of electricity load from clean energy sources by 2030 and reducing building emissions 30% from 2021 levels by 2030. To support residents and building owners in their adoption of clean energy, the City is pursuing [SolSmart designation](#), which involves establishing processes and guidance to simplify the pathway for solar photovoltaic (PV) system installations.

One way the city is simplifying the process of adopting solar is by providing clarification in and of the Zoning Code and Land Development Code.

The Cincinnati Zoning Code defines two types of structures: **Principal Structure** and **Accessory Structure**. These definitions help determine what development standards apply. An **Accessory Structure** is defined as, “a structure other than a sign, exclusively associated with a specified principal structure located more than one foot from the principal structure” ([Section 1401-01-A2](#)). A **Principal Structure** is defined as, “a building or other facility that is designed for or occupied by a principal use” ([Section 1401-01-P16](#)). Currently, the City’s Zoning Code does not list solar PV systems as a specific type of structure. Therefore, the Zoning Administrator has determined that **rooftop** solar PV systems are considered part of the Principal Structure or Accessory Structure (e.g. detached garage) that they are built on. **Ground-mounted** solar PV systems installed to serve a principal structure are considered Accessory Structures.

The following determination clarifies how the accessory use of solar panels in the City of Cincinnati is permitted: **Both rooftop and ground mount solar PV systems will be permitted by right in all zoning districts and form-based code transects (relevant to the Land Development Code) within the City of Cincinnati, as long as they meet the development standards for their zoning district or form-based code transect, including setbacks and height, and the property is in compliance with the Zoning Code and Land Development Code.**

This advisory determination does not pertain to solar power generation as a primary use of the property (i.e. a solar farm).

This advisory determination confirms that solar PV systems are permitted as long as they follow applicable development standards, with one caveat: **some historic and urban design overlay guidelines may need additional review regarding locational approval**. The City’s Urban Conservator assists with interpretation of historic conservation guidelines, and Zoning Administration staff assist with interpretation of the urban design overlay development standards. Although solar PV panels are allowed by right, on historic properties or within historic districts and urban design overlays they may be subject

to line-of-sight placement requirements like other mechanical equipment (e.g. HVAC systems) and other design related guidelines as adopted for the specific district or overlay.

Worth noting, all solar PV systems require building and electrical permits. To find more information and guidance on getting these permits, visit the [Applications & Forms page](#) of the City's Buildings & Inspections website (see "Solar Photovoltaic (PV) Installations"). The City's [Solar + Clean Energy](#) page, located on the Office of Environment & Sustainability's website, has additional information, including a Zoning & Land Development Code Fact Sheet for Solar PV Installations.



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