



September 23, 2025

City of Kemah
City Administrator
1401 SH 146
Kemah, TX 77565

RE: ADVISORY DETERMINATION OF USE – Accessory Uses – Solar Panels

TO WHOM IT MAY CONCERN:

Many different uses may be considered accessory to a primary building or structure within the City of Kemah. While solar panels are not separately listed as primary or accessory use, questions occasionally arise regarding how their installation should be treated under City authority.

This advisory determination clarifies how the use of solar panels in the City of Kemah is permitted. The determination does not pertain to solar power generation as a primary use of property (such as a solar farm). Instead, it applies to accessory solar photovoltaic (PV) installations that serve existing primary use, such as a residence, business, or public facility.

Accessory uses are those that are incidental and subordinate to a principal use or structure. Accessory solar panels meet this definition, as they are intended to provide energy to the primary structure present on the property.

Therefore, the City of Kemah affirms that:

- Solar panels are an accessory use to primary structures such as homes, businesses, and public facilities.
- Accessory solar panel installations are permitted by right throughout the City.
- No discretionary review, special permits, conditional permits, use permits, or variances are required.
- A standard building permit review process applies, ensuring compliance with construction, fire, electrical, and safety codes.

With this advisory determination, the City confirms that solar panels are accessory uses to permitted primary buildings and are allowed by right across all areas of Kemah. An ordinance amendment is not needed for this recognition.

A blue ink signature of the name "Cesar Garcia" is written in a cursive, flowing style.

Cesar Garcia
City Administrator
City of Kemah