

ORDINANCE NO. _____

AN ORDINANCE FOR SOLAR ENERGY SYSTEMS

1. Title:

This Ordinance shall be known as and may be cited as the "Solar Energy Systems".

2. Purpose:

An ordinance of the Village of Crainville, providing definitions relating to solar energy systems and standards to guide the development of solar energy systems to protect the public health, safety, and welfare and avoid significant impacts on resources and adjacent uses. By enacting this ordinance, it is the intent of the Village of Crainville a general standard for all types of solar energy systems.

3. Definition:

- 3.1. Building or Roof-mount solar system is a solar energy system mounted on a rack that is fastened to or ballasted on a building roof. Building or Roof-mount solar system are accessory to the principal use.
- 3.2. Commercial solar energy facility is a solar energy conversion facility or combination of facilities, for the primary purpose of generating, producing, or delivering electricity from solar energy from the sun for wholesale or retail sale.
- 3.3. Concentrating solar thermal power is a technology that uses mirrors to focus sunlight onto a receiver to generate heat.
- 3.4. Ground-mounted solar panels are solar panels that are installed on the ground and are synonymous with free-standing solar panels.

4. Building or Roof-Mounted Solar Energy Systems:

- 4.1. Building or Roof-mount solar system on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.
- 4.2. Building or Roof-mount solar system on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than five feet above the

finished roof and are exempt from any rooftop equipment or mechanical system screening.

- 4.3. Building or Roof-mount solar system shall not exceed the maximum allowed height in any zoning district. For purposes of height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building-mounted mechanical devices or equipment.
- 4.4. The collector surface and mounting devices for Building or Roof-mount solar system shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.
- 4.5. Building or Roof-mount solar system shall not be installed higher than three feet below the ridge and three feet from any side edge or valley and shall be in compliance with the International Fire Code 605.11.3.2.1.

5. Ground Mount Solar Energy Systems:

- 5.1. A ground mount solar energy systems shall be subject to the requirements of the minimum area, bulk and yard requirements of the zoning district in which they are proposed, unless otherwise stated herein:
- 5.2. A ground mount solar energy system shall be considered an accessory use to a permitted principal use. Where no principal use is present, a special use permit must be granted for establishment of a ground mount solar energy system.
- 5.3. A ground mount solar energy systems shall not be located within any utility easements, unless permission is granted by the applicable public and private agencies.
- 5.4. A ground mount solar energy system height and size. Height shall not be greater than twelve feet at maximum tilt of the solar panel(s) as measured from the average grade at the base of the supporting structure to the highest edge of the system. Area of system shall not exceed the area of the primary structure in

square feet. For lots less than or equal to 10,000 square feet, the area of the system shall not be greater than 800 square feet and shall not exceed the area of the primary structure. For lots greater than 10,000 square feet, the system shall not be greater than 8% of the lot area.

5.5. A ground mount solar energy system setbacks. Ground mount solar energy systems shall not be permitted to be located in any front yard, in any portion of the lot closer to a public street than a principal building located on said lot is to that public street, or within ten feet of any side and/or rear lot lines, or within ten feet of any habitable structure.

5.6 Any ground mount solar energy system that has been abandoned, damaged, or is no longer functioning shall be removed from the premises by the owner. All components of the ground mount solar energy system shall be removed within twelve months of cessation of operations including solar energy collectors, any mounting devices and hardware, and wiring.

6. Commercial Solar Energy Conversion Facility:

6.1. No component of a solar panel, cell or modules may exceed twenty feet in height above the ground at full tilt.

6.2. Aesthetics and Lighting.

A. Vegetative Screening. A vegetative screen shall be provided for any part of the Commercial Solar Energy Conversion Facility Project that is visible to Non-participating Residence. The landscaping screen shall be located between the required fencing and the perimeter of the tax parcel(s) established by the County. The vegetative screening shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants.

B. Lighting. If lighting is provided at the Commercial Solar Energy Conversion Facility Project, lighting shall be shielded and downcast such that the light does not spill onto any adjacent parcel.

C. Fencing. The Commercial Solar Energy Conversion Facility perimeter shall be enclosed by fencing having a height of at least six feet and no more than twenty-five feet above natural grade level.

- 6.3. Setback Requirements. The Commercial Solar Energy Conversion Facility Project shall be sited as follows, with setback distances measured from the nearest edge of any component of the Commercial Solar Energy Conversion Facility Project unless waived by the written consent of the owner(s) of each affected nonparticipating property. Any waivers of setbacks shall run with the land and be recorded with the Recorder of Deeds of the County. Setback distances shall be no less than:
 - 6.4. Occupied Community Buildings: one hundred fifty feet to the nearest point on the outside wall of the structure.
 - 6.5. Nonparticipating Residences: one hundred fifty feet to the nearest point on the outside wall of the structure.
 - 6.6. Boundary Lines of Participating Property: None.
 - 6.7. Boundary Lines of Nonparticipating Property: fifty feet to the nearest point on the property line of the nonparticipating property.
 - 6.8. Public Road Rights-of-Way: fifty feet from the nearest edge of the public road right-of-way.
 - 6.9. Applicant must formulate a Decommissioning Plan to ensure that the Commercial Solar Energy Conversion Facility Project is properly decommissioned in accordance with the provisions of the AIMA and this ordinance prior to the issuance of any Siting Approval Permit. The Decommissioning Plan shall be binding upon the Applicant and its successors-in-interest and assigns, and shall apply to all participating parcels in the Commercial Solar Energy Conversion Facility Project, irrespective of the owner of title to such parcels. As part of Decommissioning, the Commercial Solar Energy Conversion Facility Permittee shall remove all physical

material and Commercial Solar Energy Conversion Facility Project improvements, and restore all soil and vegetation, in accordance with the Decommissioning Plan. Decommission shall occur in accordance with the following conditions:

Decommissioning by the Commercial Solar Energy Conversion Facility Permittee shall commence upon any one of the following occurrences:

- A. Abandonment.
- B. Inactive construction, after the Commencement of Construction, for twelve consecutive months.
- C. If no electricity is generated by the Commercial Solar Energy Conversion Facility Project for twelve consecutive months after electricity is initially generated or the Commercial Solar Energy Conversion Facility Permittee has not paid Landowners those amounts owed in accordance with their applicable agreements for a period of six consecutive months after such payments were due and payable.
- D. The Commercial Solar Energy Conversion Facility Permittee or Owner dissolves or abandons the Commercial Solar Energy Conversion Facility Project without first transferring the Commercial Solar Energy Conversion Facility Project to a successor-in-interest or assign.
- E. If any part of the Commercial Solar Energy Conversion Facility Project falls into disrepair or creates any other health and safety hazard as determined by applicable County, state, or federal officials.

7. Concentrating Solar-Thermal Power Technologies:

- 7.1. Concentrating Solar-thermal Power technologies are not permitted within the jurisdictional limits of the Village of Crainville.

8. Application and Approval:

- 8.1. All solar energy systems shall require a building permit, which includes a solar energy system plan for review. The solar energy system plan shall include both existing and proposed conditions, showing locations of all solar arrays, other

structures, property lines, rights-of-way, service roads, floodplains, electric equipment, and all other characteristics requested by the inspection department. The solar energy system plan should show all zoning districts.

8.2. Plan applications for solar energy systems shall be accompanied by to-scale horizontal and vertical (elevation) drawings. The drawings must show the location of the system on the building or on the property for a ground-mount system, including the property lines.

8.3. Permit fees shall be the same as a standard building permit assessed by the Village.

9. Miscellaneous:

9.1. Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.

10. Enforceability:

10.1. This ordinance shall be in full force and effect upon adoption by the Village of Crainville Board.

11. Penalty:

11.1: Any person, firm or corporation violating any provision of this article shall be fined \$250.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

Approved: _____
Village President

Attest: _____
Village Clerk

For: _____

Against: _____

Passed: _____

Approved: _____

Recorded: _____