

## Proposed Amendment to prohibit Tier 3 solar energy systems on steep slopes

### §230-48.1 Solar Energy Systems

G. Permitting requirements for Tier 3 solar energy systems. All Tier 3 solar energy systems are permitted through the issuance of a special use permit within RA-40, RA-60, C-2 and LI Zoning Districts, and subject to site plan application requirements set forth in this section.

(3) Special use permit standards.

(a) Height and setback. Large-scale solar energy systems shall adhere to the height and setback requirements of the underlying zoning district.

(b) Lot size. Large-scale energy systems shall be located on lots with a minimum lot size of four acres.

(c) Lot coverage.

[1] The following components of a Tier 3 solar energy system shall be considered included in the calculations for lot coverage requirements:

[a] Foundation systems, typically consisting of driven piles or monopoles or helical screws with or without small concrete collars.

[b] All mechanical equipment of the solar energy system, including any pad-mounted structure for batteries, switchboard, transformers, or storage cells.

[c] Paved access roads servicing the solar energy system.

[2] Lot coverage of the solar energy system, as defined above, shall not exceed the maximum lot coverage requirement of the underlying zoning district.

(d) Fencing. All mechanical equipment, including any structure for storage batteries, shall be enclosed by a fence, as required by NEC, with a self-locking gate to prevent unauthorized access. Warning signs with the owner or operator's contact information shall be placed on the entrance and perimeter of the fencing. The type and height of fencing shall be determined as part of the site plan and special permit review. The fencing and the system may be further screened by any landscaping needed to avoid adverse aesthetic impacts.

(e) Lighting. Lighting of the solar energy systems shall be limited to that minimally required for safety and operational purposes and shall be reasonably shielded and downcast from abutting properties.

(f) Tree cutting. Tree removal shall be subject to the permit requirements of Chapter 208.

(g) Underground requirements. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.

(h) Vehicular paths. Vehicular paths within the site shall be designed to minimize the extent of impervious materials and soil compaction.

(i) Signage.

[1] No signage or graphic content shall be displayed on the solar energy systems except the manufacturer's name, equipment specification information, safety information, and twenty-four-hour emergency contact information.

[2] As required by the National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light-reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.

(j) Glare. All solar panels shall have antireflective coating(s).

(k) Screening and visibility.

[1] Solar energy systems smaller than 10 acres shall have views minimized from adjacent properties to the extent reasonably practicable using architectural features, earth berms, landscaping, or other screening methods that will harmonize with the character of the property and surrounding area.

[2] Solar energy systems larger than 10 acres shall be required to:

[a] Conduct a visual assessment of the visual impacts of the solar energy system on public roadways and adjacent properties. At a minimum, a line-of-sight profile analysis shall be provided. Depending upon the scope and potential significance of the visual impacts, additional impact analyses, including, for example, a digital viewshed report, may be required to be submitted by the applicant.

[b] Submit a screening and landscaping plan to show adequate measures to screen through landscaping, grading, or other means so that views of solar panels and solar energy equipment shall be minimized as reasonably practical from public roadways and adjacent properties to the extent feasible. The screening and landscaping plan shall specify the locations, elevations, height, plant species, and/or materials that will comprise the structures, landscaping, and/or grading used to screen and/or mitigate any adverse aesthetic effects of the system, following the applicable rules and standards established by the Village.

(l) Steep Slopes. Tier 3 solar energy systems shall not be permitted to be located on areas of Steep Slopes as defined in Chapter 195.

(j) Conditions. The following shall be conditions of all special permits issued for Tier 3 solar energy systems.

[1] Ownership changes. If the owner or operator of the solar energy system changes or the owner of the property changes, the special use permit shall remain in effect, provided that the successor owner or operator assumes in writing all of the obligations of the special use permit, site plan approval, and decommissioning plan. A new owner or operator of the solar energy system shall notify the Zoning Enforcement Officer of such change in ownership or operator within 30 days of the ownership change.

[2] Solar energy systems that have been abandoned as reasonably determined by the Building Inspector for a period of one year shall be removed at the owner's and/or operator's expense in accordance with the decommissioning plan.

[3] Lien. In the event of default of the owner or operator in the performance of removal of a solar energy system and/or complying with the requirements of the decommissioning plan, after proper notice, the Village shall be entitled to arrange for removal or decommissioning and restoration of the property in accordance with the decommissioning plan, and the cost of same incurred by the Village shall constitute a lien on the owner's real property.