

ORDINANCE NO. 2021-O-019

**AN ORDINANCE AMENDING THE JACKSONVILLE, ILLINOIS ZONING
ORDINANCE BY ADDING APPENDIX H, AN ORDINANCE
REGULATING SOLAR ENERGY SYSTEMS**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE,
MORGAN COUNTY, ILLINOIS:

Section I. That the Jacksonville Zoning Ordinance is hereby amended by adding
Appendix H, an Ordinance Regulating Solar Systems, as follows:

Appendix H City
of Jacksonville
Solar Energy Systems Ordinance

Section 1. - Scope and Purpose.

This article applies to all solar energy installations in the City of Jacksonville.

Unless specifically defined, words or phrases in this ordinance shall be interpreted to give them the same meaning as they have in common usage and to give this ordinance its most reasonable application.

Section 2. - Definitions.

Solar Energy System: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

Ground Mount: A solar energy system mounted on a rack or pole that rests or is attached to the ground.

Photovoltaic System: A solar energy system that converts solar energy directly into electricity.

Roof-Mount: A solar energy system mounted on a rack that is fastened to or ballasted on a building roof. Roof-mount systems are accessory to the principal use.

Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

Solar Carport: Solar carports are overhead canopies built to cover parking areas, and are distinct from panels installed onto a preexisting carport structure. Solar carports have many things in common with ground mount solar panels, which are angles panel modules installed on the ground rather than on a rooftop.

Section 3. - Permitted Use.

Solar energy systems are permitted accessory use in all zoning districts where structures of any sort are allowed, subject to certain requirements as set forth below.

Section 4. - Height.

Solar energy systems must meet the following height requirements.

- Building or roof-mounted solar energy systems 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.
- Ground mounted solar energy systems shall not exceed 15 ft. in height when oriented at maximum tilt in residential zoning, and shall not be visible from the front right-of-way, at a 6 ft. elevation.
- Solar carports in non-residential districts shall not exceed 20 feet in height.

Section 5. - Set Back.

- Solar energy systems must meet the accessory structure setbacks for the zoning district and primary land use associated with the lot on which the system is located.
- The collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.
- Ground mounted solar energy systems are treated as accessory structures, and must be no less than 3 ft. from side lot lines, and 5 ft. from rear lot line.

Section 6. - Visibility.

- Solar energy systems in residential districts shall be designed to minimize visual impacts from the public right-of-way. Fencing or screening shall be used where ground mounted solar energy systems are used in the rear yard of a residential district and on a corner lot in a residential district, as defined in Article 2 herein. Screening shall not be required along property lines within the same zoning district, except where the adjoining lot has an existing residential use. The City of Jacksonville may require screening where it determines there is a clear community interest. Visibility standards do not apply to systems in non-residential districts, except for historic buildings, or historic district review as described in Section 7.
- Roof-mounted systems 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.

- Roof-mount systems 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.
- All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties.

Section 7. - Historic Buildings.

- Solar energy systems on buildings within designated historic districts or on locally designated historic buildings (exclusive of State or Federal historic designation) must receive approval of the Historical Preservation Commission, consistent with the standards for solar energy systems on historically designated buildings published by the U.S. Department of Interior.
- For all roof-mounted systems other than a flat roof, the elevation must show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.
- The solar energy system must be designed to blend into the architecture of the building or be screened from routine view from public right-of-ways other than alleys to maximum extent possible while still allowing the system to be mounted for efficient performance.

Section 8. - Plan Approval Required.

- 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.
- Permit fees shall be set by the code enforcement and inspection department.
- 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.
- Applications that meet the design requirements of this ordinance shall be granted administrative approval by the zoning official and shall not require Planning Commission review. Solar energy system plan approval does not indicate compliance with Building Code or Electric Code.

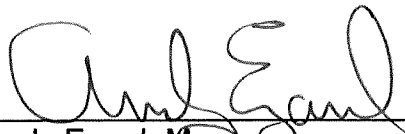
- Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.
- All solar energy systems shall meet approval of local building code officials, consistent with the 2018 ICC codes, and solar thermal systems shall comply with the HV AC-related requirements of the 2018 ICC Energy Code.
- All photovoltaic systems shall comply with the most current National Electric Code, and the applicable Illinois State Plumbing Code requirements.
- All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility.
- A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for 12 consecutive months. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Disposal of structures and/or foundations shall meet the provisions of the City of Jacksonville waste/trash contractor, and all state and Federal regulations for the disposal of solar energy systems. The City of Jacksonville may require the posting of a bond, letter of credit or the establishment of an escrow account to ensure proper decommissioning.

Section 2. That all ordinances, parts of ordinances and amendments to ordinances in conflict with any provision of this Ordinance are repealed as of the effective date hereof.

Section 3. That the City Clerk is hereby instructed to publish this Ordinance in Pamphlet Form.

Section 4. That this Ordinance shall be in full force and effect from and after its passage, approval and publication in Pamphlet Form as provided by law.

PASSED AND APPROVED at regular meeting of the City Council of the City of Jacksonville, Illinois, this 25th day of October, 2021.


Andy Ezard, Mayor

ATTEST:


Skip Bradshaw, City Clerk

(SEAL)

VOTES DESIGNATED:

Alderman Bartlett	<u>4</u>
Alderman Cook	<u>4</u>
Alderman Hannant	<u>4</u>
Alderman Oldenettel	<u>4</u>
Alderman Rubin de Celis	<u>4</u>
Alderman Scott	<u>4</u>
Alderman Speed	<u>4</u>
Alderman Wankel	<u>4</u>
Alderman Watts	<u>4</u>
Alderman Williams	<u>4</u>

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