

ORDINANCE NO. 2022- 29

**AN ORDINANCE AMENDING THE BEARDSTOWN ZONING  
ORDINANCE BY ADDING A NEW SECTION 9 - SOLAR ENERGY SYSTEMS, TO  
ARTICLE XII - ADDITIONAL PROVISIONS**

WHEREAS, the City Council of the City of Beardstown has determined that the City requires regulations for solar energy systems being installed within the City of Beardstown.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beardstown, Cass County, Illinois as follows:

Section 1: The foregoing recitals are incorporated herein as the findings of the City Council of the City of Beardstown.

Section 2: The Beardstown Zoning Ordinance shall be amended by adding a new Section 9 to Article XII, Additional Provisions, as follows:

**“Section 9. - Solar Energy Systems.**

Solar energy installations are permitted in the City of Beardstown, subject to the following provisions.

- A. Definitions. Unless specifically defined herein, words or phrases in this Section shall be interpreted to give them the same meaning as they have in common usage and to give this Section its most reasonable application.
1. *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.
  2. *Ground Mount*: A solar energy system mounted on a rack or pole that rests or is attached to the ground.
  3. *Photovoltaic System*: A solar energy system that converts solar energy directly into electricity.
  4. *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.
  5. *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.

6. *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.
- B. Permitted Use. Solar energy systems are a permitted accessory use in all zoning districts where structures of any sort are allowed, subject to certain requirements as set forth in this Section.
- C. Height. Solar energy systems must meet the following height requirements:
1. 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.
  2. 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.
  3. Solar carports in non-residential districts shall not exceed 20 feet in height.
- D. Set Back.
1. 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.
  2. 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.
  3. 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.
- E. Visibility.
1. 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 II 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 Beardstown may require screening where it determines there is a clear community interest. Visibility standards do not apply to systems in non-residential districts.

2. 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.
3. 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.
4. All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties.

F. Historic Buildings.

1. 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 Planning Commission, consistent with the standards for solar energy systems on historically designated buildings published by the U.S. Department of Interior.
2. 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.
3. 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.

G. Plan Approval Required.

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 required by the zoning administrator. The solar energy system plan should show all zoning districts.
2. Permit fees shall be as otherwise established under the applicable provisions of the Beardstown City Code.

3. 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.
4. Applications that meet the design requirements of this Section shall be granted administrative approval by the zoning administrator and shall not require Planning Commission review. Solar energy system plan approval does not indicate compliance with any applicable Building Code or Electric Code.
5. Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.
6. All solar energy systems shall meet approval of the local building code officials, with specific reference to the applicable 2018 International Code Council (ICC) codes, while solar thermal systems shall comply with the HVAC-related requirements of the 2018 International Code Council (ICC) Energy Code.
7. All photovoltaic systems shall comply with the most current National Electric Code and the applicable Illinois State Plumbing Code requirements.
8. All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility.
9. A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life, and the plan shall be recorded as a lien or encumbrance on the property on which the solar energy systems are located in favor of the City to secure the obligation of the owner, and the owner's successors and assigns, to fully decommission the site. 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 Beardstown waste/trash contractor, and all state and Federal regulations for the disposal of solar energy systems. The City of Beardstown may require the posting of a bond, letter of credit, or the establishment of an escrow account to ensure proper decommissioning."

Section 3: 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.

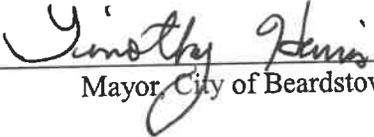
Section 4: If any sections, subsection, sentence, clause, or phrase of this ordinance is, for any reason, held to be unconstitutional or otherwise invalid, such decision shall not effect the validity of the remaining portions of this ordinance.

Section 5: This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

ADOPTED/REJECTED THIS 22nd DAY OF November, 2022, BY VOTE OF THE CITY COUNCIL OF THE CITY OF BEARDSTOWN AS FOLLOWS:

	Yes	No	Absent
Sally Lael	<u>x</u>	<u>          </u>	<u>          </u>
Lisa Buhlig	<u>x</u>	<u>          </u>	<u>          </u>
Gabe Seward	<u>x</u>	<u>          </u>	<u>          </u>
Mary Davis	<u>x</u>	<u>          </u>	<u>          </u>
Keith Schramm	<u>x</u>	<u>          </u>	<u>          </u>
Ron Culves	<u>x</u>	<u>          </u>	<u>          </u>
Shawn Taylor	<u>x</u>	<u>          </u>	<u>          </u>
Allie Dawson	<u>x</u>	<u>          </u>	<u>          </u>

PASSED BY A MAJORITY OF THE COUNCIL MEMBERS THEN HOLDING OFFICE IN THE CITY OF BEARDSTOWN, ILLINOIS, IN PUBLIC THIS 22nd DAY OF November 2022.

  
\_\_\_\_\_  
Mayor, City of Beardstown

Attest:

  
\_\_\_\_\_  
City Clerk, City of Beardstown