

PREPARED BY:

**CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

RETURN TO:

**CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020**

PC Case # 12-1-152

ORDINANCE NO. 13 – 020

**AN ORDINANCE AMENDING CHAPTER 15 (SMALL WIND AND RENEWABLE
ENERGY SYSTEMS) OF TITLE 6 (ZONING REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE**

WHEREAS, the City of Naperville, in its authority as a Home Rule community, has enacted Zoning Regulations for the purpose of improving and protecting the public health, safety, comfort, convenience and general welfare of the people; and

WHEREAS, regulations pertaining to Small Wind and Renewable Energy Systems were added to the Naperville Municipal Code in 2010 and have been administered in accordance with the adopted Code since that time; and

WHEREAS, Section 6-15-5 (Solar Energy Systems) of the Naperville Municipal Code requires that a conditional use be obtained prior to installation of any building-mounted solar energy system in a residential district; and

WHEREAS, during their review of a conditional use requested for a building-mounted solar energy system to be installed on the single-family home located at 1208 Leverenz Road, the Planning and Zoning Commission and several public speakers noted that the conditional use process is overly burdensome; and

WHEREAS, on December 18, 2012, the City Council concurred with the findings of the Planning and Zoning Commission and the public and directed staff to process an amendment to Section 6-15 to remove the existing conditional use requirement for building-mounted solar energy systems installed in a residential district; and

WHEREAS, the Planning and Zoning Commission conducted a public hearing on February 20, 2013 with respect to the proposed amendments to Section 6-15 as required by law; and

WHEREAS, the Planning and Zoning Commission unanimously recommended approval of the proposed amendments to Section 6-15 on February 20, 2013.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule authority, as follows:

SECTION 1: The recitals set forth above are incorporated herein.

SECTION 2: Chapter 15 (Small Wind and Solar Renewable Energy Systems) of Title 6 (Zoning Regulations) of the Naperville Municipal Code is hereby amended by adding the underlined language and deleting the stricken language, as follows:

6-15-5: - SOLAR ENERGY SYSTEMS:

1. Authorization of Use:

1.1. Permitted Use:

1.1.1. Building integrated solar energy systems may be authorized administratively in all zoning districts in accordance with the requirements of this Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.1.2. Building-mounted and ground-mounted solar energy systems may be authorized administratively in all Business Districts listed in Chapter 7 and all Industrial Districts listed in Chapter 8 in accordance with the requirements of this Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.1.3. Building-mounted solar energy systems may be authorized administratively in all Residential Districts in Chapter 6 in accordance with the requirements of this

Chapter and subject to approval by the Director of Public Utilities and the Director of Transportation, Engineering and Development, or their designees.

1.2. Conditional Use:

1.2.1. A ~~building-mounted~~ or ground-mounted solar energy system that is accessory to a residential use or any principal institutional, utilities or non-residential use may be authorized as a conditional use in any Residence District in accordance with the procedures established in Section 6-3-8 (Conditional Use) of this Title and the provisions of Section 6-15-6 of this Chapter.

- 2. * * *
- 3. * * *

SECTION 3: This Ordinance shall be in full force and effect upon its passage and approval as required by law.

PASSED this 19th day of March, 2013.

AYES: PRADEL, BRODHEAD, CHIRICO, FIESELER, HINTERLONG,
KRAUSE, McELROY, MILLER, WEHRLI

NAYS: NONE

ABSENT: NONE

APPROVED this 20th day of March, 2013.

A. George Pradel
Mayor

ATTEST:

Pam LaFeber, Ph.D.
City Clerk