

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, Sol C. Cabachuela, certify that I am the duly appointed Municipal Clerk for the Village of Mundelein, Lake County, Illinois.

I further certify that on November 26, 2018 the Corporate Authorities of such Village passed and approved

Ordinance No. 18-11-73

which is entitled


AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE RELATING TO THE ZONING ORDINANCE, TITLE 20, REGARDING SOLAR COLLECTORS

which provides by its terms that it should be published in pamphlet form.

The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the Village Hall commencing on November 29, 2018 and was posted for at least ten days thereafter.

Copies of such Ordinance are available for public inspection upon request in the Customer Service Office.

Dated at Mundelein, Illinois this 29th day of November 2018.


Village Clerk

ORDINANCE NO. 18-11-73

AN ORDINANCE GRANTING A VARIATION TO PERMIT A PHYSICAL THERAPY BUSINESS
IN AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE RELATING TO THE
ZONING ORDINANCE, TITLE 20, REGARDING SOLAR COLLECTORS

Published in pamphlet form by the authority
of the President and Board of Trustees
of the Village of Mundelein, Illinois

Date of Publication: 11/29/2018

ORDINANCE NO. 18-11-73

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE MUNICIPAL CODE RELATING TO THE ZONING ORDINANCE, TITLE 20, REGARDING SOLAR COLLECTORS

WHEREAS, on September 24, 2012, the Village Board of Trustees adopted Ordinance No. 12-09-39, an Ordinance repealing the existing Mundelein Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, and adopting a new Village of Mundelein Zoning Ordinance to be included as Title 20 of the Municipal Code of Mundelein (the “New Zoning Ordinance”) which Ordinance has been amended from time to time thereafter; and

WHEREAS, on March 25, 2013, the Village Board of Trustees adopted Ordinance No. 13-03-12, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, regarding grammar, spelling, and cross-reference corrections; motor vehicle aftermarket enhancements; light pole heights; commercial vehicles; parking stall dimensions; driveways; and definitions; and

WHEREAS, on July 14, 2014, the Village Board of Trustees adopted Ordinance No. 14-07-29, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, with respect to medical cannabis dispensaries and cultivation centers; and

WHEREAS, on August 25, 2014, the Village Board of Trustees adopted Ordinance No. 14-08-43, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, regarding a spelling correction; refuse & recycling containers; parking for recycling facilities, places of worship, motor vehicle repair, and other unspecified uses; permitted & prohibited materials; transparency; car washes; drive-through facilities; gas stations; lighting downtown; roof types Downtown; and setbacks following the conveyance of land for public purposes; and

WHEREAS, on September 22, 2014, the Village Board of Trustees adopted Ordinance No. 14-09-48, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, with respect to Private Free Libraries; and

WHEREAS, on March 9, 2015, the Village Board of Trustees adopted Ordinance No. 15-03-09, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, with respect to parking space dimensions, impervious surface coverage, open fences, community centers, and recycling facilities; and

WHEREAS, on April 27, 2015, the Village Board of Trustees adopted Ordinance No. 15-04-20, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, with respect to residential bulk and yard standards, the C-5 subdistrict map, and on-site development standards; and

WHEREAS, on August 22, 2016, the Village Board of Trustees adopted Ordinance No. 16-07-46, an Ordinance amending certain sections of the Zoning Ordinance, Title 20 of the Municipal Code of Mundelein, with respect to drive through facilities, pergolas, patios, residential driveways, and sheds; and

WHEREAS, on July 9, 2018, the Village Board of Trustees adopted Ordinance No. 18-07-39, an Ordinance amending certain sections of the Municipal Code relating to the zoning ordinance, Title 20, regarding murals; and

WHEREAS, on August 13, 2018, the Village Board of Trustees adopted Ordinance No. 18-08-47, an Ordinance amending certain sections of the Municipal Code relating to the zoning ordinance, Title 20, regarding Garage Storage Facilities; and

WHEREAS, text amendments to the Municipal Code are proposed to provide for the regulation of said Solar Collectors; and

WHEREAS, pursuant to notice as provided by statute and ordinance, a public hearing was held on October 17, 2018, by the Mundelein Planning & Zoning Commission; and

WHEREAS, following said hearing, by a vote of 7-0, the Planning & Zoning Commission recommended approval of each of the requested text amendments referenced below; and

WHEREAS, the Village Board of Trustees has determined that it is necessary to adopt this Ordinance further amending Title 20 of the Municipal Code of Mundelein regarding Solar Collectors.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MUNDELEIN, COUNTY OF LAKE, STATE OF ILLINOIS as follows:

SECTION I: The foregoing recitals shall be, and are hereby, incorporated herein by reference.

SECTION II: Section 20.52.040(T) regarding Solar Collectors is hereby deleted and replaced to read:

"T. Solar Energy Systems.

1. The installation and construction of solar energy systems is subject to the following development and design standards intended to promote the safe and efficient construction, installation, and operation of solar energy systems while protecting the character and appearance of surrounding neighborhoods or area in which they are located through compatible design. This ordinance also seeks to protect the health and well-being of those residing or working in close proximity to solar energy systems.

a. A solar energy system may be building-mounted or ground-mounted.

b. Solar collectors must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

- c. All power transmission lines from a ground-mounted solar energy system to any structure must be located underground.
- d. Streamers, pennants, spinners, reflectors, ribbons, tinsel, or similar materials are prohibited. Unobtrusive manufacturer labels and equipment information, warning signs or ownership information is allowed on any equipment of the solar energy system.
- e. A solar energy system connected to the utility grid shall provide written authorization from the local utility company acknowledging and approving such connection.
- f. Solar storage mechanisms may not be located in a required corner side or front yard. If a solar storage mechanism is mounted to a street-facing façade, such equipment shall be screened or sheathed to conceal the equipment from view. Sheathing may include fencing, cabinets or covers matching the color and/or materials of the façade, and landscaping.
- g. Solar energy systems which have ceased to generate energy for a period of 12 consecutive months shall be removed from the property within 180 days from the date of decommission or notice by the Village of Mundelein to ensure they are properly removed after their useful life. The Village may request an inspection or documentation to demonstrate the functionality of a solar energy system. If an inspection is denied or documentation demonstrating the functionality of the system is not provided within thirty days of the Village's request, the Village may determine the solar energy

system to be obsolete and may require its removal within 180 days.

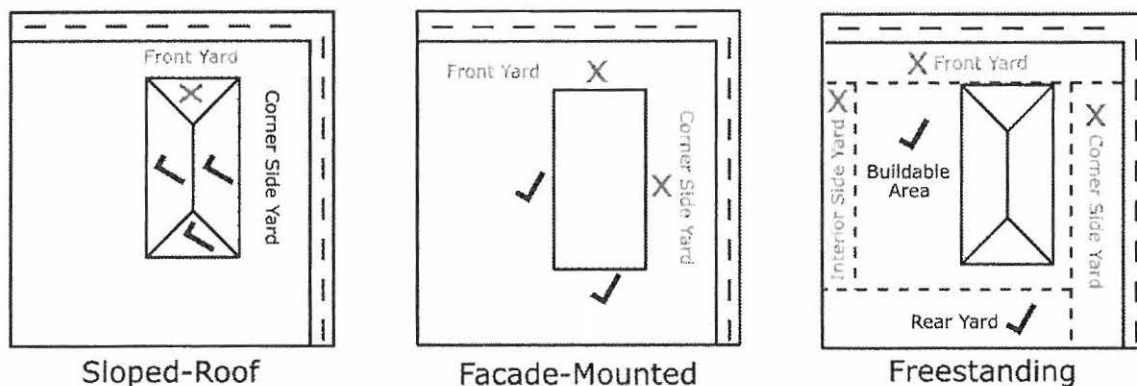
h. Installed Solar Energy Systems shall be listed (e.g. Underwriters Laboratories).

i. Solar Collectors shall be neutral in color. Roof-mounted and façade-mounted collectors shall generally match the color of the surface upon which they are installed or complement existing architectural elements.

j. Solar Energy Systems installed for the primary purpose of providing energy to remote public infrastructure (e.g. traffic control devices, streetlamps, stormwater infrastructure) for municipal or public service are exempt from the standards of this section.

k. Solar Collectors are permitted as shown in Figure 20.52-4: Permitted Solar Collector Location.

FIGURE 20.52-4: PERMITTED SOLAR COLLECTOR LOCATIONS



2. Building-Mounted Systems.

a. A building mounted system may be mounted on a principal building or accessory structure.

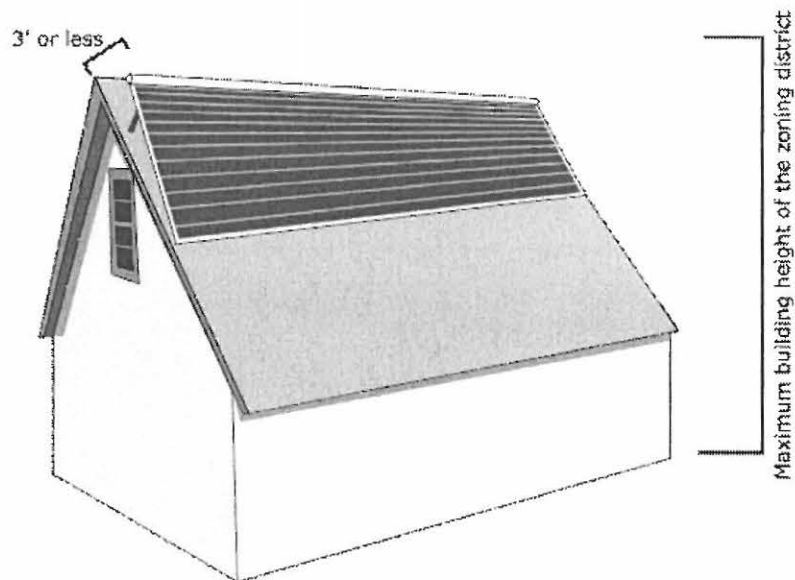
b. When mounted on a roof:

- i. For sloped roof forms, mounting is permitted on the rear, side, and corner side roofs only.

- (a) If the front roof, meaning those portions of a roof facing out towards the front yard, is the location that optimizes solar access, special use approval is required.

- ii. Solar collectors and solar storage mechanisms are limited to the maximum building height of the zoning district for the building type (principal or accessory structure) and may not project more than three feet, measured perpendicularly from the surface upon which it is installed.

FIGURE 20.52-5: PERMITTED SOLAR COLLECTOR HEIGHT



c. When mounted on a façade:

- i. Mounting is permitted on side and rear building facades.

(a) If the front and corner facade is the location that optimizes solar access, special use approval is required.

ii. Solar energy systems may project up to four feet from a facade.

(a) Façade-mounted solar energy systems may project into a required yard, but must be a minimum of five feet from the property line.

3. Freestanding Systems.

a. A freestanding system is permitted only in the rear yard or within the buildable area of a lot and must be setback a minimum of five feet from any lot line.

i. If the front or corner side yard is the location that optimizes solar access, special use approval is required.

b. A freestanding system shall not exceed the maximum building height for accessory buildings.

c. Single-family residential lots twenty thousand square feet or less in size are limited to a total of one hundred square feet in area of panels. Single-family residential lots over twenty thousand square feet up to forty-thousand square feet in area are limited to a total of two hundred square feet in area of panels. There is no limitation for lots of forty-thousand square feet or more in area.

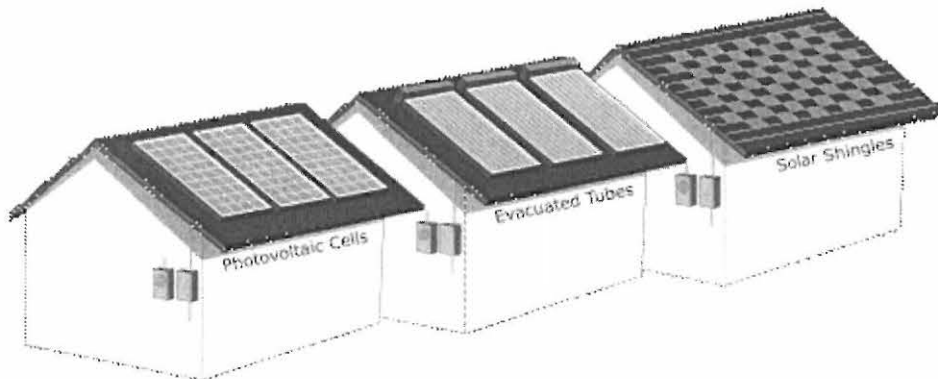
d. Freestanding Solar Energy Systems are subject to the maximum impervious surface coverage regulations of the applicable zoning district. When calculating the impervious surface area of a solar energy system, the area of

the foundation is to be used. Grass or other suitable penetrable media are strongly encouraged below all elevated components so as to permit adequate infiltration and percolation of precipitation into the ground."

SECTION III: The "Solar Panel" definition within Section 20.72.030 "General Terms

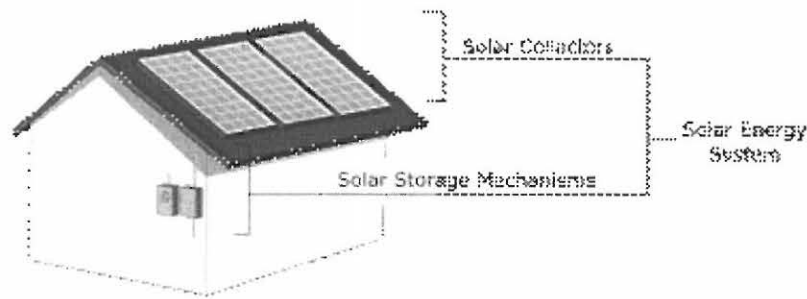
Definitions", is hereby amended to read as follows:

"Solar Panel Collector" means a device-an assembly, structure, or design, including passive elements, that collects and converts direct sunlight as a source of energy for such purposes as heating or cooling a structure, heating or pumping water, or generating electricity. Examples of Solar Collectors include photovoltaic cells, evacuated tubes, and solar shingles."



SECTION IV: Section 20.72.030 "General Terms Definitions", is hereby amended to insert the following after the definition for "Solar Panel" and before the definition for "Stacking Space":

"Solar Energy System" means a complete assembly, structure, or design of solar collector, or a solar storage mechanism, which uses solar energy for generating electricity or for heating or cooling gases, solids, liquids, or other materials.



SECTION V: Section 20.72.030 “General Terms Definitions”, is hereby amended to insert the following after the definition for “Solar Panel” and before the definition for “Stacking Space”:

“Solar Storage Mechanism” means equipment or elements (such as piping and transfer mechanisms, containers, heat exchangers, or controls thereof, and gases, solids, liquids, or combinations thereof) that are utilized for storing solar energy, gathered by a solar collector, for subsequent use.”

SECTION VI: The “Solar Farm” definition within Section 20.68.040 “Generic Use Definitions”, is hereby amended to read follows:

““Solar Farm” means a facility that consists of a cluster or group of photovoltaic cells or other solar collectors and generators used for the production of electric power. A “Solar Farm” is the principal use of the lot. Solar energy systems constructed to provide energy to a principal use on the same zoning lot are not considered solar farms.”

SECTION VII: If any section, clause, paragraph, or provision of this Ordinance shall be found invalid by a court of competent jurisdiction, such judgment shall not affect, impair, invalidate or nullify the remainder of this Ordinance, but only that part found invalid by such court.

SECTION VIII: In the case that one or more part(s) of this Ordinance conflicts with another part of this Ordinance or any other code, title or ordinance adopted by the Village of Mundelein, or

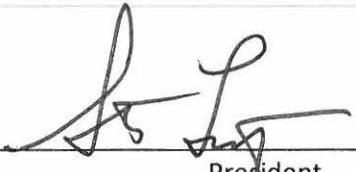
any State of Illinois statute or other law, the part with the strictest language or interpretation shall prevail.

SECTION IX: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

PASSED by a roll call vote this 26th day of November, 2018.

ADOPTED this 26th day of November, 2018 by a roll call vote as follows:

RESULT: ADOPTED [UNANIMOUS]
MOVER: Dawn Abernathy, Trustee
SECONDER: Ray Semple, Trustee
AYES: Russell, Black, Abernathy, Meier, Semple
ABSENT / NOT VOTING: Rekus



President

ADOPTED: November 26, 2018

APPROVED: November 26, 2018

PUBLISHED in pamphlet form: November 29, 2018

ATTEST: 
Village Clerk