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Passed 2-7-22

ORDINANCE NO. Co-2022-1

AN ORDINANCE APPROVING THE FINDINGS OF FACT OF THE VILLAGE OF BROADVIEW ZONING BOARD OF APPEALS AND AMENDING TITLE 10 TO ESTABLISH CHAPTER 10 OF THE BROADVIEW VILLAGE CODE REGARDING SOLAR ENERGY INSTALLATIONS IN THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS.

* * * * *

WHEREAS, the Village of Broadview, County of Cook, State of Illinois (the “Village”) is a duly organized and existing village created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village President (the “President”) and the Village Board (the “Village Board”) and with the President, the “Corporate Authorities”) are committed to combatting climate change and promoting responsible clean energy generation while ensuring that certain standards are adhered to in relation to solar energy installations throughout the Village in order to promote and protect the health, safety, and welfare of the Village, its residents and its guests; and

WHEREAS, the Corporate Authorities have determined the need for regulations governing the construction, installation, and operation of solar energy installations; and

WHEREAS, the Zoning Board of Appeals of the Village (the “Zoning Board of Appeals”) heard an application by the Building Commissioner of the Village for a text amendment to the Broadview Zoning Ordinance (the “Zoning Ordinance”), which is set forth in Title 10 of the Broadview Village Code (the “Village Code”) related to the construction, installation and operation of solar energy installations; and

WHEREAS, following due and proper notice by publication in the Village Free Press not less than fifteen (15) nor more than thirty (30) days prior thereto, the Zoning Board of Appeals conducted a public hearing on December 29, 2021, where members of the public were given the opportunity to offer testimony related to the Draft Solar Energy Installations Ordinance, which is detailed below in Section 10 herein; and

WHEREAS, based on the testimony given at the public hearing, the Zoning Board of Appeals made certain findings of fact at the hearing and a recommendation that the requested Draft Solar Energy Installations Ordinance be adopted; and

WHEREAS, based upon the foregoing, the Corporate Authorities have determined that it is necessary, advisable and in the best interests of the City and its residents to amend the Zoning Ordinance to adopt the Solar Energy Installations Ordinance, as provided herein;

NOW, THEREFORE, BE IT ORDAINED by the President and the Village Board of the Village of Broadview, County of Cook, State of Illinois, as follows:

**ARTICLE I.
IN GENERAL**

Section 01. Incorporation Clause.

All of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct, and the Corporate Authorities do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 02. Purpose.

The purpose of this Ordinance is to amend Title 10 to create Chapter 10 of the Village Code regarding solar energy installations and to authorize the President and other Village officials to take all action necessary to carry out the intent of this Ordinance.

Section 03. Invocation of Authority.

This Ordinance is enacted pursuant to the authority granted to the Village by the Constitution of the State of Illinois and the Illinois Compiled Statutes.

Section 04. State Law Adopted.

All applicable provisions of the Illinois Compiled Statutes, including the Illinois Municipal Code, as may be amended from time to time, relating to the purposes of this Ordinance are hereby incorporated herein by reference.

Sections 05-09. Reserved.

**ARTICLE II.
AMENDMENT TO TITLE 10, CREATING CHAPTER 10 REGARDING SOLAR
ENERGY INSTALLATIONS OF THE VILLAGE CODE**

Section 10. Creation of Chapter 10 of Article 10 of the Village Code.

Title 10 Zoning Regulations is hereby amended by creating a new Chapter 10 regarding solar energy installations, in part, notwithstanding any provision, ordinance, resolution or Village Code section to the contrary, as follows:

CHAPTER 10 SOLAR ENERGY INSTALLATIONS

10-10-1: SCOPE:

This chapter applies to all solar energy installations in the Village of Broadview.

10-10-2: PURPOSE:

The Village of Broadview has adopted this chapter for the following purposes:

A. Goal – To preserve the health, safety, and welfare of the community by promoting the safe, effective and efficient use of solar energy systems. The solar energy standards include:

1. Encouraging the use of local renewable energy resources, including appropriate applications for wind, solar, and biomass energy.

2. Promoting sustainable building design and management practices to serve current and future generations.
3. Assisting local businesses to lower financial and regulatory risks and improve their economic, community, and environmental sustainability.
4. Efficiently investing in and managing public infrastructure systems to support development and growth.

B. Climate Change Goals – The Village has committed to reducing carbon and other greenhouse gas emissions. Solar energy is an abundant, renewable, and nonpolluting energy resource and its conversion to electricity or heat reduces dependence on nonrenewable energy resources and decreases the air and water pollution that results from the use of conventional energy sources.

C. Consistency with Regional Plans – The Village is part of a regional planning process that has developed recommendations for greenhouse gas reductions, a purpose served by encouraging local solar development.

D. Infrastructure – Distributed solar photovoltaic systems will enhance the reliability and power quality of the power grid and make more efficient use of Village’s electric distribution infrastructure.

E. Local Resource – Solar energy is an underused local energy resource and encouraging the use of solar energy will diversify the community’s energy supply portfolio and reduce exposure to fiscal risks associated with fossil fuels.

F. Improve Competitive Markets – Solar energy systems offer additional energy choice to consumers and will improve competition in the electricity and natural gas supply market.

10-10-3: DEFINITIONS:

AGRIVOLTAICS: A solar energy system co-located on the same parcel of land as agricultural production, including crop production, grazing, apiaries, or other agricultural products or services.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEMS: A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

COMMUNITY-SCALE SOLAR ENERGY SYSTEM: A commercial solar energy system that converts sunlight into electricity for the primary purpose of serving electric demands

off-site from the facility, either retail or wholesale. Community-scale systems are principal uses and projects typically cover less than 20 acres.

COMMUNITY SOLAR GARDEN: A solar energy system that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system. Also referred to as shared solar.

GRID-INTERTIE SOLAR ENERGY SYSTEM: A photovoltaic solar energy system that is connected to an electric circuit served by an electric utility company.

GROUND-MOUNTED: A solar energy system mounted on a rack or pole that rests or is attached to the ground. Ground-mounted systems can be either accessory or principal uses, however principal uses shall be subject to the application for and the approval of a special use permit.

LARGE-SCALE SOLAR ENERGY SYSTEM: A commercial solar energy system that converts sunlight into electricity for the primary purpose of wholesale sales of generated electricity. A largescale solar energy system will have a project size greater than 20 acres and is the principal land use for the parcel(s) on which it is located.

OFF-GRID SOLAR ENERGY SYSTEM: A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility company.

PASSIVE SOLAR ENERGY SYSTEM: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

PHOTOVOLTAIC SYSTEM: A solar energy system that converts solar energy directly into electricity.

POLLINATOR-FRIENDLY SOLAR: A solar installation that has been recognized as a pollinator-friendly installation by the Illinois Department of Natural Resources, consistent with the Pollinator-Friendly Solar Site Act (525 ILCS 55/1, *et seq.*)

RENEWABLE ENERGY EASEMENT, SOLAR ENERGY EASEMENT: An easement that limits the height or location, or both, of permissible development on the burdened land in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to wind or sunlight passing over the burdened land.

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

ROOF PITCH: The final exterior slope of a roof calculated by the rise over the run, typically but not exclusively expressed in twelfths such as 3/12, 9/12, or 12/12.

SOLAR ACCESS: Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

SOLAR CARPORT: A solar energy system of any size that is installed on a carport structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities.

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. The collector does not include frames, supports, or mounting hardware.

SOLAR DAYLIGHTING: Capturing and directing the visible light spectrum for use in illuminating interior building spaces in lieu of artificial lighting, usually by adding a device or design element to the building envelope.

SOLAR ENERGY: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

SOLAR ENERGY SYSTEM: A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

SOLAR HOT AIR SYSTEM: (also referred to as Solar Air Heat or Solar Furnace) A solar energy system that includes a solar collector to provide direct supplemental space heating by heating and re-circulating conditioned building air. The most efficient performance includes a solar collector to preheat air or supplement building space heating, typically using a vertically mounted collector on a south-facing wall.

SOLAR HOT WATER SYSTEM: A system that includes a solar collector and a heat exchanger that heats or preheats water for building heating systems or other hot water needs, including residential domestic hot water and hot water for commercial processes.

SOLAR MOUNTING DEVICES: Racking, frames, or other devices that allow the mounting of a solar collector onto a roof surface or the ground.

SOLAR READY DESIGN: The design and construction of a building that facilitates and makes feasible the installation of rooftop solar.

SOLAR RESOURCE: A view of the sun from a specific point on a lot or building that is not obscured by any vegetation, building, or object for a minimum of four hours between the hours of 9:00 AM and 3:00 PM Standard time on all days of the year, and can be measured in annual watts per square meter.

10-10-4: PERMITTED ACCESSORY 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 below. Solar carports and associated electric vehicle charging equipment are a permitted accessory use on surface parking lots in all districts regardless of the existence of another building. Solar energy systems that do not meet the following design standards will require a special use permit. Payment of building or other permit fees may be required prior to installation.

A. 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 or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.
3. Solar carports in non-residential districts shall not exceed 20 feet in height.

B. Setback: Solar energy systems must meet the accessory structure setback for the zoning district and principal land use associated with the lot on which the system is located, as allowed below:

1. Roof or Building-mounted Solar Energy Systems: 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, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be building-integrated systems and are regulated as awnings.
2. Ground-mounted Solar Energy Systems: Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.

C. Visibility: Solar energy systems in residential districts shall be designed to minimize visual impacts from the public right-of-way, as described in C.1-3 of this subsection, to the extent that doing so does not affect the cost or efficacy of the system. Visibility standards do not apply to systems in non-residential districts, except for historic building or district review as described in subsection E. below.

1. Building Integrated Photovoltaic Solar Energy Systems: Building integrated photovoltaic solar energy systems shall be allowed regardless of whether the system is visible from the public right-of-way, provided the building component in which the system is integrated meets all required setback, land use, or performance standards for the district in which the building is located.
2. Aesthetic restrictions: Roof-mounted or ground-mounted solar energy systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley or if the system meets the following standards:
 - a. 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 10 inches above the roof.
 - b. Roof-mounted systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than 5 feet above the finished roof and are exempt from any rooftop equipment or mechanical system screening.
3. Reflectors: All solar energy systems using a reflector to enhance solar production shall minimize glare from the reflector affecting adjacent or nearby properties.

D. Lot Coverage: Ground-mounted systems total collector area shall not exceed half the building footprint of the principal structure.

1. Ground-mounted systems shall be exempt from lot coverage or impervious surface standards if the soil under the collector is maintained in vegetation and not compacted.
2. Ground-mounted systems shall not count toward accessory structure limitations.
3. Solar carports in non-residential districts are exempt from lot coverage limitations.

E. Compliance with Bulk Regulations: Nothing in this chapter shall be interpreted to waive or suspend any bulk regulations under the Village's zoning code, which shall include but not be limited to water-run off restrictions, impermeable surface restrictions, heights restrictions, or other similar regulations. Any party may seek a variance from the bulk regulations where allowed under the Village's zoning code.

F. 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 Village Board, consistent with the standards for

solar energy systems on historically designated buildings published by the U.S. Department of the Interior.

G. Plan Approval Required: All solar energy systems requiring a building permit or other permit from the Village shall provide a site plan for review.

1. Plan Applications. 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-mounted system, including the property lines.
2. Plan Approvals. Applications that meet the design requirements of this chapter shall be granted administrative approval by the zoning official and shall not require planning commission review. Plan approval does not indicate compliance with applicable building codes or electric codes.

H. Approved Solar Components: Electric solar energy system components must have a UL or equivalent listing and solar hot water systems must have an SRCC rating.

I. Compliance with Building Codes: All solar energy systems shall meet approval of local building code officials, consistent with the State of Illinois building code laws, and solar thermal systems shall comply with HVAC-related requirements of applicable energy laws.

J. Compliance with the National Electric Code: All photovoltaic systems shall comply with the National Electric Code, 2014 edition.

K. Compliance with the State Plumbing Code: Solar thermal systems shall comply with applicable Illinois Plumbing Code requirements.

L. Utility Notification — All grid-intertie solar energy systems shall comply with the interconnection requirements of the electric utility. Off-grid systems are exempt from this requirement.

10-10-5: PRINCIPAL USES:

The Village encourages the development of commercial or utility scale solar energy systems where such systems present few land use conflicts with current and future development patterns. Ground-mounted solar energy systems that are the principal use on the development lot or lots are special uses in selected districts as detailed herein. Payment of building or other permit fees may be required prior to installation.

A. Principal Use General Standards

1. Site Design

- a. Setbacks: Community- and large-scale solar arrays must meet the following setbacks:
 - i. Property line setback for buildings or structures in the district in which the system is located, except as other determined in subsection A(1)(a)(v) below.
 - ii. Roadway setback of 150 feet from the ROW centerline of State highways and CSAHs, 100 feet for other roads, except as other determined in subsection A(1)(a)(v) below.
 - iii. Housing unit setback of 150 feet from any existing dwelling unit, except as other determined in subsection A(1)(a)(v) below.
 - iv. Setback distance should be measured from the edge of the solar energy system array, excluding security fencing, screening, or berm.
 - v. All setbacks can be reduced by 50% if the array is fully screened from the setback point of measurement.
- b. Screening: Community- and large-scale solar shall be screened from existing residential dwellings.
 - i. A screening plan shall be submitted that identifies the type and extent of screening.
 - ii. Screening shall be consistent with the Village's screening ordinance or standards typically applied for other land uses requiring screening.
 - iii. Screening shall not be required along property lines within the same zoning district, except where the adjoining lot has an existing residential use.
 - iv. The Village may require screening where it determines there is a clear community interest in maintaining a viewshed.
- c. Ground cover and buffer areas: The following provisions shall apply to the clearing of existing vegetation and establishment of vegetated ground cover. Additional site-specific conditions may apply as required by the Village.
 - i. Large-scale removal of mature trees on the site is discouraged. The Village may set additional restrictions on tree clearing or require mitigation for cleared trees.

- ii. The project design shall include the installation and establishment of ground cover meeting the pollinator-friendly standard consistent with the Pollinator-Friendly Solar Site Act (525 ILCS 55/1, *et seq.*) or successor statutes and guidance as set by the Illinois Department of Natural Resources.
 - iii. The applicant shall submit a vegetation management plan adhering to guidance set forth by the pollinator friendly scorecard published by the Illinois Department of Natural Resources.
 - iv. Pollinator-friendly standards shall be maintained on the site for the duration of operation, until the site is decommissioned.
 - v. The Village may require submittal of an inspection fee at the time of the initial fee at the time of the initial permit application to support ongoing inspection of the pollinator-friendly ground cover.
 - vi. The applicant shall submit a financial guarantee in the form of a letter of credit, cash deposit or bond in favor of the Village of Broadview equal to 125 percent of the costs to meet the pollinator friendly standard. The financial guarantee shall remain in effect until vegetation is sufficiently established.
 - vii. Plant material must not have been treated with systemic insecticides, particularly neonicotinoids.
- d. Foundations: A qualified engineer shall certify that the foundation and design of the solar panel racking and support is within accepted professional standards, given local soil and climate conditions.
- e. Power and communication lines: Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Village in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines, or distance makes undergrounding infeasible, at the discretion of the zoning administrator.
- f. Fencing: Perimeter fencing for the site shall not include barbed wire or woven wire designs, and shall preferably use wildlife-friendly fencing standards that include clearance at the bottom. Alternative fencing can be used if the site is incorporating agrivoltaics.

2. Stormwater and NPDES: Solar farms are subject to the Village's stormwater management and erosion and sediment control provisions and NPDES permit requirements. Solar collectors shall not be considered impervious surfaces if the project complies with ground cover standards, as described in subsection A(1)(c) herein.
3. Other standards and codes: All solar farms shall be in compliance with all applicable local, state and federal regulatory codes, including but not limited to the Illinois Energy Conservation Code, Illinois Accessibility Code, the Village-adopted International Building Code, the Illinois Plumbing Code, as amended; and the National Electric Code, as amended.
4. Site Plan Required: The applicant shall submit a detailed site plan for both existing and proposed conditions, showing locations of all solar arrays, other structures, property lines, rights-of-way, service roads, floodplains, wetlands, and other protected natural resources, topography, electric equipment, and all other characteristics requested by the Village. The site plan should show all zoning districts and overlay districts.
5. Aviation Protection: For solar farms located within 500 feet of an airport or within approach zones of an airport, the applicant must complete and provide the results of a glare analysis through a qualitative analysis of potential impact, field test demonstration, or geometric analysis of ocular impact in consultation with the Federal Aviation Administration (FAA) Office of Airports, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.
6. Agricultural Protection: Solar farms must comply with site assessment or soil identification standards that are intended to identify agricultural soils, including submitting an Agricultural Impact Mitigation Plan ("AIMP") to the Village and the Illinois Department Agriculture, as required by the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147/1, *et seq.*), or successor statute. The Village may require mitigation for use of prime soils for solar array placement, including the following:
 - a. Demonstrating co-location of agricultural uses (agrivoltaics) on the project site.
 - b. Using an interim use or time-limited CUP that allows the site to be returned to agriculture at the end of life of the solar installation.
 - c. Placing agricultural conservation easements on an equivalent number of prime soil acres adjacent to or surrounding the project site.
 - d. Locating the project in wellhead protection area for the purpose of removing agricultural uses from high-risk recharge areas.

7. Decommissioning: A decommissioning plan shall be prepared and submitted as part of the Agricultural Impact Mitigation Plan in accordance with the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147/1, *et seq.*).
 - a. Decommissioning of the system must occur in the event the project is not in use for 12 consecutive months.
 - b. The plan shall include provisions for removal of all structures and foundations, restoration of soil and vegetation, and consistency with all standards of the AIMP.
 - c. Disposal of structures and/or foundations shall meet the provisions of the Village's solid waste regulations.
 - e. Financial assurances shall be provided to the Village consistent with the Illinois Department of Agriculture's standard agricultural impact mitigation agreement.

B. Community-Scale Solar: The Village permits the development of community-scale solar, subject to the following standards and requirements:

1. Rooftop gardens permitted: Rooftop community systems are permitted in all districts where buildings are permitted.
2. Community-scale uses: Ground-mounted community solar energy systems must cover no more than 10 acres (project boundaries), and are a permitted use in industrial and agricultural districts, and permitted with standards or special in all other non-residential districts. Ground-mounted solar developments covering more than 10 acres shall be considered large-scale solar.
3. Dimensional standards: All structures must comply with setback and height standards for the district in which the system is located.
4. Other standards: Ground-mounted systems must comply with all required standards for structures in the district in which the system is located.

C. Large-Scale Solar: Ground-mounted solar energy arrays that are the principal use on the lot, designed for providing energy to off-site uses or export to the wholesale market, are permitted under the following standards:

1. Special use permit: Solar farms are special uses.

10-10-6: USE TABLE:

Use Type	Residential	Mixed Use	Business	Industrial	Floodplain	Special (Conservation, Historic Districts)
Large-scale solar				S	S	S
Community-scale solar	S	S	S	S	S	S
Accessory use ground-mounted solar	S	S	S	S	S	S
Rooftop solar	P	P	P	P	P	S

P = Permitted

S = Special Use

Blank Cell = Prohibited

10-10-7: RESTRICTIONS ON SOLAR ENERGY SYSTEMS LIMITED:

Consistent with the Homeowners' Energy Policy Statement Act (765 ILCS 165/1, *et seq.*), no homeowners' agreement, covenant, common interest community, or other contract between multiple property owners within a subdivision of the Village shall prohibit or restrict homeowners from installing solar energy systems. No energy policy statement enacted by a common interest community shall be more restrictive than the Village's solar energy standards.

10-10-8: RENEWABLE ENERGY CONDITION FOR CERTAIN PERMITS:

A. Condition for Planned Unit Development (PUD) Approval: The Village may require on-site renewable energy systems, zero-net-energy (ZNE) or zero-net-carbon (ZNC) building designs, solarsynchronized electric vehicle charging or other clean energy systems as a condition for approval of a PUD permit to mitigate for the following:

1. Impacts on the performance of the electric distribution system.
2. Increased local emissions of greenhouse gases associated with the proposal.
3. Need for electric vehicle charging infrastructure to offset transportation-related emissions for trips generated by the new development.

4. Other impacts of the proposed development that are inconsistent with this chapter and the Village's Comprehensive Plan, if one is adopted.

B. Condition for Special Use Permit: The Village may require on-site renewable energy systems or zero net energy construction as a condition for a rezoning or a special use permit.

10-10-9: SOLAR ROOF INCENTIVES:

The Village encourages incorporating on-site renewable energy system or zero net energy construction for new construction and redevelopment. The Village may require on-site renewable energy or zero-net energy construction when issuing a special use permit where the project has access to local energy resources, in order to ensure consistency with Village's Climate Action Plan.

- A. Density Bonus: Any application for subdivision of land in any zoning districts that will allow the development of at least 4 new lots of record may be allowed to increase the maximum number of lots by 10% or 1 lot, whichever is greater, provided all building and wastewater setbacks can be met with the increased density, if the applicant enters into a development agreement guaranteeing at least 3 kilowatts of PV for each new residence, new building, or new development that has a solar resource.
- B. Solar-Ready Buildings: The Village encourages builders to use solar-ready design in buildings. Buildings that have on file a completed U.S. EPA Renewable Energy Ready Home Solar Photovoltaic Checklist (or other approved solar-ready standard) and associated documentation will be certified as a Village of Broadview solar ready home. This designation will be included in the home's permit history.
- C. Solar Access Variance: When a developer or applicant requests a variance from the Village's subdivision solar access standards, the zoning administrator may grant an administrative exception from the solar access standards provided the applicant meets the conditions of 1 and 2 below:
 1. Solar Access Lots Identified: At least 25% of the lots are identified as solar development lots.
 2. Covenant Assigned: Solar access lots are assigned a covenant that homes built upon these lots must include a solar energy system. Photovoltaic systems must be at least three (3) KW in capacity.
 3. Additional Fees Waived: The Village will waive any additional fees charged by the Village for filing of the covenant. The developer or applicant shall be responsible for all other fees and filing requirements to record this covenant with the Cook County Clerk's office or any other applicable offices.

ARTICLE III.
AUTHORIZATION, HEADINGS, SAVINGS CLAUSES, EFFECTIVE DATE

Section 11. Authorization.

The officers, employees and/or agents of the Village shall take all action necessary or reasonably required to carry out, give effect to and consummate the amendments contemplated by this Ordinance and shall take all action necessary in conformity therewith. The officers, employees and/or agents of the Village are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with this amendment.

Section 12. Headings.

The headings of the articles, sections, paragraphs and subparagraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 13. Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision of this Ordinance be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

Section 14. Effective Date.

This Ordinance shall be effective and in full force immediately upon passage and approval.

ADOPTED by the Village Board of the Village of Broadview, Cook County, Illinois on this 7 day of FEBRUARY 2022, pursuant to a roll call vote, as follows:

	YES	NO	ABSENT	PRESENT
Miller	✓			✓
Senior	✓			✓
Shelby	✓			✓
Armour	✓			✓
Abraham	✓			✓
Chao-Malave	✓			✓
(Mayor Thompson)				✓
TOTAL	6	0	0	7

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF BROADVIEW, COUNTY OF COOK, STATE OF ILLINOIS, THIS 7 DAY OF FEBRUARY 2022.

APPROVED,



VILLAGE PRESIDENT

ATTEST:



Village Clerk

Recorded in the Municipal Records:
Published in Pamphlet Form:

