

PZD-1a: Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development. Compile findings in a memo. (Required)

To assist your community, the national solar experts at SolSmart have conducted a review of your community’s zoning code to assess possible barriers (i.e. height restrictions, set-back requirements, etc.) and gaps related to solar PV development. Below, please find the outcome of their review. By reading the narrative, reviewing the example code language provided, and signing the statement at the bottom of the page, your community will satisfy PZD-1a and be one step closer to achieving SolSmart designation.

Potential barriers in current code language

Section(s)	Element	Reviewer Comments	Example(s) from other codes	Priority level
4.4-9.1.F	On-site energy use	This provision would disallow community solar or other large-scale solar energy systems, as the primary purpose of these systems is not on-site energy use.	Aurora could create multiple definitions for solar energy systems and retain this on-site provision for small-scale systems, while not requiring it for large-scale systems. Grow Solar - Local Government Solar Toolkit for Illinois (Model Solar Ordinance section, p. 17-18 in pdf)	Medium
4.4-9.4.A	Residential limitations to freestanding solar energy systems	Aurora allows for 100 sq. ft. of freestanding panels in single family residential zoning lots. This limitation would only allow for a small system - less than 2 kW - which may be too small to be useful and/or economically viable. Would the community consider removing or altering these requirements to pertain to the size of the primary use building footprint and/or setback distances?	Grow Solar - Local Government Solar Toolkit for Illinois (Model Solar Ordinance section, p. 20 in pdf)	Low
4.4-9.4.C	Clearance Minimum	By implementing a clearance minimum of 8 ft., and having a height maximum of 15 ft., Aurora is limiting the number of rows of panels on a freestanding solar array. This could reduce the size of a system and decrease installation viability. Would the community be willing to review this clearance requirement?	Grow Solar - Local Government Solar Toolkit for Illinois (Model Solar Ordinance section, p. 20 in pdf)	Low

5.8	Non-conforming use/structure	<p>It is unclear whether the addition of solar energy systems to non-conforming buildings/structures is allowed. Many municipalities require special permits for any alteration of property on these lots to ensure that the alteration does not exacerbate the adverse conditions created by the non-conforming use/structure. If the addition of solar is currently disallowed, would Aurora consider exempting solar from bans to alterations or allowing installations through a special permit in the cases when they would not exacerbate the conditions created by the non-conforming use?</p>	<p>Option A: Pre-Existing Non-Conforming Uses and Structures 1.1 Improvements that do not change the use or the basic exterior characteristics or appearance of the building or structure are allowed. Such improvements include but are not limited to the following:</p> <p>Installation or replacement of solar energy systems. (Massachusetts Dept. of Energy Resources, Model Zoning for the Regulation of Solar Energy)</p> <p>Option B: (3) Permitted accessory equipment. Rooftop photovoltaic solar systems shall be deemed permitted accessory equipment to [residential and commercial] conforming and nonconforming buildings and structures in all zoning categories. Nothing contained in this chapter, including design standards or guidelines included or referenced herein, shall be deemed to prohibit the installation of rooftop photovoltaic solar systems as accessory equipment to conforming and nonconforming buildings, including buildings containing nonconforming uses. (Broward County, FL, Zoning Ordinance)</p> <p>Massachusetts Executive Office of Energy and Environmental Affairs – Model Zoning for the Regulation of Solar Energy (p. 20-21)</p>	Low
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Potential gaps in current code language

Element	Reviewer Comments	Example(s) from other codes	Priority level
Definitions	Aurora uses a single, broad definition for solar energy systems that encompasses PV, solar thermal, and building integrated solar. Some communities provide multiple definitions to address various types of solar energy – based on characteristics such as system size and location. This allows for each type of system to be treated appropriately. Could Aurora’s Ordinance benefit from the inclusion of additional solar energy definitions, specifically for large-scale solar (solar farm/facility) or community solar (solar garden)?	<p>Grow Solar - Local Government Solar Toolkit for Illinois (Model Solar Ordinance section, p. 17-18 in pdf)</p> <p>Delaware Valley Regional Planning Commission – Renewable Energy Ordinance Framework (Section 2, p. 8-9)</p> <p>Massachusetts Executive Office of Energy and Environmental Affairs – Model Zoning for the Regulation of Solar Energy Systems (p. 2-3)</p>	Medium
Primary use solar	Does Aurora want to allow for large-scale/primary use solar arrays? If so, the Ordinance may benefit from an explicit pathway (i.e. conditional or special-use permits) for large-scale solar (such as community solar) in certain zoning districts.	<p>Grow Solar - Local Government Solar Toolkit for Illinois (Model Solar Ordinance section, p. 22 in pdf)</p> <p>Massachusetts Executive Office of Energy and Environmental Affairs – Model Zoning for the Regulation of Solar Energy Systems (p. 3-6)</p>	Medium

Additional notes

- Section 4.4-9.1.C: This inspection requirement may create additional, unnecessary costs for the community and/or the system owner. Who pays for these inspections? Is the goal of these inspections to determine whether a system is operable? If so, is there another method that may prove as effective?
- Section 4.4-9.5.D: Aurora provides height limitations for building-mounted solar energy systems. Do solar energy systems have to abide by zoning district height limitations? Or are they exempt from these district limitations as long as they adhere to the limitations provided in Section 4.4-9.5D?
- Aurora permits Alternative Energy Systems as accessory uses in all zoning districts without the requirement of a conditional or special use permit, if these systems meet certain guidelines. This appears to be responsive to SolSmart credit PZD-2.
- Aurora clarifies regulations for ground-mounted solar arrays, and this is responsive to SolSmart credit PZD-10b.

I, Alex Minnella, as PLANNER of CITY OF AURORA, ILLINOIS,
[Name] [Title] [Community] [State]

have received the zoning review and read its findings.

Signature Alex Minnella

Date November 17, 2017