

**AN ORDINANCE ADOPTING ZONING REGULATIONS ON SOLAR ENERGY SYSTEMS
TO BE PROVIDED IN TITLE 5 OF THE VILLAGE CODE**

WHEREAS, the Village of Barrington Hills (hereinafter the “Village”) is an Illinois home rule municipality pursuant to Article VII, Section 6, of the Illinois Constitution and is empowered by the Illinois Constitution to enact all constitutional ordinances, resolutions and motions and to exercise any power and perform any function pertaining to the Village’s local government and affairs, subject to any express limitation provided by the Illinois General Assembly in the manner provided in Article VII, Section 6 of the Illinois Constitution; and

WHEREAS, in furtherance of this authorization, the Village has adopted a zoning code, set forth in Title 5 Zoning Regulations of the Village’s Municipal Code to, among other purposes, effectuate the Village’s planning program and to regulate individual property use by establishing use districts, building site requirements, setback, density, parking and height regulations, and by specifying external impact standards for noise, smoke, odor, glare and vibration; and

WHEREAS, currently, the Village’s zoning code does not provide for regulations specifically applicable to solar energy systems and their installation and use on property within the Village; and

WHEREAS, given the recent rise of interest in the potential use of solar energy systems in the community, the Village’s Zoning Board of Appeals (ZBA) crafted regulations specifically applicable to solar energy systems and their installation and use on property within the Village, which regulations the ZBA submitted for Public Hearing; and

WHEREAS, Notice of Public Hearing with respect to the proposed solar energy systems was published in the Daily Herald Newspaper in the Village of Barrington Hills, as required by the Village Code and statutes of the State of Illinois; and

WHEREAS, pursuant to said Notice, the ZBA conducted a Public Hearing on the proposed solar energy systems regulations at a meeting held on July 21, 2025, and upon conclusion of the Public Hearing, the Zoning Board of Appeals voted 4-1 on a motion to recommend adoption of the proposed solar energy systems regulations, with minor modifications, attached hereto and incorporated herein as exhibit A; and

WHEREAS, the Zoning Board of Appeals has forwarded its findings and recommendation in regard to the proposed solar energy systems regulations to the Village Board, in the Findings and Recommendation, attached hereto and incorporated herein by reference as Exhibit B; and

WHEREAS, the President and Village Board of Trustees have considered the matter and have determined that the solar energy systems regulations, as recommend for approval by the ZBA attached hereto as Exhibit A, are in the public interest; promote and protect the public health, safety, morals, convenience and general welfare of the public; and that the recommended regulations be approved.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, a home rule community located in Cook, Lake, Kane and McHenry Counties, Illinois, duly assembled at a regular meeting, as follows:

SECTION ONE: That the forgoing recitals are hereby incorporated by reference as if fully set forth herein.

SECTION TWO: That Title 5, Chapter 2, section 5-2-1 of the Village Code shall be amended to add the definitions set forth in Exhibit A and that Title 5, Chapter 3 of the Village Code shall be amended to add section 5-3-14, as set forth in Exhibit A.

SECTION THREE: That all other ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance, are, to the extent of such conflict, expressly repealed.

SECTION FOUR: That this Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

PASSED AND APPROVED by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 29th day of September, 2025.

Ayes: 4 (Clarke, Hoffmann, Ekstrom, Riff)
Nays: 0
Absent: 2 (Vacancy, Strauss)

APPROVED:



Village President

ATTEST:



Village Clerk

EXHIBIT A

5-2-1 Definitions (Additions to existing code)

ACTIVE 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.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM: 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 a 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.

GROUND MOUNT: A solar energy system on a rack or pole that rests on or is attached to the ground not to exceed the permitted floor area ratio for accessory buildings as provided in section 5-5-10-3 of the Village Code.

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

ROOF MOUNT: A solar energy system mounted on a rack fastened onto a roof.

SOLAR ENERGY SYSTEM: A system that uses the power of the sun to capture, distribute, and/or store energy for on-site consumption of utility power within a principal or accessory structure.

SOLAR ENERGY SYSTEM, PRIVATE: A collection of one (1) or more solar collectors designed for use by the occupant(s) of the zoning lot on which said system is located; excess power generation is limited to net metering or similar technology with regulations set by the local power utility, community, county and state. Private solar energy system equipment shall conform to applicable industry standards, and applicants for building permits for private solar energy systems shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.

SOLAR FARM: A commercial facility that converts sunlight into electricity, whether by photovoltaic, concentrating solar thermal devices, or other conversation technology, for the primary purpose of wholesale sales of generated electricity.

5-3-14 SOLAR ENERGY SYSTEM REGULATIONS

A. Purposes: The purpose of this section is to preserve the health, safety, and welfare of the Village by promoting the safe, effective, and efficient use of solar energy systems. For such purposes, this section:

1. Establishes zoning regulations relative to the installation and operation of solar energy systems permitted to be installed within the Village.
2. Accommodates sustainable energy production from a renewable energy source.
3. Preserves the character and aesthetics of the Village's zoning districts to maintain property values and promote the public health, safety, and welfare of Village residents and businesses.

B. Permitted Accessory Use: Solar energy systems, private, non-ground mount, as defined herein, are permitted accessory uses in all zoning districts where structures of any sort are allowed, subject to the requirements set forth in this section.

C. General Requirements: The requirements set forth in this section shall govern the Solar Energy Systems that may be installed within the Village. The provisions of this section are intended to establish zoning regulations for Solar Energy Systems that may be installed in the Village.

1. Use: A Solar Energy System shall be an accessory to the principal permitted use of zoning lot.
2. Approval: Any approval granted for a Solar Energy System shall not, under the provisions of this section, be construed to prevent ordinary or permitted building, landscaping, or other accessory improvements on any adjacent properties.

D. Permitting and Installation:

1. A building permit is required to be obtained from the Village prior to the commencement of any construction activity relative to the installation of any Solar Energy System.
2. The owner of a Solar Energy System shall ensure that it is installed and maintained in good condition and in compliance with all applicable provisions of the Village code and the laws, statutes, codes, and regulations enforced by any State or Federal agency of competent jurisdiction.
3. All wiring associated with a Solar Energy System shall be underground or contained within a raceway that complements the building materials of the principal structure.
4. Interconnection: Energy produced by a Solar Energy System shall be utilized on-site, subject to legal provisions that allow the sale of excess energy back to the electric grid.
5. Illumination of a Solar Energy System shall be prohibited, except to accommodate co-installation of parking lot lighting luminaries, where applicable.
6. Signage: Other than safety signage, no commercial signage or attention-getting device is permitted on any Solar Energy System.
7. Special Accessory Use: Solar energy systems, private, ground-mounted, as defined herein are special accessory uses in all zoning districts where structures of any sort are allowed, subject to the requirements set forth in this section and subject to the special use standards and approval procedures set forth in section 5-10-7 of the Village Code, including but not limited to the imposition of conditions of use. Such conditions on use may include a further reduction in the floor area ratio for a ground-mounted solar energy system less than the permitted floor area ratio for accessory buildings as provided in section 5-5-10-3 of the Village Code.
8. Solar Farms: Not allowed in any zoning district of the Village.
9. Height:
 - a. Roof-Mounted Solar Energy System:

- (i) When installed on a flat roof, a Roof-Mounted Solar Energy System shall not exceed a maximum height of six feet (6') as measured from the roof surface of the building on which the system will be mounted to the highest point of the system as installed.
- (ii) When installed on a pitched roof, a Roof-Mounted Solar Energy System shall be mounted parallel to the pitch of the roof and not extend more than one (1) foot off the roof surface.

10. Setback:

- a. Roof-mounted Solar Energy Systems shall not extend beyond the exterior perimeter of the building on which the system is mounted.
- b. All Solar Energy Systems authorized in this section shall conform to all applicable setback requirements in the Village Code.

11. Maximum Sizing: A Solar Energy System shall be designed not to exceed 10 kilowatt hours (kw). At the discretion of the Building Official, said System may exceed 10kw if it is shown that the electrical demand for the subject property requires the additional capacity.

11-12. Glare: Installation of a Solar Energy System shall be designed to mitigate glare onto adjacent properties. At the discretion of the Building Official, a solar system glare study may be required and the use of anti-reflective coatings, re-orientation of panels, and other measures may be required to ensure compliance.

E. Energy System Removal:

- 1. All energy systems are required to be properly removed after they have reached the end of their useful life, when damaged beyond repair, or similar conditions. Full removal is required, including structures, equipment, foundation etc.
- 2. A separate permit from the Building Department is required for removal.

F. Violations: Any violation of this section, or any provision thereof, shall be subject to the General Penalty provisions of Title 1, Chapter 4, Section 1-4-1 of the Village Code.

EXHIBIT B

July 25, 2025

To: President and Board of Trustees
Village of Barrington Hills

RE: ZBA Application for Text Amendment
Solar Energy System Regulations

This is to advise you that a public hearing of the Zoning Board of Appeals (“ZBA”) was held on July 21, 2025, where a quorum was present, for purpose of the ZBA’s consideration of its own Application for proposed solar energy systems regulations for inclusion in the Village’s Zoning Code.

Notice of the hearing was published in a timely manner in the Daily Herald as well as posted in the Village Hall as part of the agenda for the July 21, 2025 meeting.

Information relative to the Application and the specific text amendments was presented by Doug Pollock, Temporary Director of Administration, with legal comment provided by Village Attorney Sean Conway.

FACTS

Administrator Pollock testified to the notice provided for hearing. Attorney Sean Conway provided the ZBA procedural history on the proposed solar energy systems regulations and provided the ZBA and general public an overview of the proposed regulations. Specifically, Attorney Conway explained that the current proposed regulations sought to allow ground mounted solar energy systems only by special use, as opposed to by right, in contrast to the prior proposed regulations, which were not accepted by the Village Board.

After a call for testimony from members of the Public, none was had.

FINDINGS

After having examined the facts as presented, and taking into consideration the testimony set forth during the public hearing, the ZBA discussed the proposed solar energy systems regulations, and with minor modifications the ZBA determined that the proposed solar energy systems regulations were in the public interest and not solely in the interest of the Applicant.

RECOMMENDATION

The ZBA voted 4-1 (2 members absent) to recommend that the Village Board approve the proposed solar energy regulations for inclusion in the Village Zoning Code, as shown in Exhibit A of the Ordinance.

Respectfully submitted,

/s/ Daniel Wolfgram

Chairman
Zoning Board of Appeals
Village of Barrington Hills