

ORDINANCE NO: 2052

AN ORDINANCE REGARDING SOLAR AND WIND ACCESS PERMITS

WHEREAS, the Wisconsin legislature has set standards for the regulation of both solar and wind energy systems as set forth in Wis. Stat. § 66.0401, and for regulation of wind energy systems specifically in Wisconsin Administrative Code Chapter PSC 128; and

WHEREAS, a municipality's consideration of an application for a conditional use permit for solar or wind energy systems must be in conformity with the restrictions set forth in Wis. Stats. § 66.0401(1m) and Wisconsin Administrative Code Chapter PSC 128.

Now, therefore, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County Wisconsin held on the 17th day of February, 2015, a quorum being present and a majority of the Board voting therefore said Board does ordain as follows:

SECTION 1

That Article V, "Conditional Uses," of Chapter 535, "Zoning," of the General Ordinances of the Village of Shorewood may be amended and supplemented such that:

Section 535-24(F) is created to read as follows:

"(F) Applications for approval to construct a wind energy system as defined in Section 535-30 (C)(2)(a) below shall conform to the requirements contained in Wisconsin Administrative Code sections PSC 128.30(1)-(5) (Current through Administrative Register, December 2014, No. 708) and as hereinafter amended, which are hereby incorporated by reference and made a part hereof as if fully set forth herein. As a condition for approval, the application must contain all information, studies, agreements, permits, and reports referenced in PSC 128.33 (Current through Administrative Register, December 2014, No. 708) and as hereinafter amended, which is hereby incorporated by reference and made a part hereof as if fully set forth herein."

SECTION 2

That Article V, "Conditional Uses," of Chapter 535, "Zoning," of the General Ordinances of the Village of Shorewood may be amended and supplemented such that:

The title of Section 535-30 is amended to read: "Architectural Projections, Special Structures, and Solar and Wind Energy Systems."

SECTION 3

That Section 535-30(C) of Article V, "Conditional Uses," of Chapter 535, "Zoning," of the General Ordinances of the Village of Shorewood is created to read as follows:

“§ 535-30(C) Conditional Use Permits for Solar and Wind Energy Systems.

(1) Installation and use of a “wind energy system” or a “solar energy system” shall be a conditional use in all districts. The Village Plan Commission may authorize the Planning and Development Department to issue a conditional use permit for solar or wind energy systems after review and a public hearing. Any restriction placed on a solar or wind energy system by the Plan Commission is subject to the limitations found in this section. The review and approval criteria set forth in this subsection shall apply to solar and wind energy systems.

(2) “Definitions.”

(a) A “wind energy system” means equipment and associated facilities that convert and then store or transfer energy from the wind into usable forms of energy.

(b) A “solar energy system” means equipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy.

(3) Authority to Restrict Systems Limited.

(a) The Village Plan Commission shall review any proposed wind energy system and may approve the system if the applicant meets the owner requirements for a wind energy system as set forth in Wisconsin Administrative Code sections PSC 128.10-19 (Current through Administrative Register, December 2014, No. 708) and as hereinafter amended, which are hereby incorporated by reference and made a part hereof as if fully set forth herein.

(b) The Village Plan Commission shall review any proposed solar or wind energy system and may only restrict the system if the restriction satisfies one of the following conditions:

- (i) Serves to preserve or protect the public health or safety.
- (i) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (ii) Allows for an alternative system of comparable cost and efficiency.”

SECTION 4

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

SECTION 5

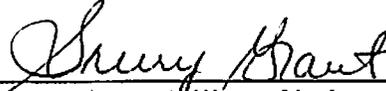
That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 17th day of February, 2015.



Guy Johnson, Village President

Countersigned:



Sherry Grant, Village Clerk