



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda
City Hall – 1115 Broadway
April 5, 2023 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the November 2, 2022 Regular Meeting Minutes
4. Public Comment Section
Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.
5. Public Hearings and Items Listed on the Agenda
Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.
6. New Business
 - a) Heaterz Developments LLC (1500 Main Street, Alton, IL 62002), on behalf of Pool 6 Properties LLC (7777 Bonhomme Ave., Suite 1700, St. Louis, MO 63105), is requesting a Special Use Permit for a drive-through establishment at 12547 State Route 143. PIN# 02-2-18-29-03-301-002
 - b) The City of Highland (1115 Broadway) is requesting a text amendment to Table 3.1.C of the Municipal Code to allow for “ground mounted solar energy systems” as a special accessory use within the C-3 and Industrial zoning districts.
 - c) The City of Highland (1115 Broadway) is requesting a text amendment to Section 90-217 of the Municipal Code to create supplemental regulations for ground mounted solar energy systems.
7. Calendar
 - a. May 3, 2023– Combined Planning and Zoning Board Meeting
 - b. Adjournment

Citizens may attend in person or monitor the meeting by phone. To monitor the meeting, call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to highlandzoning@highlandil.gov or submit it through our Citizen Request portal on our website by 4pm on April 5, 2023.

Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Vazquez, ADA Coordinator, at 618-654-9891.

**HIGHLAND, ILLINOIS
MINUTES OF REGULAR SESSION
COMBINED PLANNING & ZONING BOARD
CITY HALL, 1115 BROADWAY
WEDNESDAY, NOVEMBER 2, 2022
7:00 PM**

Call to Order:

The November 2, 2022, meeting of the Combined Planning & Zoning Board was called to order at 7:00 PM by Chairman Anthony Walker.

Roll Call:

Members present: Chairman Anthony Walker, Deanna Harlan, Bill Koehnemann, Brad Korte, Shirley Lodes, Alan Stoecklin, and Robert Vance.

Members absent: None

Also present: Scott Hanson of Crawford, Murphy, & Tilly, representing the Director of Community Development; City Attorney Michael McGinley; Economic Development Coordinator Mallord Hubbard; Deputy City Clerk Lana Hediger; and, seven members of the public.

Approval of Minutes:

Korte made a motion to approve the minutes of the October 5, 2022, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Harlan. Harlan, Koehnemann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

Public Comments Relating to Items Not on the Agenda:

There were none; and, no written comments were submitted by email or other means.

Public Hearing Procedures:

Chairman Walker reviewed the procedures for testifying on any items on this agenda during the hearings and offered to swear-in members of the public wishing to testify on any issue listed on the agenda. One person took the oath.

New Business:

- a. **Property owner, MRE Portfolio One, LLC (6538 W. Dakin St., Chicago, IL 60634) is requesting to rezone unaddressed property located on the north side of U.S. 40, approximately one-quarter mile east of the intersection of U.S. 40 and IL Route 143 (PIN#02-1-18-32-02-202-006) from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District following annexation into the city.**

Mr. Hanson reviewed a prepared Power Point presentation, summarizing this request, as follows:

- MRE Portfolio One, LLC, is the applicant and the property owner of the subject property located on the north side of U.S. Hwy 40, ¼ mile east of U.S. Hwy 40 and IL State Route 143.
- The purpose of the request is to rezone the unaddressed property on the north side of U.S. Hwy 40, ¼ mile east of U.S. Hwy 40 and IL State Route 143 from R-1-C Single-family Residential to C-3 Highway Business District, following annexation (PIN #02-1-18-32-02-202-006).

Consideration regarding the Comprehensive Plan and Future Land Use Map:

Most of the property is denoted as Multi-Family on the Future Land Use Map, with a portion in the NE corner shown as Commercial. If the rezoning is approved, the entirety of this parcel is be recommended to be reclassified marked as "Commercial" on the Future Land Use Map to match the surrounding parcels to the east and west.

Findings of Fact based on standards of review with regard to this request include:

1. The property is in unincorporated Madison County and is currently vacant/undeveloped. Pending annexation into Highland, the property will be zoned R-1-C Single-Family Residential (annexation zoning). The applicant is seeking an immediate rezoning to C-3 at the same City Council meeting as the annexation occurs.
2. The properties to the north are residential (zoned R-1-A, Single-family Residential), and the Highland High School (zoned C-3, Highway Business); properties to the south and east are commercial (zoned C-3, Highway Business); and, the properties to the west are commercial (zoned C-2 Central Business, and, C-3 Highway Business).
3. The proposed map amendment will not have a negative impact on nearby properties.
4. The parcel is currently vacant and is adjacent to existing commercial uses. The C-3 zoning designation is suitable at this location.
5. The property is suitable for highway commercial uses.
6. The proposed zoning is consistent with the character of the area. While the area consists of both residential commercial zoning to the north, commercial zoning exists in all other directions. There is an established commercial presence along the U.S. 40 street frontage.
7. While the proposed commercial zoning differs from the multi-family residential designation found on the Future Land Use Map in the Comprehensive Plan, the site remains highly suitable for commercial development. The Future Land Use map would need to be appropriately updated.
8. Due to excellent access to U.S. 40 and IL Route 160, there would be no significant effect on public services or traffic circulation on nearby streets.
9. The map amendment would promote the health, safety, quality of life, comfort, and general welfare of the City.

Staff Discussion and Recommendation:

This rezoning of this 42 acre parcel would allow for a vacant parcel adjacent to existing commercial uses to be utilized for additional commercial uses.

The rezoning would be contingent on the parcel being annexed into the City of Highland. Staff has no concerns.

The Public Hearing on this issue was opened:

The applicant was not present.

No comments were offered by anyone in person.

Harlan asked about a tree buffer, if one would be present btw this property and the HHS. City Attorney McGinley stated that there are no plans yet, but he believes that would be the prime location on this property for a detention/retention pond. Shirley Lodes spoke a bit about the drainage associated with this property. Harlan noted her concern was about something undesirable abutting the HHS property.

There were no comments submitted via phone or email.

The public hearing on this issue was closed.

Harlan made a motion to recommend approval of MRE Portfolio, LLC's request to rezone the unaddressed property on the north side of U.S. Hwy 40, approximately one quarter mile east of the intersection of U.S. Hwy 40 and IL State Route 143 from R-1-C Single-family Residential to C-3 Highway Business District, pending annexation of property into the city; seconded by Koehnemann.

With no board comment, the vote was taken by roll call. Harlan, Koehnemann, Korte, Lodes, Vance, and Walker voted aye; Stoecklin abstained; none voted no. The motion carried.

- b. It has been requested, by the property owner, John A. Gantner, that 12443 State Route 143 (Parcel ID #02-1-18-29-17-301-003.001) be rezoned from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city. The subject parcel is located on the north side of IL State Route 143, approximately 650 feet west of the intersection of Cally Lane and IL Route 143.
- c. Trustees of the John L. and Elvina Gantner Trust, property owner, have requested that 12449 State Route 143 (Parcel ID #02-1-18-29-17-301-003) be rezoned from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city. The subject parcel is located on the north side of IL State Route 143, approximately 500 feet west of the intersection of Cally Lane and IL Route 143.

Mr. Hanson reviewed a prepared Power Point presentation, summarizing the requests identified on the agenda as "New Business, Items b. and c.", combined, as follows:

- The John L. and Elvina Gantner Trust, owner of property identified as 12443 IL State Route 143; and, John A. Gantner, owner of property identified as 12449, are the applicants.
- These two adjacent parcels are not currently located within city limits.
- These two adjacent parcels are located on the north side of IL State Route 143, 400 feet and 600 feet west of Cally Lane.
- The purpose of the request is to rezone the two adjacent parcels (12443 and 12449 IL State Route 143) from R-1-C Single-Family Residential (annexation zoning), to C-3 Highway Business District, after they have been annexed to the city.

Consideration regarding the Comprehensive Plan and Future Land Use Map:

The subject properties are both denoted as "Commercial" on the Comprehensive Plan's Future Land Use Map.

Findings of Fact based on standards of review with regard to this request include:

1. The properties are in unincorporated Madison County, and both have a single-family home. In addition to the single-family home on 12449 IL State Route 143, there is a significant amount of vacant, undeveloped land. Upon annexation into the City of Highland, the property will be zoned R-1-C Single-Family Residential (annexation zoning).
2. The property to the north of the subject property is undeveloped and zoned C-3 Highway Business District; properties to the south are a mix of residential and commercial, and are zoned R-1-C, R-3, and C-2; the property to the East is commercial, and is zoned C-3; and, to the west the properties are residential and are in unincorporated Madison County.
3. The proposed amendment will not have a negative impact on nearby properties. The area is trending toward commercial uses in a manner consistent with the Future Land Use Map.
4. The parcels currently have single-family homes and are adjacent to existing commercial uses.
5. The property is suitable for highway business use (C-3).
6. The proposed zoning is consistent with the character of the area. This area contains both residential and commercial zoning, but the lots that front on IL State Route 143 are suitable for commercial development.
7. The proposed map amendment adheres to the city's Comprehensive Plan and the Future Land Use map.
8. There would be no significant effect on public services or traffic circulation on nearby streets.
9. This amendment would promote the health, safety, quality of life, comfort and general welfare of the city.

Staff Discussion and Recommendation:

This rezoning would allow for two parcels adjacent to existing commercial uses to be utilized for additional commercial uses. The rezoning would be contingent on the parcels being annexed into the City of Highland. Staff has no concerns.

The Public Hearing for Items B. and C. was opened:

The applicant had no comments.

There were no comments submitted via phone or email.

Dave Kunkel, with Kunkel Commercial Group, was asked to list this property for the owners. They believe that rezoning it to C-3 and getting it added to the city's existing business district will make it more attractive to a commercial developer.

Jana Beckman, resident of Holiday Manor Subdivision, having not taken the oath at the beginning of the meeting, took the oath, administered by Chairman Walker, and stated that she is concerned about the farmland behind this property. She stated that she is speaking for the residents of the Holiday Manor subdivision that do not want that farmland to be developed.

Mr. Hanson stated that staff has no objection to the rezoning to C-3.

Korte noted that the farmland, to which Ms. Beckman was referring, is already inside city limits and zoned commercial.

The public hearing on these two items (b. and c.) was closed.

b.)

Vance made a motion to recommend approval of John A. Gantner's request to rezone 12443 State Route 143 from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city (PIN #02-1-18-29-17-301-003.001); seconded by Korte.

Chairman Walker reiterated that nobody knows what might go here, as there is no plan at this time.

With no board comment, the vote was taken by roll call. Harlan, Koehnmann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

c.)

Koehnmann made a motion to recommend approval of the request to rezone 12449 State Route 143, submitted by the John L. and Elvina Gantner Trust, from R-1-C Single-Family Residential (annexation zoning) to C-3 Highway Business District, following annexation into the city (PIN#02-1-18-29-17-301-003); seconded by Korte.

With no board comment, the vote was taken by roll call. Harlan, Koehnmann, Korte, Lodes, Stoecklin, Vance, and Walker voted aye; none voted no. The motion carried.

Next Meeting:

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, December 7, 2022.

Adjournment:

Korte made a motion to adjourn; seconded by Harlan. Chairman Walker announced that the meeting was adjourned at 7:31 PM.



City of Highland Building and Zoning

Meeting Date: April 5, 2023

From: Breann Vazquez, Director of Community Development

Location: 12547 State Route 143, Suite A

Zoning Request: Special Use Permit

Description: SUP to allow for a drive-through

Proposal Summary

The applicant of this case is Heaterz Developments LLC on behalf of property owner Pool 6 Properties LLC. The applicant of this case is requesting the following Special Use Permit to comply with Table 3.1 of Section 90-201 of the City of Highland Municipal Code (hereafter known as the “zoning matrix”):

Heaterz Developments LLC (1500 Main Street, Alton, IL 62002), on behalf of Pool 6 Properties LLC (7777 Bonhomme Ave., Suite 1700, St. Louis, MO 63105), is requesting a Special Use Permit for a drive-through establishment at 12547 State Route 143. PIN# 02-2-18-29-03-301-002

The zoning matrix identifies “drive-through establishment” as a Special Use within the C-3 highway business district.

Comprehensive Plan Consideration

The subject property is denoted as commercial on the Comprehensive Plan’s Future Land Use Map. A drive-through establishment is an appropriate Special Use for the commercial area.

Surrounding Uses

Direction	Land Use	Zoning
North	Walmart Supercenter	C-3
South	Commercial Strip Center	C-3
East	Vacant Land (owned by Walmart)	C-3
West	Regions Bank	C-3

Standards of Review for Special Use Permits

Below are the six (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or Special Use is consistent with the City's Comprehensive Plan;

The proposed Special Use is consistent with the Comprehensive Plan.



City of Highland Building and Zoning

2. The effect the proposed amendment or Special Use would have on public utilities and on traffic circulation;

The proposed Special Use would not have an adverse effect on public utilities. There will not be a new point of ingress/egress introduced on a public roadway.

3. Whether the proposed design, location and manner of operation of the proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment;

The proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment.

4. The effect the proposed Special Use would have on the value of neighboring property and on this City's overall tax base;

The proposed Special Use will not have a detrimental impact on the value of neighboring property or on the City's overall tax base.

5. The effect the proposed Special Use would have on public utilities; and

The proposed Special Use will utilize public utilities.

6. Whether there are any facilities near the proposed Special Use, such as schools or hospitals that require special protection.

There are no facilities nearby that require special protection.

Staff Discussion

A drive-through chicken restaurant would provide an additional casual dining option for the community. City staff is waiving the need for a traffic study as allowed in Section 90-206.5 given that there will be no new points of ingress/egress and any traffic will be on private drives. Staff has no concerns and recommends approval of the special use permit.



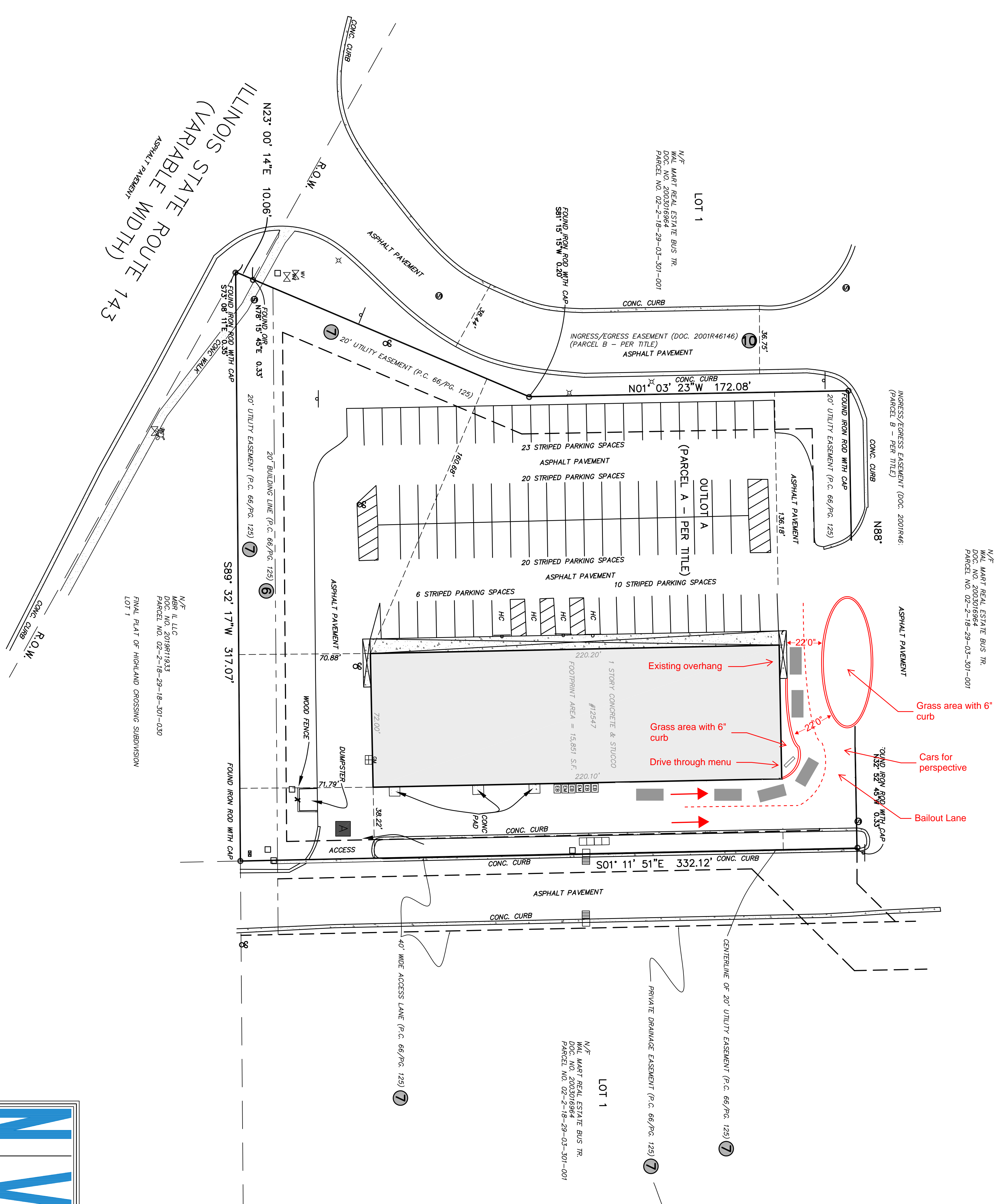
City of Highland
Building and Zoning

Aerial Photograph



Site Photos





N/E
MIL MART REAL ESTATE BUS TR.
DOC. NO. 2003016964
PARCEL NO. 02-2-18-29-03-301-001

LOT 1

INGRESS/EGRESS EASEMENT (DOC. 2001R46146)
(PARCEL B - PER TITLE)

ASPHALT PAVEMENT

Grass area with 6" curb
Cars for perspective
Bailout Lane

N/E
MIL MART REAL ESTATE BUS TR.
DOC. NO. 2003016964
PARCEL NO. 02-2-18-29-03-301-001

LOT 1

INGRESS/EGRESS EASEMENT (DOC. 2001R46146)
(PARCEL B - PER TITLE)

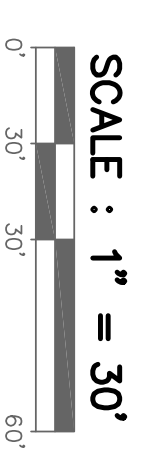
N/E
MIL MART REAL ESTATE BUS TR.
DOC. NO. 2003016964
PARCEL NO. 02-2-18-29-03-301-001

LOT 1

PRIVATE DRAINAGE EASEMENT (P.C. 66/P.C. 125)

ILLINOIS STATE ROUTE 143
(VARIABLE WIDTH)

N/E
MIRI II, LLC
DOC. NO. 2019R11933
PARCEL NO. 02-2-18-29-18-301-030
FINAL PLAT OF HIGHLAND CROSSING SUBDIVISION
LOT 1



SHEET 2 OF 2

NVS
SURVEY • ZONING • ENVIRONMENTAL • ASSESSMENT

ALTA/CASM LAND TITLE SURVEY
PREPARED FOR
SPRING 2021 PORTFOLIO
DATE OF FIELD SURVEY: APRIL 26, 2021
NETWORK PROJECT NUMBER: 202101227-008_CAS
1-(800)-SURVEYS (787-8397)
TRANSACTION SERVICES
www.docskindlink.com myweb@docskindlink.com www.nvs.com

EXHIBIT "A"
Special Use Permit Application

Return Form To:

Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-9891
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: _____
Filing Fee: _____
Date Paid: _____
Date Advertised: _____
Date Notices Sent: _____
Public Hearing Date: _____
Zoning File #: _____

X APPLICANT INFORMATION:

Applicant: Heaterz Developments LLC Phone: 618 570 9758
Address: 1509 Main St Alton IL Zip: 62002
Email Address: daniel.e.king@outlook.com
Owner: Pool 6 Properties LLC XPhone: 636-200-2868
Address: 7777 Bonhomme Ave, Suite 1700, St. Louis, MO Zip: 63105
X Email Address: anthony@mrp6stl.com

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 12547 State Route 143, Suite A; PIN# 02-2-18-29-03-301-002

Property is Located In (Legal Description): attached

Present Zoning Classification: C-3 Acreage: 2.0

Present Use of Property: Commercial office

Proposed Land Use: Drive-thru restaurant

Description of proposed use and reasons for seeking a special use permit:
A drive-thru restaurant requires a Special Use Permit within the C-3 zoning district.

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Walmart Supercenter</u>	<u>C-3</u>
South	<u>Commercial Strip Center</u>	<u>C-3</u>
East	<u>Vacant Land (owned by Walmart)</u>	<u>C-3</u>
West	<u>Regions Bank</u>	<u>C-3</u>

Should this special use be valid only for a specific time period? Yes _____ No X


If Yes, what length of time? N/A

<i>Does the proposed Special Use Permit meet the following standards? If not, attach a separate sheet explaining why.</i>	Yes	No
A. Will the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;	<u>X</u>	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	<u>X</u>	
C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;	<u>X</u>	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	<u>X</u>	
E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?	<u>X</u>	

X **THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:**

- One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
- not needed* X A current plat, site plan, survey, or other professional illustration.
- One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
- Application fee.
- Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc). - *site plan*

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

X 
Applicant's Signature

X 3/2/23
Date

March 2nd, 2023

To: Economic and Community Development Building and Zoning Division

Heaterz Developments LLC (DBA Heaterz Hot Chicken) is requesting the addition of a drive-thru to the building listed on the application. The request is for one drive-thru lane with a bailout lane. The purpose of the drive-thru is to add accessibility and convenience to customers. Traffic conditions should not be impacted by the change and the drive-thru will be fully constructed on the landlord's property.

Heaterz is a local company founded in Alton, IL with a second location in Kirkwood, MO and soon in Wood River, IL. Heaterz has won awards from Best Chicken Sandwich, to Favorite Lunch Spot and ranked in the top 3 chicken sandwiches in St. Louis. We are excited for the opportunity to bring our brand to Highland and believe our company will provide new jobs, an exciting and unique concept, and a mutually beneficial relationship for years ahead. We provide first-responders with free meals, participate in a community give-back campaigns, and look to support local/schools and athletics.

Thank you for your time and consideration.



Daniel King

MRP CAPITAL GROUP

City of Highland
2610 Plaza Drive
Highland, IL 62249

March 9, 2023

RE: Special Use Permit Application – 12547 State Route 143 (the “Property”)

To whom, it may concern,

The undersigned, Joseph McClary, is the Manager of Pool 6 Properties, LLC (“Owner”), the owner of the Property. Heaterz Developments, LLC (“Heaterz”), has or will be filing an application for a Special Use Permit for the Property with the City of Highland (the “City”). Please accept this correspondence as confirmation that we have authorized Heaterz to submit said application on our behalf.

Sincerely,

Pool 6 Properties, LLC

By:




Joseph McClary, Manager

STATE OF MISSOURI)
)
COUNTY OF ST. LOUIS)

On this 9 day of March, 2023, before me personally appeared Joseph McClary, the Manager of Pool 6 Properties, LLC, a Delaware limited liability company, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, and acknowledged that he signed and delivered the said instrument as his free and voluntary act, and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

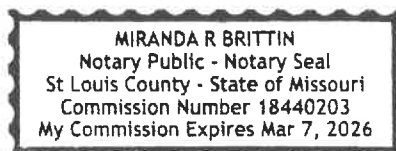
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal in the County and State aforesaid, the day and year first above written.



Notary Public

My Commission Expires:

March 7, 2026

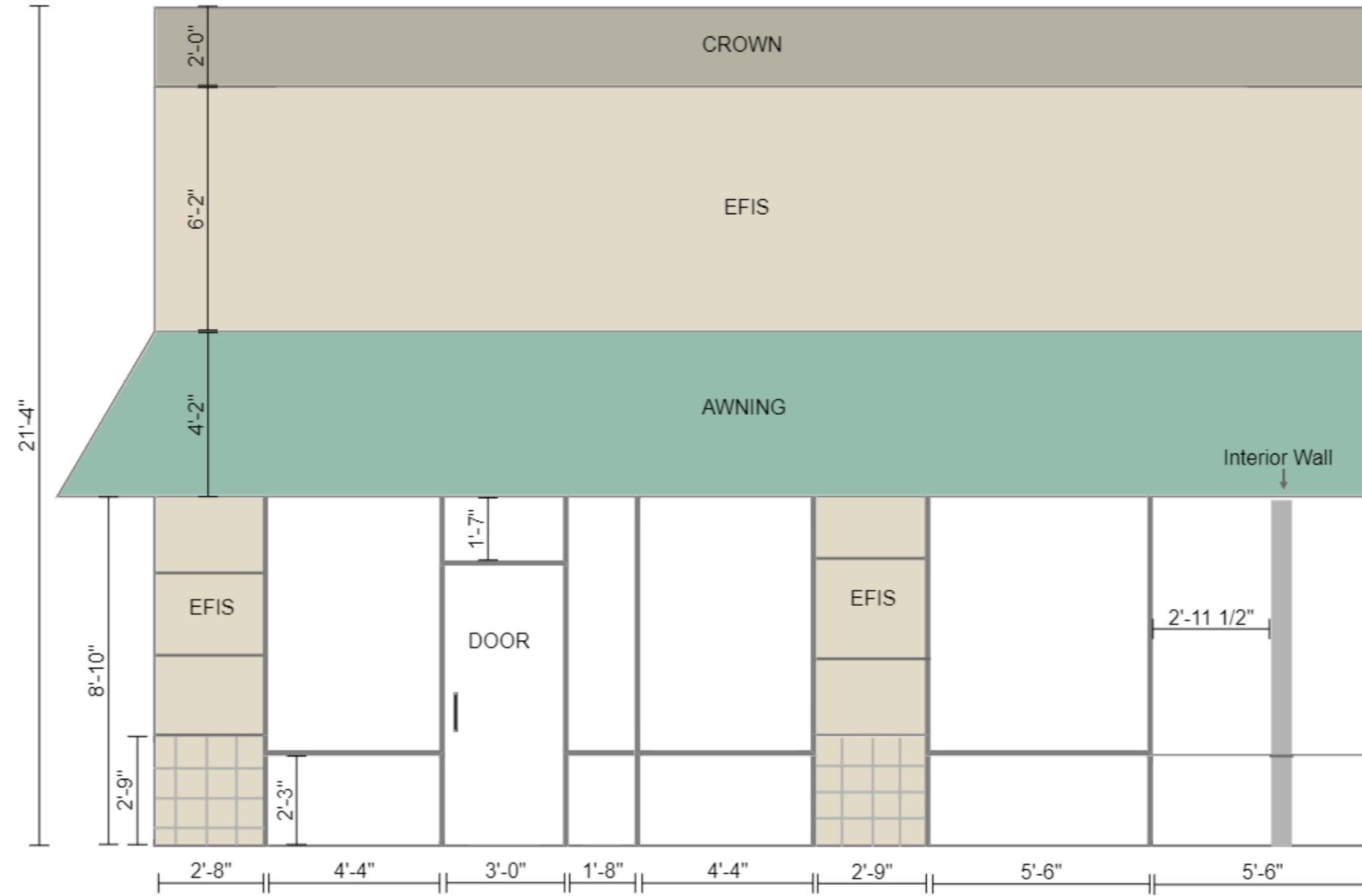


HIGHLAND SHOPPING CENTER

12547 IL - 143, Highland, IL

UNIT 110

FRONT ELEVATION



MRP CAPITAL GROUP

7777 Bonhomme, Suite 1700
St. Louis, MO 63105

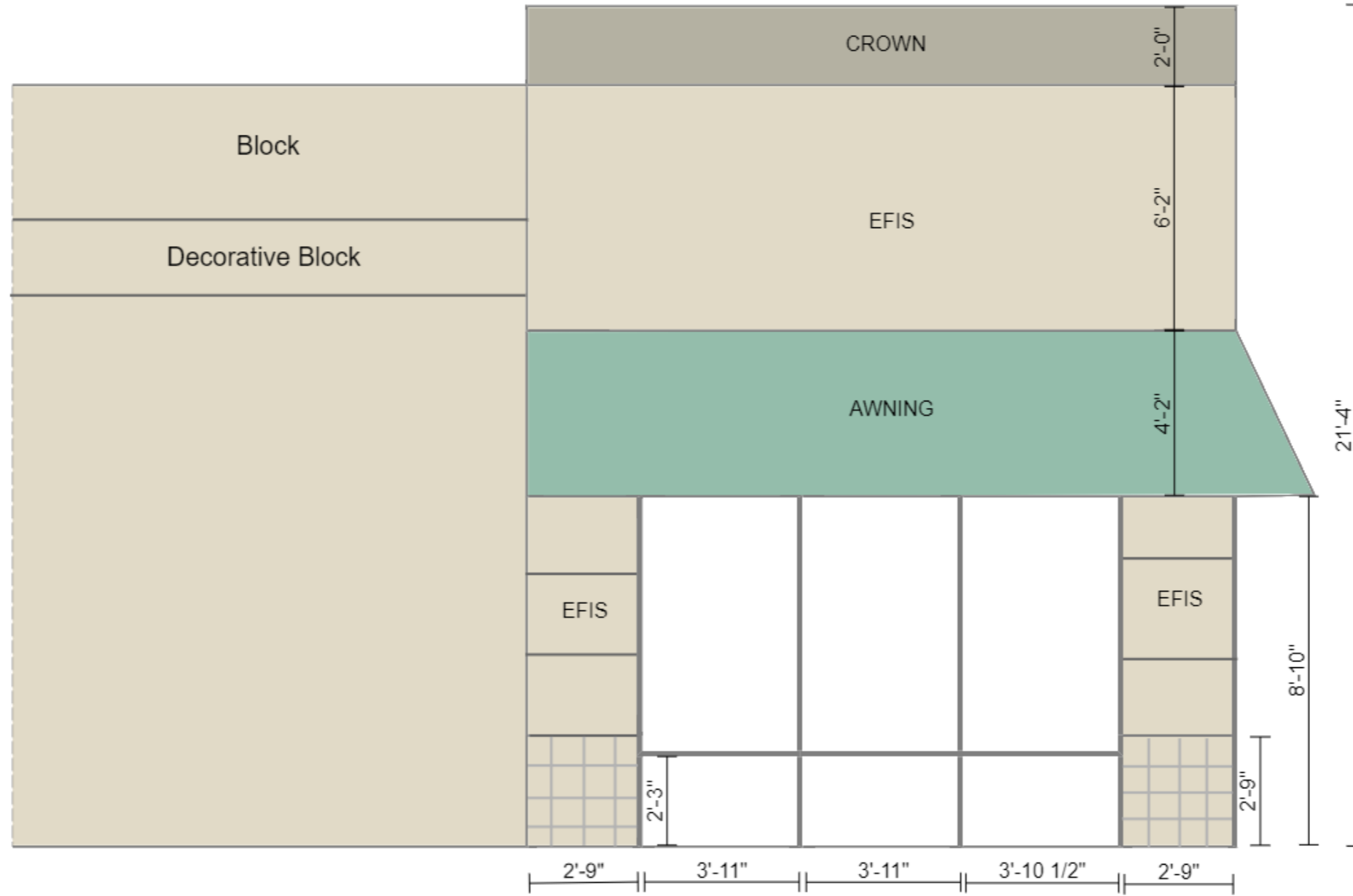
Highland, Illinois	2023-03-09T21:12
Ground Floor	Adjusted - Arch B

HIGHLAND SHOPPING CENTER

12547 IL - 143, Highland, IL

UNIT 110

SIDE ELEVATION



MRP CAPITAL GROUP

7777 Bonhomme, Suite 1700
St. Louis, MO 63105

Highland, Illinois	2023-03-09T21:10
Ground Floor	Adjusted - Arch B



City of Highland Building and Zoning

Meeting Date: April 5, 2023

From: Breann Vazquez, Director of Community Development

Text Amendment: Section 90-201, Table 3.1.C; Section 90-207

Description: Text amendment to allow for “ground mounted solar energy systems” as a Special Accessory Use within the C-3 and Industrial Districts

Proposal Summary

The City of Highland (1115 Broadway) is requesting a text amendment to Table 3.1.C of the Municipal Code to allow for “ground mounted solar energy systems” as a special accessory use within the C-3 and Industrial zoning districts.

The City of Highland (1115 Broadway) is requesting a text amendment to Section 90-217 of the Municipal Code to create supplemental regulations for ground mounted solar energy systems.

Article III, Section 90-201, Table 3.1.C

Table 3.1.C — ACCESSORY USES

Use	R1A	R1B	R1 C	R1 D	R2 A	R2 B	R3	C1	C2	C3	C4	I	M	MX	Supp. Regs.
14. Ground mounted solar energy systems										S		S			

Sec. 90-217. – Ground mounted solar energy systems.

The purpose of this section is to provide supplemental regulations for ground mounted solar systems within City limits. A special use permit shall be required for all ground mounted solar energy systems within City limits. All ground mounted solar energy systems shall adhere to the following regulations:

- a) Ground mounted solar energy systems shall be classified as accessory structures, and must comply with 90-71—90-74.
- b) Ground mounted solar energy systems shall require the issuance of a special use permit in compliance with the following:
 - 1) *Height.* Height shall not be greater than 15 feet at maximum tilt of the solar panel(s).
 - 2) *Screening.* Ground mounted solar energy systems must be substantially screened from adjacent residentially zoned property or residential uses by fencing, walls, plantings, or other architectural feature, or any combination thereof; provided however, that the



City of Highland Building and Zoning

screening shall not be required to be so dense, so tall, or so located as to render the equipment essentially non-functional.

- 3) *Standards for Interconnection, Safety, and Operating Reliability. The interconnection of a Customer's generating facility and associated interconnection equipment to the Utility's distribution System shall meet the applicable provisions of the following publications:*
 - i. *ANSI/IEEE1547-2018 Standard for Interconnecting Distributed Resources with Electric Power Systems (including use of IEEE 1547.1-2020 testing protocols to establish conformity) as they may be amended from time to time. The following standards shall be used as guidance in applying IEEE 1547:*
 - ii. *IEEE Std 519-2014, IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems*
 - iii. *IEEE1453, IEEE Recommended Practice for the Analysis of Fluctuating Installation on Power Systems*
 - iv. *UL1741 requirement for inverter based generation*
 - v. *NESC Electric Safety Code*
 - vi. *ANSI/NFPA 70, National Electrical Code*
 - vii. *OSHA (29 CFR § 1910.269)*
- c) *Filing requirements for a special use of a ground mounted solar energy system. Submittal packets for a special use for the construction of a ground mounted solar energy system shall contain the following:*
 - 1) Application. The applicant for a ground mounted solar energy system shall adhere to the provisions of article II, division V, Special use permits, of this chapter. In addition, every ground mounted solar energy system application shall include a site plan showing the following:
 - i. All proposed setback dimensions.
 - ii. All proposed structures on the property and the dimensions of the structures.
 - iii. Existing structures on subject property and the dimensions of the structures.
 - iv. All existing and proposed underground and aboveground utilities.
 - v. All rights-of-way, wetlands, wooded areas, and public conservation lands.
 - vi. Any screening mechanisms.

Staff Discussion

Ground mounted solar energy systems are currently disallowed in all zoning districts within the City of Highland, as any use not expressly permitted in the code is prohibited. We recommend allowing the use in the C-3 highway business district and industrial districts as accessory special uses. Having this as a special use allows for staff to ensure that supplemental regulations will be met.

The supplemental regulations for ground mounted solar energy systems are recommended to ensure that the use will be safe, operate as intended, and create standards for interconnection. The regulations will also help ensure that the use does not cause any issues for surrounding property owners.