



# Village of Northbrook

## DEVELOPMENT & PLANNING SERVICES

### Zoning Code Interpretation

<b>Purpose:</b>	<b>SOLAR &amp; PHOTOVOLTAIC SYSTEMS AS ACCESSORY STRUCTURES</b>
<b>Northbrook Zoning Code Section(s):</b>	<b>Section 9-101B</b>
<b>Date:</b>	<b>January 24, 2020</b>

#### Reason for Interpretation

Article IX – Part1A (specifically Section 9-101) of the Northbrook Zoning Code establishes the standards for regulating accessory structures and uses in the Village of Northbrook. This section of the code does not specifically state how solar energy devices are regulated. The specific question at hand is whether or not these types of structures are authorized accessory structures under the terms and conditions of the Northbrook Zoning Code.

#### Interpretation:

Section 9-101B of the Northbrook Zoning Code establishes the general parameters by which accessory structures shall be evaluated. Furthermore, there are no parts of the Northbrook Zoning Code that call out specific standards for solar or photovoltaic devices such as those established for swimming pools, stables, and HAM radio antennae. The code is thus silent on how these are regulated. As such, we must rely on the general standards of accessory structures in 9-101B. Section 9-101B reads as follows:

“An accessory structure or use is a structure or use that:

1. Is subordinate in area, extent and purpose to, and serves, a principal structure or use;
2. Is customarily found as an incident to such principal structure or use;
3. Contributes to the comfort, convenience or necessity of those occupying, working at or being served by such principal structure or use;
4. Is, except as otherwise expressly authorized by the provisions of this Code, located on the same zoning lot as such principal structure or use; and
5. Is under the same ownership and control as the principal structure or use.”

I find that solar panels and photovoltaic structures will generally meet all of the above five (5) standards. Individual requests would have to be evaluated to make sure they would be subordinate in area and under the same ownership and control; however, only a very large structure or series of structures (such as a solar farm) would not easily satisfy these standards. Solar energy devices and photovoltaic devices that are subordinate in area to the principal structure and under the same ownership and control as the principal structure are deemed permitted accessory structures in all zoning districts in the Village of Northbrook. No special zoning approval shall be necessary so long as they comply with the bulk, yard and space regulations of the Zoning District in which the structure is located.

#### Reviewed and Affirmed:

**Thomas R Poupard, AICP**  
**Director of Development & Planning Services**