

## ORDINANCE NO. 1046

AN ORDINANCE TO AMEND ARTICLE 2 “GENERAL PROVISIONS”, SECTION 2.03 “DEFINITIONS” OF THE ZONING ORDINANCE OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCES IN CONFLICT; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SPRINGFIELD, SARPY COUNTY, NEBRASKA:

Section 1. Approval of Amendment to Zoning Ordinance. On October 13, 2020, the Springfield Planning Commission conducted a public hearing on the matter of amending Section 2.03 of the zoning ordinance adding definitions of Alternative Energy Production, Passive Solar Energy System, Solar Collector, and Solar Energy System (SES) and amending definitions of Policy and Public Utility and reported a recommendation of approval to the City Council. On October 20, 2020, the City Council held a public hearing on said proposed amendment to the zoning ordinance and found and determined that said proposed amendment to the zoning ordinance is advisable, in the best interests of the City, and consistent with the Comprehensive Plan. The City Council further found and determined that public hearings were duly held and notices given. Therefore, the City Council hereby approves said proposed amendment to the zoning ordinance as set forth in this Ordinance.

Section 2. Amendment to Zoning Ordinance. Pursuant to Section 11.01 of the Springfield Zoning Ordinance, Section 2.03 is hereby amended to include the following new and revised definitions:

### Section 2.03.04 Definitions

ALTERNATIVE ENERGY PRODUCTION shall mean the use of a site for the production of off-site energy consumption utilizing methods that do not involve the oxidation, combustion or fission of primary materials. Typical uses include solar collector fields, geothermal energy installations or water-powered mills or generating facilities.

PASSIVE SOLAR ENERGY SYSTEM – Any space or structural components that are specifically designed to retain heat derived from solar energy, including ponds for evaporating cooling, and any moving parts that increase heat retention by the system.

POLICY shall mean a statement or document of the City, such as but not limited to, the comprehensive plan and the Sarpy County and Cities Wastewater Agency Plan agreement, that forms the basis for enacting legislation or making decisions.

PUBLIC UTILITY shall mean any business which furnishes the general public telephone service, telegraph service, electricity, natural gas, water and sewer, or any other business so affecting the public interests as to be subject to the supervision or regulation by an agency of the state or federal government. This shall exclude any principal use classified as Alternative Energy Production Devices or Wind Energy Conservation Systems and any accessory use classified as Solar Energy Systems.

SOLAR COLLECTOR – Any device, structure, or part of a device or structure which is used primarily to transform solar energy into thermal, chemical, or electrical energy. It includes any space or structural components specifically designed to retain heat derived from solar energy.

SOLAR ENERGY SYSTEM (SES) – A complete design or assembly consisting of a solar energy collector, an energy storage facility when used, and components for the distribution of transformed energy to the extent that they cannot be used jointly with a conventional energy system. Passive solar energy systems are included in this definition but not to the extent that they fulfill other functions, such as structural or recreational.

Section 3. Repeal Ordinances in Conflict. All other ordinances in conflict are hereby repealed.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage, approval and publication as provided by law.

PASSED AND APPROVED THIS 20<sup>TH</sup> DAY OF OCTOBER, 2020.

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Mayor

(SEAL)

Attest:

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City Clerk