

CHAMPAIGN COUNTY BOARD ENVIRONMENT and LAND USE COMMITTEE (ELUC) AGENDA

County of Champaign, Urbana, Illinois

Thursday, January 4, 2018 - 6:30 p.m.

Lyle Shields Meeting Room

Brookens Administrative Center, 1776 E. Washington St., Urbana

Committee Members:

Aaron Esry – Chair

Pattsi Petrie – Vice-Chair

Stephanie Fortado

Jim Goss

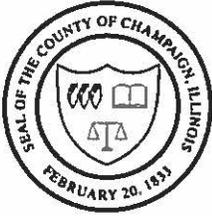
Robert King

Brooks Marsh

Kyle Patterson

- I. Call to Order
- II. Roll Call
- III. Approval of Agenda/Addenda
- IV. Approval of Minutes
 - A. ELUC Committee meeting – December 7, 2017 1 - 3
- V. Public Participation
- VI. Communications
- VII. For Information Only
 - A. Review of 2017 Residential Electronics Collection Events 4 – 8
- VIII. Items to Receive and Place on File for a 30-Day Review Period Before Approval by ELUC
 - A. Proposed Zoning Ordinance text amendment to add requirements for “solar farms” 9 - 54
- IX. Items to be Recommended to the County Board
 - A. Subdivision Case 198-17: Stierwalt Subdivision – Final Plat Approval for a One-Lot Minor Subdivision with Required Waivers for existing home located at 325 CR300N, Sadorus 55 - 78
- X. Monthly Report
 - A. September 2017 79 - 90
- XI. Other Business
 - A. Approval of CLOSED Session Minutes – December 7, 2017
- XII. Chair’s Report
- XIII. Designation of Items to be Placed on Consent Agenda
- XIV. Adjournment

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**Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois**

MINUTES – SUBJECT TO REVIEW AND APPROVAL

DATE: Thursday, December 7, 2017
TIME: 6:30 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

Present	Absent
Aaron Esry (Chair)	
Pattsi Petrie (Vice Chair)	
Stephanie Fortado	
Jim Goss	
	Brooks Marsh
Robert King	
	Kyle Patterson

County Staff: John Hall (Zoning Administrator), Jamie Hitt (Zoning Officer), Tammy Asplund (Recording Secretary)
Others Present: Pius Weibel (County Board Chair)

MINUTES

I. Call to Order

Committee Chair Esry called the meeting to order at 6:33 p.m.

II. Roll Call

A verbal roll call was taken and a quorum was declared present.

III. Approval of Agenda and Addendum

Mr. Esry noted the dates in items VIII A i and ii should be 2018, not 2017.

MOTION by Mr. Goss to approve the agenda as amended; seconded by Ms. Petrie. Upon vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. ELUC Committee meeting – November 9, 2017

MOTION by Mr. King to approve the minutes of the November 9, 2017 ELUC meeting; seconded by Ms. Fortado. Upon vote, the **MOTION CARRIED** unanimously.

V. Public Participation

Yvonne Sadler stated she is aware the Sheriff’s office is working to create a new ordinance to remove cars from the street. She noted the ordinance already in place is well written. Ms. Sadler said the tenants in one of the problematic properties moved out.

Ms. Petrie requested a suspension of the rules so the committee members could ask questions of the public participants. Chair Esry agreed.

In response to Ms. Petrie’s question, Ms. Sadler clarified she was speaking about the Nuisance Ordinance earlier.

Michael Van Pelt expressed gratitude for the committee’s willingness to listen and provide direction to the citizens who wish to clean up their neighborhood.

VI. Communications

Mr. Esry wished everyone a Merry Christmas.

VII. CLOSED Session

MOTION by Mr. King to enter into Closed Session pursuant to 5 ILCS 120/2(c)(6) to discuss the setting of a price for sale or lease of a property owned by Champaign County and that the following parties remain present: Director of Planning, Zoning, Zoning Officer, and recording secretary; seconded by Mr. Goss.

Roll call vote:

Aye: 5 – Esry, Fortado, Goss, King, and Petrie

Nay: 0

Motion carried with unanimous support.

The Environment and Land Use Committee entered into Closed Session at 6:43 p.m.

The Environment and Land Use Committee resumed Open Session at 6:58 p.m.

VIII. Items to be Approved by ELUC

A. Annual Renewal of Recreation and Entertainment License

- i. Curtis Orchard, 3902 South Duncan Road, Champaign. 1/1/18 – 12/31/18
- ii. Gordyville LLC, 2205 CR300N, Gifford. 1/1/18 – 12/31/18
- iii. Alto Vineyards, 4210 North Duncan Road, Champaign. 1/1/18 – 12/31/18

Ms. Petrie noted all have been vetted and have had no past problems.

Omnibus **MOTION** by Ms. Petrie; seconded by Mr. King. Upon vote, the **MOTION CARRIED** unanimously.

IX. Items to be Recommended to the County Board

A. Joint Grant Applications to Illinois Housing Development Authority land Bank Capacity Program

Mr. Hall referenced the draft resolution provided to each committee member. He commented the application will not be available until after the County Board meeting. According to Mr. Hall, he and Deb Busey will attend a meeting with all local jurisdictions on December 11, 2017, to discuss the joint application. Mr. Hall and Ms. Petrie explained the purpose, definition, and potential benefits of a land bank.

MOTION by Ms. Petrie; seconded by Mr. King. Upon vote, the **MOTION CARRIED** unanimously. Per Mr. Esry’s recommendation, this item will not be placed on the consent agenda.

X. Other Business

A. *None*

XI. Chair's Report

A. *None*

XII. Designation of Items to be Placed on the Consent Agenda

None

XIII. Adjournment

There being no further business, Mr. Esry adjourned the meeting at 7:21 p.m.

Memorandum

To: Environment and Land Use Committee
From: Susan Monte, RPC Planner, Recycling Coordinator for Champaign County
Date: December 27, 2017
Re: Review of Residential Electronics Collections

This memorandum reviews cost sharing by local agencies participating the two Residential Electronics Collections (REC) held in 2017, the REC results in 2017, and summary statistics for the REC events held since 2010.

Cost Sharing by Local Agencies for Residential Electronics Collections in 2017

In 2017, Champaign County, the City of Champaign, the City of Urbana, and the Village of Savoy entered into an intergovernmental agreement to share costs of two REC events held. These shared costs totaled \$75,140, and consisted of the costs to hire a qualified registered electronics recycling contractor and a traffic patrol officer for both events.

To invite additional participation and support for the 2017 REC events, I distributed an appeal to the village presidents of 20 other municipalities located in or partially within the county for a fair-share contribution based on population. In response, I received contributions from 13 of the municipalities to support and participate in the 2017 REC events. Overall, the local government agencies participating in the 2017 REC events represented 95.6 percent of the county population.

Attachment A summarizes the costs shared for the 2017 REC events.

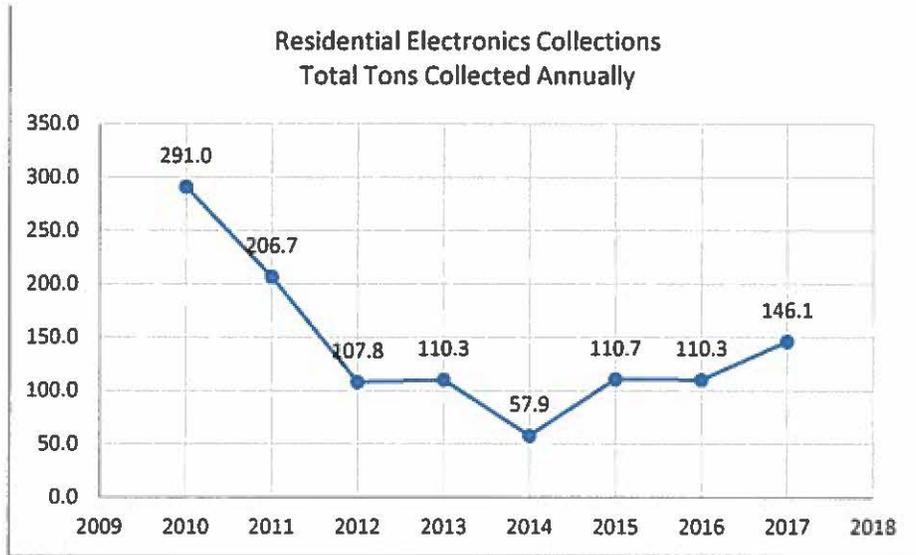
Results of REC Events held in 2017

Attachment B includes a detail summary of the eight categories of residential electronics collected at the two REC events in 2017. As in recent years, the highest volume and weight collected were televisions, at 68% of the electronics collected at the May REC and at 66% of the electronics collected at the October REC.

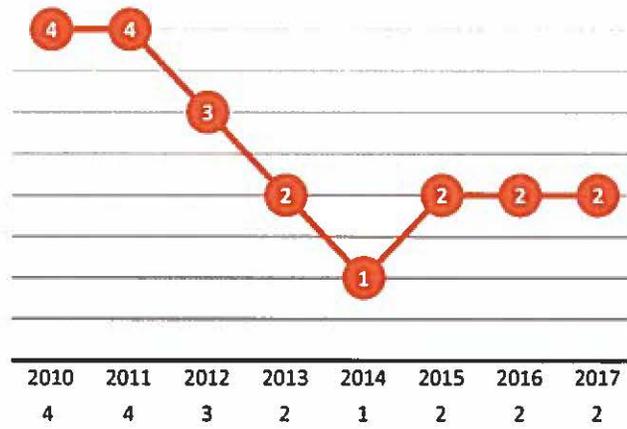
No local options existed for the collection of unwanted residential cathode-ray-tube televisions until this September, shortly after the Consumer Electronics Recycling Act (CERA) was signed into law on August 25, 2017. CERA enables retailers to charge a fee for the return of televisions and computers in Illinois. Best Buy currently charges a \$25 fee each to recycle up to two televisions under 32" in size, per household per day. CERA does not require that retailers continue to accept televisions and Best Buy has the option to discontinue its television recycling service at any time.

(continued)

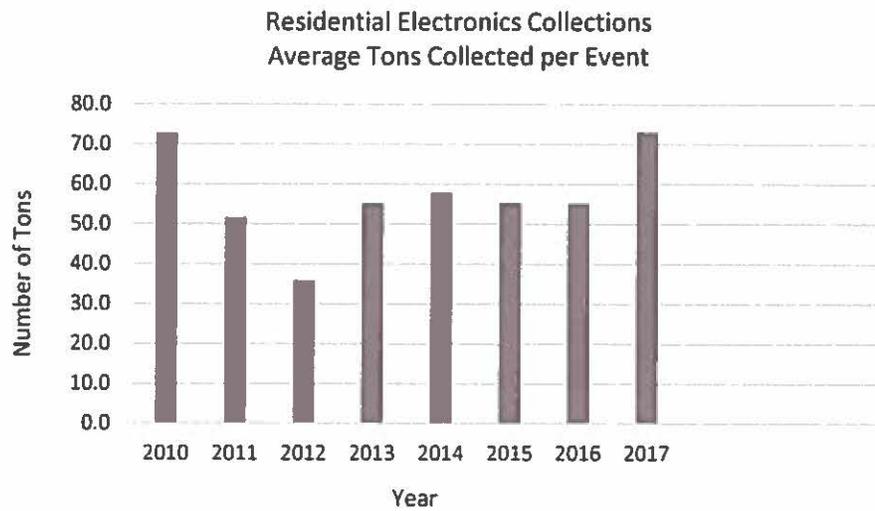
Summary Statistics for REC events held Since 2010



Number of REC Events Held per year



(continued)



The above chart depicts average total weight per REC collection by year. The increased average weight shown for the 2017 REC events can be attributed to: (1) an estimated 52 pallets added to the October REC event, as pre-arranged by Rantoul staff from a separate residential collection held in June 2017, and (2) increased efficiency of staff and contractors.

Attachments:

- A 2017 REC Participating Local Agencies Cost-Sharing
- B REC Summary of Total Weights Collected

Residential Electronics Collections in 2017
Participating Local Agencies Cost-Sharing

	2017 REC Intergovernmental Cost-Share Agreement	Percentage of Participating Population ¹
1 City of Champaign	\$32,686	0.435
2 City of Urbana	\$16,531	0.22
3 Village of Savoy	\$3,006	0.04
4 Champaign County	\$22,917	0.305 ²
Total Cost 2017 REC Events:	\$75,140	

**Support from Communities
Participating in 2017:**

(1) Village of Rantoul ³	\$2,615	0.07
(2) Village of Mahomet	\$2,993	0.04
(3) Village of St. Joseph	\$1,679	0.02
(4) Village of Ogden	\$136	0.004
(5) Village of Homer	\$203	0.006
(6) Village of Royal	\$45	0.002
(7) Village of Sadorus	\$76	0.002
(8) Village of Bondville	\$90	0.002
(9) Village of Broadlands	\$61	0.002
(10) Village of Ivesdale	\$50	0.001
(11) Village of Ludlow	\$146	0.003
(12) Village of Gifford	\$162	0.005
(13) Village of Thomasboro	\$201	0.006
	\$8,457	0.1630

Notes:

1. Average percentage of participating population for the May 20, 2017 and October 14, 2017 REC events.
2. Represents the percentage of the population of unincorporated Champaign County plus other participating municipalities providing contributions to support REC events in 2017.
3. Village of Rantoul staff arranged to collect, palletize, hold secure, and deliver unwanted residential electronics from a village collection held in June, 2017 to the host site the day prior to the October REC event.

RESIDENTIAL ELECTRONICS COLLECTION (REC)
SUMMARY OF TOTAL WEIGHTS COLLECTED

Attachment B

REC Dates	Computers	Monitors	Printers	Televisions	EEDs	Non EEDs	lbs.	tons		
2/27/2010	15,958		10,685	68,133	26,978	5,464	127,218	63.6		
5/8/2010	14,949	39,889	8,269	35,180	11,364	5,297	114,948	57.5		
8/7/2010	24,577	46,055	18,217	86,686	18,460	8,960	202,955	101.5	lbs. totals	ton totals
11/6/2010	18,871	36,213	6,984	54,120	19,620	1,122	136,930	68.5	582,051	291.0
3/5/2011	13,142	23,701	7,245	46,560	22,005	411	113,064	56.5		
5/21/2011	10,249	15,014	5,956	29,084	12,334	3,048	75,685	37.8		
8/6/2011	8,647	11,224	4,787	29,410	12,430	1,114	67,612	33.8	lbs. totals	ton totals
10/29/2011	17,030	32,762	16,955	51,361	35,908	3,113	157,129	78.6	413,490	206.7
05/05/12	9,275	11,095	6,498	35,275	11,063	0	73,206	36.6		
08/04/12	12,776	14,458	8,890	36,785	12,579	5,250	90,738	45.4	lbs. totals	ton totals
10/13/12	6,466	7,183	3,946	22,216	9,539	2,321	51,671	25.8	215,615	107.8
	Computers*	Monitors	Printers	Televisions	Peripherals**	Other	lbs.	tons	lbs. totals	ton totals
4/20/2013	13,028	2,590	9,446	58,012	14,336	16,553	113,965	57.0		
10/12/2013	2,050	12,134	9,831	60,715	8,886	12,960	106,576	53.3	220,541	110.3
4/12/2014	Wood/ ProjectionTVs	TVs/Printers	TVs	Monitors and TVs	Printers	CPUs	LCDs	Mix	lbs. totals	ton totals
	8,263	508	37,098	780	1,690	746	2,759	63,895	115,739	57.9
4/11/2015	TVs	74,526	Printers	7,143	Tablets		Stereo Equipment	4,356		
	LCD/LCD TVs	6,014	Laptops	547	Phones		DVD/VCR	2,249	115,691	57.8
	Monitors	7,263	Computers	9,286	Peripherals	3,207	Other	1,100		
10/10/2015	TVs	72,805	Printers	6,030	Tablets	22	Stereo Equipment	4,623	105,873	52.9
	LCD/LCD TVs	2,243	Laptops	143	Phones	89	DVD/VCR	2,872		
	Monitors	6,818	Computers	8,410	Peripherals	286	Other	1,532	lbs. totals	ton totals
									221,564	110.7
5/21/2016	TVs	84,159	Printers	3,646	Tablets	94	Stereo Equipment	5,998		
	LCD/LCD TVs	6,534	Laptops	511	Phones	461	DVD/VCR	4,170		
	Monitors	5,336	Computers	6,633	Peripherals	1,523	Other	1,328	120,393	60.2
10/15/2016	CRT Monitors	4,813	CRT TVs	52,270	Wood Console TVs		9,880		100,173	50.1
	LCD Monitors	2,658	LCD TVs	4,964	Wood Containing Units		876			
	Laptops	1,007	Printers, Scanners,		Small Miscellaneous				lbs. totals	ton totals
	Computers	6,706	Fax Machines	4,802	Items		12,197		220,566	110.3
5/20/2017	TV & Monitor: CRT	72,902	Computer	8,527						
	TV Console/Projection	7,272	Laptop	2,417					125,429	62.7
	TV: LCD	4,970	Monitor: LCD	2,747						
	Small Misc Items	19,279								
	Printer/Scanner/Fax	7,315								
10/14/2017	TV & Monitor: CRT	94,189	Computer	9,879						
	TV Console/Projection	9,396	Laptop	2,584					166,797	83.4
	TV: LCD	7,399	Monitor: LCD	2,229						
	Small Misc Items	31,046							lbs. totals	ton totals
	Printer/Scanner/Fax	10,075							292,226	146.1

updated 12/27/2017

	lbs. totals	ton totals
Total 2010 to date:	2,281,792	1,140.9

To: **Environment and Land Use Committee**

From: **John Hall, Director & Zoning Administrator**

Date: **December 27, 2017**

RE: **Zoning Ordinance amendment to add requirements for
“solar farm”**

Request: **Place on file for a 30-day review a proposed Zoning
Ordinance amendment to add requirements for “solar farm”**

BACKGROUND

There has been an increasing interest in solar farm (utility scale electrical generation using solar energy) development throughout the State of Illinois in 2017 and several solar farm developers contacted this Department inquiring as to Champaign County’s requirements for solar farms. By mid-summer it was clear that the Zoning Ordinance should be amended. The Kankakee County solar farm amendment seemed a good example to follow but the latter half of the year was occupied with dangerous structure enforcement issues and there was no time to present a proposed amendment to ELUC. On December 20, 2017, an application for a solar farm was received.

The applicant for the proposed solar farm will have the option of proceeding under the existing wind farm requirements or waiting until the Zoning Ordinance has been amended with specific requirements for a solar farm. I anticipate that the applicant will prefer to wait for the solar farm amendment and thus, it is essential to move forward. Any Zoning Ordinance amendment must go through a public hearing at the Zoning Board of Appeals but the Committee must authorize the public hearing.

PROPOSED TEXT AMENDMENT

An outline of the proposed amendment is attached. Also attached are recommendations of the Illinois Solar Energy Association; the Kankakee County solar farm amendment; and for reference, the existing Champaign County wind farm requirements.

TEXT AMENDMENT PUBLIC HEARING TIMELINE

The public hearing requires a legal advertisement in the newspaper and notice provided to all relevant municipalities. If the public hearing is authorized by ELUC on February 9 the anticipated timeline (*earliest possible dates) is as follows:

-
- | | |
|---|---------------------------|
| 1. Public Hearing opens at the Champaign County Zoning Board of Appeals (CCZBA) | *Thursday, March 1, 2018 |
| 2. Public Hearing closes with CCZBA recommendation | *Thursday, March 29, 2018 |
| 3. Environment and Land Use Committee (ELUC) affirms or amends CCZBA’s recommendation | *Thursday, April 5, 2018 |
| 4. Municipalities review ELUC recommendation | *April 6 – May 9 |
| 5. ELUC makes a recommendation to the Champaign County Board | *Thursday, May 10, 2018 |
| 6. Champaign County Board makes a final determination | *Thursday, May 24, 2018 |
-

Zoning Administrator
DECEMBER 27, 2017

ATTACHMENTS

- A Outline of Proposed Solar Farm Amendment**
- B Illinois Solar Energy Association Recommendations**
- C Kankakee County Solar Farm Amendment (more or less adopted as proposed)**
- D Champaign County Wind Farm Requirements (Zoning Ordinance Section 6.1.4)**

**Attachment A. Outline of Proposed Champaign County Solar Farm Text Amendment based on
Kankakee County Solar Farm Ordinance
DRAFT December 27, 2017**

*= anticipated similar standard in Champaign County Solar Farm Text Amendment

NR= not anticipated in Champaign County Solar Farm Text Amendment

- *1. SUP in Kankakee A1 District (County Board SUP in Champaign County AG-1, AG-2; not in CR)
- *2. Suspension of Kankakee A1 District standards for min. lot area, etc.
 3. Engineer certification of foundation design (NR)
- *4. NEC compliance
- *5. All wiring must be underground to the electrical substation
 6. 5-acre minimum lot area (NR)
- *7. 30-foot maximum height (50-foot in Champaign County AG-1 District)
- *8. 100-foot setback (front) and 50-foot side and rear yards except 100 feet to residential property
- *9. Fencing required and shall be 8 feet tall or a 30 feet wide landscaped buffer and/or earth berms
- *10. Full-cutoff lighting
11. Noise limited to 50 decibels when adjacent to Residential District or residence (anticipated for Champaign County: same as wind farm Sec. 6.1.4 I. but no computer modeling required)
- *12. Detailed Site Plan
- *13. Weed/ grass control plan
14. Road use agreement with relevant road authorities including identification of routes (anticipated for Champaign County: road use plan with road use agreement if oversize road permits are necessary)
- *15. Itemized cost estimate of project
- *16. Must be in queue for an electrical distribution line interconnect agreement at time of application and have interconnect agreement at pre-operation or written explanation
- *17. Decommissioning plan at \$1,000 per acre minimum with updates every 3 years and requirement to decommission if no power produced in a 12-month period (anticipated for Champaign County: similar to Sec. 6.1.4 P. including minimum cash amount as letter of credit with conversion to escrow account in first 12 years (same as wind farm) and document adequacy of \$1,000 per acre)
- *18. SUP application fee of \$5,000 with requirement to reimburse if County's cost exceeds \$5,000
- *19. Building permit fee of \$6,526 for first \$1 million in value and \$3 per each additional thousand
20. Additional anticipated requirements for Champaign County:
 - a. "Solar Farm" defined to include all necessary components similar to "wind farm" definition
 - b. List of all included parcels and landowners to identify all parcels that are part of solar farm
 - c. Specification regarding creation of new lots for solar farm
 - d. Endangered species consultation and archaeological review w/ IDNR (Sec. 6.1.4 J., K. & L.)
 - e. Champaign County SWCD Natural Resources Report
 - f. A storm water management plan if necessary.
 - g. Standard Conditions to Mitigate Damage to Farmland (similar to Sec. 6.14 E.)
 - h. Coordination with Fire Protection District (similar to Sec. 6.1.4 G.)

**Attachment A. Outline of Proposed Champaign County Solar Farm Text Amendment based on
Kankakee County Solar Farm Ordinance
DRAFT December 27, 2017**

- i. An aviation impact analysis if within 500 feet of airport and/or within airport approach zone
- j. A visual analysis to illustrate anticipated visual impacts and an ongoing requirement for a complaint hotline and a requirement that any significant glare must be reduced.



Illinois Solar Energy Association

Local Zoning and Building Regulation of Solar in Illinois

As a result of the Future Energy Jobs Act, local government in Illinois can expect to see increased interest in solar development. By 2025, the demand for solar will result in the development of over 2,000MW of solar. Solar development will provide many new jobs as well as hundreds of millions of dollars in new investment into the state. This amount of development will require between 10,000-15,000 acres of land or rooftop, which represents only a small fraction of Illinois’ overall area. Projects will come in a variety of forms, and local governments should plan to see interest from solar developers in all of these categories. A short description of the different types of solar that will be built is in the table below, as well as the amount of MW that is likely to be developed by 2025 because of the Future Energy Jobs Act.

Generally, solar development has a very low-impact on the land that is hosting the equipment and the surrounding area. While local officials may have had experience with wind development in Illinois, these two clean energy sources have very different impacts on land and land use, and should be regulated differently.

The Illinois Solar Energy Association has developed this set of comments and principles as guidance for local governments that are confronted with the prospect of increased development. This document is the result of industry collaboration and is fully endorsed by members of the Illinois Solar Energy Association.

	Description	Probable MW of Development by 2025	Size Limit per Project, per the Future Energy Jobs Act
Residential Rooftop Solar	System is on the customer's roof (main building or accessory structure). In rare instances, a residential customer may want to put solar on the ground.	300	All behind-the-meter projects are limited to 2 MW in size, but each must be sized to appropriately meet the owner’s electric need. A typical residential project is between 3-10 kW, whereas a commercial project could be 10 kW – 2 MW depending on the size of the business.
Commercial & Industrial Solar	System is on the customer's property (main building or accessory structure), either on the roof or the ground.	300	
Community Solar	Generally, a larger system where a combination of several entities (residents, businesses, governments) have a partial interest (subscription) in the output of a system. Systems can be located on a roof or on the ground, but do not have to be located near the subscribers. Projects are limited to 2 MW in size (10-12 acres).	275-325	The Future Energy Jobs Act limits each community solar project to 2 MW (10-12 acres), however developers may be allowed to locate more than one project at the same site (co-locate). Final rules on this provision are expected in early 2018.



Illinois Solar Energy Association

Brownfield Solar	System is located on blighted land that is not suitable for redevelopment, such as closed landfills or Superfund sites.	35-50	There is no minimum or maximum size for brownfield projects.
Utility Scale Solar	Large systems (2 MW-200 MW) that generally do not serve an individual customer and are located near electrical infrastructure.	750-1000	Systems must be larger than 2 MW, but have no upward limit. These projects could use anywhere from 10 acres to 100s of acres for a single project.

General Principles:

1. Solar projects provide local, clean energy generation as well as local investment. Projects of all sizes will have a positive impact on jobs, tax revenue and other forms of direct and indirect economic activity in local communities.
2. Solar developers will look to develop projects in areas where projects are encouraged and where the permitting process is clear and straightforward. Solar developers and solar owners want to work with communities in which they build and operate systems. Developers are interested in partnering with communities where their systems are installed, and are ready to address any concerns that communities or local authorities may have with the construction or operation of those systems.
3. Solar system developers and owners have a vested interest in making sure that the project is constructed in an efficient manner, and that the system operates for the full life of the panels. For developers to get financing for the construction and operation of the system, they need to prove that the system is not at risk of impacting endangered species and other wildlife, and that the system isn't at risk for flooding. Protecting the system from property damage and maintaining the site are key parts of maintenance that contribute to the continued efficient operation of the system.
4. Building solar is no more disruptive than any other typical development, and in many cases, is less impactful. Unlike other large-scale energy developments, solar has minimal impact on land, roads, water, and neighboring properties. The most significant disturbance is during construction, but the equipment needed is no different than equipment needed for other types of general construction. Residential rooftop solar can be installed in several days, and large-scale ground-mount systems can be installed in 6-9 months.
5. Solar systems operate with minimal impact to the area, and minimal maintenance. Once constructed, solar systems tend to blend into the surroundings, and are a positive compliment to agricultural and other existing land uses. Ground-mount systems sit between 10-20 feet tall, and are hard to see beyond the borders of the property. Neighboring properties are unlikely to even notice the system on a daily basis, and it will have no impact on property values or quality of life. Once operational, solar systems provide energy without any pollution, minimal noise, and few, if any, moving parts.



Illinois Solar Energy Association

Specific Recommendations:

Applicability: Solar should be permitted in all zones (accessory use for behind-the meter systems and principle use for other systems) as "by-right" if it meets certain requirements.

Process: Authorities should distinguish between projects. Smaller projects (behind-the-meter or community solar) should be evaluated separately from larger projects. Preferably all projects would be allowed "by-right" through administrative review if they meet the requirements, and subject to special use permit if not.

System Size: Authorities should distinguish between types of systems and have those systems track the size requirements in the Future Energy Jobs Act (see the table above). In this Act, distributed (roof-top or ground-mount behind-the meter) solar is limited to 2 MW AC. Community solar is also limited to 2 MW AC, though projects may be able to co-locate. Utility scale solar must be bigger than 2 MW AC, but has no upward limit. Brownfield solar has no size limit.

Lot Size: If systems meet the other requirements in the regulation and conform to the project size outlined in the regulation, there should be no limit (minimum or maximum) on the size of the lot or the number of parcels or lots the project covers. Community solar projects can be as small as 100 kW, which would take approximately 1/2 an acre of space, or may be able to co-located, thereby using upwards of 20 acres.

System Height: For ground-mount systems, a 20' limit is appropriate, however the authority should have a waiver or variance process for unique situations.

Setbacks: As discussed in the general principles above, ground-mount solar projects have minimal impact on the land used for development as well as surrounding properties, therefore setbacks should be minimal. At most, ground-mount solar projects should be subject to the same setbacks as other standard structures in the same zone or twenty-five (25) feet, whichever is less. It is appropriate to limit roof-mounted systems to the size of the roof with appropriate room for fire-fighting purposes.

Fencing: The owner of the ground-mount system has a vested interest in making sure the system is secure. In most instances, an 8' fence is appropriate, though the authority should allow for some waivers if there are natural borders or surrounding neighbors approve.

Equipment: Developers should use UL approved equipment for all projects.

Glare/Visibility: The majority of panel technology is antireflective, so glare risk is minimal to non-existent. If the authority wants to include glare guidance, it should be minimal, but should provide clear requirements; open-ended requirements provide risk to the developer. Per federal regulations, projects around airports need approval from the FAA.

Airport: Projects developed near airports are subject to approval from the FAA. Any additional regulation at the local level is unnecessary.

Installers: The Illinois Power Agency Act requires that all systems (utility-scale, distributed and community solar) are installed by qualified installers. This requirement is regulated by the Illinois Commerce Commission. Any additional requirements are unnecessary and burdensome.

Site Plan: A site plan is appropriate for all systems, and systems that meet the plan requirements should not need Planning Commission or Zoning Board approval.



Illinois Solar Energy Association

Environmental Impact: For large solar systems to secure financing, the developer will have to show that the system does not have an endangered species impact, wetland impact, or historical places impact. This is standard practice, and the developer should be able to provide the authority with this information.

Floodplain: All ground-mount systems will have a topo and hydro analysis that will be completed prior to issuance of a building permit. Additional requirements are unnecessary.

Storm water/Drainage: Ground-mount systems should be exempt from impervious surface requirements if the developer is doing minimal grading (i.e. less than 1 acre of soil disturbance) and will maintain vegetation or other regulatory approved surface application (i.e. gravel or synthetic surface liners) under and around the system. There will be some impact through pier placement and conduit trenching, but overall the impact is minimal. Impact to drainage tiles and other subsurface utility concerns are addressed in the arrangement with the landowner, and does not require additional oversight at the local level.

Landscaping: For ground-mount systems, native vegetation is typical, and mowing maintenance is common. In most instances topsoil will be minimally impacted during construction. There should not be additional requirements, and a clear path for variances if the development is atypical.

Transportation: In general, solar projects do not need the same level of heavy equipment as wind projects, and in most instances roads and access roads will only need to bear, at maximum, a 60,000-pound wheel load for construction. Developers will follow load limits for local roads and will apply for permits to use overweight vehicles if necessary, but road commissioner approval for general construction is unnecessary and burdensome.

Interconnection: Systems should show proof of application for interconnection, but not a final agreement with the utility. Developers will not go through the entire interconnection process before starting the local permitting process; these processes generally happen in parallel.

Transmission: In most instances, developers will bury many of the interior lines associated with the project. But it is impractical and in most cases impossible to bury the lines related to interconnection with the utility. If the authority requires interior lines to be buried, the developer should be able to apply for a waiver.

Operations and Maintenance: Solar system owners have a vested interest in making sure the system is operating efficiently. Many systems have ongoing O&M contracts that include system maintenance, mowing, etc. Proof of this maintenance is unnecessary.

Decommissioning: System owners have a vested interest in making sure the system operates for the full life of the panels, which are warrantied for 25 years, but can often be much longer. Solar system owners will decommission the sites after they are no longer productive, and in most cases, developers include this provision in the agreement with the landowner. Therefore, it is duplicative to have this provision in the permitting process. If the authority decides to nonetheless require a decommissioning plan, a letter of credit or bond as well as an engineering cost estimate of decommissioning demonstrating feasibility should be required after 10-15 years, not at the outset, and cash should not be required. Requiring a bond at the beginning of the project is unnecessary and will only deter development. If the system is found to be inoperable, which is unlikely, there should be a limited amount of time for system owners to get the system back online before the authority forces decommissioning.

Property Value: Solar will not have an adverse effect on neighboring properties. Any requirement to protect neighboring properties will completely prevent development. If a LESA evaluation is required, it should be clear how the county will use the LESA score.



Illinois Solar Energy Association

Complaint Resolution: Many solar developers are members of the Illinois Solar Energy Association, and as such are required to comply with the association's codes of conduct. Solar systems should not be subject to any more stringent complaint processes than other types of development.

Fees: If the authority requires a fee for permit application, the industry prefers a clear delineation of such fees.

For more information, please contact Lesley McCain, Executive Director, Illinois Solar Energy Association at Lesley.mccain@illinoissolar.org.

SOLAR FARM
PROPOSED
Kankakee County Zoning Ordinance Amendment

Chapter 121 – ZONING

ARTICLE I. – IN GENERAL

Sec. 121-3. Rules and definitions

(b) Definitions.

Solar Farm - A solar panel or array composed of multiple solar panels on ground-mounted rack or poles which are one of the primary use(s) for the parcel of land on which it is located, or any solar energy system that has a primary purpose for wholesale or retail sales of generated electricity.

ARTICLE III. - ZONING DISTRICTS

DIVISION 2. – AGRICULTURAL DISTRICTS

Sec. 121-99. – Agricultural district (A1).

(c) *Special uses.*

(34) Solar farm. Solar farms, also known as solar power plants and solar energy generation facilities, shall be permitted in the A1 district as a special use, in accordance with the following minimal regulations and design standards.

(a) *Design standards.* The design standards and bulk regulations listed in the A1- Agriculture district for setbacks, lot size, lot coverage, lot area, height, and signage shall be suspended for all solar farms and the following regulations shall apply instead. All other design standards and bulk regulations of the district shall apply.

- 1. Foundations -** The manufacturer’s engineer or another qualified engineer shall certify that the foundation and design of the solar panels is

within accepted professional standards, given local soil and climate conditions.

2. Other Standards and Codes- All solar farms shall be in compliance with any applicable local, state and federal regulatory standards, and the National Electric Code as amended.

3. Power and Communication Lines – Power and communication lines running between banks of solar panels and to electric substations or interconnections with buildings shall be buried underground. Exemptions or variances may be granted in instances where shallow bedrock, water courses, or other elements of natural landscape interfere with the ability to bury lines.

4. Minimum lot size – No solar farm shall be erected on any lot less than ~~20~~ 5 acres in size.

5. Height – Systems, equipment and structures shall not exceed thirty feet (30) in height when ground mounted. Excluded from this height requirement, however, are electric transmission lines and utility poles.

6. Setbacks – Ground mounted solar energy systems as part of a solar farm shall have a setback for all equipment excluding fences a minimum of 100 feet on the front and 50 feet from all other property lines, with the exception of residential property lines, in which the solar energy system shall be setback 100 feet for residentially zoned lots and existing residential properties, with the setback distance to be measured from the property line of the solar farm to the property line of residentially zoned lots or existing residential properties. The zoning board of appeals may grant a variance to such setback requirement if the proposed or existing buffer is sufficient to screen the project from view from adjoining property or public rights-of-way, if the owners of the adjoining properties agree to waive these setback requirements. The zoning board of appeals granting of such a variance will be part of their recommendation to the county board.

7. Screening and Fencing – Systems equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 8 feet. Knox boxes and keys shall be provided at locked entrances for emergency personnel access. The zoning board of appeals shall have the discretion to recommend or at the discretion of the county board, a thirty (30) foot

wide buffer of which part shall be consisting of a compact evergreen hedge or other type of evergreen foliage which shall be recommended along the entire perimeter of the facility, or an alternative buffer may also be considered. The buffer shall be planted at a minimum of three (3) feet tall and with the expectation that this hedge shall reach the height of at least eight (8) feet within three years and shall be maintained in good condition. If a vegetative buffer is to be part of the solar farm development, a landscape plan should be submitted for review and approval. The landscape plan shall take into account the type(s) of evergreens to be planted, along with the proposed spacing of the plantings, along with an evaluation of the soils. An alternative buffer may also be considered. Earth berms other topographical features and existing wooded areas may be accepted in lieu or in combination of the above requirements, if they conceal the use from public view and are maintained.

8. Lighting – If lighting is provide at the site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel.

9. Noise - Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district.

~~10. Installation and Design—Individual arrays/solar panels shall be designed and located in order to prevent glare toward any inhabited buildings on adjacent properties as well as adjacent street rights of way.~~

11. Performance standards - All solar power plants must conform to the performance standards as listed in Sec. 121-207 of Chapter 121.

12. Signage – an appropriate warning sign shall be provided at the entrance to the facility and along the perimeter to the solar farm project. The sign at the entrance to the facility shall include the facilities 911 address and a 24 hour emergency contact number.

13. Outdoor storage - Only the outdoor storage of materials, vehicles and equipment that directly support the operation and maintenance of the solar farm shall be allowed with the exception of outdoor storage that is expressly allowed in the zoning district as specified

herein. The planning director or his or her designee shall have the discretion in determining whether the outdoor storage is in compliance with this provision. In any event all outdoor storage areas shall be paved with a bituminous surface and either fenced or screened to prevent viewing from adjoining properties and uses.

(b) Application Requirements (zoning). Due to the unique nature and special requirements of solar power plants and their potential impacts to adjoining properties and government services, solar power plants shall be required to submit and obtain approval on the following items in addition to any requirements specified in the special use section of the County Code or any special conditions required by the zoning board of appeals or the Kankakee County Board. The applicant shall provide 50 copies of all required submittals to the planning department. However, the applicant shall only be required to submit two copies of all documents proving ownership or interest in the property.

1. A site plan with existing conditions showing the following:
 - a. Existing property lines and property lines extending one hundred feet from the exterior boundaries, including the names of adjacent property owners and current use of those properties.
 - b. Existing public and private roads, showing widths of the roads and any associated easements.
 - c. Location and size of any abandoned wells, sewage treatments systems.
 - d. Existing buildings and any impervious surfaces.
 - e. A contour map showing topography at two (2) foot intervals. A contour map of surrounding properties may also be required.
 - f. Existing vegetation (list type and percent of coverage: i.e. cropland/plowed fields, grassland, wooded areas etc.)

- g. Waterways, watercourses, lakes and public water wetlands.
 - h. Any delineated wetland boundaries.
 - i. A copy of the current FEMA FIRM map that shows the subject property. And, the one hundred year flood elevation and any regulated flood protection elevation, if available.
 - j. Floodway, flood fringe and/or general flood plain district boundary, if applicable and not provided on the copy of the current FEMA FIRM map.
 - k. Mapped soils according to the Kankakee County Soil Survey.
 - l. Surface water drainage patterns.
 - m. The location of any subsurface drainage tiles.
2. Site Plan of Proposed Conditions:
- a. Location and spacing of solar panels.
 - b. Location of access roads and access points.
 - c. Planned location of underground or overhead electric lines connecting the solar farm to a building, substation or other electric load.
 - d. New electrical equipment other than at the existing building or substation that is to be the connection point for the solar farm.
 - e. Sketch elevation of the premises accurately depicting proposed solar energy conversion system and its relationship to structure on adjacent land.
 - f. Weed/Grass control- Applicant must present an acceptable weed control plan for property inside and outside fenced area for entire property. The Operating Company during the operation of the Solar Farm must

maintain the fence and adhere to the weed/grass control plan. If the operating company does not there can be a fine of \$500 per week if the fence is not secure or the weed/grass control plan is not followed, as per Sec. 121-7 of these regulations.

3. All solar power plant applications shall be accompanied by a preliminary map and plan showing the roads and rights-of-ways that will be utilized for both the construction and operation of the solar power plant. Prior to the issuance of a building permit, the applicant shall submit an executed agreement between the solar power plant owner/operator and all road district authorities with infrastructure affected by the solar power plant to the county. This agreement shall include at a minimum:
 - a. A final map identifying the routes that will be used.
 - b. A plan for maintaining and/or repairing the affected roads.
 - c. Other inclusions as specified by the zoning board of appeals, the county board or affected road authority.
4. Manufacturer's specifications and recommended installation methods for all major equipment, including solar panels, mounting systems and foundations for poles or racks.
5. ~~The number of panels to be installed. An itemized cost estimate of the entire construction costs of the project.~~
6. A description of the method of connecting the array to a building or substation.
7. At the time of applying for the special use application a written demonstration shall be provided that the applicant is in the queue to acquire an interconnect agreement. Then pre operation of the project, a copy of an interconnect agreement with the

appropriate electric utility, or a written explanation outlining why an interconnection agreement is not necessary should be provided to the county.

8. A decommission plan shall be required to ensure that facilities are properly removed after their useful life. Decommissioning of solar panels must occur in the event they are not in use for twelve (12) consecutive months, the operating company and or land owner have six months to complete the decommission plan or the County will take the necessary decommission steps. The plan shall include provisions for removal of all structures (including equipment, fencing and roads) and foundations, restoration of soil and vegetation and a plan ensuring financial resources will be available to fully decommission the site. Decommissioning security financing shall be required by the county in order to assure the proper decommissioning of the site **and in no instance shall the finance security be less than \$1000.00 per acre.** This security financing should be in the form of an irrevocable letter of credit or cash placed in a County escrow account. The county board may, in its sole discretion, agree to accept security, or a portion thereof, in another form such as a bond or corporate guarantee. **The decommissioning plan and financial security must be presented to and accepted by the Kankakee County Board prior to the issuance of a building permit for the facility.**

An update to this decommissioning plan should be submitted to the county every three years. In addition any decommissioning plans signed by the party responsible for decommissioning and the landowner (if different) shall be submitted with the application.

The county reserves the right to require additional information or components to the plan as the county deems necessary to ensure that an adequate proposal is in place to decommission the facility in its entirety and that adequate funds are available.

(c) Fees and costs.

- (1) *[Applicable fees.]* The fees listed in [section 121-38](#) are not applicable to solar farm special use permit applications and the following fees shall apply. No solar

farm special use permit application shall be accepted until the filing fee of \$5,000.00 is paid and accompanied by a notarized statement of the appropriate corporate officials or official legal representative of the applicant that the applicant will pay to the county additional fees to reimburse the county for moneys expended in excess of \$5,000.00 in preparing for, processing, reviewing and evaluating the application to its final resolution. The applicant shall also agree in said notarized statement to stop all proceedings if an invoice for reimbursement to the county is not paid to the county treasurer within ten days after the invoice has been presented to the appropriate corporate officer or official legal representative of the applicant.

- (2) *Remedial costs.* Applicants and/or owners of solar farms shall pay all costs associated with the remedy of any complaints deemed necessary and factual by the planning director or the Kankakee County Board.

6.1.4 WIND FARM County BOARD SPECIAL USE Permit

A WIND FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1, Agriculture Zoning DISTRICT subject to the following conditions:

A. General Standard Conditions

1. The area of the WIND FARM County Board SPECIAL USE Permit must include the following minimum areas:
 - (a) All land that is a distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of that WIND FARM TOWER.
 - (b) All land that will be exposed to a noise level greater than that authorized to Class A land under paragraph 6.1.4I.
 - (c) All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area.
 - (d) All necessary WIND FARM ACCESSORY STRUCTURES including electrical distribution lines, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area.
 - (e) All land that is within 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of each WIND FARM TOWER except any such land that is more than 1,320 feet from any existing public STREET right of way.
 - (f) All land area within 1,320 feet of a public STREET RIGHT OF WAY that is also within 1,000 feet from the base of each WIND FARM TOWER except that in the case of WIND FARM TOWERS in compliance with the minimum STREET separation required by paragraph 6.1.4C5. in which case land on the other side of the public STREET right of way does not have to be included in the SPECIAL USE Permit.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

2. The WIND FARM County Board SPECIAL USE Permit shall not be located in the following areas:
 - (a) Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance.
 - (b) Less than one mile from the CR, Conservation-Recreation Zoning DISTRICT.
 - (c) In any area leased for underground gas storage or under easement for same, unless the lease or easement requires that gas injection wells and other above-ground appurtenances be located in conformance with paragraph 6.1.4C9.
- B. Minimum Lot Standards
 1. There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a WIND FARM or for LOTS for WIND FARM TOWERS, substations, and WIND FARM maintenance and management facilities.
- C. Minimum Standard Conditions for Separations for WIND FARM TOWERS from adjacent USES and STRUCTURES.

The location of each WIND FARM TOWER shall provide the following required separations as measured from the exterior of the above ground portion of the WIND FARM TOWER:

1. At least 1,000 feet separation from the exterior above-ground base of a WIND FARM TOWER to any PARTICIPATING DWELLING OR PRINCIPAL BUILDING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations.
2. At least 1,200 feet separation from the exterior above-ground base of a WIND FARM TOWER to any existing NON-PARTICIPATING DWELLING OR PRINCIPAL BUILDING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations and provided that the separation distance meets or exceeds any separation recommendations of the manufacturer of the wind turbine used on the WIND FARM TOWER.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

3. The above separations may be reduced to a distance no less than 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) upon submission of a PRIVATE WAIVER signed by the owner of said DWELLING or BUILDING or adjacent property. The PRIVATE WAIVER must specify the agreed minimum separation and specifically acknowledge that the grantor accepts the resulting noise level caused by the WIND FARM.
4. A separation distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest adjacent property line for property that is also part of the WIND FARM County Board SPECIAL USE Permit. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of the adjacent property. The PRIVATE WAIVER must specify the agreed minimum separation.
5. A separation distance equal to 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest public STREET RIGHT OF WAY unless the WIND FARM is located on both sides of the STREET in which case the minimum separation distance between a WIND FARM TOWER and the public STREET RIGHT OF WAY is equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade).
6. A separation distance equal to 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest non-participating property. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said non-participating property. The PRIVATE WAIVER must specify the agreed minimum separation.
7. A separation distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the exterior above-ground base of a WIND FARM TOWER to the nearest easement for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, and easement for an underground water main or to the actual water main if there is no easement, third party electrical transmission lines, communication towers, or railroad right of way. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said electrical transmission line or communication tower or the pipeline or the relevant public street maintenance jurisdiction. The PRIVATE WAIVER must specify the agreed minimum separation.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

8. Any PRIVATE WAIVER establishing an agreement for a lesser minimum separation as authorized above shall be submitted prior to the final determination by the Board and must be recorded as part of the chain of title in the deed to any relevant tract of land prior to authorization of any relevant ZONING USE PERMIT. No waiver of a standard condition shall be required in the event of a duly agreed and signed PRIVATE WAIVER.
9. At least 1,200 feet separation from the exterior above-ground base of a WIND FARM TOWER to any wellhead or other above ground fixture that is accessory to a GAS PIPELINE or to any valve or other above ground fixture for any HAZARDOUS LIQUID PIPELINE, provided however, that if the relevant PIPELINE IMPACT RADIUS required by paragraph 4.3.4H. is greater than 1,200 feet then that PIPELINE IMPACT RADIUS shall be the minimum separation of any of the above. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said pipeline. The PRIVATE WAIVER must specify the agreed minimum separation.
10. At least 1,600 feet separation from the exterior above-ground base of a WIND FARM TOWER to any Liquefied Natural Gas Storage; or Liquefied Petroleum Gas Storage; or Gasoline and Volatile Oils Storage exceeding 10,000 gallons capacity in the aggregate.
11. For any legal RESTRICTED LANDING AREA that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
 - (a) The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.
 - (b) An additional separation from the end of the runway shall be 15 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that is the width of the runway approach zone based on the requirements of 92 Ill. Admin Code 14.520, except as follows:
 - (1) that part of the separation that is more than 3,000 feet from the end of the runway may be a consistent width based on the widest point of the runway approach zone.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

12. For any legal RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010 there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
 - (a) The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.
 - (b) An additional separation from the end of the runway and for a distance of 50 feet on either side of an end of the runway, shall be 20 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that is the width of the runway approach zone based on the requirements of 92 Ill. Admin Code 14.520, except as follows:
 - (1) that part of the required separation that is more than 3,000 feet from the end of the runway may be consistent width based on the widest part of the runway approach zone.

D. Standard Conditions for Design and Installation of WIND FARM TOWERS.

1. Design Safety Certification

- (a) WIND FARM TOWERS, turbines, and all related construction shall conform to applicable industry standards, including those of the American National Standards Institute ("ANSI"). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories ("UL"), Det Norske Veritas ("DNV"), Germanischer Lloyd Wind Energy ("GL"), or equivalent third party. Documentation of compliance must be submitted prior to receiving a Zoning Compliance Certificate for either the WIND FARM or for any single WIND FARM TOWER.
- (b) Each Zoning Use Permit Application for a WIND FARM TOWER shall include a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer that the foundation and tower design of the WIND FARM TOWER is within accepted professional standards, given local soil and climate conditions.

2. Controls and Brakes

- (a) All WIND FARM TOWER turbines shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (b) Mechanical brakes shall be operated in fail-safe mode.
 - (c) Stall regulation shall not be considered a sufficient braking system for over speed protection.
- 3. Electrical Components. All electrical components of the WIND FARM shall conform to applicable state and national codes including, any relevant national and international standards (e.g. ANSI and International Electrical Commission).
- 4. The WIND FARM TOWER must be a monopole construction.
- 5. The total WIND FARM TOWER height (measured to the tip of the highest rotor blade) must be less than 500 feet.
- 6. WIND FARM TOWERS, turbine nacelles, and blades shall be painted white or gray or another non-reflective, unobtrusive color as specified in the application and authorized by the Board.
- 7. The WIND FARM shall comply with all applicable Federal Aviation Administration (FAA) requirements which shall be explained in the application. The minimum lighting requirement of the FAA shall not be exceeded except that all WIND FARM TOWERS shall be lighted and unless otherwise required by the FAA only red flashing lights shall be used at night and only the minimum number of such lights with the minimum intensity and the minimum number of flashes per minute (longest duration between flashes) allowed by FAA.
- 8. Warnings
 - (a) A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations.
 - (b) Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of 15 feet from the ground.
- 9. All WIND FARM TOWERS must be protected from unauthorized climbing by devises such as fences at least six feet high with locking portals or anti-climbing devices 12 feet vertically from the base of the WIND FARM TOWER.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- E. Standard Conditions to Mitigate Damage to Farmland
1. All underground wiring or cabling for the WIND FARM shall be at a minimum depth of 4 feet below grade or deeper if required to maintain a minimum one foot of clearance between wire or cable and any agricultural drainage tile.
 2. Protection of agricultural drainage tile
 - (a) The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary WIND FARM TOWER access lanes or driveways, construction of any WIND FARM TOWERS, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants for their knowledge of the tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.
 - (b) All identified drainage district tile lines shall be staked or flagged prior to construction to alert construction crews of the possible need for tile line repairs unless this requirement is waived in writing by the drainage district.
 - (c) Any agricultural drainage tile located underneath construction stage areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in paragraph 7.2 of the *Champaign County Stormwater Management Policy*.
 - (d) Any agricultural drainage tile that must be relocated shall be relocated as required in the *Champaign County Stormwater Management Policy*.
 - (e) Conformance of any relocation of drainage district tile with the *Champaign County Stormwater Management Policy* shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated district tile.
 - (f) All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (g) All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - (h) Permanent repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage.
 - (i) All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
 - (j) Following completion of the WIND FARM construction the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the applicant.
3. All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by WIND FARM construction shall be restored by the applicant to the pre-WIND FARM construction condition.
4. Topsoil replacement

For any open trenching required pursuant to WIND FARM construction, the topsoil shall be stripped and replaced as follows:

- (a) The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that it will not become intermixed with subsoil materials.
- (b) All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.
- (c) In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.
- (d) The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

5. Mitigation of soil compaction and rutting
 - (a) The applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the WIND FARM lease.
 - (b) Unless specifically provided for otherwise in the WIND FARM lease, the applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.

6. Land leveling
 - (a) The applicant shall not be responsible for leveling of disturbed land if exempted by the WIND FARM lease.
 - (b) Unless specifically provided for otherwise in the WIND FARM lease, the applicant shall level all disturbed land as follows:
 - (1) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
 - (2) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.

7. Permanent Erosion and Sedimentation Control Plan
 - (a) Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for all WIND FARM TOWER sites and access roads that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
 - (b) As-built documentation of all permanent soil erosion and sedimentation improvements for all WIND FARM TOWER sites and access roads prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

F. Standard Conditions for Use of Public STREETS

Any WIND FARM applicant proposing to use any County Highway or township or municipal STREET for the purpose of transporting WIND FARM TOWERS or Substation parts and/or equipment for construction, operation, or maintenance of the WIND FARM TOWERS or Substation(s), shall identify all such public STREETS and pay the costs of any necessary permits and costs to repair any damage to the STREETS caused by the WIND FARM construction, as follows:

1. The Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer; or Township Highway Commissioner; or municipality where relevant. Agreements with the County Engineer shall not be forwarded to the County Board before the WIND FARM SPECIAL USE permit is forwarded. All other agreements shall be executed prior to the close of the public hearing before the BOARD. The signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:
 - (a) The applicant shall agree to conduct a pre-WIND FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (1) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (2) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction.
 - (3) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
 - (b) The applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
 - (c) The applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (d) The applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
- (e) The applicant shall obtain any necessary Access Permits including any required plans.
- (f) The applicant shall erect permanent markers indicating the presence of underground cables.
- (g) The applicant shall install marker tape in any cable trench.
- (h) The applicant shall become a member of the Illinois state wide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or "JULIE") and provide JULIE with all of the information necessary to update its record with respect to the WIND FARM.
- (i) The applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection systems.
- (j) The applicant shall provide plans for the widening of any corner radius that is necessary to facilitate the turning movements of the transport trucks used by the applicant.
- (k) The applicant shall pay for the necessary temporary STREET improvements for the widened corner radii and pay for the cost to return the widened radii to their original lines and grades when no longer needed for the WIND FARM construction unless the STREET maintenance authority requests that the widened radii remain as improved.
- (l) The applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.
- (m) The applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for WIND FARM construction.
- (n) The applicant shall transport the WIND FARM TOWER segments and other oversize loads so as to minimize adverse impact on the local traffic including farm traffic.
- (o) The applicant shall schedule WIND FARM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (p) The applicant shall provide as much advance notice as is commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the applicant will provide 48 hours notice to the extent reasonably practicable.
- (q) The applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.
- (r) The applicant shall establish a single escrow account and a single Irrevocable Letter of Credit for the cost of all STREET upgrades and repairs pursuant to the WIND FARM construction.
- (s) The applicant shall notify all relevant parties of any temporary STREET closures.
- (t) The applicant shall obtain easements and other land rights needed to fulfill the applicant's obligations under this agreement.
- (u) The applicant shall provide written Notice to Proceed to the relevant STREET maintenance authority by December 31 of each year that identifies the STREETS to be upgraded during the following year.
- (v) The applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.
- (w) The applicant shall conduct a post-WIND FARM construction baseline survey similar to the pre-WIND FARM construction baseline survey to identify the extent of repairs necessary to return the STREET to the pre-WIND FARM construction condition.
- (x) The applicant shall pay for the cost of all repairs to all STREETS that are damaged by the applicant during the construction of the WIND FARM and restore such STREETS to the condition they were in at the time of the pre-WIND FARM construction inventory.
- (y) All WIND FARM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (z) The applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.
 - (aa) The applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.
 - (bb) Provisions for expiration date on the agreement.
 - (cc) Other conditions that may be required.
2. A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the WIND FARM until the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, has approved a Transportation Impact Analysis provided by the applicant and prepared by an independent engineer that is mutually acceptable to the applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, that includes the following:
- (a) Identify all such public STREETS or portions thereof that are intended to be used by the applicant during construction of the WIND FARM as well as the number of loads, per axle weight of each load; and type of equipment that will be used to transport each load.
 - (b) A schedule of the access road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - (c) A schedule of the anticipated STREET repair costs to be made in advance of the WIND FARM construction and following construction of the WIND FARM.
 - (d) The applicant shall reimburse the County Engineer; or Township Highway Commissioner; or municipality where relevant, for all reasonable engineering fees including the costs of a third party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
3. At such time as decommissioning takes place the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- G. Standard Conditions for Coordination with Local Fire Protection District
1. The applicant shall submit to the local fire protection district a copy of the site plan.
 2. Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.
 3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.
- H. Standard Conditions to Mitigate Electromagnetic Interference
1. The applicant shall provide the applicable microwave transmission providers and local emergency service provider(s) (911 operators) copies of the project summary and site plan.
 2. To the extent that any relevant microwave transmission provider and local emergency service provider demonstrates a likelihood of interference with its communications resulting from the WIND FARM, the applicant shall take reasonable measures to mitigate such anticipated interference.
 3. If, after construction of the WIND FARM, the Owner or Operator receives a written complaint related to the above-mentioned interference, the Owner or Operator shall take reasonable steps to respond to the complaint.
 4. If, after construction of the WIND FARM, the Owner or Operator receives a written complaint related to interference with local broadcast residential television, the Owner or Operator shall take reasonable steps to respond to the complaint.
- I. Standard Conditions for Allowable Noise Level
1. Noise levels from each WIND FARM TOWER or WIND FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
 2. The applicant shall submit manufacturer's wind turbine sound power level characteristics and other relevant data regarding wind turbine noise characteristics necessary for a competent noise analysis.
 3. The applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

4. The applicant shall submit a map of the relevant noise contours for the proposed WIND FARM and indicate the proposed WIND FARM TOWERS and all existing PRINCIPAL BUILDINGS within at least 1,500 feet of any WIND FARM TOWER or within the coverage of the relevant noise contours.
5. If a computer model is used to generate the required noise contours the applicant shall clearly state the assumptions of the model's construction and algorithms so that a competent and objective third party can as simply as possible verify the noise contours and noise data.
6. After construction of the WIND FARM the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
 - (a) The Zoning Administrator may seek authorization from the County Board to hire a noise consultant to determine the noise produced by the WIND FARM in a manner consistent with the Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
 - (b) The Zoning Administrator may require the WIND FARM owner to cooperate fully with the noise consultant in the enforcement action including shutting down all wind turbines to allow documentation of ambient noise levels.
 - (c) In the event that a violation of the IPCB noise regulations is identified the Zoning Administrator may require the WIND FARM owner to take whatever actions are necessary to stop the violation and comply with the noise regulations. The Zoning Administrator may seek direction from the Environment and Land Use Committee regarding the actions necessary to stop the violation.
 - (d) Further, in the event that a violation of IPCB noise regulations is identified the WIND FARM owner shall reimburse to the County the cost of the noise consultant.

J. Standard Conditions for Endangered Species Consultation

The applicant shall apply for consultation with the Endangered Species Program of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report or, if applicable, a copy of the Detailed Action Report submitted to the Endangered Species Program of the Illinois Department of Natural Resources and a copy of the response from the Illinois Department of Natural Resources.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

K. Standard Conditions for Historic and Archaeological Resources Review

The applicant shall apply for consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources. The application shall include a copy of the Agency Action Report from the State Historic Preservation Officer of the Illinois Department of Natural Resources.

L. Standard Conditions for Acceptable Wildlife Impacts

1. The WIND FARM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality including the following:
 - (a) Avoid locating WIND FARM TOWERS in known bird and bat migration pathways and daily movement flyways and known hibernacula and flight paths between bat colonies and bat feeding areas.
 - (b) Site WIND FARM TOWERS and design mitigation measures in a manner that will achieve a level of mortality to birds and bats that will protect sustainability of populations.
2. A qualified professional, such as an ornithologist or wildlife biologist, shall conduct a pre-construction site risk assessment study to estimate the impacts of the construction and operation of the proposed WIND FARM on birds and bats. The pre-construction site risk shall be submitted with the application and shall include the following minimum information:
 - (a) A literature review of existing information on species and potential habitats and results of agency database queries or records of rare, threatened, and endangered species and important habitats in the vicinity of the proposed WIND FARM area.
 - (b) A mapping of the general vegetation and land cover types, wildlife habitat and quality, and physical characteristics of the proposed WIND FARM area.
 - (c) A field examination that verifies results of the literature review and agency queries and documents general site habitat conditions.
 - (d) A review of existing literature of avian and bat mortality field results within North America and in similar physiographic settings as the proposed WIND FARM.
 - (e) If the risk assessment indicated risk may be low, no further surveys are required.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (f) If the risk assessment indicates risk may be high enough to potentially adversely affect the sustainability of bird or bat populations, a full year of site specific bird and bat use surveys may be required to address those species and conditions representing high risk from the beginning of the spring migration for birds or bats, and extending through the end of the fall migration for birds or bats and include both the spring and fall migration for both birds and bats in the proposed WIND FARM area.
 - (g) The site specific bird and bat use surveys may include surveys focused upon state or federal threatened or endangered or sensitive-status species in the proposed WIND FARM area during the appropriate seasons to determine the potential adverse impact.
 - (h) The results of the surveys shall be used to design siting and mitigation measures to lower risk to a sustainable level of mortality.
3. A qualified professional, such as an ornithologist or wildlife biologist, shall also conduct a post-construction mortality monitoring study to quantify the mortality impacts of the WIND FARM on birds and bats. The post-construction mortality monitoring study shall consist of the following information at a minimum:
- (a) At least two full years of site specific mortality monitoring from the beginning of the spring migration for birds or bats, and extend through the end of the fall migration for birds or bats and include both the spring and fall migration for both birds and bats in the immediate vicinity of some or all of the WIND FARM TOWERS.
 - (b) The application shall include a specific proposal for the degree of precision of the mortality monitoring study including how many days the monitoring is done, at how many towers, for how long each day, and at what radius around the tower, and the extent of monitoring outside of the spring and fall migrations.
 - (c) A written report on avian and bat mortality shall be submitted to the Environment and Land Use Committee at the end of the first two full years of WIND FARM operations. The mortality rate estimates should reflect consideration of carcass removal by scavengers and predators.
 - (d) If the Environment and Land Use Committee determines the mortality level does not threaten the population of protected species, no further post-construction mortality monitoring will be required.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (e) If the Environment and Land Use Committee determines there are legitimate mortality to bird or bat species indicated by the post-construction mortality monitoring study shall continue in full year increments until the monitoring indicates that the mortality concerns are resolved. When mortality concerns cannot be resolved in any other way, the Environment and Land Use Committee may require particular WIND FARM TOWERS to be shut down to lower mortality of birds or bats to an acceptable level.

M. Standard Conditions for Shadow Flicker

- 1. The applicant shall submit the results of a study on potential shadow flicker. The shadow flicker study shall identify the locations of both summer and winter shadow flicker that may be caused by the project with an expected duration of 30 hours or more per year.
- 2. Shadow flicker that exceeds the above standards shall be mitigated by any means such as landscaping, awnings, or fencing.

N. Standard Condition for Liability Insurance

- 1. The Owner or Operator of the WIND FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate. The amount of the limit shall be increased annually to account for the effects of inflation.
- 2. The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.

O. Operational Standard Conditions

- 1. Maintenance
 - (a) The Owner or Operator of the WIND FARM must submit, on an annual basis, a summary of the operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (b) Any physical modification to the WIND FARM that alters the mechanical load, mechanical load path, or major electrical components shall require a new County Board SPECIAL USE Permit. Like-kind replacements shall not require re-certification nor will replacement of transformers, cabling, etc. provided replacement is done in a fashion similar to the original installation. Prior to making any physical modification (other than a like-kind replacement), the Owner or Operator shall confer with a relevant third-party certifying entity identified in subparagraph 6.1.4D.1.(a) to determine whether the physical modification requires re-certification.
- 2. Materials Handling, Storage and Disposal
 - (a) All solid wastes related to the construction, operation and maintenance of the WIND FARM shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
 - (b) All hazardous materials related to the construction, operation and maintenance of the WIND FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.
- P. Standard Condition for Decommissioning Plan and Site Reclamation Plan
 - 1. The applicant shall submit a signed site reclamation plan conforming to the requirements of paragraph 6.1.1 A.
 - 2. In addition to the purposes listed in subparagraph 6.1.1 A.4. the reclamation agreement shall also include provisions for anticipated repairs for any public STREET used for the purpose of reclamation of the WIND FARM and all costs related to removal of access driveways.
 - 3. The Site Reclamation Plan required in paragraph 6.1.1 A. shall also include the following:
 - (a) A stipulation that the applicant shall notify the GOVERNING BODY by certified mail of the commencement of a voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of the proceeding.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (b) A stipulation that the applicant shall agree that the sale, assignment in fact or at law, or such other transfer of applicant's financial interest in the WIND FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this agreement. Any successor or assignee shall assume the terms, covenants and obligations of this Agreement and agrees to assume all reclamation liability and responsibility for the WIND FARM.
- (c) Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the WIND FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
- (d) A stipulation that at such time as decommissioning takes place, the Applicant or it's successors in interest are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- (e) A stipulation that the Applicant shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- (f) A stipulation that the Applicant shall be obliged to perform the work in the site reclamation plan before abandoning the WIND FARM or prior to ceasing production of electricity from the WIND FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance, and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- (g) The site reclamation plan shall provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to attorney's fees; construction management and other professional service fees; and the costs of preparing request for proposals and bidding documents required to comply with State law or Champaign County purchasing policies.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (h) The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.
- (i) The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:
 - (1) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original WIND FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.
 - (2) The native soils excavated at the time of the original WIND FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the WIND FARM. The methods for storing the excavated native soils during the operating lifetime of the WIND FARM shall be included in the site reclamation plan.
 - (3) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist or Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.
 - (4) An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (j) A stipulation that should the site reclamation plan be deemed invalid by a court of competent jurisdiction the WIND FARM SPECIAL USE Permit shall be deemed void.
 - (k) A stipulation that the Applicant's obligation to complete the site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
 - (l) A stipulation that the liability of the Applicant's failure to complete the site reclamation plan or any breach of the site reclamation plan requirement shall not be capped by the amount of the financial assurance.
 - (m) If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value or if the Applicant installs equipment or property increasing the cost of decommissioning after the WIND FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value the Applicant shall promptly notify the Zoning Administrator. In either of these events the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
4. To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit and an escrow account as follows:
- (a) At the time of SPECIAL USE Permit approval the amount of financial assurance to be provided for the site reclamation plan shall be 210% of the decommissioning costs as determined in the independent engineer's cost estimate to complete the decommissioning work described in Section 6.1.1 A.4.a. and 6.1.1A.4.b and 6.1.1A.4.c.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (b) Net salvage value may be deducted from decommissioning costs as follows:
 - (1) One of the following standards shall be met:
 - i. The Applicant shall maintain the WIND FARM TOWERS free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant shall deduct from the salvage value credit the amount of any lien or encumbrance on each WIND FARM TOWER; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.
 - (2) The applicant shall provide proof of compliance with paragraph 6.1.4P4(b)(1) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.
 - (3) The Applicant shall provide in the site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
 - (4) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the tower, the hub assembly, the bed plate, the nacelle, the turbine, the blades, the tower cabling and internal wiring, the transformers, the foundation, the access roads.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT – CONTINUED

- (5) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
 - (6) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.
 - (7) The credit for net estimated salvage value attributable to any WIND FARM TOWER may not exceed the estimated cost of removal of the above-ground portion of that WIND FARM TOWER on the subject site.
- (c) The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
 - (d) The Applicant shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (1) At least once every three years for the first 12 years of the financial assurance and at least once every year thereafter the Applicant shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
 - (2) At all times the total combined value of the irrevocable letter of credit and the escrow account shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved; and an amount for any future years left in the anticipated 25 year life span of the WIND FARM at an assumed minimum rate of inflation of 3% per year.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (e) The applicant or WIND FARM owner shall gradually pay down the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13 years of the WIND FARM operation as follows:
- (1) The applicant or WIND FARM owner and the GOVERNING BODY shall agree on a mutually acceptable financial institution at which an escrow account shall be established.
 - (2) The GOVERNING BODY shall be the beneficiary of the escrow account for the purpose of the reclamation of the WIND FARM in the event that the WIND FARM owner is incapable of decommissioning the WIND FARM.
 - (3) The applicant or WIND FARM owner shall grant perfected security in the escrow account by use of a control agreement establishing the County as an owner of record, pursuant to the Secured Transit Article of the Uniform Commercial Code, 810 *ILCS 9/101 et seq.*
 - (4) The applicant or WIND FARM owner shall make annual deposits to the escrow account over a 12 year period and shall simultaneously provide a replacement irrevocable letter of credit that is reduced accordingly.
 - (5) At all times the total combined value of the irrevocable letter of credit and the escrow account shall be increased annually as necessary to reflect actual rates of inflation over the life span of the WIND FARM and the amount shall be equal to or exceed the following:
 - i. the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved; plus
 - ii. an amount for any future years left in the anticipated life span of the WIND FARM at an assumed minimum rate of inflation of 3% per year.
 - (6) Any interest accrued on the escrow account that is over and above the total value required by subparagraph 6.1.4 P.3.(b) (4) shall go to the WIND FARM owner.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (7) In order to provide funding for decommissioning at the time of decommissioning, the WIND FARM applicant or WIND FARM owner may exchange a new irrevocable letter of credit in an amount equal to the amount in the escrow account in exchange for the GOVERNING BODY agreeing to a release of the full amount of the escrow account in exchange for the GOVERNING BODY agreeing to a release of the full amount of the escrow account.
 - (f) Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.4P.4.(d), the amount to be placed in the escrow account pursuant to this paragraph 6.1.4P.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
- 5. In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
 - (a) In the event that any WIND FARM TOWER or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such WIND FARM TOWER or component.
 - (b) In the event that the Owner declares any wind turbine or other component to be functionally obsolete for tax purposes.
 - (c) There is a delay in the construction of any WIND FARM TOWER of more than 6 months after construction on that WIND FARM TOWER begins.
 - (d) Any WIND FARM TURBINE appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
 - (e) Any WIND FARM TURBINE is otherwise derelict for a period of 6 months.
 - (f) The WIND FARM is in violation of the terms of the WIND FARM SPECIAL USE permit for a period exceeding ninety (90) days.
 - (g) The Applicant has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY's interest in the site reclamation plan.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (h) The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit zoning case.
 - (i) The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.4D.1.(a) or failed to submit it to the COUNTY within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.
6. The Zoning Administrator may, but is not required to, deem the WIND FARM abandoned, or the standards set forth in Section 6.1.4P.5. met, with respect to some, but not all, of the WIND FARM TURBINES in the WIND FARM. In that event the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to those WIND FARM TURBINES only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining WIND FARM TURBINES in the WIND FARM.
7. The Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

Q. Complaint Hotline

- 1. Prior to the commencement of construction on the WIND FARM and during the entire term of the County Board SPECIAL USE permit and any extension, the applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
- 2. The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
- 3. The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.
- 4. Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
- 5. All calls shall be recorded and the recording shall be saved for transcription for a minimum of two years.
- 6. A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

7. The applicant and Owner shall take necessary actions to resolve all legitimate complaints.

R. Standard Condition for Expiration of WIND FARM County Board SPECIAL USE Permit

A WIND FARM County Board SPECIAL USE Permit designation shall expire pursuant to any time limit included in the Roadway Upgrade and Maintenance agreement required by paragraph 6.1.4 G. or in 10 years if no Zoning Use Permit is granted.

S. Application Requirements

1. In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.1 A.2. the application shall contain or be accompanied by the following information:

(a) A WIND FARM Project Summary, including, to the extent available:

(1) A general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s), type(s) of wind turbines, number of wind turbines, and name plate generating capacity of each wind turbine; the maximum height of the WIND FARM TOWER(S); and the maximum diameter of the WIND FARM TOWER rotor(s).

(2) The specific proposed location of the WIND FARM including all tax parcels on which the WIND FARM will be constructed.

(3) The specific proposed location of all tax parcels required to be included in the WIND FARM County Board SPECIAL USE Permit.

(4) A description of the applicant; Owner and Operator, including their respective business structures.

(b) The name(s), address(es), and phone number(s) of the applicant(s), Owner and Operator, and all property owner(s) for the WIND FARM County Board SPECIAL USE Permit.

SECTION 6.1.4 WIND FARM COUNTY BOARD SPECIAL USE PERMIT - CONTINUED

- (c) A site plan for the installation of all WIND FARM TOWERS indicating the following:
 - (1) The approximate planned location of each WIND FARM TOWER, other PRINCIPAL STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, substation(s), electrical cabling from the WIND FARM TOWER to the Substation(s), ancillary equipment, third party transmission lines, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (2) The site plan shall clearly indicate the area of the proposed WIND FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.4 A.1.
 - (3) The separation of all WIND FARM structures from adjacent NON-PARTICIPATING DWELLINGS OR PRINCIPAL BUILDINGS or uses shall be shown or dimensioned on the approved site plan for the SPECIAL USE Permit unless the Board authorizes a lesser separation in a special condition of approval or any required and duly authorized waivers of paragraph 6.1.4C. Authorization of a separation of less than 90% of that indicated on the approved site plan for the SPECIAL USE Permit shall require an updated noise study meeting the requirements of paragraph 6.1.4I. to be submitted with the Zoning Use Permit application. WIND FARM structures include WIND FARM TOWERS, substations, third party transmission lines, maintenance and management facilities, or other significant structures.
 - (d) All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
2. The applicant shall notify the COUNTY of any changes to the information provided above that occurs while the County Board SPECIAL USE Permit application is pending.

Champaign County
Department of



Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

TO: **Environment and Land Use Committee**

FROM: **Susan Burgstrom, Senior Planner
John Hall, Zoning Administrator & Subdivision Officer**

DATE: **December 27, 2017**

RE: **Case 198-17 Stierwalt Subdivision**

Subdivider:

**Dolores Stierwalt
325 CR 300N
Sadorus, IL 61872**

Engineer/Surveyor:

**Eric Hewitt
Phoenix Consulting Engineers, LTD.
421 E. Main St., Mahomet, IL 61853**

REQUESTED ACTION

Final Plat approval for a one-lot minor subdivision of a 1.43 acre residential lot out of an existing 19.37 acre parcel located in the AG-1 Agriculture Zoning District in Section 22 of Sadorus Township located on the south side of CR 300N, approximately ¼ mile east of CR 300E. There is an existing dwelling on proposed Lot 1 with an address of 325 CR300N, Sadorus.

The proposed lot meets all Zoning Ordinance requirements and the proposed subdivision appears to meet all of the minimum subdivision standards, but the Final Plat does require some waivers. Because there is an existing dwelling with a septic system on proposed Lot 1 and there have been no percolation tests recorded on the Final Plat, approval at this time requires the following waivers (See Attachment D: Draft Findings):

1. Waive the requirement of paragraph 9.1.2 q. for percolation test data to be recorded on the Final Plat.
2. Waive the requirement of paragraph 9.1.2 r. for certification of the proposed lot and soil characteristics for private septic disposal systems to be recorded on the Final Plat.

LOCATION, ROADWAY ACCESS, AND LAND USE

The subject property is a 19.37 acre parcel in the Northwest Quarter of the Northwest Quarter of Section 22 in Sadorus Township (see Location Map). The proposed 1.43 acre subdivision is a residence that is proposed to be divided from the subject property.

The proposed subdivision is bordered by farmland on all sides (see Attachment A: Land Use Map).

The proposed lot has a driveway that crosses the northwest corner of the 1.26 acre lot to the east, and has another shared access drive with the same lot; both access drives connect to CR 300N.

APPLICABLE ZONING REGULATIONS

The subject property is zoned AG-1 Agriculture (see Attachment A: Zoning Map). The proposed lot meets the minimum lot requirements; Table 1 below summarizes those requirements:

Table 1. Review Of Minimum Lot Requirements

Lot Characteristic	Requirement (or Limit)	Proposed Lot 1	Notes
Lot Area (acres)	Minimum: 1.00 acre	1.43 acre <i>1.29 excluding road right-of-way</i>	COMPLIES: EXCEEDS MINIMUM REQUIREMENT
	Maximum ¹ : 3.00 acres		
Lot Frontage (feet)	200.00 (minimum)	200.00 feet	COMPLIES: MEETS MINIMUM REQUIREMENT
Lot Depth (feet)	80.00 (minimum)	312 feet	COMPLIES: EXCEEDS MINIMUM REQUIREMENT
Average Lot Width (feet)	200.00 (minimum)	200.00 feet	COMPLIES: MEETS MINIMUM REQUIREMENT
Lot Depth to Width	3.00 : 1.00 (maximum)	1.56 : 1.00	COMPLIES: LESS THAN MAXIMUM ALLOWED
NOTES ¹ The maximum lot size only applies when the new lots are Best Prime Farmland overall and when the tract to be divided was larger than 12 acres on 1/1/98.			

MINIMUM SUBDIVISION STANDARDS AND AREA GENERAL PLAN APPROVAL

The Minimum Subdivision Standards were added to the Area General Plan section of the *Subdivision Regulations* on July 8, 2004, in Subdivision Case 175-04, Part B, which also added the requirement that any subdivision needed Area General Plan approval except for subdivisions pursuant to a Rural Residential Overlay (RRO) map amendment. Area General Plan approval is only by ELUC. The subject subdivision is not pursuant to an RRO amendment and so Area General Plan requirements are applicable.

Attachment C reviews the conformance of the proposed subdivision with those standards, and the proposed subdivision appears to meet all of the minimum subdivision standards and thus appears to comply with the Area General Plan requirements.

SOIL CONDITIONS / NATURAL RESOURCE REPORT

In a letter dated November 28, 2017, and received December 18, 2017, Jonathon Manuel of Champaign County Soil and Water Conservation District stated, "SWCD does not have any easements or concerns with the change in the property at this time. The property has been reviewed and our records checked."

The Soil Survey of Champaign County indicates that the subject property contains three soil types: Sunbury Sit Loam (234A), Drummer Silty Clay Loam (152A) and Flanagan Silt Loam (154A). The soils are best prime farmland on average.

DRAINAGE, STORMWATER MANAGEMENT POLICY, AND FLOOD HAZARD STATUS

The subject property is located in the East Lake Fork Drainage District. The drainage district was notified of the proposed subdivision. No part of the proposed lot contains any portion of the drainage ditch right of way.

The Subsidiary Drainage Plat received December 18, 2017 (Attachment E), indicates elevations for the proposed lot and adjacent roadway.

The existing property is not located in the Special Flood Hazard Area.

No Stormwater Drainage Plan is required for the subdivision because there is no proposed construction.

PUBLIC IMPROVEMENTS

No public improvements are indicated or required in this subdivision.

WATER WELLS AND SOIL SUITABILITY FOR SEPTIC SYSTEMS

There is an existing dwelling on proposed Lot 1 which has an existing septic system. In an email dated November 29, 2017, Michael Flanagan of the Champaign Urbana Public Health District stated, "Based on the information that you [*Eric Hewitt/Phoenix Consulting Engineers*] provided, there are no additional requirements based on the Plat Act that the Champaign-Urbana Public Health District/Champaign County Public Health Department has for the Stierwalt minor subdivision at this time. Thank you for the clarification regarding the locations of the onsite utilities at this location."

The Sunbury Silt Loam (234A) soil has a Soil Potential Index of 83 (medium rating). Flanagan Silt Loam (154A) has a SPI of 79, also a medium rating. The medium rating is defined as having "performance that is somewhat below local standards; cost of measures for overcoming soil limitations are high; soil limitations continuing after corrective measures are installed detract appreciably from environmental quality." Drummer Silty Clay Loam (152A) has an index of 53 (low rating). The low rating is defined as having "performance that is much below local standards; there are severe soil limitations for which economically feasible measures are unavailable; soil limitations continuing after corrective measures are installed seriously detract from environmental quality." The majority of the proposed lot has Sunbury Silt Loam soil.

NECESSARY FINAL PLAT WAIVERS AND REQUIRED FINDINGS

Article 18 of the Champaign County Subdivision Regulations requires four specific findings for any waiver of the Subdivision Regulations:

1. The granting of the WAIVER will not be detrimental to the public safety, health or welfare or injurious to other property located in the area;
2. The conditions upon which the request for a WAIVER is based are unique to the property for which the WAIVER is sought and are not applicable generally to other property and granting of the WAIVER requested will not confer to the SUBDIVIDER any special privilege that is denied by these Regulations to other SUBDIVIDERS;

3. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the OWNER would result, as distinguished from a mere inconvenience, if the strict letter of these Regulations are carried out;
4. Special conditions and circumstances will not result from the actions of the SUBDIVIDER.

The proposed subdivision does not conform to the following requirements for Final Plats, and waivers are required for the following:

1. **Waive the requirement of paragraph 9.1.2 q. for percolation test data to be recorded on the Final Plat.**

There is an existing dwelling with a septic system on proposed Lot 1 and there have been no percolation tests recorded on the Final Plat. There are no proposed changes to the property.

2. **Waive the requirement of paragraph 9.1.2 r. for certification of the proposed lot and soil characteristics for private septic disposal systems to be recorded on the Final Plat.**

Same as #1 above.

ATTACHMENTS

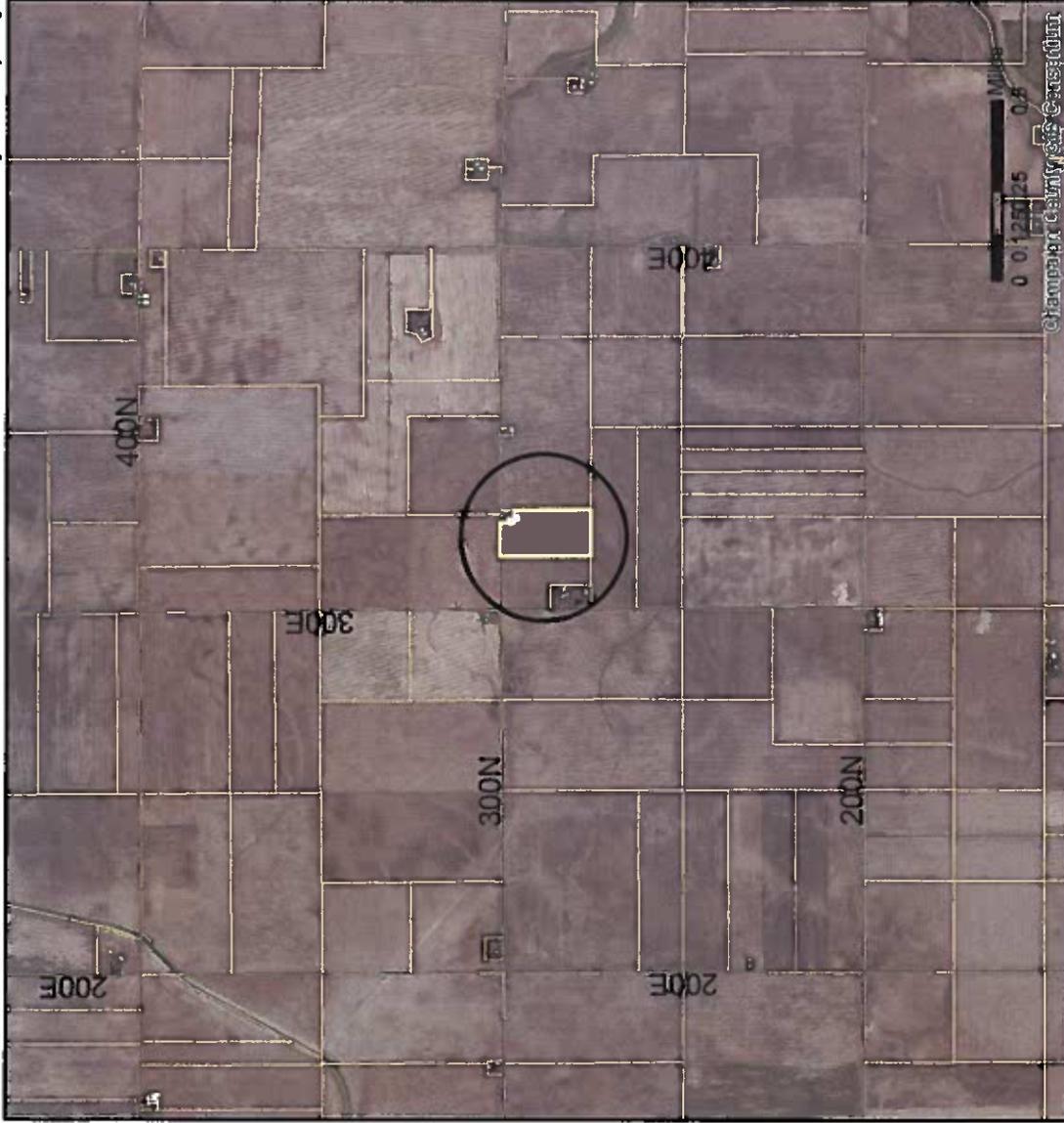
- A Subdivision Case Maps (Location, Land Use, Zoning)
- B Final Plat for Stierwalt Subdivision received December 18, 2017
- C Preliminary Assessment of Compliance with Minimum Subdivision Standards
- D Draft Findings for Waivers of Final Plat Requirements
- E Subsidiary Drainage Plat received December 18, 2017
- F Exhibits received with Minor Subdivision application on December 18, 2017

Location Map

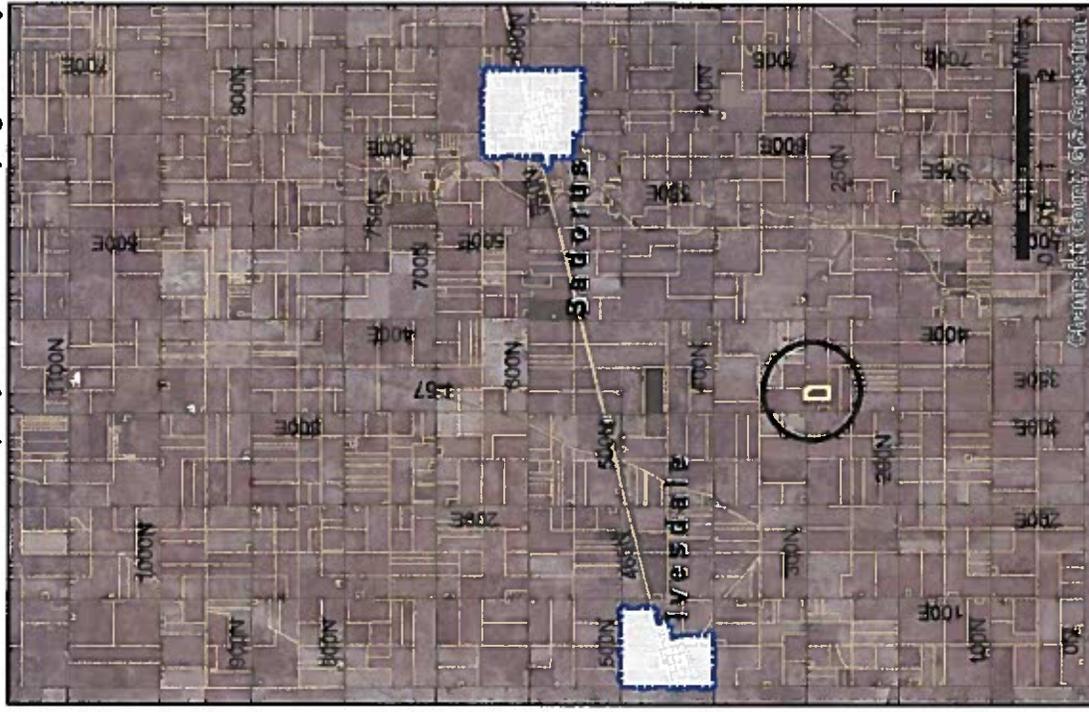
Case 198-17

January 4, 2018 ELUC

Subject Property



Property location in Champaign County



Legend

-  Subject Property
-  Municipal Boundary
-  Parcels
-  Streets

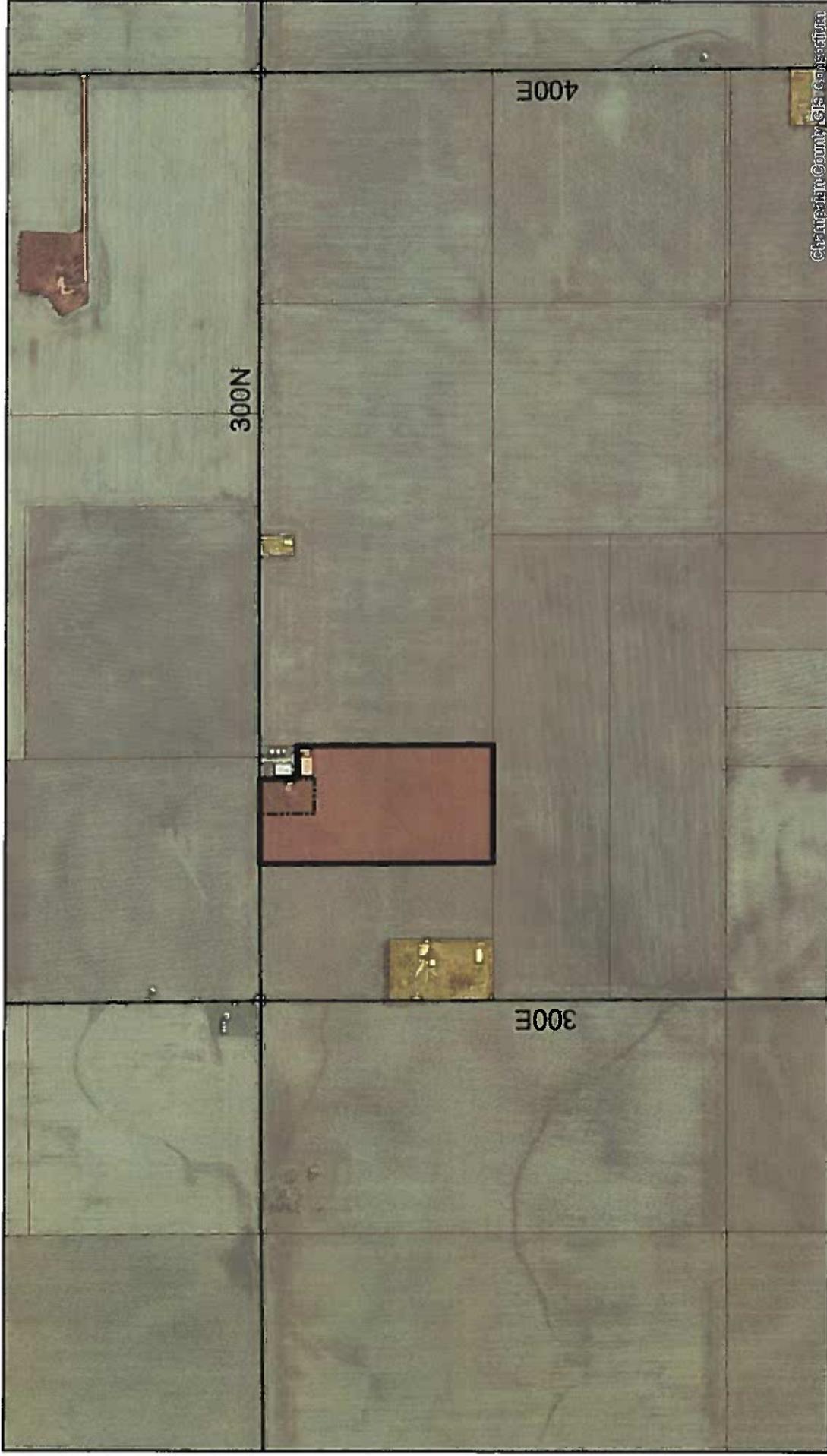


Champaign County
Department of
PLANNING
2017.12

Land Use Map

Case 198-17

January 4, 2018 ELUC



Legend

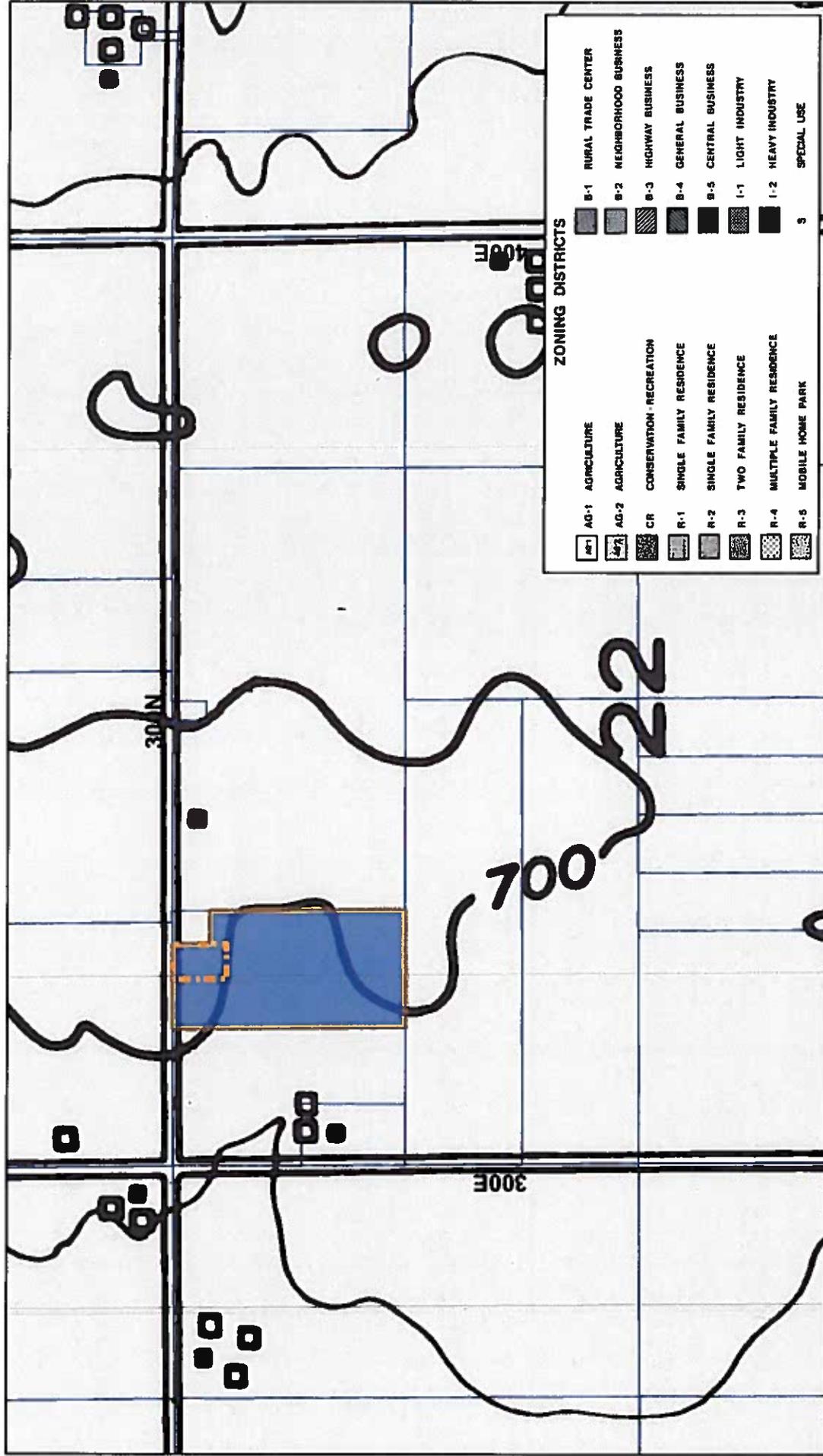
-  Residential
-  Proposed Lot 1
-  Agriculture with Residence
-  Parent Tract
-  Agriculture



Zoning Map

Case 198-17

January 4, 2018 ELUC



Legend

- Proposed Lot 1
- Parent Tract
- Parcels

0 100 200 400 Feet

Champaign County
Department of
PLANNING &
ZONING

ZONING DISTRICTS

AG-1	AGRICULTURE	B-1	RURAL TRADE CENTER
AG-2	AGRICULTURE	B-2	NEIGHBORHOOD BUSINESS
CR	CONSERVATION - RECREATION	B-3	HIGHWAY BUSINESS
R-1	SINGLE FAMILY RESIDENCE	B-4	GENERAL BUSINESS
R-2	SINGLE FAMILY RESIDENCE	B-5	CENTRAL BUSINESS
R-3	TWO FAMILY RESIDENCE	I-1	LIGHT INDUSTRY
R-4	MULTIPLE FAMILY RESIDENCE	I-2	HEAVY INDUSTRY
R-5	MOBILE HOME PARK	S	SPECIAL USE

**ATTACHMENT C. PRELIMINARY ASSESSMENT OF COMPLIANCE
WITH MINIMUM SUBDIVISION STANDARDS**

Case 198-17 Stierwalt Subdivision

DECEMBER 27, 2017

Standard	Preliminary Assessment ¹
SUITABILITY STANDARDS (Section 6.1.5 a.)	
1) No part of a minimum required LOT AREA ² shall be located on the following soils: Ross silt loam soil (No. 3473A), Ambraw silty clay loam soil (No. 3302A), Peotone silty clay loam soil (No. 330A), or Colo silty clay loam soil (3107A)	APPEARS TO CONFORM. This subdivision is for an existing home. The <i>Champaign County Soil Survey</i> indicates the subject property contains three soil types: Sunbury Sit Loam (234A), Drummer Silty Clay Loam (152A) and Flanagan Silt Loam (154A).
2) No part of a minimum required LOT AREA ² shall contain an EASEMENT for an interstate pipeline	APPEARS TO CONFORM. No pipeline is included in the area proposed for subdivision.
3) No part of a minimum required LOT AREA ² shall be within a runway primary surface or runway clear zone	APPEARS TO CONFORM. No runway is known to be in the vicinity of the subject property.
4) Prior to the commencement of any change in elevation of the land, no part of a minimum required LOT AREA ² shall be located more than one foot below the BASE FLOOD ELEVATION (BFE).	APPEARS TO CONFORM. This subdivision is for an existing home. The proposed lot is not located within the Special Flood Hazard Area.
5) When a connected public sanitary sewer is not available, the septic suitability of the soils occupied by each proposed LOT must be the most suitable soils on the larger tract from which the SUBDIVISION is proposed.	APPEARS TO CONFORM. This subdivision is for an existing home. The proposed lot appears to consist primarily of Sunbury Silt Loam (234A), which is a more suitable soil than Drummer silty clay loam (152A) which comprises most of the surrounding farmland on the property.
6) The amount of farmland with a Land Evaluation score of 85 or greater that is occupied by each LOT must be minimized as much as possible.	APPEARS TO CONFORM. The average LE score of the entire subject property is greater than 85. The proposed lot does not take farmland out of production.
7) A minimum required LOT AREA ² for any LOT must have positive surface drainage with no significant identifiable area of likely stormwater ponding and provided that any portion of any LOT that is likely to experience ponding of stormwater is noted on the FINAL PLAT.	APPEARS TO CONFORM. This subdivision is for an existing home. Minimum topographic information has been provided and appears to indicate conformance.
8) Possible driveway locations on each LOT must comply with the Minimum Stopping Sight Distance standards based on lawful speed limits at that location.	APPEARS TO CONFORM. This subdivision is for an existing home.
CONTINUED ON NEXT PAGE	

**ATTACHMENT C. PRELIMINARY ASSESSMENT OF COMPLIANCE
WITH MINIMUM SUBDIVISION STANDARDS**

*Case 198-17 Stierwalt Subdivision
DECEMBER 27, 2017*

Standard	Preliminary Assessment ¹
AGRICULTURAL COMPATIBILITY STANDARDS (Section 6.1.5 b.)	
1) Possible driveway locations on each LOT must be limited such that driveway entrances to existing public STREETS are centralized as much as possible consistent with good engineering practice.	APPEARS TO CONFORM. This subdivision is for an existing home and the driveway is already established.
2) The location of a SUBDIVISION on the larger tract from which the SUBDIVISION is proposed must maximize the separation of the proposed SUBDIVISION from: <ul style="list-style-type: none"> i. adjacent farmland that is under different OWNERSHIP at the time of SUBDIVISION; and ii. adjacent public parks, natural areas, or nature preserves 	APPEARS TO CONFORM. The subject property is the location of an existing house, and there are no public parks, natural areas, or nature preserves adjacent to the subject property.
3) The SUBDIVISION LOT arrangement must minimize the perimeter of the SUBDIVISION that borders adjacent agriculture and must be located next to adjacent residential LOTS whenever possible.	APPEARS TO CONFORM. This subdivision is for an existing home and there are no nearby residential lots.
Notes <ol style="list-style-type: none"> 1. This preliminary assessment is subject to review by the Environment and Land Use Committee. A waiver is required for any Minimum Subdivision Standard to which the Committee determines that the Plat does not conform. 2. The minimum required lot area is one acre (43,560 square feet). 	

ATTACHMENT D. DRAFT FINDINGS FOR WAIVER OF FINAL PLAT REQUIREMENTS
Case 198-17 Stierwalt Subdivision
DECEMBER 27, 2017

DRAFT FINDINGS FOR WAIVER OF FINAL PLAT REQUIREMENTS

As required by Article Eighteen of the Champaign County Subdivision Regulations and based on the testimony and exhibits received at the meeting held on **January, 4, 2018**, the Environment and Land Use Committee of the Champaign County Board finds that:

1. The requested subdivision waiver(s) of final plat requirements **WILL NOT** be detrimental to the public health, safety, or welfare or injurious to other property located in the area because:
 - A. **The farmstead house on the proposed Lot 1 has existed for more than 15 years and already has a septic system.**
 - B. **There will be no new dwelling established as a result of this subdivision.**
 - C. **Topographic information has been provided.**
 - D. **Soil suitability information for a septic system has been provided.**
2. Special conditions and circumstances **DO** exist which are unique to the property involved and are not applicable generally to other property and granting the subdivision waiver(s) of final plat requirements will not confer any special privilege to the subdivider because:
 - A. **This is a one lot subdivision of an existing farmstead that will not result in any new dwelling or the need for a new septic system.**
 - B. **These waivers are not prohibited by the Subdivision Regulations and could be requested for any subdivision with similar conditions.**
3. Particular hardships **WILL** result to the subdivider by carrying out the strict letter of the subdivision requirements sought to be waived because:
 - A. **This is a one lot subdivision of an existing farmstead that will not result in the need for a new septic system. Requiring that percolation test data and the statement regarding suitability being recorded on the Final Plat would increase the subdivider's costs and slow down the approval process with no gain to public health or safety.**
4. The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the subdivider because:
 - A. **The farmstead dwelling was constructed more than 15 years ago but now needs to be separated from the rest of the farm property.**

SUBSIDIARY DRAINAGE PLAT
STIERWALT SUBDIVISION
 PART OF NORTHWEST 1/4 OF SECTION 22
 TOWNSHIP 17 NORTH, RANGE 7 EAST, THIRD PRINCIPAL MERIDIAN
 SADORUS TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS



- LEGEND**
- 700 --- EX. CONTOUR LINE
 - --- EX. DIRECTION OF FLOW
 - --- EX. CULVERTION LINE

SUPPLIER/OWNER:
 PHECALX CONSULTING ENGINEERS, LTD.
 P.O. BOX 1147
 MAHOMET, IL 61853
 (217) 239-1800
 (217) 239-1837
 PROFESSIONAL DESIGN FIRM
 NO. 184-008835

OWNER:
 DOLORES STERBALT

DRAINAGE STATEMENT

TO THE BEST OF OUR KNOWLEDGE AND BELIEF PROVISIONS HAVE BEEN MADE FOR THE COLLECTION AND DIVERSION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE OWNER HAS A RIGHT TO USE, AND THAT SUCH SURFACE DRAINAGE IS TO BE CONSIDERED AS A NECESSARY PART OF THE PROPOSED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE DEVELOPMENT OF SUBJECT SUBDIVISION.

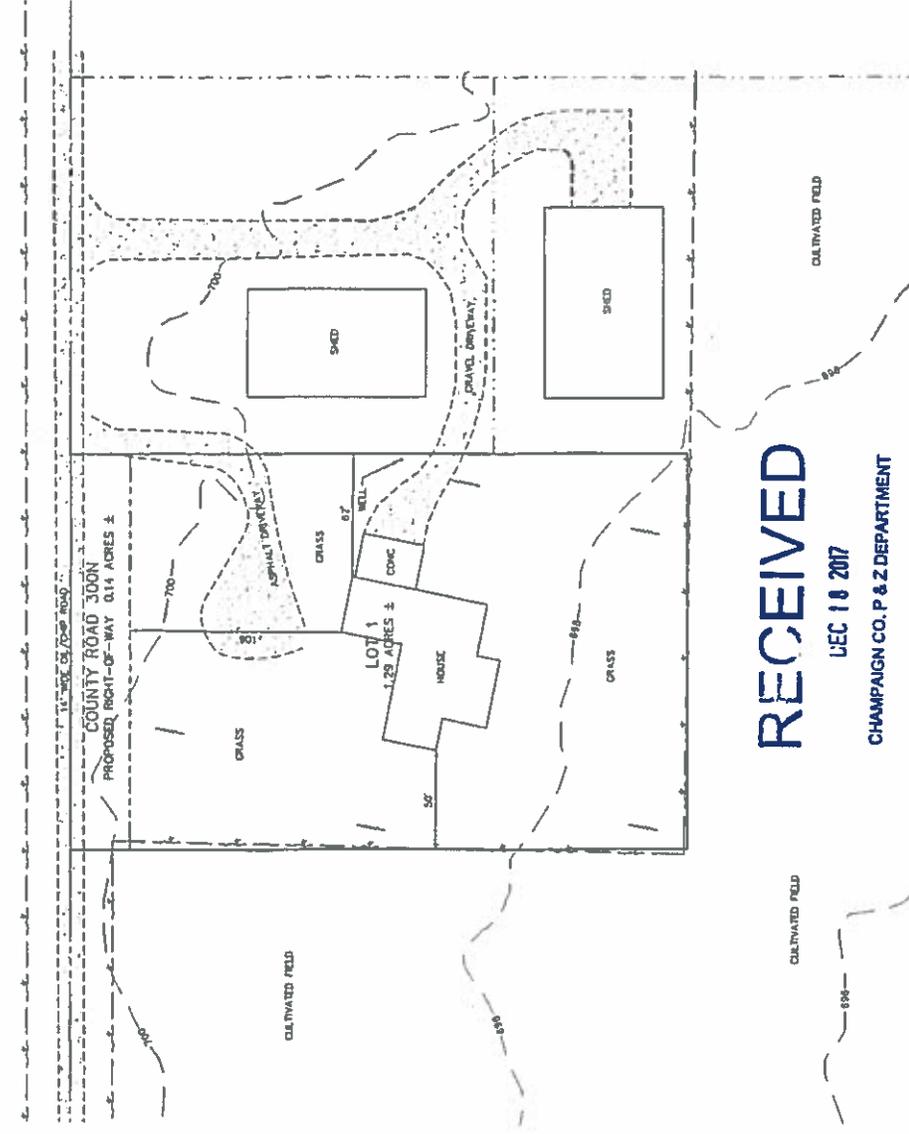
THOMAS L. OVERMAYER, P.E.
 LICENSED PROFESSIONAL ENGINEER
 LICENSE NO. 087-047818 EXPIRES NOVEMBER 30, 2019

DATE: _____

OWNER: _____

NOTES:

1. NO PUBLIC IMPROVEMENTS ARE PROPOSED FOR THIS SUBDIVISION.
2. NO NEW STORM WATER DETENTION IS PROPOSED FOR THIS SUBDIVISION.
3. NO CHANGES IN GROUND ELEVATIONS ARE PROPOSED.
4. EXISTING CONTOURS ARE BASED UPON CHAMPAIGN COUNTY GIS CONTOURAL DATA.
5. SEE ACCOMPANYING FINAL PLAT FOR ADDITIONAL INFORMATION.



Phecalx Consulting Engineers, Ltd.
 Professional Design Firm No. 184-008835
 421 E. Main Street • Mahomet, IL 61853
 PH 217-586-1800 • Fax 217-586-6757

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 DEC 10 2017
 CHAMPAIGN CO. P & Z DEPARTMENT

DATE OF PREPARATION:
 NOVEMBER 2017
 SHEET NO. 1 OF 1



December 13, 2017

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DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT

Mr. John Hall, Director
Champaign County Planning and Zoning Department
Brookens Administrative Center
1776 E. Washington St.
Urbana, IL 61801

RE: Stierwalt Subdivision
Sadorus Township, Champaign County, Illinois

Dear John:

On behalf of Ms. Dolores Stierwalt and in accordance with the Champaign County Subdivision Regulations, we are submitting the following documents for review and approval.

- Minor Subdivision Plat Application and \$400 review fee check
- Location map
- Final Plat (5 full size copies and 1 half size)
- Subsidiary Drainage Plat (2 full size and 1 half size)
- Surveyor's Statement to Recorder of Deeds
- Drafts of Owner's Certificate, County Clerk's Certificate, and School District Statement (prepared by owner's attorney, Mr. Bill Scott)
- Sign off by Champaign County Soil and Water Conservation District (letter)
- Sign off by Champaign Urbana Public Health Department (email)
- Approval by Township Highway Commissioner (email)

Let us know if you have any questions or need anything further.

Sincerely,

Eric E. Hewitt, PLS

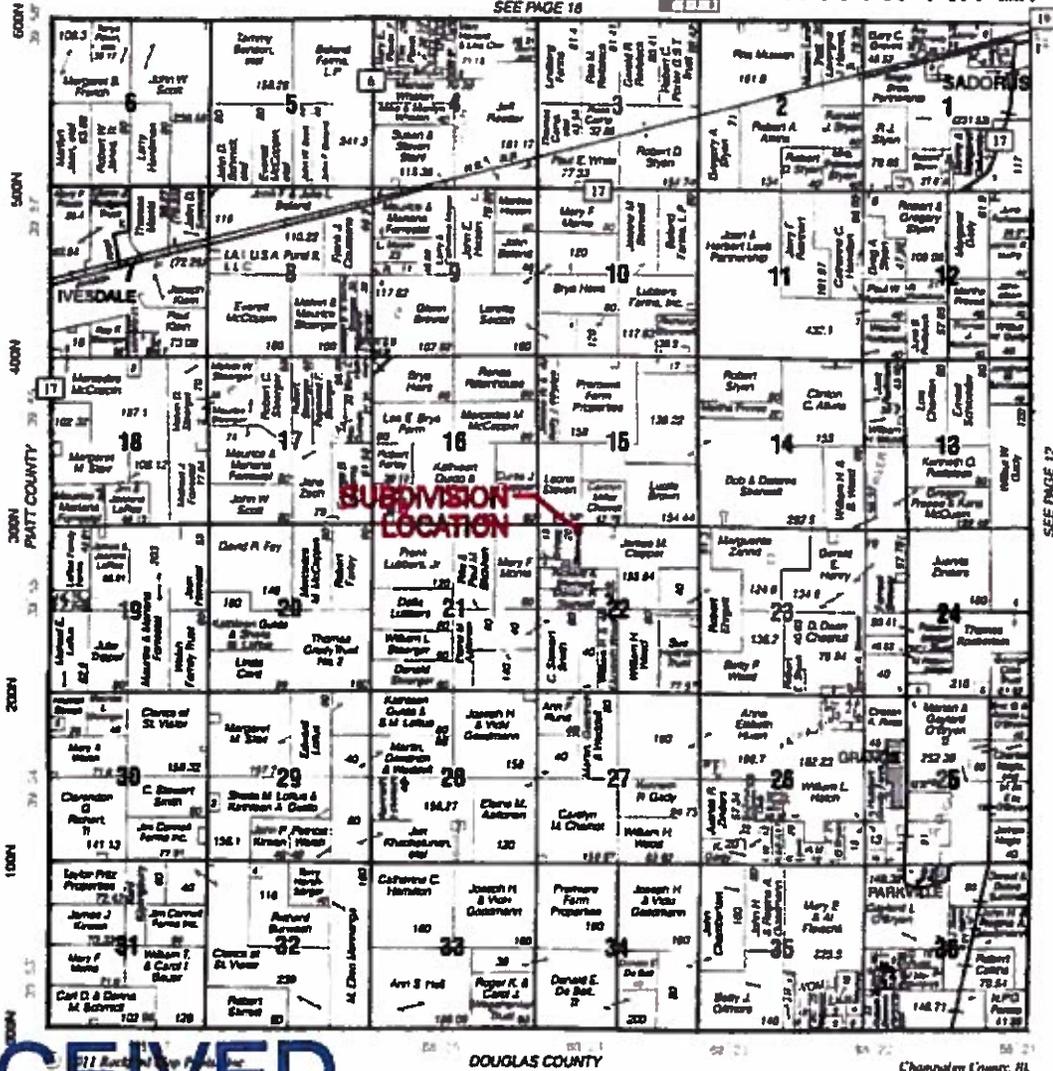
xc: Dolores Stierwalt
Bill Scott
17SUR092



SOUTHWEST PART SADORUS

T.17N.-R.7E.

SEE PAGE 18



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DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT



Phoenix Consulting Engineers, Ltd.
 Professional Design Firm No. 184.005835
 421 E. Main Street • Mahomet, IL 61853
 Ph 217-586-1803 • Fax 217-586-6757

LOCATION MAP

STIERWALT SUBDIVISION
 PART OF NW 1/4 SEC. 22
 T. 17 N., R. 7 E., 3RD P.M.
 CHAMPAIGN COUNTY, ILLINOIS

SHEET NO.

1

STATE OF ILLINOIS)
) SS:
COUNTY OF CHAMPAIGN)

COUNTY CLERK'S CERTIFICATE

I, the undersigned, County Clerk in and for the County of Champaign and State of Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments against the following described tract of land, as appears from the records in my office to-wit:

Commencing at an iron pin survey monument found at the Northwest corner of the Northwest Quarter of Section 22, Township 17 North, Range 7 East of the Third Principal Meridian; thence North 89 degrees 44 minutes 34 seconds East along the North line of the Northwest Quarter of said Section 22 a distance of 1070.76 feet to a mag spike survey monument set, said mag spike survey monument being the point of beginning, thence continue North 89 degrees 44 minutes 34 seconds East along the North line of the Northwest Quarter of said Section 22 a distance of 200 feet to a mag spike survey monument set; thence South 00 degrees 24 minutes 40 seconds East a distance of 312 feet to an iron pin survey monument set; thence South 89 degrees 44 minutes 34 seconds West, a distance of 200 feet an iron pin survey monument set in concrete; thence North 00 degrees, 24 minutes, 40 seconds West a distance of 312 feet, more or less to the point of beginning, containing 1.43 acres, more or less, situated in Champaign County, Illinois

Part of Parcel Numbers: 22-31-22-100-012 and 22-31-22-100-013

Given under my hand and seal this ____ day of _____, 2017

COUNTY CLERK OF CHAMPAIGN
COUNTY

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CHAMPAIGN CO. P & Z DEPARTMENT



Champaign County

Soil and Water Conservation District
2110 West Park Court Suite C Champaign, IL 61821
(217) 352-3536 Extension 3 — www.ccsxcd.com

November, 28th 2017

Phoenix Consulting Engineers, LTD
Attn: Eric E. Hewitt, PLS
421 E. Main St.,
P.O. Box 1187
Mahomet, IL 61853

Dear Eric Hewitt:

The Champaign County Soil and Water Conservation District does not have any easements or concerns with the change in the property at this time.

The Property has been reviewed and our records checked.

Should you have any questions contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Jonathon Manuel".

Jonathon Manuel
Resource Conservationist

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DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT



Eric Hewitt <ehewitt@phoenix-ce.com>

RE: Stierwalt minor subdivision

1 message

Michael Flanagan <mflanagan@c-uphd.org>
To: Eric Hewitt <ehewitt@phoenix-ce.com>

Wed, Nov 29, 2017 at 8:06 AM

Mr. Hewitt,

Based on the information that you provided, there are no additional requirements based on the Plat Act that the Champaign-Urbana Public Health District/Champaign County Public Health Department has for the Stierwalt minor subdivision at this time. Thank you for the clarification regarding the locations of the onsite utilities at this location.

v/r

Michael Flanagan, LEHP
Program Coordinator

Champaign-Urbana Public Health District
201 W. Kenyon Rd.
Champaign, IL 61820

Phone: 217-531-2908 Secure Fax: 217-373-7905

mflanagan@c-uphd.org



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DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT

www.c-uphd.org

www.stock2forfu.com

This message and any attachments are for the designated recipient only and may contain privileged, proprietary, or otherwise private or confidential information. If you have received it in error, please notify the sender immediately and delete the original and any copy. Any other use of the email or attachments by you is strictly prohibited.

From: Eric Hewitt [mailto:ehewitt@phoenix-ce.com]
Sent: Tuesday, November 28, 2017 4:56 PM
To: Michael Flanagan
Cc: Bill Stierwalt
Subject: Fwd: Stierwalt minor subdivision

Mr. Flanagan,

Per our phone conversation before the Thanksgiving holiday, I have additional information for you regarding subject subdivision. See the attached for that information.

Please let me know you have if you have any further questions. As soon as possible, would you let me know if your department has any requirements for the subdivision. We are ready to submit an application to the County.

Thank you.

Eric E. Hewitt, PLS
Phoenix Consulting Engineers, LTD
421 E. Main St., PO Box 1187
Mahomet, IL 61853
217-586-1803
217-840-9129 (cell)

----- Forwarded message -----
From: Eric Hewitt <ehewitt@phoenix-ce.com>
Date: Thu, Nov 9, 2017 at 5:07 PM
Subject: Stierwalt minor subdivision
To: mflanagan@c-uphd.org

RECEIVED

DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT

Mr. Flanagan,

I am working on a one lot minor subdivision to separate off the existing residence at 325 County Road 300 N, Sadorus, Illinois. What requirements does your department have, if any, since this is an existing developed residence?

Please call if you have any questions.

Thanks,

Eric E. Hewitt, PLS

Phoenix Consulting Engineers, LTD

421 E. Main St., PO Box 1187

Mahomet, IL 61853

217-586-1803

217-840-9129 (cell)

RECEIVED

DEC 18 2017

CHAMPAIGN CO. P & E DEPARTMENT



Eric Hewitt <ehewitt@phoenix-ce.com>

Re: Stierwalt subdivision

1 message

Ron and Kim <rkniehaus@gmail.com>

Mon, Dec 11, 2017 at 8:28 AM

To: Eric Hewitt <ehewitt@phoenix-ce.com>

Eric, This is OK with me. I give approval. If you need any thing else just let me know. Ron Niehaus
Sadorus Township Highway Commissioner

On Mon, Dec 11, 2017 at 8:22 AM, Eric Hewitt <ehewitt@phoenix-ce.com> wrote:

Ron,

Per our phone conversation, we need you to review the one lot minor subdivision being proposed for Dolores Stierwalt residence at 325 County Road 300 North. Please see the text in the lower left hand corner of the attached draft of final plat. Also attached is a location map and the subsidiary drainage plat for your information.

What we are needing from you currently is just review and approval via a reply to this email. Once the County has approved the subdivision, then we will need your signature on the plat.

Let me know if you have any questions or if you prefer prints of the attachments mailed to you for review.

Thanks,

PS...we sent this to the Frontier email address last week so maybe the same will come through there sometime. We are trying to get this submitted to the County so your response asap is greatly appreciated.

Eric E. Hewitt, PLS
Phoenix Consulting Engineers, LTD
421 E. Main St., PO Box 1187
Mahomet, IL 61853
217-586-1803
217-840-9128 (cell)

RECEIVED

DEC 18 2017

CHAMPAIGN CO. P & Z DEPARTMENT

MONTHLY REPORT for SEPTEMBER 2017¹

Champaign County
Department of

**PLANNING &
ZONING**

Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Three zoning cases were filed in September and six cases were filed in September 2016. The average number of cases filed in September in the preceding five years was 1.4.

Two Zoning Board of Appeals (ZBA) meetings were held in September and five cases were completed. One ZBA meeting was held in September 2016 and three cases were completed. The average number of cases completed in September in the preceding five years was 2.4.

By the end of September there were 9 cases pending. By the end of September 2016 there were 21 cases pending.

Table 1. Zoning Case Activity in September 2017 & September 2016

Type of Case	September 2017 2 ZBA meetings		September 2016 1 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	2	4	2	2
SFHA Variance	0	1	0	0
Special Use	0	0	2	1
Map Amendment	0	0	1	0
Text Amendment	0	0	0	0
Change of Nonconforming Use	0	0	0	0
Administrative Variance	1	0	1	0
Interpretation / Appeal	0	0	0	0
TOTALS	3	5	6	3
Total cases filed (fiscal year)	22 cases		34 cases	
Total cases completed (fiscal year)	26 cases		26 cases	
Cases pending*	9 cases		21 cases	
* Cases pending includes all cases continued and new cases filed				

¹ Note that approved absences, sick days, and one part-time temporary employee resulted in an average staffing level of 99% or the equivalent of 5.0 full time staff members (of the 5 authorized) present on average for each of the 20 work days in September.

Subdivisions

No County subdivision application was received in September. No municipal subdivision plats were reviewed for compliance with County zoning in September.

Zoning Use Permits

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in September can be summarized as follows:

- 17 permits for 15 structures were approved in September compared to 18 permits for 15 structures in September 2016. The five-year average for permits in September in the preceding five years was 17.
- 30 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including September 2017, March 2017, February 2017, January 2017, November 2016, September 2016*, August 2016, July 2016, May 2016, April 2016, March 2016, February 2016, December 2015, October 2015, July 2015, June 2015, January 2015, December 2014, October 2014, August 2014, July 2014, June 2014, May 2014, March 2014, November 2013, August 2013, July 2013, June 2013, December 2012, and October 2012).
- 11.8 days was the average turnaround (review) time for complete initial residential permit applications in September.
- \$2,690,400 was the reported value for the permits in September compared to a total of \$1,289,522 in September 2016. The five-year average reported value for authorized construction in September was \$1,434,545.
- 30 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including September 2017, April 2017, March 2017, November 2016, October 2016, September 2016, August 2016, May 2016, April 2016, March 2016, February 2016, January 2016, September 2015, July 2015, June 2015, December 2014, October 2014, June 2014, May 2014, March 2014, February 2014, November 2013, September 2013, August 2013, July 2013, June 2013, March 2013, January 2013, November 2012, and August 2012).
- \$3,986 in fees were collected in September compared to a total of \$2,773 in September 2016. The five-year average for fees collected in September was \$4,736.
- 29 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including May 2017, March 2017, January 2017, November 2016, October 2016, August 2016, April 2016, March 2016, February 2016, January 2016, December 2015, October 2015, September 2015, July 2015, January 2015, December 2014, November 2014, October 2014, August 2014, July 2014, June 2014, May 2014, March 2014, February 2014, August 2013, July 2013, February 2013, January 2013, and October 2012).

*not reported (overlooked) in previous months

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Table 2. Zoning Use Permits Approved in September 2017

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential				5	0	1,056,363
Other	2	0	34,149	14	0	1,139,610
SINGLE FAMILY Resid.: New - Site Built	3	1,435	945,000	17	11,975	5,328,175
Manufactured				3	986	448,840
Additions	6	1,350	186,700	26	5,211	849,161
Accessory to Resid.	4	1,005	124,551	35	8,492	1,122,000
TWO-FAMILY Residential						
Average turn-around approval time for the above permit categories	11.8 days					
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural Neighborhood				6	0	0
COMMERCIAL: New						
Other				1	228	110,000
INDUSTRIAL: New						
Other				3	3,595	2,805,000
OTHER USES: New				3	562	2,850,000
Other						
SIGNS				5	527	42,910
TOWERS (Incl. Acc. Bldg.)				2	60	196,000
OTHER PERMITS	2	196	1,400,000	22	1,449	1,492,112
TOTAL APPROVED	17/15	\$3,986	\$2,690,400	142/114	\$33,625	\$17,440,171

*17 permits were issued for 15 structures in September 2017; 17 permits require inspection and Compl. Certif.

◇ 142 permits have been issued for 99 structures since 1/1/17

NOTE: Home occupations and Other permits (change of use, temporary use) total 28 since 1/1/17, (this number is not included in the total number of structures).

There were 9 Zoning Use Permit Apps. *received* in September 2017 and 4 were *approved*.

13 Zoning Use Permit App.s *approved* in September 2017 had been *received* in prior months.

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- There were also 15 lot split inquiries and 249 other zoning inquiries in September.
- One new rural address was issued in September
- Minutes for two ZBA meetings were transcribed in September.

Conversion of Best Prime Farmland

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in 2017.

Table 3. Best Prime Farmland Conversion in 2017

	September 2017	2017 to date
Zoning Cases. Approved by the ZBA, a Zoning Case September authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres ³	2.00 acres
Subdivision Plat Approvals. Approved by the County Board outside of ETJ areas, a subdivision approval September authorize the creation of new Best Prime Farmland lots smaller than 35 acres:	0.0 acre	0.0 acre
Outside of Municipal ETJ areas ¹		
Within Municipal ETJ areas ²	0.0 acre	0.0 acre
Zoning Use Permits. Approved by the Zoning Administrator, a Permit September authorize a new non-agriculture use on a lot that did not previously exist or was not previously authorized in either a zoning case or a subdivision plat approval.	0.0 acres	0.0 acres
Agricultural Courtesy Permits	0.0 acre	6.6 acres
TOTAL	0.0 acres	8.6 acres
NOTES		
1. Plat approvals by the County Board.		
2. Municipal plat approvals.		

Zoning Compliance Inspections

- No zoning compliance inspections were made in September.
- One zoning compliance certificate was issued in September. The 2017 budget anticipated a total of 275 compliance inspections and certificates for an average of 5.3 certificates per week. However, compliance inspections are typically done by temporary staffing and all temporary staffing continues to be needed to prepare the MS4 Storm Sewer System Map. Temporary staffing will resume compliance inspections after the MS4 Storm Sewer System Map has been completed.

Zoning and Nuisance Enforcement

Table 4 contains the detailed breakdown of enforcement activity for September 2017 and can be summarized as follows:

- 6 new complaints were received in September compared to 3 complaints that were received in September 2016. No complaints were referred to another agency in September and two were referred to another agency in September 2016.
- 50 enforcement inspections were conducted in September compared to 31 inspections in September 2016. Four of the September 2017 inspections were for new complaints.
- No contact was made prior to written notification in September and one was made in September 2016.
- 50 initial investigation inquiries were made in September for an average of 12.5 per week in September. The 2017 budget anticipates an average of 9.6 initial investigation inquiries per week.
- 2 First Notices and No Final Notices were issued in September and none were issued in September 2016. The 2017 budget anticipated a total of 39 First Notices for 2017.
- No case was referred to the State's Attorney's Office in September and no cases were referred in September 2016. The 2017 budget anticipated a total of 2 cases to be forwarded to the State's Attorney's Office in 2017.
- 4 cases were resolved in September (none of the resolved cases were new cases) and 3 cases were resolved in September 2016. The 2017 budget anticipated a total of 70 resolved cases in 2017.
- 345 cases remain open at the end of September compared to 323 open cases at the end of September 2016.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in September included the following:
 1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
 2. Coordinated with land owners, complainants, and the State's Attorney's Office regarding enforcement cases that have been referred to the State's Attorney's Office and particularly those cases that involve dangerous structures.
 3. Continued coordinating with the Attorney General's Office regarding the clean-up of the Pleasant Plains Manufactured Home Park including one inspection.
 4. Arranged for removal of debris and installation of a temporary fence at 504 South Dodson Drive, Urbana.
 5. Coordinated the marketing of County owned properties at 1101 Carroll Avenue, Urbana and 2603 Campbell Drive, Champaign.
 6. Followed up on complaints (and secured compliance) about burning of landscape waste brought in from other properties on a property north of St. Joseph and adjacent to a residential subdivision.

APPENDIX

- A Zoning Use Permit Activity In September 2017**
- B Active Land Disturbance Erosion Control Permits In The Champaign County MS4 Jurisdictional Area**
- C Zoning Compliance Certificates Issued in September 2017**

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Table 4. Enforcement Activity During September 2017

	FY2016 TOTALS ¹	Jan. 2017	Feb. 2017	March 2017	April 2017	May 2017	June 2017	July 2017	Aug. 2017	Sep. 2017	Oct. 2017	Nov. 2017	Dec. 2017	TOTALS ¹ FY2017
Complaints Received	60	7	3	7	7	3	7	5	4	6				49
Initial Complaints Referred to Others	7	0	0	0	0	3	4	0	2	0				9
Inspections	400	62	12	26	11	37	18	51	51	50 ⁴				318 ⁵
Phone Contact Prior to Notice	12	0	1	2	2	0	1	1	0	0				7
First Notices Issued	22	2	1	2	0	1	0	0	0	2				8
Final Notices Issued	1	1	0	2	0	2	0	0	0	0				5
Referrals to State's Attorney	0	0	0	1	0	1	1	0	0	0				3
Cases Resolved ²	50	1	0	2	1	1	2	6	10	4 ⁶				27 ⁷
Open Cases ³	323	329	332	337	343	345	350	349	343	345				345 ⁸

Notes

1. Total includes cases from previous years.
2. Resolved cases are cases that have been inspected, notice given, and violation is gone, or inspection has occurred and no violation has been found to occur on the property.
3. Open Cases are unresolved cases and includes any case referred to the State's Attorney or new complaints not yet investigated.
4. 4 inspections of the 50 performed were for the 6 complaints received in September, 2017.
5. 57 inspections of the 318 inspections performed in 2017 were for complaints received in 2017.
6. None of the resolved cases for September, 2017, were received in September, 2017.
7. 9 of the cases resolved in FY 2017 were for complaints that were also received in FY 2017.
8. Total open cases include 24 cases that have been referred to the State's Attorney, some of which were referred as early as 2001.

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APPENDIX A. ZONING USE PERMITS ACTIVITY IN SEPTEMBER 2017

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
135-17-02 AG-1	A tract of land located in the NW Corner of the W ½ of the NE ¼ of Section 11, Philo Township; 1653 County Road 1100N, Urbana, Illinois PIN: 19-27-11-200-008	Mark and Lori Lauchner	08/31/17 09/08/17 (amended)	Construct a detached garage (Application amended to add garage)
215-17-01 R-1	Lot 106, Rolling Hills Estates V, Section 12, Mahomet Township; 2301 Pheasant Ridge Road, Mahomet, Illinois PIN: 15-13-12-201-036	Arthur and Judith Ehrlich	09/13/17 09/25/17 (amended)	Construct a covered porch addition (Application amended to add covered porch)
226-17-01 CR	The South ½ of the South 21 acres of the SW ¼ of the SW ¼ of Section 25, Newcomb Township; 2506 County Road 500E, Mahomet, IL PIN: 16-07-25-300-019	Schuyler and Allyson Sanborn	08/14/17 09/08/17	Construct a single family home with attached garage
226-17-02 AG-1	A tract of land located in Part of the SW ¼ of the SE ¼ of Section 24, Pesotum Township; 1172 County Road 200N, Pesotum, IL PIN: 18-32-24-400-006	Ernie and Sharon Jacobsen	08/14/17 09/08/17	Construct an addition to an existing single family home
226-17-03 I-1	Two tracts of land comprising 9 acres being a Part of the NE ¼ of the NW ¼ of Section 24, Hensley Township; 309 W. Hensley Road, Champaign, Illinois PIN: 12-14-24-100-008 & Part of 12-14-24-100-009	Quick Leasing Inc.	08/14/17 09/14/17	Change the Use from a vacant tract of land to a parking lot for customer and employee parking only
230-17-01 AG-1	A tract of land located in a part of the SW ¼ of Section 4, Ogden Township; 2724 County Road 1700N, Ogden, Illinois PIN: 17-24-04-300-003	Kevin Taylor	08/18/17 09/08/17	Construct a detached storage shed and authorize a previously installed swimming pool

Land Disturbance Erosion Control Permit also required
 *received and reviewed, however, not approved during reporting month

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APPENDIX A. ZONING USE PERMITS ACTIVITY IN SEPTEMBER 2017

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
230-17-02 CR	A tract of land located in the NE ¼ of Section 1, Sidney Township; 1161 County Road 2400E, St. Joseph, IL PIN: 24-28-01-200-013	Charles and Mary Ellen Stites	08/18/17 09/15/17	Construct an addition to an existing single family home and an addition to an existing detached storage shed
235-17-01 AG-2	Lots 13 and 14 of Byerly's Subdivision, 2 nd Addition, Section 11, St. Joseph Township; 1692 Mabel Court, St. Joseph, Illinois PIN: 28-22-11-203-006 & 007	Charles and Charlotte White	08/23/17 09/15/17	Construct a detached storage shed
236-17-01 AG-2	Lot 92 of the 5 th Plat of Woodard's Heather Hills Subdivision, Section 2, St. Joseph Township; 1757 Woodard Lane, St. Joseph, Illinois PIN: 28-22-02-177-020	John Towns	08/24/17 09/15/17	Construct an addition to an existing single family home
240-17-01 R-3	The North ½ of the East 66 feet of the West 264 feet of Tract 2 of Fred C. Carroll's 1 st Subdivision, Section 9, Urbana Township; 905 Ward Street, Urbana, Illinois PIN: 30-21-09-176-006	Tim Feldkamp	08/28/17 09/15/17	Construct two additions to an existing single family home
242-17-02 AG-1	Lot 3 of Silver Trio Subdivision, Section 3, Philo Township; 1582 County Road 1100N, Urbana, IL PIN: 19-27-03-400-012	Bill and Priya Ipsen	08/30/17 09/25/17	Install an in-ground swimming pool
243-17-01 B-2	Lot 8, Woodard's Heather Hills Subdivision, 2 nd Plat, Section 2, St. Joseph Township; 2212 Morningside Drive, St. Joseph, Illinois PIN: 28-22-02-304-008	Tom and Shannon Hadler	08/31/17 09/15/17	Construct a single family home with attached garage (existing home destroyed by fire)

Land Disturbance Erosion Control Permit also required
 *received and reviewed, however, not approved during reporting month

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APPENDIX A. ZONING USE PERMITS ACTIVITY IN SEPTEMBER 2017

Permit Number	Zoning District; Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
243-17-02 R-2	Lot 1 of Smith House Subdivision along with the South 46.5 feet of the North ½ of Lots 9 and 10 in Block 2 of M.W. Busey's Subdivision of Part of the NW ¼ of the NE ¼ of Section 15, Urbana Township; 204 and 206 Brady Lane, Urbana, Illinois PIN: 30-21-15-205-015 & 057	Stephen Francis	08/31/17 09/15/17	Change the Use of an existing home to a storage shed
248-17-01 AG-1	Tract 6 of Blackbird Meadows Development, Section 22, Newcomb Township; 362 County Road 2650N, Mahomet, Illinois PIN: 16-07-22-251-010	Keith McFall	09/05/17 09/15/17	Construct a detached garage
248-17-02 AG-1	A tract of land located in the NW ¼ of Section 9, Stanton Township; 2015 County Road 2300N, Urbana, IL PIN: 27-16-09-100-008	Neil and Kimberly Franzen	09/05/17 09/25/17	Construct a single family home with attached garage
249-17-01 AG-2	Lot 74, Woodard's Heather Hills Subdivision, 4 th Plat, Section 2, St. Joseph Township; 2243 Churchill Drive, St. Joseph, Illinois PIN: 28-22-02-181-006	Daryl Mowry	09/06/17 09/25/17	Construct an addition to an existing single family home
258-17-01 AG-1	A tract of land located in the NW ¼ of the NE ¼ of Section 8, Philo Township; 1086 County Road 1350E, Urbana, Illinois PIN: 19-27-08-200-006	Cary Howrey	09/15/17 09/29/17	Erect 1 solar array
*261-17-01	Under review			
*264-17-01	Under review			
*264-17-02	Under review			
*264-17-03	Under review			
*268-17-01	Under review			

Land Disturbance Erosion Control Permit also required

*received and reviewed, however, not approved during reporting month

**Planning & Zoning Monthly Report
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APPENDIX B. ACTIVE LAND DISTURBANCE EROSION CONTROL PERMITS

Permit Number; Zoning;	Property Description; Address; PIN	Owner Name	Date Applied Date Approved Date of Final Stabilization	Project (Related Zoning Case)
302-15-01 I-1	A tract of land located in the NE ¼ of Section 34, Tolono Township; 981 County Road 700N, Tolono, Illinois PIN: Pt. of 29-26-34-100-006	Eastern Illini Electric Coop	10/29/15 05/18/16	Construct an electrical substation
155-16-02 CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	06/03/16 08/10/16	Construct a parking lot and bus shelter
195-16-01 CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	07/13/16 08/02/16	Construct a detached storage shed
97-17-01 R-1	Lot 12, Lincolnshire Fields West 1 Subdivision, Section 21, Champaign Township; 3912 Clubhouse Drive, Champaign, Illinois PIN: 03-20-21-301-012	Tim and Toni Hoerr	04/07/17 04/27/17	Construct a single family home with attached garage and detached pool house

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APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN SEPTEMBER 2017

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
09/15/17	236-17-01	Lot 92 of the 5 th Plat of Woodard's Heather Hills Subdivision, Section 2, St. Joseph Township; 1757 Woodard Lane, St. Joseph, Illinois PIN: 28-22-02-177-020	An addition to an existing single family home