



CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE AGENDA

County of Champaign, Urbana, Illinois

Thursday, December 4, 2025 - 6:30 p.m.

Shields-Carter Meeting Room

Bennett Administrative Center, 102 E. Main St., Urbana

Committee Members:

Eric Thorsland – Chair

Aaron Esry – Vice-Chair

John Farney

Jennifer Locke

Emily Rodriguez

Jilmala Rogers

Monique Settles

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A. Recreation & Entertainment License: Taylor Feldkamp for Demo Derby at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana. 4/14/26 – 4/18/26	13 - 19
B. Scheduling of Solar Farm Zoning Cases pursuant to Senate Bill 25 (Energy Omnibus) that adopted new State siting standards for wind, solar and energy storage systems and a Siting Appeals Board within the Illinois Commerce Commission	20 - 61

All meetings are at the Bennett Administrative Center – 102 E Main Street in Urbana – unless otherwise noted. To enter Bennett after 4:30 p.m., enter at the south (main) entrance located off Main Street. Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled meeting.

IX. New Business: Items to be recommended to the County Board

- A. Zoning Case 179-AM-25.** A request by Michael Stoller d.b.a. CU Jiu Jitsu LLC to change the zoning district designation from the I-1 Light Industry Zoning District to the B-4 General Business Zoning District on Lots 301, 302, 303, 304, 318, 319 and 320 in Wilber Heights Subdivision in Section 31 of Somer Township, and more commonly known at 2408 N. Market St., Champaign, Illinois. 62 - 71
- B. Zoning Case 178-AT-25.** Amend the Champaign County Zoning Ordinance as to add a temporary 12-month safety moratorium on Carbon Sequestration Activity as described in the legal advertisement. 72 - 74

X. Other Business

- A. Monthly Reports -None**

XI. Chair's Report

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

XIII. Adjournment



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

MINUTES – Pending Approval

DATE: Thursday, October 9, 2025
TIME: 6:30 p.m.
PLACE: Shields-Carter Meeting Room
Bennett Administrative Center
102 E. Main St., Urbana, IL 61801

Committee Members

Present	Absent
Aaron Esry (Vice-Chair)	
John Farney	
Jennifer Locke	
	Emily Rodriguez
Jilmala Rogers	
Monique Settles	
Eric Thorsland (Chair)	

County Staff: John Hall (Zoning Administrator), Trevor Partin (Associate Planner) and Mary Ward (Recording Secretary)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:32 p.m.

II. Roll Call

Roll call was taken, and a quorum was declared present.

Ms. Rogers joined the meeting at 6:33 p.m.

III. Approval of Agenda/Addendum

MOTION by Mr. Esry to approve the agenda; seconded by Ms. Locke. Upon voice vote, the **MOTION CARRIED** unanimously.

32 **IV. Approval of Minutes**

33 **A. September 4, 2025 – Regular Meeting**

34
35 **MOTION** by Mr. Farney to approve the September 4, 2025 minutes; seconded by Ms. Settles. Upon
36 voice vote the **MOTION CARRIED** unanimously.

37
38 **V. Public Input**

39
40 Debbie Bunch, Mahomet, spoke against the Mahomet Solar Farm I. There is a community meeting coming
41 up and the County Board is invited to attend. Hopes you would want to attend to hear what they have to
42 say. They do not recall any requested project changes from community members, but a couple of requests
43 have been made. One, regarding the type of fencing and one about the road being developed by the
44 railroad. She also asked if the County could come record the community meeting.

45
46 Linda Hambleton, Mahomet, spoke against Mahomet Solar Farm I. She would appreciate County Board
47 attendance at the community meeting being held at the American Legion. Feels like the community out-
48 reach is at the 11th hour. She invited the committee to come early and visit the area where the project is
49 going in. She had heard that the developer is calling people to donate to their causes. They also sent
50 another site-plan revision when they sent invitation to the meeting.

51
52 **VI. Communications**

53
54 Mr. Esry, in answer to Ms. Bunch's question about recording the community meeting, said that we
55 do not do that. Mr. Thorsland welcomed Ms. Settles to the Committee.

56
57 **VII. New Business: Items for Information Only**

58 **A. Ted Hartke email**

59
60 No discussion as this was an information only item.

61
62 **VIII. New Business: Items to be Approved by ELUC**

63
64 **A. Recreation & Entertainment License** for All American Entertainment dba The Great Benjamins
65 Circus at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana, IL to be held
66 October 16 through October 19, 2025.

67
68 **MOTION** by Mr. Farney to approve the Recreation & Entertainment License for All American
69 Entertainment dba The Great Benjamins Circus at the Champaign County Fairgrounds October 16
70 through October 19, 2025; seconded by Ms. Locke.

71
72 Mr. Hall stated that they turned in a very complete application. He also said he gave Eastern Prairie
73 Fire District a heads-up about the Circus, so they are aware.

74
75 Upon voice vote, the **MOTION CARRIED** unanimously.

77 **B. Zoning Case 178-AT-25.** Amend the Champaign County Zoning Ordinance to extend for six months
78 a temporary safety moratorium on Carbon Sequestration Activity as described in the legal
79 advertisement.
80

81 **MOTION** by Mr. Farney to amend the Champaign County Zoning Ordinance to extend for six months
82 a temporary safety moratorium on Carbon Sequestration Activity; seconded by Ms. Rogers.
83

84 This item is on the agenda for next week's ZBA meeting. It can be pulled if this does not pass
85 tonight. Mr. Esry said he is not surprised we need an extension. Getting a quorum for the task
86 force meetings has been difficult.
87

88 Upon voice vote, the **MOTION CARRIED** unanimously.
89

90 **IX. New Business: Items to be recommended to the County Board**
91

92 **A. Zoning Case 130-AT-24 On Remand.** Amend the Champaign County Zoning Ordinance to add
93 "Battery Energy Storage System" as a new principal use under the category "Industrial Uses: Electric
94 Power Generating Facilities" and indicate that a Battery Energy Storage System may be authorized
95 by a Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4
96 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts; add requirements and
97 fees for "Battery Energy Storage Systems"; add any required definitions, and make certain other
98 revisions to the Ordinance as detailed in the full legal advertisement.
99

100 **MOTION** by Mr. Esry to recommend County Board approval of a resolution approving Zoning Case
101 130-AT-24 on Remand to amend the Champaign County Zoning Ordinance; seconded by Ms. Locke.
102

103 Mr. Hall said there is an update to the description, it is a County Board Special Use Permit and not
104 just a Special Use Permit.
105

106 Mr. Esry asked if there were concerns from any of the municipalities. There were no comments
107 received. Mr. Farney asked if we had any questions from fire districts on this. No. Copies were sent
108 to the Illinois Fire Institute and some Fire Chiefs. The Chief from Sidney/South Homer was satisfied
109 with the plan. Mr. Thorsland added that the tech has changed to help prevent issues with these
110 systems.
111

112 Upon voice vote, the **MOTION CARRIED** unanimously.
113

114 **B. Notice of Intent (NOI)** for period from November 1, 2025, to October 31, 2030, for the National
115 Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4)
116 Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA).
117

118 **MOTION** by Ms. Locke to recommend County Board approval of a resolution approving a Notice of
119 Intent for period from November 1, 2025, to October 31, 2030, for the National Pollutant Discharge

Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the Illinois Environmental Protection Agency (IEPA); seconded by Mr. Esry.

Mr. Hall said that back in March he told the committee this was coming. Mr. Hall introduced Trevor Partin from his office. Trevor is the main author of this report. There were some changes to the requirements. For our population size, we only have to do visual observation and not actual sampling. There are a required number of observations. There are some items they're not sure how they will do. They do hope to continue their collaboration with the City of Urbana. IEPA has been reasonable with their inspections.

Mr. Esry asked if they have discussed it with other counties. They have. Some hire consultants and in a couple of counties it is done by Highway.

Upon voice vote, the **MOTION CARRIED** unanimously.

X. Other Business

A. Monthly Reports

There were no monthly reports.

XI. Chair's Report

There was no Chair's report.

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

Items to be placed on the Consent Agenda include items IX. A. and B.

XIII. Adjournment

Chair Thorsland adjourned the meeting at 6:55 p.m.

From: J. Beverly <jbeverly@illinois.edu>

To: County Executive Steve Summers

Sent: Wednesday, October 29, 2025 8:31 PM EDT

NOV 07 2025
CHAMPAIGN CO. P & Z DEPARTMENT

Subject: Ban the use of biosolids on farms and parks, until there is adequate testing of toxic residues—which does not currently exist!

Dear County Executive Steve Summers,

Sewage sludge, also known as biosolids, is a byproduct of sewage treatment and is used as a source of organic matter for amending soil in nonorganic agriculture and landscaping. The U.S. Environmental Protection Agency (EPA) has published a list of 726 chemicals found in biosolids in the National Sewage Sludge Surveys. This list does not include the per- and polyfluoroalkyl substances (PFAS), which are emerging contaminants of biosolids. A recent study published in *Frontiers in Environmental Chemistry* identifies 414 contaminants of emerging concern (CECs) in soils, untreated and treated sewage sludge (biosolids), and dust, across 151 peer-reviewed studies released between 2018 and 2023, emphasizing the range of potential exposure pathways across various products, including classes of pesticides like neonicotinoid insecticides, in conventional farm and land management. Sewage sludge (biosolids) is prohibited from use in certified organic agriculture under the OrganicFoods Production Act.

The claim that biosolids-containing fertilizer products are “as eco-friendly” and “sustainable” was challenged in two consumer protection lawsuits in Washington, DC Superior Court against TheMiracle-Gro Company andGreenTechnologies, LLC in October 2024. The complaints cite test results showing PFAS residues in the companies’ products and numerous scientific studies on the adverse effects of PFAS to public health, wildlife, and pollinators.

Despite dramatic findings of contaminants, EPA classifies the biosolids typically used by gardeners, municipalities, golf courses, and farmers as Class A, “virtually free of pathogens and can be applied without any site-specific restrictions.” Class B biosolids, used in agriculture and land reclamation, may contain pathogens, thus EPA stipulates restrictions on use.

In addition to PFAS, persistent toxic pollutants found in biosolids include inorganic chemicals such as metals and trace elements; organic chemicals such as polychlorinated biphenyls or PCBs, dioxins, pharmaceuticals, and surfactants; and pathogens including bacteria, viruses, and parasites. Regulation of biosolids by EPA has been found by the EPA Office of Inspector General (OIG) to be inadequate. Lacking sufficient oversight at the federal level, states and local jurisdictions must act to eliminate the hazards created by these contaminants.

Land application of biosolids to farms and landscapes is considered the standard means of “disposal.” Chemicals such as PFAS have been found to migrate into food when grown on farms using contaminated biosolids. Over 60% of biosolids are used in crops, and the contaminants in them make their way to our food and water. If biosolids are used in landscaping, the contaminants pose a hazard to

landscapers and those using athletic fields. In view of EPA's failure to provide comprehensive identification, regulation, and elimination of potential contaminants, the biosolids themselves must be tested to ensure safety. Biosolids should be tested to ensure that they do not cause acute toxicity, cancer, genetic mutations, birth defects, reproductive or developmental effects, neurotoxicity, endocrine disruption, or immune system effects. Otherwise, they should not be used on farms or landscapes.

Thank you for your attention to this urgent issue.

Sincerely,
Ms J. Beverly
803 Shurts St Urbana, IL 61801-6858
jbeverly@illinois.edu

RECEIVED**NOV 07 2025**

From: Bernard Bryson <bdbbryson@gmail.com>

To: County Executive Steve Summers

Sent: Wednesday, October 29, 2025 10:06 AM EDT **CHAMPAIGN CO. P & Z DEPARTMENT**

Subject: Ban the use of biosolids on farms and parks, until there is adequate testing of toxic residues—which does not currently exist!

Dear County Executive Steve Summers,

Sewage sludge, also known as biosolids, is a byproduct of sewage treatment and is used as a source of organic matter for amending soil in nonorganic agriculture and landscaping. The U.S. Environmental Protection Agency (EPA) has published a list of 726 chemicals found in biosolids in the National Sewage Sludge Surveys. This list does not include the per- and polyfluoroalkyl substances (PFAS), which are emerging contaminants of biosolids. A recent study published in *Frontiers in Environmental Chemistry* identifies 414 contaminants of emerging concern (CECs) in soils, untreated and treated sewage sludge (biosolids), and dust, across 151 peer-reviewed studies released between 2018 and 2023, emphasizing the range of potential exposure pathways across various products, including classes of pesticides like neonicotinoid insecticides, in conventional farm and land management. Sewage sludge (biosolids) is prohibited from use in certified organic agriculture under the OrganicFoods Production Act.

The claim that biosolids-containing fertilizer products are “as eco-friendly” and “sustainable” was challenged in two consumer protection lawsuits in Washington, DC Superior Court against TheMiracle-Gro Company andGreenTechnologies, LLC in October 2024. The complaints cite test results showing PFAS residues in the companies’ products and numerous scientific studies on the adverse effects of PFAS to public health, wildlife, and pollinators.

Despite dramatic findings of contaminants, EPA classifies the biosolids typically used by gardeners, municipalities, golf courses, and farmers as Class A, “virtually free of pathogens and can be applied without any site-specific restrictions.” Class B biosolids, used in agriculture and land reclamation, may contain pathogens, thus EPA stipulates restrictions on use.

In addition to PFAS, persistent toxic pollutants found in biosolids include inorganic chemicals such as metals and trace elements; organic chemicals such as polychlorinated biphenyls or PCBs, dioxins, pharmaceuticals, and surfactants; and pathogens including bacteria, viruses, and parasites. Regulation of biosolids by EPA has been found by the EPA Office of Inspector General (OIG) to be inadequate. Lacking sufficient oversight at the federal level, states and local jurisdictions must act to eliminate the hazards created by these contaminants.

Land application of biosolids to farms and landscapes is considered the standard means of “disposal.” Chemicals such as PFAS have been found to migrate into food when grown on farms using contaminated biosolids. Over 60% of biosolids are used in crops, and the contaminants in them make their way to our food and water. If biosolids are used in landscaping, the contaminants pose a hazard to

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Thank you for your attention to this urgent issue.

Sincerely,
Mr. Bernard Bryson
608 Glenwood Dr Rantoul, IL 61866-2208
bdbbryson@gmail.com



Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield, Illinois • 62794-9276 • 217-782-3397

JB Pritzker, Governor

James Jennings, Acting Director

RECEIVED

NOV 06 2025

CHAMPAIGN CO. P & Z DEPARTMENT

November 5, 2025

Re: Guardian West (Illinois EPA BOA ID# 019105ADW)
Clean Air Act Permit Program Permit Renewal (00040059)

To Distribution List:

This Environmental Justice notification letter is to inform you that Guardian West located in Urbana at 1306 East University Avenue is applying for a renewal of Clean Air Act Permit Program (CAAPP) (00040059). The application requests renewal of the facility's existing CAAPP permit for five years. The Illinois EPA (IEPA) Bureau of Air (BOA) is reviewing the application. The Office of Environmental Justice welcomes your feedback.

The draft CAAPP and instruction for submitting comments during the public comment period will be available on the IEPA's website (<https://epa.illinois.gov/public-notice/boa-notice.html>) once it is ready for review. For questions about the public comment period or a public hearing, contact Sarah Brubaker, Community Relations, at 217-786-0790 or Sarah.Brubaker@Illinois.gov.

If you would like additional information regarding this project, such as the permit application, please submit a Freedom of Information Act (FOIA) request via the IEPA's online portal. Direct links to information and resources regarding FOIA requests, how to sign up for EJ notification letters, contact information, and more, are available on the following pages.

For any other questions, please contact Chris Pressnall, Manager of the Office of Environmental Justice, at (217) 524-1284 or EPA.OEJ@Illinois.gov.

Sincerely,

Chris Pressnall, Manager
Office of Environmental Justice



Organization Distribution List

Guardian West – Therese Brown*
State Senator Paul Faraci - State Senate District #52*
State Representative Carol Ammons - State Representative District #103*
U.S. Representative Nikki Budzinski - U.S. Congressional District #13*
U.S. Senator Richard J. Durbin*
U.S. Senator Tammy Duckworth*
City of Urbana – DeShawn Williams, Mayor*
City of Urbana – City Council*
Champaign County Board*
Champaign Branch NAACP – #3008 – Minnie Pearson, President* Illinois NAACP – Gregory Norris*
Illinois NAACP – Teresa Haley*
Respiratory Health Association - Brian P. Urbaszewski*
Sierra Club – Jack Darin*
Sierra Club – Christine Nannicelli*
Sierra Club – Mila Marshall*
Faith in Place – Rev. Brian Sauder*
Illinois Environmental Regulatory Group – Kelly Thompson*
Chemical Industry Council of Illinois – Lisa Frede*
IL Manufacturers' Association - Donovan Griffith*
Shawnee Hills & Hollers – Georgia de la Garza*
Shawnee Hills & Hollers – Sabrina Hardenbergh*
Illinois Environmental Council – Jennifer Walling*
Earthjustice – Jennifer Cassel*
Earthjustice – Debbie Chizewer*
Northwestern Pritzker School of Law – Robert A. Weinstock*
Great Rivers Environmental Law Center – Sarah Rubenstein*
Great Rivers Environmental Law Center – Caitlin Stiltner*
Stericycle – Susan Olavarria*
University of Illinois - Prairie Research Institute – Debra Jacobson*
Council of State Governments – Midwest – Jess Lienhardt*
Exxon Mobil Corporation – Brad Sims*
Taft Law – Ryan Rudich*
Mostardi Platt – Jena DiFiore*
Energy Infrastructure Partners – Matt Kok*
Geosyntec – Brian Valleskey*
Illinois Asphalt Pavement Association – Kevin Burke III, P.E.*
Ramboll – LaTorria Sims*
University of Illinois Springfield – John Ferry*
Community Development Services – Nicholas Hanson*
Community Development Services – Lily Wilcock*
Spotlight Air Environmental – Mai Pope*
Langan – Vinicius De Paula*
CPI – Natalie Warkenthien*
City of Champaign - Bruce Knight*
Champaign County Design and Conservation Foundation – Morgan White*
Nicholas Hanson – City of Urbana*
Missouri Department of Natural Resources – Segolene Renaze*

***Receiving E-Notifications**

Additional Information and Resources

Notices

EJ Notification Letter

EJ notification letters provide information about permit applications received by Illinois EPA (IEPA) in areas of EJ concern as determined by Illinois EPA [EJ Start](#) screening tool. EJ notification letters are sent as part of Illinois EPA's enhanced public participation process.

- To receive EJ notification letters by email, please sign up [here](#), under the Environmental Justice Notification Letter Sign-Up heading.
- To learn more about the IEPA's Notification Letter Process, visit [EJ Notification Process \(illinois.gov\)](#).

Public Notices

A public notice is a notice required by law or regulation that alerts the public to a proposed Agency action and provides instructions for submitting written comments. The Agency may hold a hearing to accept oral comments based on public interest. Hearing information may be included in the public notice or a separate hearing notice.

IEPA's Public Notices webpage includes draft permits and associated information, as well as proposed agency-wide actions such as rulemaking notices.

A Bureau's public notice on a permit application will outline:

- Type of permit application received
- Applicant information
- Start and stop dates of public comment period
- Instructions on submitting public comments
- Information on public hearings (if one being held)
- Agency contact information
- Draft permit and associated materials such as project summary will be posted on the same webpage as the public notice

General IEPA public notices will outline:

- Proposed action(s) or plan(s) of the agency
- Start and stop dates of the public comment period
- Instructions on submitting public comments
- Agency contact information

- To access more information on IEPA's Public Notices, visit [Public Notices \(illinois.gov\)](#).

Accessing Records

Illinois EPA Document Explorer

To provide transparency and easier public access to Agency documents, certain Agency documents can be accessed through IEPA's Document Explorer.

Documents include:

- Air construction and operating permits
- National Pollution Discharge Elimination System (NPDES) water discharge permits.
- Leaking Underground Storage Tank (LUST) technical documents
- Site Remediation Program (SRP) technical documents
- State Response Action technical documents

- Final Compliance Commitment Agreements since January 1, 2014
- To access Illinois EPA's Document Explorer, visit [Home Page - IEPA Document Explorer \(illinois.gov\)](#).

Freedom of Information Act Requests (FOIA)

If the information you are seeking, such as an active permit application, is not available on Document Explorer you may access information by submitting a Freedom of Information Act Request (FOIA). While requests may be made in various ways (online form, fax, the U.S. mail, or special carrier), using the online FOIA web form will usually result in getting the information the fastest. IEPA has five (5) workdays to respond unless an extension of an additional five (5) days is needed to gather the information.

- For more information on how to submit a FOIA request, visit [Freedom of Information Act \(illinois.gov\)](#).
- To access the IEPA FOIA Web Form, visit [IEPA FOIA Web Form](#).
- [Records Phone Number: \(217\) 558-5101](#)

EJ Mapping Tools

EJ Start

The IEPA mapping tool, EJ Start, designates areas of environmental justice (EJ) concern. EJ Start informs IEPA's enhanced public outreach (for example, EJ notification letters). It is also used to incorporate EJ into other Agency activities and programs. The criteria used to designate EJ areas are census block groups and areas within one mile of census block groups that are greater than or equal to the statewide average for low-income and/or minority populations. EJ Start is publicly available and searchable by address, city, and zip code.

- To access IEPA's EJ Start, visit <https://experience.arcgis.com/experience/aa364c77db684dfa92afa5094b69f6ff>.

Agency Contacts

Office of Environmental Justice (OEJ) Contacts:	
Chris Pressnall Manager	(217) 524-1284 Chris.Pressnall@illinois.gov
Paulina Lopez-Santos EJ Policy Administrator Spanish-Speaking Chicago	(312) 832-2182 Paulina.Lopez-Santos@illinois.gov
Luis Lopez Office Associate Spanish-Speaking	(217) 782-3440 Luis.A.Lopez@illinois.gov

Office of Community Relations (OCR) Contacts:	
Brad Frost Manager	(217) 782-7027 Brad.Frost@illinois.gov
Jeff Guy Hearing Officer/Right-to-Know Program Coordinator	(217) 785-8724 Jeff.Guy@illinois.gov
Rodolfo Alanis Community Relations Coordinator Spanish-Speaking Chicago	(847) 553-9251 rodolfo.alanis@illinois.gov



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County
Ordinance No. 55 Regulating Recreational &
Other Businesses within the County (for use
by businesses covered by this Ordinance other
than Massage Parlors and similar enterprises)

For Office Use Only

License No. _____
Date(s) of Event(s) 4/14-18/2025
Business Name: Taylor Feldkamp
License Fee: \$ 50.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 54.00

Checker's Signature: _____

Filing Fees: Per Year (or fraction thereof): \$ 100.00
Per Single-day Event: \$ 10.00
Clerk's Filing Fee: \$ 4.00

Checks Must Be Made Payable To: Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the
issuance of a license to engage a business controlled under County Ordinance No. 55 and makes
the following statements under oath:

- 217-419-3577
- A. 1. Name of Business: Taylor Feldkamp
2. Location of Business for which application is made: 1302 N COLEMAN AVE URBANA, IL 61802
3. Business address of Business for which application is made: _____
4. Zoning Classification of Property: CR
5. Date the Business covered by Ordinance No. 55 began at this location: 4-14-24-18-26
6. Nature of Business normally conducted at this location: Demo Derby
7. Nature of Activity to be licensed (include all forms of recreation and entertainment
to be provided): _____
8. Term for which License is sought (specifically beginning & ending dates): _____

CONTACT Name: _____ **Phone:** _____

9. Do you own the building or property for which this license is sought? NO
10. If you have a lease or rent the property, state the name and address of the owner and
when the lease or rental agreement expires: 4-14-2026 - 4-18-2026
Champaign County Fairgrounds 1302 N COLEMAN AVE URBANA
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this
application showing location of all buildings, outdoor areas to be used for various
purposes and parking spaces. See page 3, Item 7.

**INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE
AND WILL BE RETURNED TO APPLICANT**

- B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: _____ Date of Birth: _____
Place of Birth: _____ Social Security No.: _____
Residence Address: _____
Citizenship: _____ If naturalized, **place** and **date** of naturalization: _____
PHONE #: _____ EMAIL: _____

If, during the license period, a new manager or agent is hired to conduct this business, the applicant **MUST** furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): Taylor Feldkamp
Date of Birth: REDACTED Place of Birth: URBANA IL
Social Security Number: REDACTED Citizenship: _____
If naturalized, state **place** and **date** of naturalization: YES
2. Residential Addresses for the past three (3) years: _____

3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: _____

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered: _____
2. Date of Incorporation: _____ State wherein incorporated: _____

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: _____ Title: _____

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: _____

Citizenship: _____

If naturalized, place and date of naturalization: _____

PHONE # _____

EMAIL: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

(NOTE: All annual licenses expire on December 31st of each year)

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this 20th day of November, 2025



Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20____

Notary Public



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

OFFICE USE ONLY

County Clerk's Office

☐ 1. Proper Application Date Received: _____

☐ 2. Fee Amount Received: _____

Sheriff's Department

☐ 1. Police Record Approval: _____ Date: _____

☐ 2. Credit Check Disapproval: _____ Date: _____

Remarks: _____
Signature: _____

Planning & Zoning Department

☐ 1. Proper Zoning Approval: _____ Date: _____

☐ 2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: _____

Environment & Land Use Committee

☐ 1. Application Complete Approval: _____ Date: _____

☐ 2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



REDACTED



Champaign County
Department of

**PLANNING &
ZONING**

Bennett Administrative Center
102 East Street
Urbana, Illinois 61801

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

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **November 20, 2025**

RE: **Scheduling of Solar Farm Zoning Cases pursuant to Senate Bill 25 (Energy Omnibus) that adopted new State siting standards for wind, solar, and energy storage systems and a Siting Appeals Board within the Illinois Commerce Commission**

BACKGROUND

Senate Bill 25 as amended was approved on 10/30/2025. This Bill amended siting standards for wind farms and solar farms and added siting standards for energy storage systems. The Bill also created a Siting Appeals Board with the Illinois Commerce Commission to help resolve siting disputes between developers and local governments and issue siting certificates to bypass litigation.

Two requirements in the Bill pose especially difficult challenges to Champaign County as follows:

- Regarding the proposed 60 day time limit to conclude a public hearing for a wind farm, solar farm, or energy storage system (Sec. 55 ILCS 5/5-12020(c) on p. 452 and Sec. 55 ILCS 5/5-12024(d) on p. 471), 60 days is an unrealistic time frame for even getting a proposed special use permit to a public hearing in Champaign County. The Zoning Board of Appeals (ZBA) Docket (schedule of public hearings) is regularly full for at least 60 days into the future. And allowing only one meeting of the ZBA to resolve all issues for a wind farm or solar farm or energy storage system is not realistic. This 60 day time limit will not be achievable in Champaign County. A 90 day time limit would still be a challenge but would be more realistic.
- Regarding the proposed 150 feet separation between an energy storage system and the nearest non-participating residence, this separation is simply unsafe. Even with the great provisions of NFPA 855 there may still be thermal runaway events in energy storage systems. The Champaign County ZBA reviewed a number of technical papers in their review of Zoning Case 130-AT-24 to amend the Champaign County Zoning Ordinance by adding requirements for battery energy storage systems. The ZBA eventually settled on a separation of 1,320 feet to the nearest existing principal building (non-participating dwelling). It remains to be seen how energy storage system developers will react to Champaign County requirements.

CHALLENGES IN SCHEDULING OF SOLAR FARM ZONING CASES

A new solar farm application was received on 11/17/2025 and the public hearing is docketed to start on 1/29/2026 which is more than 60 days after receipt. The developer has done extensive coordination with staff and the solar farm could possibly receive approval on 1/29/2026 which is only one week from the 2/05/2026 ELUC Meeting. It is too early to actually plan the 2/05/2026 Agenda but it would be helpful to have guidance on the following question:

Is the Committee agreeable to the scheduling of solar farm zoning cases as ELUC Agenda items when there is less than two weeks between the ZBA meeting and the ELUC meeting?

ATTACHMENTS

- A Excerpts of SB 25 As Amended (pages 448-485 and pages 858- 860)**

RECEIVED**OCT 31 2025**

1 (35 ILCS 200/10-953 new) CHAMPAIGN CO. P & Z DEPARTMENT
2 Sec. 10-953. Cook County exemption. This Division 22 does
3 not apply to any property located within Cook County.

4 (35 ILCS 200/10-955 new)
5 Sec. 10-955. Applicability. The provisions of this
6 Division apply for assessment years 2026 through 2040.

7 Section 90-27. The Counties Code is amended by adding
8 Division 5-46 and Section 5-12024 and changing Section 5-12020
9 as follows:

10 (55 ILCS 5/5-12020)
11 Sec. 5-12020. Commercial wind energy facilities and
12 commercial solar energy facilities.

13 (a) As used in this Section:

14 "Commercial solar energy facility" means a "commercial
15 solar energy system" as defined in Section 10-720 of the
16 Property Tax Code. "Commercial solar energy facility" does not
17 mean a utility-scale solar energy facility being constructed
18 at a site that was eligible to participate in a procurement
19 event conducted by the Illinois Power Agency pursuant to
20 subsection (c-5) of Section 1-75 of the Illinois Power Agency
21 Act.

22 "Commercial wind energy facility" means a wind energy

1 conversion facility of equal or greater than 500 kilowatts in
2 total nameplate generating capacity. "Commercial wind energy
3 facility" includes a wind energy conversion facility seeking
4 an extension of a permit to construct granted by a county or
5 municipality before January 27, 2023 (the effective date of
6 Public Act 102-1123).

7 "Facility owner" means (i) a person with a direct
8 ownership interest in a commercial wind energy facility or a
9 commercial solar energy facility, or both, regardless of
10 whether the person is involved in acquiring the necessary
11 rights, permits, and approvals or otherwise planning for the
12 construction and operation of the facility, and (ii) at the
13 time the facility is being developed, a person who is acting as
14 a developer of the facility by acquiring the necessary rights,
15 permits, and approvals or by planning for the construction and
16 operation of the facility, regardless of whether the person
17 will own or operate the facility.

18 "Nonparticipating property" means real property that is
19 not a participating property.

20 "Nonparticipating residence" means a residence that is
21 located on nonparticipating property and that is existing and
22 occupied on the date that an application for a permit to
23 develop the commercial wind energy facility or the commercial
24 solar energy facility is filed with the county.

25 "Occupied community building" means any one or more of the
26 following buildings that is existing and occupied on the date

1 that the application for a permit to develop the commercial
2 wind energy facility or the commercial solar energy facility
3 is filed with the county: a school, place of worship, day care
4 facility, public library, or community center.

5 "Participating property" means real property that is the
6 subject of a written agreement between a facility owner and
7 the owner of the real property that provides the facility
8 owner an easement, option, lease, or license to use the real
9 property for the purpose of constructing a commercial wind
10 energy facility, a commercial solar energy facility, or
11 supporting facilities. "Participating property" also includes
12 real property that is owned by a facility owner for the purpose
13 of constructing a commercial wind energy facility, a
14 commercial solar energy facility, or supporting facilities.

15 "Participating residence" means a residence that is
16 located on participating property and that is existing and
17 occupied on the date that an application for a permit to
18 develop the commercial wind energy facility or the commercial
19 solar energy facility is filed with the county.

20 "Protected lands" means real property that is:

21 (1) subject to a permanent conservation right
22 consistent with the Real Property Conservation Rights Act;
23 or

24 (2) registered or designated as a nature preserve,
25 buffer, or land and water reserve under the Illinois
26 Natural Areas Preservation Act.

1 "Supporting facilities" means the transmission lines,
2 substations, access roads, meteorological towers, storage
3 containers, and equipment associated with the generation and
4 storage of electricity by the commercial wind energy facility
5 or commercial solar energy facility. "Supporting facilities"
6 includes energy storage systems capable of absorbing energy
7 and storing it for use at a later time, including, but not
8 limited to, batteries and other electrochemical and
9 electromechanical technologies or systems.

10 "Wind tower" includes the wind turbine tower, nacelle, and
11 blades.

12 (b) Notwithstanding any other provision of law or whether
13 the county has formed a zoning commission and adopted formal
14 zoning under Section 5-12007, a county may establish standards
15 for commercial wind energy facilities, commercial solar energy
16 facilities, or both. The standards may include all of the
17 requirements specified in this Section but may not include
18 requirements for commercial wind energy facilities or
19 commercial solar energy facilities that are more restrictive
20 than specified in this Section. A county may also regulate the
21 siting of commercial wind energy facilities with standards
22 that are not more restrictive than the requirements specified
23 in this Section in unincorporated areas of the county that are
24 outside the zoning jurisdiction of a municipality and that are
25 outside the 1.5-mile radius surrounding the zoning
26 jurisdiction of a municipality. A county may also regulate the

1 siting of commercial solar energy facilities with standards
2 that are not more restrictive than the requirements specified
3 in this Section in unincorporated areas of the county that are
4 outside of the zoning jurisdiction of a municipality.

5 (c) If a county has elected to establish standards under
6 subsection (b), before the county grants siting approval or a
7 special use permit for a commercial wind energy facility or a
8 commercial solar energy facility, or modification of an
9 approved siting or special use permit, the county board of the
10 county in which the facility is to be sited or the zoning board
11 of appeals for the county shall hold at least one public
12 hearing. The public hearing shall be conducted in accordance
13 with the Open Meetings Act and shall conclude ~~be held~~ not more
14 than 60 days after the filing of the application for the
15 facility. The county shall allow interested parties to a
16 special use permit an opportunity to present evidence and to
17 cross-examine witnesses at the hearing, but the county may
18 impose reasonable restrictions on the public hearing,
19 including reasonable time limitations on the presentation of
20 evidence and the cross-examination of witnesses. The county
21 shall also allow public comment at the public hearing in
22 accordance with the Open Meetings Act. The county shall make
23 its siting and permitting decisions not more than 30 days
24 after the conclusion of the public hearing. Notice of the
25 hearing shall be published in a newspaper of general
26 circulation in the county. A facility owner must enter into an

1 agricultural impact mitigation agreement with the Department
2 of Agriculture prior to the date of the required public
3 hearing. A commercial wind energy facility owner seeking an
4 extension of a permit granted by a county prior to July 24,
5 2015 (the effective date of Public Act 99-132) must enter into
6 an agricultural impact mitigation agreement with the
7 Department of Agriculture prior to a decision by the county to
8 grant the permit extension. Counties may allow test wind
9 towers or test solar energy systems to be sited without formal
10 approval by the county board.

11 (d) A county with an existing zoning ordinance in conflict
12 with this Section shall amend that zoning ordinance to be in
13 compliance with this Section within 120 days after January 27,
14 2023 (the effective date of Public Act 102-1123).

15 (e) A county may require:

16 (1) a wind tower of a commercial wind energy facility
17 to be sited as follows, with setback distances measured
18 from the center of the base of the wind tower:

19	Setback Description	Setback Distance
20	Occupied Community	2.1 times the maximum blade tip
21	Buildings	height of the wind tower to the
22		nearest point on the outside
23		wall of the structure

1	Participating Residences	1.1 times the maximum blade tip
2		height of the wind tower to the
3		nearest point on the outside
4		wall of the structure
5	Nonparticipating Residences	2.1 times the maximum blade tip
6		height of the wind tower to the
7		nearest point on the outside
8		wall of the structure
9	Boundary Lines of	None
10	Participating Property	
11	Boundary Lines of	1.1 times the maximum blade tip
12	Nonparticipating Property	height of the wind tower to the
13		nearest point on the property
14		line of the nonparticipating
15		property
16	Public Road Rights-of-Way	1.1 times the maximum blade tip
17		height of the wind tower
18		to the center point of the
19		public road right-of-way
20	Overhead Communication and	1.1 times the maximum blade tip
21	Electric Transmission	height of the wind tower to the

1 and Distribution Facilities nearest edge of the property
2 (Not Including Overhead line, easement, or
3 Utility Service Lines to right-of-way
4 Individual Houses or containing the overhead line
5 Outbuildings)

6 Overhead Utility Service None
7 Lines to Individual
8 Houses or Outbuildings

9 Fish and Wildlife Areas 2.1 times the maximum blade
10 and Illinois Nature tip height of the wind tower
11 Preserve Commission to the nearest point on the
12 Protected Lands property line of the fish and
13 wildlife area or protected
14 land

15 This Section does not exempt or excuse compliance with
16 electric facility clearances approved or required by the
17 National Electrical Code, the ~~The~~ National Electrical
18 Safety Code, the Illinois Commerce Commission, and the
19 Federal Energy Regulatory Commission~~7~~ and their designees
20 or successors~~;~~;

21 (2) a wind tower of a commercial wind energy facility
22 to be sited so that industry standard computer modeling
23 indicates that any occupied community building or
24 nonparticipating residence will not experience more than

30 hours per year of shadow flicker under planned
operating conditions;

(3) a commercial solar energy facility to be sited as
follows, with setback distances measured from the nearest
edge of any above-ground component of the facility,
excluding fencing:

Setback Description	Setback Distance
Occupied Community Buildings and Dwellings on Nonparticipating Properties	150 feet from the nearest point on the outside wall of the structure
Boundary Lines of Participating Property	None
Public Road Rights-of-Way	50 feet from the nearest edge <u>of the public</u> <u>right-of-way</u>
Boundary Lines of Nonparticipating Property	50 feet to the nearest point on the property line of the nonparticipating property

(4) a commercial solar energy facility to be sited so

1 that the facility's perimeter is enclosed by fencing
2 having a height of at least 6 feet and no more than 25
3 feet; and

4 (5) a commercial solar energy facility to be sited so
5 that no component of a solar panel has a height of more
6 than 20 feet above ground when the solar energy facility's
7 arrays are at full tilt.

8 The requirements set forth in this subsection (e) may be
9 waived subject to the written consent of the owner of each
10 affected nonparticipating property.

11 (f) A county may not set a sound limitation for wind towers
12 in commercial wind energy facilities or any components in
13 commercial solar energy facilities that is more restrictive
14 than the sound limitations established by the Illinois
15 Pollution Control Board under 35 Ill. Adm. Code Parts 900,
16 901, and 910.

17 (g) A county may not place any restriction on the
18 installation or use of a commercial wind energy facility or a
19 commercial solar energy facility unless it adopts an ordinance
20 that complies with this Section. A county may not establish
21 siting standards for supporting facilities that preclude
22 development of commercial wind energy facilities or commercial
23 solar energy facilities.

24 A request for siting approval or a special use permit for a
25 commercial wind energy facility or a commercial solar energy
26 facility, or modification of an approved siting or special use

1 permit, shall be approved if the request is in compliance with
2 the standards and conditions imposed in this Act, the zoning
3 ordinance adopted consistent with this Act Code, and the
4 conditions imposed under State and federal statutes and
5 regulations.

6 (h) A county may not adopt zoning regulations that
7 disallow, permanently or temporarily, commercial wind energy
8 facilities or commercial solar energy facilities from being
9 developed or operated in any district zoned to allow
10 agricultural or industrial uses.

11 (i) (Blank). ~~A county may not require permit application~~
12 ~~fees for a commercial wind energy facility or commercial solar~~
13 ~~energy facility that are unreasonable. All application fees~~
14 ~~imposed by the county shall be consistent with fees for~~
15 ~~projects in the county with similar capital value and cost.~~

16 (i-5) All siting approval or special use permit
17 application fees for a commercial wind energy facility or
18 commercial solar energy facility shall not exceed \$5,000 per
19 each megawatt of nameplate capacity of the energy facility,
20 and the maximum fee is \$125,000. A county may also require
21 reimbursement from the applicant for any reasonable expenses
22 incurred by the county in processing the siting approval or
23 special use permit application in excess of the maximum fee. A
24 siting approval or special use permit shall not be subject to
25 any time deadline to start construction or obtain a building
26 permit of less than 5 years from the date of siting approval or

1 special use permit approval. A county shall allow an applicant
2 to request an extension of the deadline based upon reasonable
3 cause for the extension request. The exemption shall not be
4 unreasonably withheld, conditioned, or denied.

5 (i-10) A county may require, for a commercial wind energy
6 facility or commercial solar energy facility, a single
7 building permit and permit fee for the facility which includes
8 all supporting facilities. A county building permit fee for a
9 commercial wind energy facility or commercial solar energy
10 facility shall not exceed \$5,000 per each megawatt of
11 nameplate capacity of the energy facility, and the maximum fee
12 is \$75,000. A county may also require reimbursement from the
13 applicant for any reasonable expenses incurred by the county
14 in processing the building permit in excess of the maximum
15 fee. A county may require an applicant, upon start of
16 construction of the facility, to maintain liability insurance
17 that is commercially reasonable and consistent with prevailing
18 industry standards for similar energy facilities.

19 (j) Except as otherwise provided in this Section, a county
20 shall not require standards for construction, decommissioning,
21 or deconstruction of a commercial wind energy facility or
22 commercial solar energy facility or related financial
23 assurances that are more restrictive than those included in
24 the Department of Agriculture's standard wind farm
25 agricultural impact mitigation agreement, template 81818, or
26 standard solar agricultural impact mitigation agreement,

1 version 8.19.19, as applicable and in effect on December 31,
2 2022. The amount of any decommissioning payment shall be in
3 accordance with the financial assurance required by those
4 agricultural impact mitigation agreements.

5 (j-5) A commercial wind energy facility or a commercial
6 solar energy facility shall file a farmland drainage plan with
7 the county and impacted drainage districts outlining how
8 surface and subsurface drainage of farmland will be restored
9 during and following construction or deconstruction of the
10 facility. The plan is to be created independently by the
11 facility developer and shall include the location of any
12 potentially impacted drainage district facilities to the
13 extent this information is publicly available from the county
14 or the drainage district, plans to repair any subsurface
15 drainage affected during construction or deconstruction using
16 procedures outlined in the agricultural impact mitigation
17 agreement entered into by the commercial wind energy facility
18 owner or commercial solar energy facility owner, and
19 procedures for the repair and restoration of surface drainage
20 affected during construction or deconstruction. All surface
21 and subsurface damage shall be repaired as soon as reasonably
22 practicable.

23 (k) A county may not condition approval of a commercial
24 wind energy facility or commercial solar energy facility on a
25 property value guarantee and may not require a facility owner
26 to pay into a neighboring property devaluation escrow account.

1 (1) A county may require certain vegetative screening
2 between a ~~surrounding a commercial wind energy facility or~~
3 commercial solar energy facility and nonparticipating
4 residences. A county ~~but~~ may not require earthen berms or
5 similar structures. Vegetative screening requirements shall be
6 commercially reasonable and limited in height at full maturity
7 to avoid reduction of the productive energy output of the
8 commercial solar energy facility. A county may not require
9 vegetative screening to exceed 5 feet in height when first
10 installed or prior to commercial operation date. The screening
11 requirements shall take into account the size and location of
12 the facility, visibility from nonparticipating residences,
13 compatibility of native plant species, cost and feasibility of
14 installation and maintenance, and industry standards and best
15 practices for commercial solar energy facilities.

16 (m) A county may set blade tip height limitations for wind
17 towers in commercial wind energy facilities but may not set a
18 blade tip height limitation that is more restrictive than the
19 height allowed under a Determination of No Hazard to Air
20 Navigation by the Federal Aviation Administration under 14 CFR
21 Part 77.

22 (n) A county may require that a commercial wind energy
23 facility owner or commercial solar energy facility owner
24 provide:

25 (1) the results and recommendations from consultation
26 with the Illinois Department of Natural Resources that are

1 obtained through the Ecological Compliance Assessment Tool
2 (EcoCAT) or a comparable successor tool; and

3 (2) (blank). ~~the results of the United States Fish and~~
4 ~~Wildlife Service's Information for Planning and Consulting~~
5 ~~environmental review or a comparable successor tool that~~
6 ~~is consistent with (i) the "U.S. Fish and Wildlife~~
7 ~~Service's Land-Based Wind Energy Guidelines" and (ii) any~~
8 ~~applicable United States Fish and Wildlife Service solar~~
9 ~~wildlife guidelines that have been subject to public~~
10 ~~review.~~

11 (o) A county may require a commercial wind energy facility
12 or commercial solar energy facility to adhere to the
13 recommendations provided by the Illinois Department of Natural
14 Resources in an EcoCAT natural resource review report under 17
15 Ill. Adm. Code Part 1075.

16 (p) A county may require a facility owner to:

17 (1) demonstrate avoidance of protected lands as
18 identified by the Illinois Department of Natural Resources
19 and the Illinois Nature Preserve Commission; or

20 (2) consider the recommendations of the Illinois
21 Department of Natural Resources for setbacks from
22 protected lands, including areas identified by the
23 Illinois Nature Preserve Commission.

24 (q) A county may require that a facility owner provide
25 evidence of consultation with the Illinois State Historic
26 Preservation Office to assess potential impacts on

1 State-registered historic sites under the Illinois State
2 Agency Historic Resources Preservation Act.

3 (r) To maximize community benefits, including, but not
4 limited to, reduced stormwater runoff, flooding, and erosion
5 at the ground mounted solar energy system, improved soil
6 health, and increased foraging habitat for game birds,
7 songbirds, and pollinators, a county may (1) require a
8 commercial solar energy facility owner to plant, establish,
9 and maintain for the life of the facility vegetative ground
10 cover, consistent with the goals of the Pollinator-Friendly
11 Solar Site Act and (2) require the submittal of a vegetation
12 management plan that is in compliance with the agricultural
13 impact mitigation agreement in the application to construct
14 and operate a commercial solar energy facility in the county
15 if the vegetative ground cover and vegetation management plan
16 comply with the requirements of the underlying agreement with
17 the landowner or landowners where the facility will be
18 constructed.

19 No later than 90 days after January 27, 2023 (the
20 effective date of Public Act 102-1123), the Illinois
21 Department of Natural Resources shall develop guidelines for
22 vegetation management plans that may be required under this
23 subsection for commercial solar energy facilities. The
24 guidelines must include guidance for short-term and long-term
25 property management practices that provide and maintain native
26 and non-invasive naturalized perennial vegetation to protect

1 the health and well-being of pollinators.

2 (s) If a facility owner enters into a road use agreement
3 with the Illinois Department of Transportation, a road
4 district, or other unit of local government relating to a
5 commercial wind energy facility or a commercial solar energy
6 facility, the road use agreement shall require the facility
7 owner to be responsible for (i) the reasonable cost of
8 improving roads used by the facility owner to construct the
9 commercial wind energy facility or the commercial solar energy
10 facility and (ii) the reasonable cost of repairing roads used
11 by the facility owner during construction of the commercial
12 wind energy facility or the commercial solar energy facility
13 so that those roads are in a condition that is safe for the
14 driving public after the completion of the facility's
15 construction. Roadways improved in preparation for and during
16 the construction of the commercial wind energy facility or
17 commercial solar energy facility shall be repaired and
18 restored to the improved condition at the reasonable cost of
19 the developer if the roadways have degraded or were damaged as
20 a result of construction-related activities.

21 The road use agreement shall not require the facility
22 owner to pay costs, fees, or charges for road work that is not
23 specifically and uniquely attributable to the construction of
24 the commercial wind energy facility or the commercial solar
25 energy facility. No road district or other unit of local
26 government may request or require permit fees, fines, or other

1 payment obligations as a requirement for a road use agreement
2 with a facility owner unless the amount of the permit fee or
3 payment is equivalent to the amount of actual expenses
4 incurred by the road district or other unit of local
5 government for negotiating, executing, constructing, or
6 implementing the road use agreement. The road use agreement
7 shall not require any road work to be performed by or paid for
8 by the facility owner that is unrelated to the road
9 improvements required for the construction of the commercial
10 wind energy facility or the commercial solar energy facility
11 or the restoration of the roads used by the facility owner
12 during construction-related activities. Road-related fees,
13 permit fees, or other charges imposed by the Illinois
14 Department of Transportation, a road district, or other unit
15 of local government under a road use agreement with the
16 facility owner shall be reasonably related to the cost of
17 administration of the road use agreement.

18 (s-5) The facility owner shall also compensate landowners
19 for crop losses or other agricultural damages resulting from
20 damage to the drainage system caused by the construction of
21 the commercial wind energy facility or the commercial solar
22 energy facility. The commercial wind energy facility owner or
23 commercial solar energy facility owner shall repair or pay for
24 the repair of all damage to the subsurface drainage system
25 caused by the construction of the commercial wind energy
26 facility or the commercial solar energy facility in accordance

1 with the agriculture impact mitigation agreement requirements
2 for repair of drainage. The commercial wind energy facility
3 owner or commercial solar energy facility owner shall repair
4 or pay for the repair and restoration of surface drainage
5 caused by the construction or deconstruction of the commercial
6 wind energy facility or the commercial solar energy facility
7 as soon as reasonably practicable.

8 (t) Notwithstanding any other provision of law, a facility
9 owner with siting approval from a county to construct a
10 commercial wind energy facility or a commercial solar energy
11 facility is authorized to cross or impact a drainage system,
12 including, but not limited to, drainage tiles, open drainage
13 ditches, culverts, and water gathering vaults, owned or under
14 the control of a drainage district under the Illinois Drainage
15 Code without obtaining prior agreement or approval from the
16 drainage district in accordance with the farmland drainage
17 plan required by subsection (j-5).

18 (u) The amendments to this Section adopted in Public Act
19 102-1123 do not apply to: (1) an application for siting
20 approval or for a special use permit for a commercial wind
21 energy facility or commercial solar energy facility if the
22 application was submitted to a unit of local government before
23 January 27, 2023 (the effective date of Public Act 102-1123);
24 (2) a commercial wind energy facility or a commercial solar
25 energy facility if the facility owner has submitted an
26 agricultural impact mitigation agreement to the Department of

1 Agriculture before January 27, 2023 (the effective date of
2 Public Act 102-1123); or (3) a commercial wind energy or
3 commercial solar energy development on property that is
4 located within an enterprise zone certified under the Illinois
5 Enterprise Zone Act, that was classified as industrial by the
6 appropriate zoning authority on or before January 27, 2023,
7 and that is located within 4 miles of the intersection of
8 Interstate 88 and Interstate 39.

9 (Source: P.A. 102-1123, eff. 1-27-23; 103-81, eff. 6-9-23;
10 103-580, eff. 12-8-23; revised 7-29-24.)

11 (55 ILCS 5/5-12024 new)

12 Sec. 5-12024. Energy storage systems.

13 (a) As used in this Section:

14 "Energy storage system" means a facility with an aggregate
15 energy capacity that is greater than 1,000 kilowatts and that
16 is capable of absorbing energy and storing it for use at a
17 later time, including, but not limited to, electrochemical and
18 electromechanical technologies. "Energy storage system" does
19 not include technologies that require combustion. "Energy
20 storage system" also does not include energy storage systems
21 associated with commercial solar energy facilities or
22 commercial wind energy facilities as defined in Section
23 5-12020.

24 "Excused service interruption" means any period during
25 which an energy storage system does not store or discharge

1 electricity and that is planned or reasonably foreseeable for
2 standard commercial operation, including any unavailability
3 caused by a buyer; storage capacity tests; system emergencies;
4 curtailments, including curtailment orders; transmission
5 system outages; compliance with any operating restriction;
6 serial defects; and planned outages.

7 "Facility owner" means (i) a person with a direct
8 ownership interest in an energy storage system, regardless of
9 whether the person is involved in acquiring the necessary
10 rights, permits, and approvals or otherwise planning for the
11 construction and operation of the facility and (ii) a person
12 who, at the time the facility is being developed, is acting as
13 a developer of the facility by acquiring the necessary rights,
14 permits, and approvals or by planning for the construction and
15 operation of the facility, regardless of whether the person
16 will own or operate the facility.

17 "Force majeure" means any event or circumstance that
18 delays or prevents an energy storage system from timely
19 performing all or a portion of its commercial operations if
20 the act or event, despite the exercise of commercially
21 reasonable efforts, cannot be avoided by and is beyond the
22 reasonable control, whether direct or indirect, of, and
23 without the fault or negligence of, a facility owner or
24 operator or any of its assignees. "Force majeure" includes,
25 but is not limited to:

26 (1) fire, flood, tornado, or other natural disasters

1 or acts of God;

2 (2) war, civil strife, terrorist attack, or other
3 similar acts of violence;

4 (3) unavailability of materials, equipment, services,
5 or labor, including unavailability due to global supply
6 chain shortages;

7 (4) utility or energy shortages or acts or omissions
8 of public utility providers;

9 (5) any delay resulting from a pandemic, epidemic, or
10 other public health emergency or related restrictions; and

11 (6) litigation or a regulatory proceeding regarding a
12 facility.

13 "NFPA" means the National Fire Protection Association.

14 "Nonparticipating property" means real property that is
15 not a participating property.

16 "Nonparticipating residence" means a residence that is
17 located on nonparticipating property and that exists and is
18 occupied on the date that the application for a permit to
19 develop an energy storage system is filed with the county.

20 "Occupied community building" means a school, place of
21 worship, day care facility, public library, or community
22 center that is occupied on the date that the application for a
23 permit to develop an energy storage system is filed with the
24 county in which the building is located.

25 "Participating property" means real property that is the
26 subject of a written agreement between a facility owner and

1 the owner of the real property and that provides the facility
2 owner an easement, option, lease, or license to use the real
3 property for the purpose of constructing an energy storage
4 system or supporting facilities.

5 "Protected lands" means real property that is: (i) subject
6 to a permanent conservation right consistent with the Real
7 Property Conservation Rights Act; or (ii) registered or
8 designated as a nature preserve, buffer, or land and water
9 reserve under the Illinois Natural Areas Preservation Act.

10 "Supporting facilities" means the transmission lines,
11 substations, switchyard, access roads, meteorological towers,
12 storage containers, and equipment associated with the
13 generation, storage, and dispatch of electricity by an energy
14 storage system.

15 (b) Notwithstanding any other provision of law, if a
16 county has formed a zoning commission and adopted formal
17 zoning under Section 5-12007, then a county may establish
18 standards for energy storage systems in areas of the county
19 that are not within the zoning jurisdiction of a municipality.
20 The standards may include all of the requirements specified in
21 this Section but may not include requirements for energy
22 storage systems that are more restrictive than specified in
23 this Section or requirements that are not specified in this
24 Section.

25 (c) A county may require the energy storage facility to
26 comply with the version of NFPA 855 "Standard for the

1 Installation of Stationary Energy Storage Systems" in effect
2 on the effective date of this amendatory Act or any successor
3 standard issued by the NFPA in effect on the date of siting or
4 special use permit approval. A county may not include
5 requirements for energy storage systems that are more
6 restrictive than NFPA 855 "Standard for the Installation of
7 Stationary Energy Storage Systems" unless required by this
8 Section.

9 (d) If a county has elected to establish standards under
10 subsection (b), then the zoning board of appeals for the
11 county shall hold at least one public hearing before the
12 county grants (i) siting approval or a special use permit for
13 an energy storage system or (ii) modification of an approved
14 siting or special use permit. The public hearing shall be
15 conducted in accordance with the Open Meetings Act and shall
16 conclude not more than 60 days after the filing of the
17 application for the facility. The county shall allow
18 interested parties to a special use permit an opportunity to
19 present evidence and to cross-examine witnesses at the
20 hearing, but the county may impose reasonable restrictions on
21 the public hearing, including reasonable time limitations on
22 the presentation of evidence and the cross-examination of
23 witnesses. The county shall also allow public comment at the
24 public hearing in accordance with the Open Meetings Act. The
25 county shall make its siting and permitting decisions not more
26 than 30 days after the conclusion of the public hearing.

1 Notice of the hearing shall be published in a newspaper of
2 general circulation in the county.

3 (e) A county with an existing zoning ordinance in conflict
4 with this Section shall amend that zoning ordinance to comply
5 with this Section within 120 days after the effective date of
6 this amendatory Act of the 104th General Assembly.

7 (f) A county shall require an energy storage system to be
8 sited as follows, with setback distances measured from the
9 nearest edge of the nearest battery or other electrochemical
10 or electromechanical enclosure:

11	<u>Setback Description</u>	<u>Setback Distance</u>
12	<u>Occupied Community</u>	<u>150 feet from the nearest</u>
13	<u>Buildings and</u>	<u>point of the outside wall of</u>
14	<u>Nonparticipating Residences</u>	<u>the occupied community building</u>
15		<u>or nonparticipating residence</u>
16	<u>Boundary Lines of</u>	<u>50 feet to the nearest point</u>
17	<u>Occupied Community</u>	<u>on the property line of</u>
18	<u>Buildings and</u>	<u>the occupied community building</u>
19	<u>Nonparticipating Residences</u>	<u>or nonparticipating property</u>
20	<u>Public Road Rights-of-Way</u>	<u>50 feet from the nearest edge</u>
21		<u>of the right-of-way</u>

22 (2) A county shall also require an energy storage

1 system to be sited so that the facility's perimeter is
2 enclosed by fencing having a height of at least 7 feet and
3 no more than 25 feet.

4 This Section does not exempt or excuse compliance with
5 electric facility clearances approved or required by the
6 National Electrical Code, the National Electrical Safety Code,
7 the Illinois Commerce Commission, the Federal Energy
8 Regulatory Commission, and their designees or successors.

9 (g) A county may not set a sound limitation for energy
10 storage systems that is more restrictive than the sound
11 limitations established by the Illinois Pollution Control
12 Board under 35 Ill. Adm. Code Parts 900, 901, and 910. After
13 commercial operation, a county may require the facility owner
14 to provide, not more than once, octave band sound pressure
15 level measurements from a reasonable number of sampled
16 locations at the perimeter of the energy storage system to
17 demonstrate compliance with this Section.

18 (h) The provisions set forth in subsection (f) may be
19 waived subject to the written consent of the owner of each
20 affected nonparticipating property or nonparticipating
21 residence.

22 (i) A county may not place any restriction on the
23 installation or use of an energy storage system unless it has
24 formed a zoning commission and adopted formal zoning under
25 Section 5-12007 and adopts an ordinance that complies with
26 this Section. A county may not establish siting standards for

1 supporting facilities that preclude development of an energy
2 storage system.

3 (j) A request for siting approval or a special use permit
4 for an energy storage system, or modification of an approved
5 siting approval or special use permit, shall be approved if
6 the request complies with the standards and conditions imposed
7 in this Code, the zoning ordinance adopted consistent with
8 this Section, and other State and federal statutes and
9 regulations. The siting approval or special use permit
10 approved by the county shall grant the facility owner a period
11 of at least 3 years after county approval to obtain a building
12 permit or commence construction of the energy storage system,
13 before the siting approval or special use permit may become
14 subject to revocation by the county. Facility owners may be
15 granted an extension on obtaining building permits or
16 commencing constructing upon a showing of good cause. A
17 facility owner's request for an extension may not be
18 unreasonably withheld, conditioned, or denied.

19 (k) A county may not adopt zoning regulations that
20 disallow, permanently or temporarily, an energy storage system
21 from being developed or operated in any district zones to
22 allow agricultural or industrial uses.

23 (l) A facility owner shall file a farmland drainage plan
24 with the county and impacted drainage districts that outlines
25 how surface and subsurface drainage of farmland will be
26 restored during and following the construction or

1 deconstruction of the energy storage system. The plan shall be
2 created independently by the facility owner and shall include
3 the location of any potentially impacted drainage district
4 facilities to the extent the information is publicly available
5 from the county or the drainage district and plans to repair
6 any subsurface drainage affected during construction or
7 deconstruction using procedures outlined in the
8 decommissioning plan. All surface and subsurface damage shall
9 be repaired as soon as reasonably practicable.

10 (m) A facility owner shall compensate landowners for crop
11 losses or other agricultural damages resulting from damage to
12 a drainage system caused by the construction of an energy
13 storage system. The facility owner shall repair or pay for the
14 repair of all damage to the subsurface drainage system caused
15 by the construction of the energy storage system. The facility
16 owner shall repair or pay for the repair and restoration of
17 surface drainage caused by the construction or deconstruction
18 of the energy storage facility as soon as reasonably
19 practicable.

20 (n) County siting approval or special use permit
21 application fees for an energy storage system shall not exceed
22 the lesser of (i) \$5,000 per each megawatt of nameplate
23 capacity of the energy storage system or (ii) \$50,000.

24 (o) The county may require a facility owner to provide a
25 decommissioning plan to the county. The decommissioning plan
26 may include all requirements for decommissioning plans in NFPA

1 855 and may also require the facility owner to:

2 (1) state how the energy storage system will be
3 decommissioned, including removal to a depth of 3 feet of
4 all structures that have no ongoing purpose and all debris
5 and restoration of the soil and any vegetation to a
6 condition as close as reasonably practicable to the soil's
7 and vegetation's preconstruction condition within 18
8 months of the end of project life or facility abandonment;

9 (2) include provisions related to commercially
10 reasonable efforts to reuse or recycle of equipment and
11 components associated with the commercial offsite energy
12 storage system;

13 (3) include financial assurance in the form of a
14 reclamation or surety bond or other commercially available
15 financial assurance that is acceptable to the county, with
16 the county or participating property owner as beneficiary.
17 The amount of the financial assurance shall not be more
18 than the estimated cost of decommissioning the energy
19 facility, after deducting salvage value, as calculated by
20 a professional engineer licensed to practice engineering
21 in this State with expertise in preparing decommissioning
22 estimates, retained by the applicant. The financial
23 assurance shall be provided to the county incrementally as
24 follows:

25 (A) 25% before the start of full commercial
26 operation;

1 (B) 50% before the start of the 5th year of
2 commercial operation; and

3 (C) 100% by the start of the tenth year of
4 commercial operation;

5 (4) update the amount of the financial assurance not
6 more than every 5 years for the duration of commercial
7 operations. The amount shall be calculated by a
8 professional engineer licensed to practice engineering in
9 this State with expertise in decommissioning, hired by the
10 facility owner; and

11 (5) decommission the energy storage system, in
12 accordance with an approved decommissioning plan, within
13 18 months after abandonment. An energy storage system that
14 has not stored electrical energy for 12 consecutive months
15 or that fails, for a period of 6 consecutive months, to pay
16 a property owner who is party to a written agreement,
17 including, but not limited to, an easement, option, lease,
18 or license under the terms of which an energy storage
19 system is constructed on the property, amounts owed in
20 accordance with the written agreement shall be considered
21 abandoned, except when the inability to store energy is
22 the result of an event of force majeure or excused service
23 interruption.

24 (p) A county may not condition approval of an energy
25 storage system on a property value guarantee and may not
26 require a facility owner to pay into a neighboring property

1 devaluation escrow account.

2 (g) A county may require that a facility owner provide the
3 results and recommendations from consultation with the
4 Department of Natural Resources that are obtained through the
5 Ecological Compliance Assessment Tool (EcoCAT) or a comparable
6 successor tool.

7 (r) A county may require an energy storage system to
8 adhere to the recommendations provided by the Department of
9 Natural Resources in an Agency Action Report under 17 Ill.
10 Admin. Code 1075.

11 (s) A county may require a facility owner to:

12 (1) demonstrate avoidance of protected lands as
13 identified by the Department of Natural Resources and the
14 Illinois Nature Preserves Commission; or

15 (2) consider the recommendations of the Department of
16 Natural Resources for setbacks from protected lands,
17 including areas identified by the Illinois Nature
18 Preserves Commission.

19 (t) A county may require that a facility owner provide
20 evidence of consultation with the Illinois Historic
21 Preservation Division to assess potential impacts on
22 State-registered historic sites under the Illinois State
23 Agency Historic Resources Preservation Act.

24 (u) A county may require that an application for siting
25 approval or special use permit include the following
26 information on a site plan:

1 (1) a description of the property lines and physical
2 features, including roads, for the facility site;

3 (2) a description of the proposed changes to the
4 landscape of the facility site, including vegetation
5 clearing and planting, exterior lighting, and screening or
6 structures; and

7 (3) a description of the zoning district designation
8 for the parcel of land comprising the facility site.

9 (v) A county may not prohibit an energy storage system
10 from undertaking periodic augmentation to maintain the
11 approximate original capacity of the energy storage system. A
12 county may not require renewed or additional siting approval
13 or special use permit approval of periodic augmentation to
14 maintain the approximate original capacity of the energy
15 storage system.

16 (w) A county that issues a building permit for energy
17 storage systems shall review and process building permit
18 applications within 60 days after receipt of the building
19 permit application. If a county does not grant or deny the
20 building permit application within 60 days, the building
21 permit shall be deemed granted. If a county denies a building
22 permit application, it shall specify the reason for the denial
23 in writing as part of its denial.

24 (x) A county may require a single building permit and
25 permit fee for the facility which includes all supporting
26 facilities. A county building permit fee for an energy storage

1 system shall not exceed the lesser of (i) \$5,000 per each
2 megawatt of nameplate capacity of the energy storage system or
3 (ii) \$50,000. A county may require that the application for
4 building permit contain:

5 (1) an electrical diagram detailing the battery energy
6 storage system layout, associated components, and
7 electrical interconnection methods, with all National
8 Electrical Code compliant disconnects and overcurrent
9 devices; and

10 (2) an equipment specification sheet.

11 (y) A county may require the facility owner to submit to
12 the county prior to the facility's commercial operation a
13 commissioning report meeting the requirements of NFPA 855
14 Sections 4.2.4, 6.1.3, and 6.1.5.5, as published in 2023, or
15 the applicable Sections in the most recent version of NFPA
16 855.

17 (z) A county may require the facility owner to submit to
18 the county prior to the facility's commercial operation a
19 hazard mitigation analysis meeting the requirements of NFPA
20 855 Section 4.4 or the applicable Sections in the most recent
21 version of NFPA 855.

22 (aa) A county may require the facility owner to submit to
23 the county an emergency operations plan meeting the
24 requirements of NFPA 855 Section 4.3.2.1.4, published in 2023,
25 or applicable Sections in the most recent version of NFPA 855,
26 prior to commercial operation.

1 (bb) A county may require a warning that complies with
2 requirements in NFPA 855 Section 4.7.4, published in 2023, or
3 applicable sections in the most recent version of NFPA 855.

4 (cc) A county may require the energy storage system to
5 adhere to the principles for responsible outdoor lighting
6 provided by the International Dark-Sky Association and shall
7 limit outdoor lighting to that which is minimally required for
8 safety and operational purposes. Any outdoor lighting shall be
9 reasonably shielded and downcast from all residences and
10 adjacent properties.

11 (dd) This Section does not exempt compliance with fire and
12 safety standards and guidance established for the installation
13 of lithium-ion battery energy storage systems set by the NFPA.

14 (ee) Prior to commencement of commercial operation, the
15 facility owner shall offer to provide training for local fire
16 departments and emergency responders in accordance with the
17 facility emergency operations plan. A copy of the emergency
18 operations plan shall be given to the facility owner, the
19 local fire department, and emergency responders. All batteries
20 integrated within an energy storage system shall be listed
21 under the UL 1973 Standard. All batteries integrated within an
22 energy storage system shall be listed in accordance with UL
23 9540 Standard, either from the manufacturer or by a field
24 evaluation.

25 (ff) If a facility owner enters into a road use agreement
26 with the Department of Transportation, a road district, or

1 other unit of local government relating to an energy storage
2 system, then the road use agreement shall require the facility
3 owner to be responsible for (i) the reasonable cost of
4 improving, if necessary, roads used by the facility owner to
5 construct the energy storage system and (ii) the reasonable
6 cost of repairing roads used by the facility owner during
7 construction of the energy storage system so that those roads
8 are in a condition that is safe for the driving public after
9 the completion of the facility's construction. A roadway
10 improved in preparation for and during the construction of the
11 energy storage system shall be repaired and restored to the
12 improved condition at the reasonable cost of the developer if
13 the roadways have degraded or were damaged as a result of
14 construction-related activities.

15 The road use agreement shall not require the facility
16 owner to pay costs, fees, or charges for road work that is not
17 specifically and uniquely attributable to the construction of
18 the energy storage system. No road district or other unit of
19 local government may request or require a fine, permit fee, or
20 other payment obligation as a requirement for a road use
21 agreement with a facility owner unless the amount of the fine,
22 permit fee, or other payment obligation is equivalent to the
23 amount of actual expenses incurred by the road district or
24 other unit of local government for negotiating, executing,
25 constructing, or implementing the road use agreement. The road
26 use agreement shall not require the facility owner to perform

1 or pay for any road work that is unrelated to the road
2 improvements required for the construction of the commercial
3 wind energy facility or the commercial solar energy facility
4 or the restoration of the roads used by the facility owner
5 during construction-related activities.

6 (gg) The provisions of this amendatory Act of the 104th
7 General Assembly do not apply to an application for siting
8 approval or special use permit for an energy storage system if
9 the application was submitted to a county before the effective
10 date of this amendatory Act of the 104th General Assembly.

11 (55 ILCS 5/Art. 5 Div. 5-46 heading new)

12 Division 5-46. Solar Bill of Rights

13 (55 ILCS 5/5-46005 new)

14 Sec. 5-46005. Definitions. As used in this Division:

15 "Low-voltage solar-powered device" means a piece of
16 equipment designed for a particular purpose, including, but
17 not limited to, doorbells, security systems, and illumination
18 equipment, powered by a solar collector operating at less than
19 50 volts, and located:

20 (1) entirely within the lot or parcel owned by the
21 property owner; or

22 (2) within a common area without being permanently
23 attached to common property.

24 "Solar collector" means:

1 (1) an assembly, structure, or design, including
2 passive elements, used for gathering, concentrating, or
3 absorbing direct and indirect solar energy and specially
4 designed for holding a substantial amount of useful
5 thermal energy and to transfer that energy to a gas,
6 solid, or liquid or to use that energy directly;

7 (2) a mechanism that absorbs solar energy and converts
8 it into electricity;

9 (3) a mechanism or process used for gathering solar
10 energy through wind or thermal gradients; or

11 (4) a component used to transfer thermal energy to a
12 gas, solid, or liquid, or to convert it into electricity.

13 "Solar energy" means radiant energy received from the sun
14 at wavelengths suitable for heat transfer, photosynthetic use,
15 or photovoltaic use.

16 "Solar energy system" means:

17 (1) a complete assembly, structure, or design of a
18 solar collector or a solar storage mechanism that uses
19 solar energy for generating electricity or for heating or
20 cooling gases, solids, liquids, or other materials; and

21 (2) the design, materials, or elements of a system and
22 its maintenance, operation, and labor components, and the
23 necessary components, if any, of supplemental conventional
24 energy systems designed or constructed to interface with a
25 solar energy system.

26 "Solar storage mechanism" means equipment or elements,

1 such as piping and transfer mechanisms, containers, heat
2 exchangers, batteries, or controls thereof and gases, solids,
3 liquids, or combinations thereof, that are utilized for
4 storing solar energy, gathered by a solar collector, for
5 subsequent use.

6 (55 ILCS 5/5-46010 new)

7 Sec. 5-46010. Prohibitions. Notwithstanding any provision
8 of this Code or other provision of law, the adoption of any
9 ordinance or resolution or the exercise of any power by a
10 county that prohibits or has the effect of prohibiting the
11 installation of a solar energy system or low-voltage
12 solar-powered devices is expressly prohibited.

13 (55 ILCS 5/5-46020 new)

14 Sec. 5-46020. Costs; attorney's fees. In any litigation
15 arising under this Division or involving the application of
16 this Division, the prevailing party shall be entitled to costs
17 and reasonable attorney's fees.

18 (55 ILCS 5/5-46025 new)

19 Sec. 5-46025. Applicability.

20 (a) As used in this Section, "shared roof" means any roof
21 that (i) serves more than one unit, including, but not limited
22 to, a contiguous roof serving adjacent units, or (ii) is part
23 of the common elements or common area of a unit.

1 resolution under the Commission's rules authorized by this Act
2 may include the Ombudsperson's recommendation in any formal
3 complaint before the Commission.

4 (f) The Office is encouraged to include at least one
5 employee, at the Bureau Chief's discretion, with a background
6 in engineering of renewable resources and distribution
7 interconnections.

8 (220 ILCS 5/Art. XXIII heading new)

9 ARTICLE XXIII. SITING APPEALS BOARD

10 (220 ILCS 5/23-105 new)

11 Sec. 23-105. Findings. The General Assembly finds that:

12 (1) the timely siting and development of commercial
13 wind energy facilities, commercial solar energy
14 facilities, and energy storage system facilities is
15 critical to the State's energy security;

16 (2) the General Assembly has adopted statewide county
17 siting regulations to establish uniform standards for
18 commercial wind energy facilities, commercial solar energy
19 facilities, and energy storage system facilities
20 throughout this State;

21 (3) a consistent dispute resolution process with
22 respect to the siting and development of commercial wind
23 energy facilities, commercial solar energy facilities, and
24 energy storage system facilities is necessary to provide

1 fair and expeditious decisions on siting disputes to
2 parties affected by the development and siting of a
3 renewable energy project;

4 (4) empowering the Commission to resolve siting
5 disputes would allow parties to avoid time-consuming and
6 costly litigation and would provide consistency and
7 certainty to the renewable energy siting and development
8 process in the State; and

9 (5) the Commission has the relevant expertise to
10 establish and govern a renewable energy siting disputes
11 resolution process.

12 (220 ILCS 5/23-110 new)

13 Sec. 23-110. Definitions. In this Article:

14 "Commercial solar energy facility" has the meaning given
15 to that term in subsection (a) of Section 5-12020 of the
16 Counties Code. "Commercial solar energy facility" includes
17 supporting facilities, as defined in subsection (a) of Section
18 5-12020 of the Counties Code.

19 "Commercial wind energy facility" has the meaning given to
20 that term in subsection (a) of Section 5-12020 of the Counties
21 Code. "Commercial wind energy facility" includes supporting
22 facilities, as defined in subsection (a) of Section 5-12020 of
23 the Counties Code.

24 "Energy storage system facility" has the meaning given to
25 that term in Section 5-12024 of the Counties Code. "Energy

1 storage system facility" includes supporting facilities, as
2 defined in subsection (a) of Section 5-12024 of the Counties
3 Code.

4 (220 ILCS 5/23-115 new)

5 Sec. 23-115. Siting appeals board. The Illinois Commerce
6 Commission shall establish a siting appeals board to resolve
7 disputes involving the siting of commercial wind energy
8 facilities, commercial solar energy facilities, and energy
9 storage system facilities throughout the State. The Commission
10 shall adopt any rules necessary to establish and govern the
11 siting appeals board.

12 Section 90-40. The Electric Transmission Systems
13 Construction Standards Act is amended by changing Sections 5
14 and 15 as follows:

15 (220 ILCS 32/5)

16 Sec. 5. Definitions. For the purposes of this Act:

17 "Commission" means the Illinois Commerce Commission.

18 "Construction contractor" means any nonutility entity
19 responsible for the construction, installation, maintenance,
20 or repair of electric transmission systems subject to this
21 Act.

22 "Electric transmission systems" means an electrical
23 transmission system designed and constructed with the

Champaign County
Department of



Bennett Administrative Center
102 E. Main Street
Urbana, Illinois 61801

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

To: **Champaign County Environment & Land Use Committee**

From: **John Hall, Zoning Administrator**
Charlie Campo, Senior Planner

Date: **December 4, 2025**

RE: **Recommendation for rezoning case 179-AM-25**

Request: **Amend the Zoning Map to change the zoning district designation from the I-1 Light Industry Zoning District to the B-4 General Business District in order to establish and operate a martial arts training facility.**

Petitioner: **Michael Stoller d.b.a. CU Jiu Jitsu LLC**

The Zoning Board of Appeals (ZBA) voted 4-0 with two members absent to “RECOMMEND ENACTMENT” of this map amendment at its October 30, 2025, meeting. The ZBA found that the rezoning achieved all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan.

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Champaign. Zoned municipalities have protest rights in Map Amendment cases. Notice of the public hearing was sent to the City and no comments have been received. The City’s most recent Comprehensive Plan Map from 2021 shows the subject property to be in the “Employment Center” land use area. The subject property is located in Somer Township, which does not have a Planning Commission.

Notices about the case were sent to surrounding landowners, Somer Township, Eastern Prairie Fire Protection District and Beaver Lake Drainage District and no comments have been received.

BACKGROUND

The petitioner would like to establish a martial arts training facility on the 0.5-acre subject property, using the existing building. The most similar principal use from the Champaign County Zoning Ordinance is “Dancing Academy or hall” which is not allowed in the current I-1 Light Industry Zoning District, so a Map Amendment to B-4 General Business is needed. The proposed use would be allowed by right in the B-4 District.

A previous variance case on the property was case 283-V-01, approved in 2001, to allow the construction of the existing building with the following changes:

- (1) A front yard of 18 feet from the property line and 51 feet from the centerline of Wallace Ave. in lieu of the minimum required 25 feet and 58 feet respectively.
- (2) One off-street parking space to be located 4 feet from the side property line.
- (3) A 6-foot solid fence that obstructs the corner visibility triangle at the intersection of N. Second St. and Wallace Ave.
- (4) A 6-foot solid fence for screening in lieu of an 8-foot fence.

Staff analysis indicates that the proposed Zoning Map amendment and potential use appear to be generally compatible with surrounding land uses and the Champaign County Land Resource Management Plan Goals, Objectives, and Policies adopted by the County Board on April 22, 2010.

continued

Staff recommended affirmative findings for all decision points for the LRMP Goals, Objectives, and Policies, LaSalle and Sinclair Factors, and Purpose of the Zoning Ordinance.

PROPOSED SPECIAL CONDITIONS

- A. **A Zoning Use Permit and applicable fees shall be required for any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

- B. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

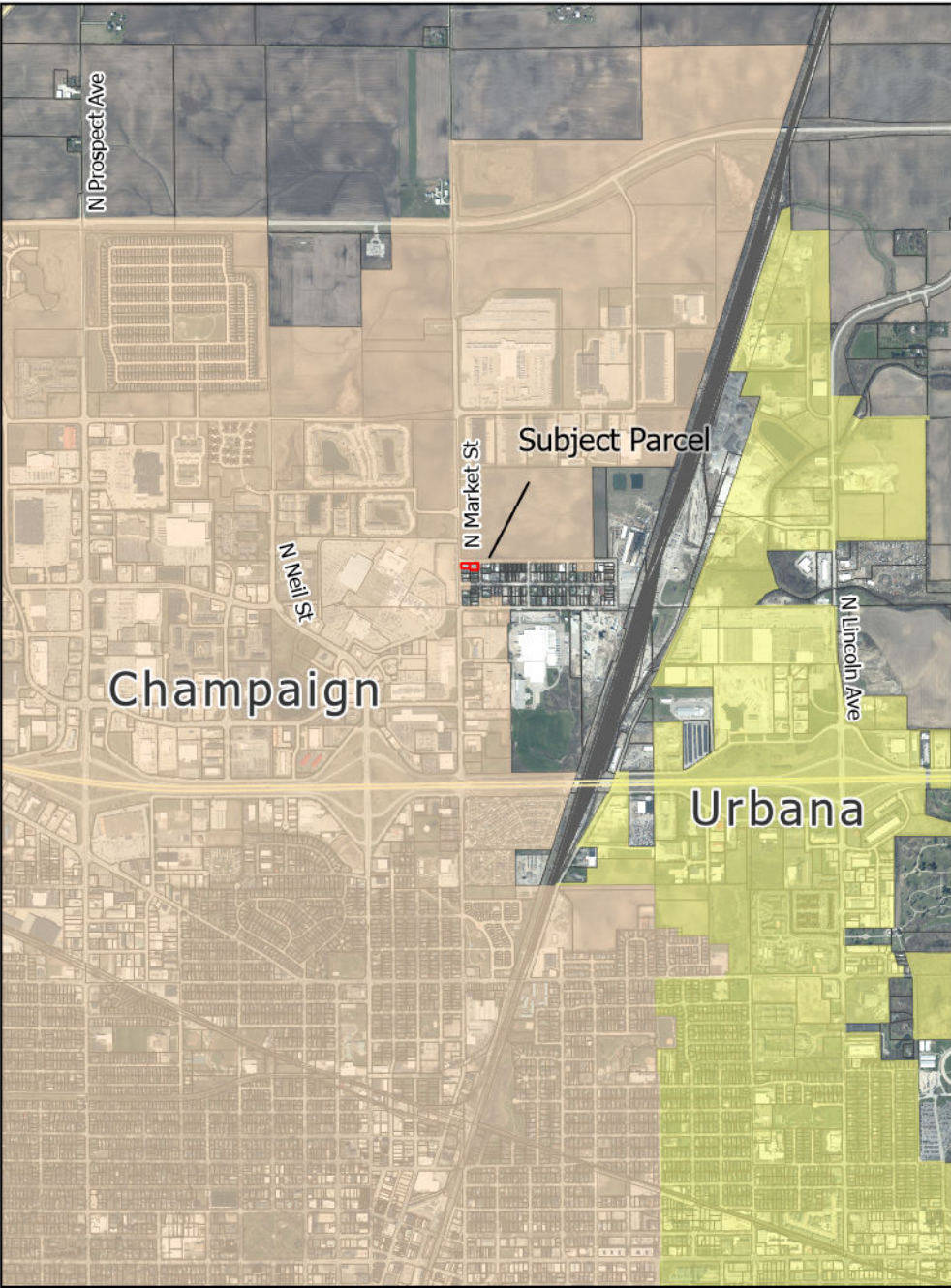
The special condition stated above is required to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

ATTACHMENTS

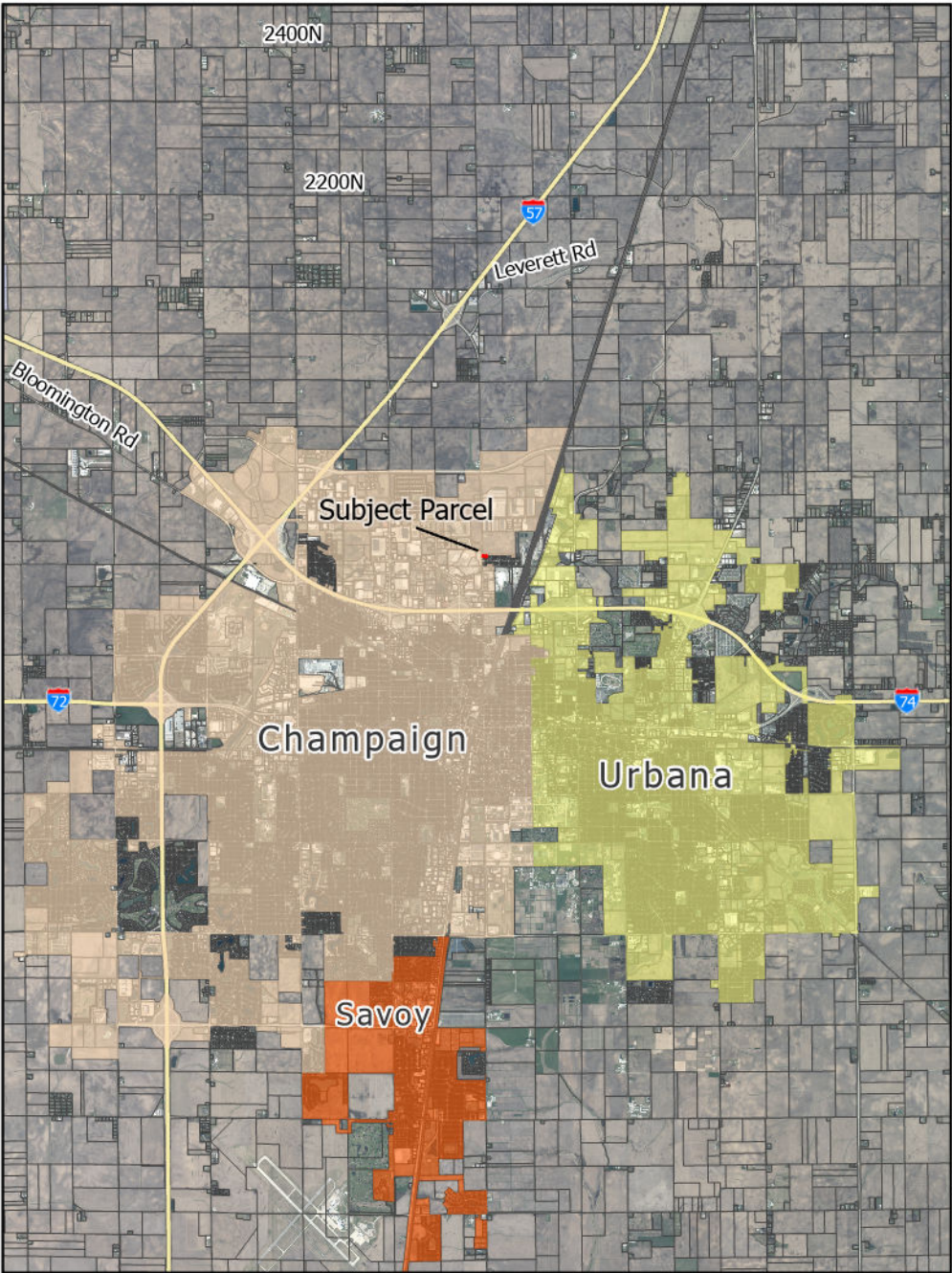
- A Case Maps (Location, Land Use, Zoning)
- B Annotated Aerial Photo 2025 and 1973
- G Summary Finding of Fact, and Final Determination for Case 179-AM-25 as approved by the ZBA on October 30, 2025

Subject Property



0 0.5 1 Miles

Property Location in Champaign County



0 2 4 Miles

Land Use Map
Case 179-AM-25
October 30, 2025



- Subject Parcels
- City of Champaign
- Industrial
- Commercial
- Residential



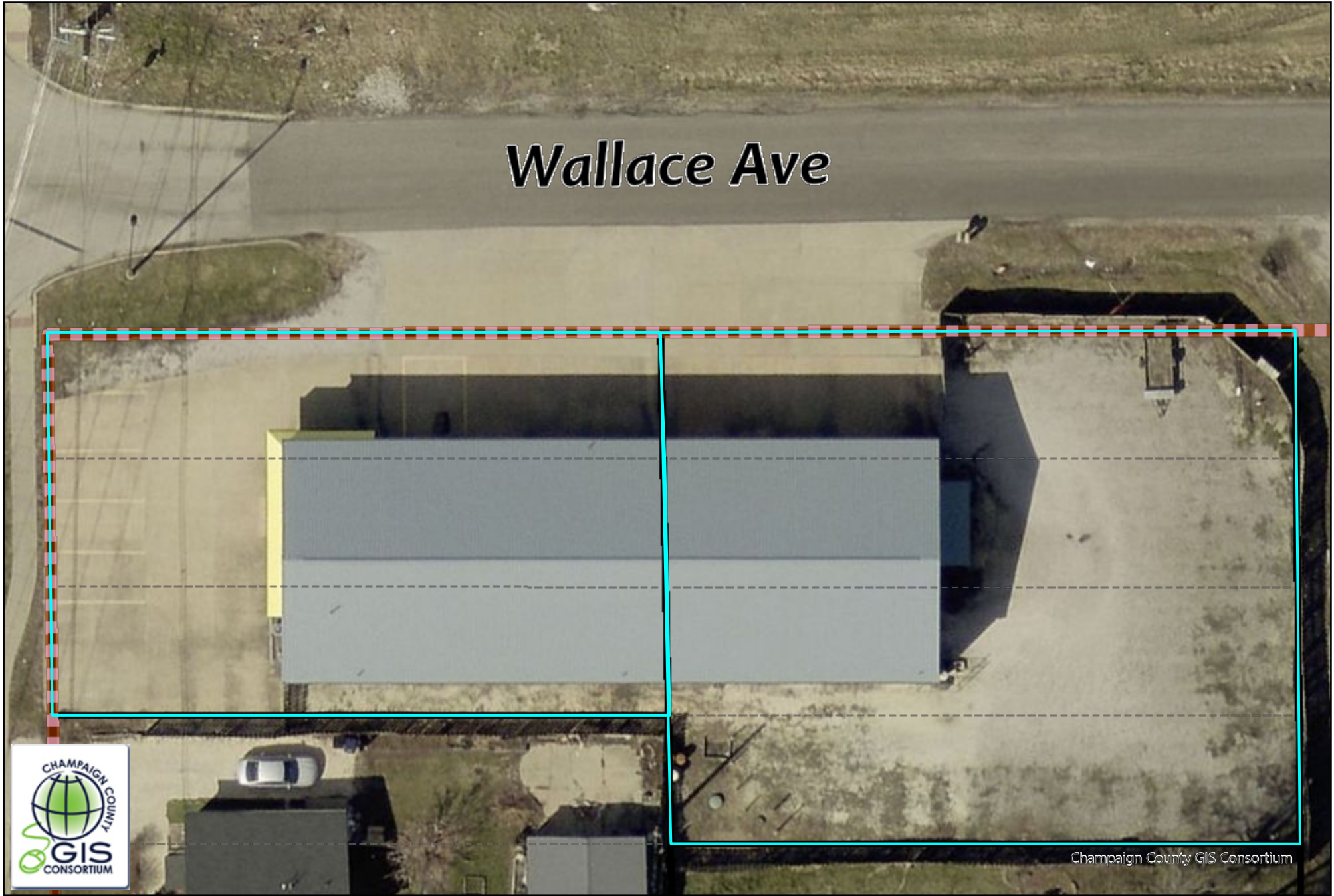
Zoning Map
Case 179-AM-25
October 30, 2025



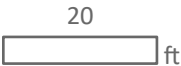
- Subject Parcels
- City of Champaign
- I-1 Light Industry

0 100 200 Feet⁶⁶

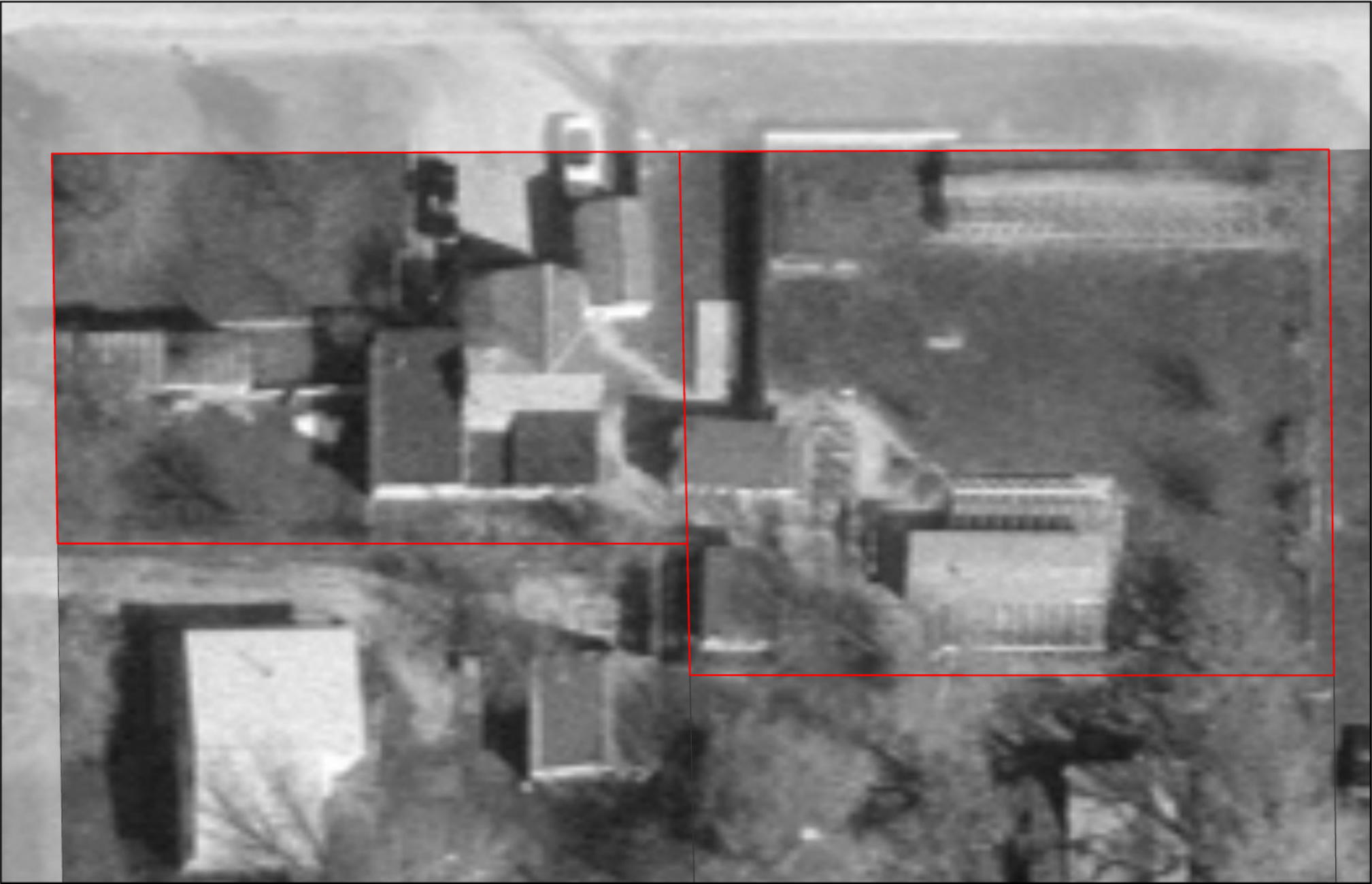
Subject Parcels



Champaign County GIS Consortium



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 Subject Parcels
 City of Champaign

0 25 50 Feet

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 179-AM-25

As approved by the ZBA on October 30, 2025

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **October 30, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
 - A. Regarding Goal 3:
 - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow the Petitioner to establish a mix of business uses that could benefit Champaign County's business climate.
 - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment **WILL HELP ACHIEVE** Goal 3 Prosperity.
 - B. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
 - Goal 1 Planning and Public Involvement
 - Goal 2 Governmental Coordination
 - Goal 4 Agriculture
 - Goal 5 Urban Land Use
 - Goal 6 Public Health and Public Safety
 - Goal 7 Transportation
 - Goal 8 Natural Resources
 - Goal 9 Energy Conservation
 - Goal 10 Cultural Amenities
 - C. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment **IS** consistent with the *LaSalle* and *Sinclair* factors because of the following:
 - A. This area has a mix of land uses, and the subject property has been an auto repair facility for many years.
 - B. It is impossible to establish property values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
 - C. The gain to the public of the proposed rezoning is positive because it will provide a service to Champaign County residents for which there is a demand.
 - D. The site has been a commercial development since prior to the adoption of the Champaign County Zoning Ordinance.
 - E. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 179-AM-25

As approved by the ZBA on October 30, 2025

3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
 - A. The rezoning would achieve Purpose 2.0 (a), (e), (f), (g) and (h) to secure adequate light, air, and safety from fire and other dangers as well as limiting height, setback bulk of buildings and intensity of use because the existing building received four variances for building and parking setbacks and fence location and height and the petitioner is not proposing any changes to the site.
 - B. The rezoning would achieve Purpose 2.0 (b), by conserving the value of the subject property by allowing continued use of the property. (See Item 23. B).
 - C. The rezoning would achieve Purpose 2.0 (c) to lessen and avoid congestion in the public streets because the proposed rezoning is not likely to significantly increase traffic (see Item 23. C).
 - D. The rezoning would achieve Purpose 2.0 (d) of the Ordinance to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters because the petitioner is not proposing any changes to the site (see Item 23. D).
 - E. The rezoning would achieve Purpose 2.0 (i) of the Ordinance. Establishing the I-1 District at this location will help classify, regulate, and restrict the location of the uses authorized in the B-4 District (see Item 23.G.).

4. **THE SPECIAL CONDITION IMPOSED HEREIN IS REQUIRED FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

- A. **A Zoning Use Permit and applicable fees shall be required any future construction on the property.**

The special condition stated above is required to ensure the following:

Conformance with the Champaign County Zoning Ordinance.

- B. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The special condition stated above is required to ensure the following:

Conformance with Policy 4.2.3 of the Land Resource Management Plan.

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 179-AM-25

As approved by the ZBA on October 30, 2025

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County recommends that:

The Zoning Ordinance Amendment requested in **Case 179-AM-25 BE ENACTED** by the County Board in the form attached hereto.

SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. A Zoning Use Permit and applicable fees shall be required any future construction on the property.**
- B. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Brian Andersen, Interim Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

Champaign County
Department of



Bennett Administrative Center
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www.co.champaign.il.us/zoning

To: **Champaign County Environment & Land Use Committee**

From: **John Hall, Zoning Administrator**
Charlie Campo, Senior Planner

Date: **December 4, 2025**

RE: **Recommendation for rezoning case 178-AT-25**

Request: **Amend Sections 5.5.2 and 5.5.3 of the Champaign County Zoning Ordinance to extend a temporary safety moratorium on Carbon Sequestration Activity to expire in 6 months after the effective date of the amendment.**

Petitioner: **Zoning Administrator**

The Zoning Board of Appeals (ZBA) voted 5-0 with one member absent to “RECOMMEND ENACTMENT” of this text amendment at its October 16, 2025, meeting. The Zoning Board of Appeals found the proposed text amendment “necessary to achieve” the goals of the Champaign County Land Resource Management Plan and the Champaign County Zoning Ordinance.

BACKGROUND

The County Board approved a 12-month temporary safety moratorium on carbon sequestration activities in Champaign County on January 23, 2025.

A Carbon Sequestration Activities Task Force was appointed on March 20, 2025.

The Task Force has made good progress on a draft carbon sequestration amendment, but review of the draft is ongoing, and it is clear that a final carbon sequestration amendment cannot be adopted before the temporary moratorium expires on January 23, 2026.

At their meeting on October 9, 2025, the Environment and Land Use Committee authorized a proposed Zoning Ordinance Text Amendment to extend the existing safety moratorium on carbon sequestration activity in Champaign County for an additional six months. The text amendment was reviewed and forwarded to the ELUC with a recommendation for enactment on October 16, 2025

ATTACHMENTS

- A Proposed Text Amendment
- B Summary Finding of Fact and Final Determination for Case 178-AT-25 as approved by the ZBA on October 16, 2025

ATTACHMENT A: PROPOSED TEXT AMENDMENT

1. Amend Section 5.5 as follows:

5.5.2 Duration of this Moratorium

This Safety Moratorium on CARBON SEQUESTRATION ACTIVITY will expire ~~12~~ six months, or ~~365~~ 180 days, after its effective date.

5.5.3 Activities Impacted by this Moratorium

- A. Any CARBON SEQUESTRATION ACTIVITY, as defined in this moratorium, that is proposed after the effective date of this moratorium will not be approved by Champaign County until the expiration or revocation of this temporary moratorium.
- B. Any CARBON SEQUESTRATION ACTIVITY that is pending, as of the effective date of this moratorium, will be held in abeyance until the ~~12~~ six month-long moratorium has expired or been revoked.

SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 178-AM-25

As approved by the ZBA on October 16, 2025

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **October 16, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment **IS NECESSARY TO ACHIEVE** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will **IS NECESSARY TO ACHIEVE** LRMP Goal 8.
 - B. The proposed Zoning Ordinance text amendment **WILL NOT IMPEDE** the achievement of LRMP Goals 1, 2, 3, 4, 5, 6, 7, and 9.
 - C. The proposed Zoning Ordinance text amendment is **NOT RELEVANT** to LRMP Goal 10.
2. The proposed text amendment **IS NECESSARY TO ACHIEVE** the Zoning Ordinance because it will:
 - A. **IS NECESSARY TO ACHIEVE** the purpose of the Zoning Ordinance (see Item 16).

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County determines that:

The Zoning Ordinance Text Amendment requested in **Case 178-AT-25** should **BE ENACTED** by the County Board in the form attached hereto.

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

ATTEST:

Cynthia Cunningham, Interim Chair
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date