

## **CASE 184-S-25**

### **PRELIMINARY MEMORANDUM**

January 21 2026

**Petitioner: North Duncan Road Solar, LLC, c/o ReWild Renewables LLC, via agent Zachary Farkes, and participating landowner T & S Franey LLC**

**Request: Authorize a Community PV Solar Farm with a total nameplate capacity of 4.99 megawatts (MW), on approximately 46 acres, including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

**Part A: A waiver for locating the PV Solar Farm less than one and one-half miles from an incorporated municipality with a zoning ordinance per Section 6.1.5 B.(2)a.(a).**

**Part B: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals, per Section 6.1.5 G.(1).**

**Location: The subject property is approximately 46 acres on the north half of the northeast quarter and the northeast quarter of the northwest quarter of Section 28, Township 20 Range 8 East of the Third Principal Meridian, in Hensley Township, being tax parcel 12-14-28-201-002 containing 113.70 acres, commonly known as property owned by T & S Franey LLC.**

**Site Area: 46 acres**

**Time Schedule for Development: As soon as possible**

**Prepared by: Charlie Campo, Zoning Officer  
John Hall, Zoning Administrator  
Trevor Partin, Associate Planner**

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## **BACKGROUND**

The petitioner applied for a Special Use Permit to construct a 4.99 (MW) Community Photovoltaic (PV) Solar Farm on a 46-acre site on the west side of E. Ford Harris Road and west side of N. Lincoln Ave. in Somer Township. The petitioners request waivers from standard conditions for the Special Use Permit. A PV Solar Farm requires approval by the County Board after recommendations are made by the ZBA and Environment and Land Use Committee.

## **REQUESTED WAIVERS**

Waiver Part A is for locating the PV Solar Farm less than one and one-half miles from an incorporated municipality per 6.1.5 B.(2)a. The subject property is .62 miles from the City of Champaign, a municipality with zoning. Zoned municipalities do not have protest rights in Special Use Permit cases. Notice was sent by the Department to the City of Champaign. A copy of the

Special Use permit application was provided to the City. A public hearing for a PV Solar Farm within one and one-half miles of a municipality with zoning shall occur at a minimum of two Board meetings no less than 28 days apart unless the requirement is waived by the relevant municipality.

Waiver Part B is for not entering into a Roadway Upgrade and Maintenance Agreement with the relevant local highway authority prior to consideration of the Special Use Permit by the ZBA, per Section 6.1.5 G. A Special Condition has been added and states that a Roadway Upgrade and Maintenance Agreement signed by relevant County, township, and/or municipal authorities and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.

## **MUNICIPAL JURISDICTION**

The subject property is approximately .62 miles from the City of Champaign. The City of Champaign Comprehensive Plan shows this location to be outside of the future development area. The requirement for two Board meetings has not been waived by the City of Champaign.

The subject property is located in Hensley Township, which has a Plan Commission. Townships with Planning Commissions are notified of Special Use Permit cases, but do not have protest rights in these cases.

## **STATE APPROVAL TIMELINES**

The State of Illinois now requires that public hearings for solar and wind farm projects conclude within 60 days of receipt of an application and that a final decision is made within 30 days of the conclusion of the public hearing. The application for this project was submitted prior to these rules going into effect. The first public hearing date (tonight's meeting) is 78 days after the receipt of application.

## **FUNDAMENTAL CONSIDERATIONS**

The application includes numerous details and reports that create an overall picture for the proposed solar farm. P&Z Staff provide a short summary below, and additional information can be found in the petitioner's submittals.

### *Separation distances*

The solar farm meets or exceeds most required separation distances except for the instance for which the petitioner has requested a waiver. The proposed solar farm is approximately .62 miles from the City of Champaign. The inverter locations shown on the site plan are approximately 75 ft. from the northern perimeter fence. The ordinance requires specific approval for inverter locations that are less than 275 ft. from the perimeter fence. The closest property line (north) is approximately 600 feet away and the closest dwelling (south) is over 1600 ft. away. The proposed solar farm appears to meet all other required separation distances from adjacent properties and roadways.

### *Noise results*

Noise levels from the 16 proposed solar inverters are a primary concern. The inverters are located near the north side of the project site. A noise assessment was prepared by Kimley Horn and Associates Inc. and was received with the application on November 12, 2025. Information received from the applicant states that "The operational noise level at the nearest residential land use will be

below the required thresholds.” The proposed noise levels at the property line should be less than allowed by the Illinois Pollution Control Board numerical limits. The projected noise levels seem to be consistent with other projects.

#### *Landscaped Screening*

Landscaped screening is required for any areas of the solar farm that are within 1,000 feet of a dwelling or residential district. The nearest dwelling is approximately 850 feet away to the south. The Landscape Plan shows landscaped screening along the south side of the array area. An existing tree line on the south edge of the subject property will provide additional screening

#### *Vegetation Management and Weed Control*

The petitioners have submitted a Vegetation Management Plan that details how the vegetation will be managed inside the solar farm fence and outside the fence to the limit of the project area.

#### *Drainage & Tile*

The petitioners submitted a Drain Tile Memo and an Existing Agricultural Drain Tile Investigation Plan prepared by Huddleston McBride, received November 12, 2025, which shows the location of existing drain tiles on project site. The investigation plan shows onsite tiles that exit the project area but does not show the presence of any tiles from outside the project area crossing through or terminating at the project area so no mutual tiles or Drainage District tiles should be affected by the project.

Additional requirements regarding drainage will occur during the construction permitting process, and a special condition has been added to ensure compliance with the requirements.

#### *Decommissioning Plan*

A Preliminary Decommissioning Plan for the proposed solar farm was received with the application on November 12, 2025. A special condition has been added to require a signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer. The Decommissioning Estimate states that the operator shall provide an irrevocable letter of credit in a form acceptable to the County.

#### *Interconnection Agreement*

The petitioners submitted an executed Interconnection Agreement with Ameren for connection to the Ameren electric distribution system.

#### *Disturbance to Best Prime Farmland*

The Petitioner has submitted a signed Agricultural Impact Mitigation Agreement that details methods to preserve and restore the land during construction, operation and decommissioning of the solar farm. The Petitioner has submitted a Vegetation Management Plan identifying the seed mix of plants to be used on the site.

### **EXISTING LAND USE AND ZONING**

**Table 1. Land Use and Zoning Summary**

Direction	Land Use	Zoning
Onsite	Residential/Agriculture	AG-2 Agriculture

North	Agriculture	AG-1 Agriculture
East	Commercial/Agriculture	B-4 General Business/Annexation Agrmt.
West	Interstate/Agriculture	AG-2 Agriculture
South	Agriculture	AG-2 Agriculture

## PROPOSED SPECIAL CONDITIONS

- A. **The approved site plan consists of the following documents:**
  - **Sheets C-100, C-200, C-300, C-400, L-100, L-101, L-200 of the Site Plan received November 12, 2025, that show the inverters 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence.**
- B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**
- C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**
- D. **A signed Decommissioning and Site Reclamation Plan that has been approved by Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**
- E. **Roadway Upgrade and Maintenance Agreements signed by the County Highway Engineer, Hensley Township Highway Commissioner and any other relevant highway jurisdiction, and approved by the Environment and Land Use Committee, or a waiver therefrom, shall be submitted at the time of application for a Zoning Use Permit.**
- F. **Underground drainage tile shall be investigated and identified with any necessary changes made to the solar array as follows:**
  1. **A qualified Drain Tile Contractor with experience in Illinois shall be employed to investigate, repair, and install any underground drain tile.**
  2. **Desktop mapping and field reconnaissance shall identify all areas where drain tiles are expected to be located based on soils, topographic elevations, ground surface channels and/or depressions, wetlands, natural drainage ingress and egress locations, and knowledge of current owners and/or current farmers.**
  3. **Slit trenching shall be used to investigate the presence of mutual drainage tiles that serve upland areas under different ownership. All existing drain**

**tiles encountered shall be logged on field mapping and repaired to the original state according to Illinois Department of Agriculture Impact Mitigation Agreement (AIMA) standards.**

- 4. Drain tile routes shall be located by surface probing or electronic detection and field staked at 20 feet intervals.**
  - 5. All existing drain tile that are found shall be located in the field using GPS location systems and recorded on as-built plans. Record mapping shall be completed according to typical civil engineering mapping and AIMA standards.**
  - 6. Any tile found shall be protected from disturbance or repaired and/or relocated in a manner consistent with AIMA and the Zoning Ordinance.**
  - 7. All mutual drain tiles shall either be relocated outside of the array area or shall be protected from construction disturbance and a 40-foot wide no construction area shall be centered on all mutual drain tiles.**
  - 8. A Drain Tile Investigation Survey including a map of all identified drain tile and a revised site plan to reflect any changes to the layout of the solar array shall be submitted to the Zoning Administrator prior to Zoning Use Permit Approval.**
  - 9. Future access shall be guaranteed for maintenance of all mutual drain tiles.**
- G. The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**
- 1. Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**
  - 2. An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**
  - 3. A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
  - 4. Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
  - 5. A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's**

- Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**
6.     **The telephone number for the complaint hotline required by 6.1.5 S.**
  7.     **Any updates to the approved Site Plan from Case 184-S-25 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**
- H.     **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**
1.     **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**
  2.     **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**
  3.     **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
  4.     **Confirmation from the Cornbelt Fire Protection District that a walkthrough of the project site with the developer met the requirements of the district.**
- I.     **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**
1.     **Maintain the pollinator plantings in perpetuity.**
  2.     **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3.     **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  4.     **Maintain a current general liability policy as required by 6.1.5 O.**
  5.     **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
  6.     **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**

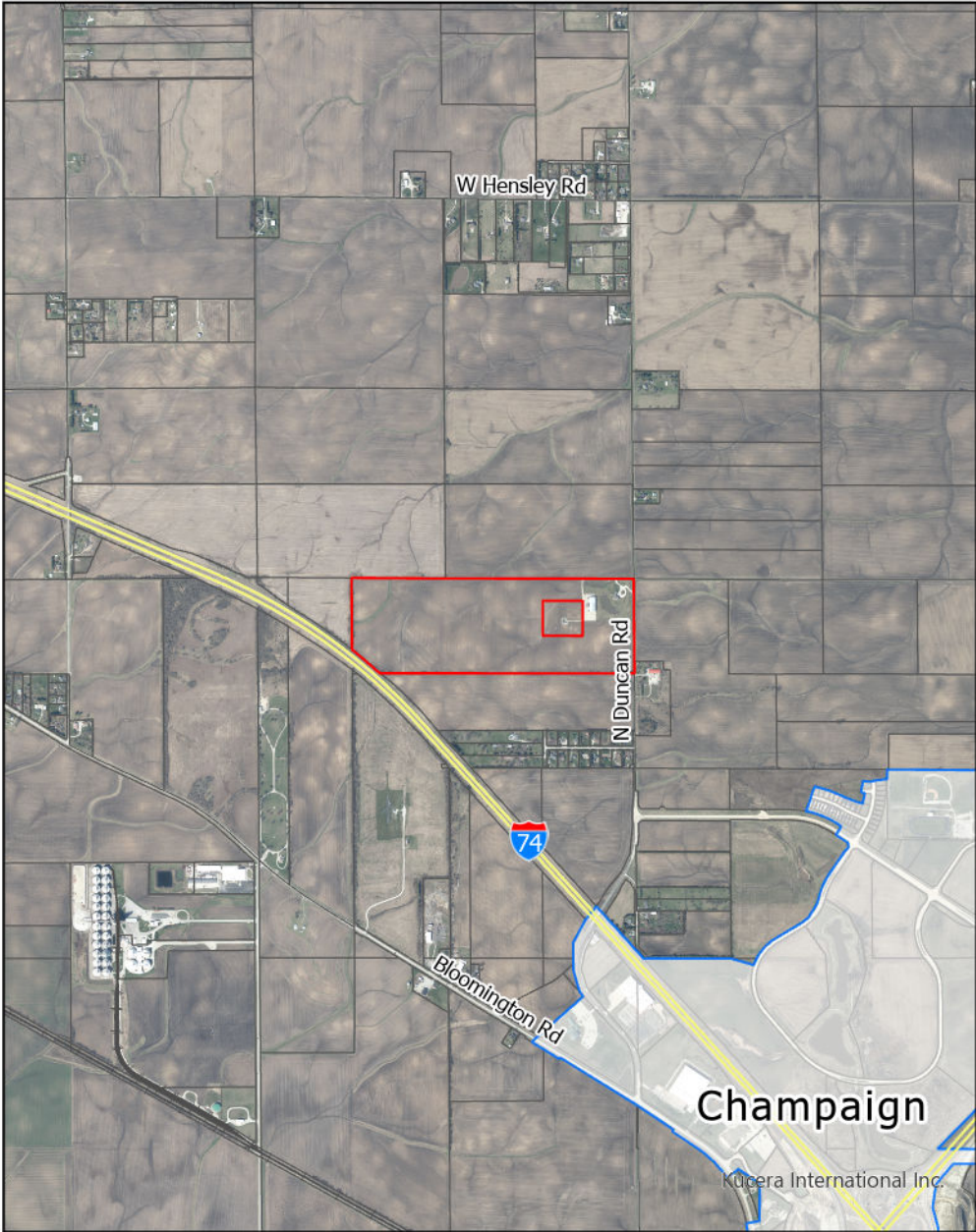
- 7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**
- J. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**
- K. **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.**
- L. **A Phase 1 archeological survey that complies with State Historic Preservation Office (SHPO) regulations including investigations or changes to the site plan recommended by the SHPO, shall be submitted at the time of application for a Zoning Use Permit.**
- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

#### **ATTACHMENTS**

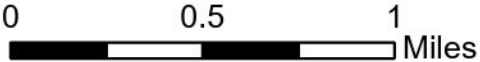
- A Case Maps (Location, Land Use, Zoning)
- B 2023 Annotated Aerial Photo
- C Site images taken January 21, 2026
- D Special Use Permit Application (Under separate cover)
- E Draft Summary of Evidence, Finding of Fact and Final Determination for Case 184-S-25 dated January 21, 2026



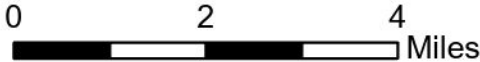
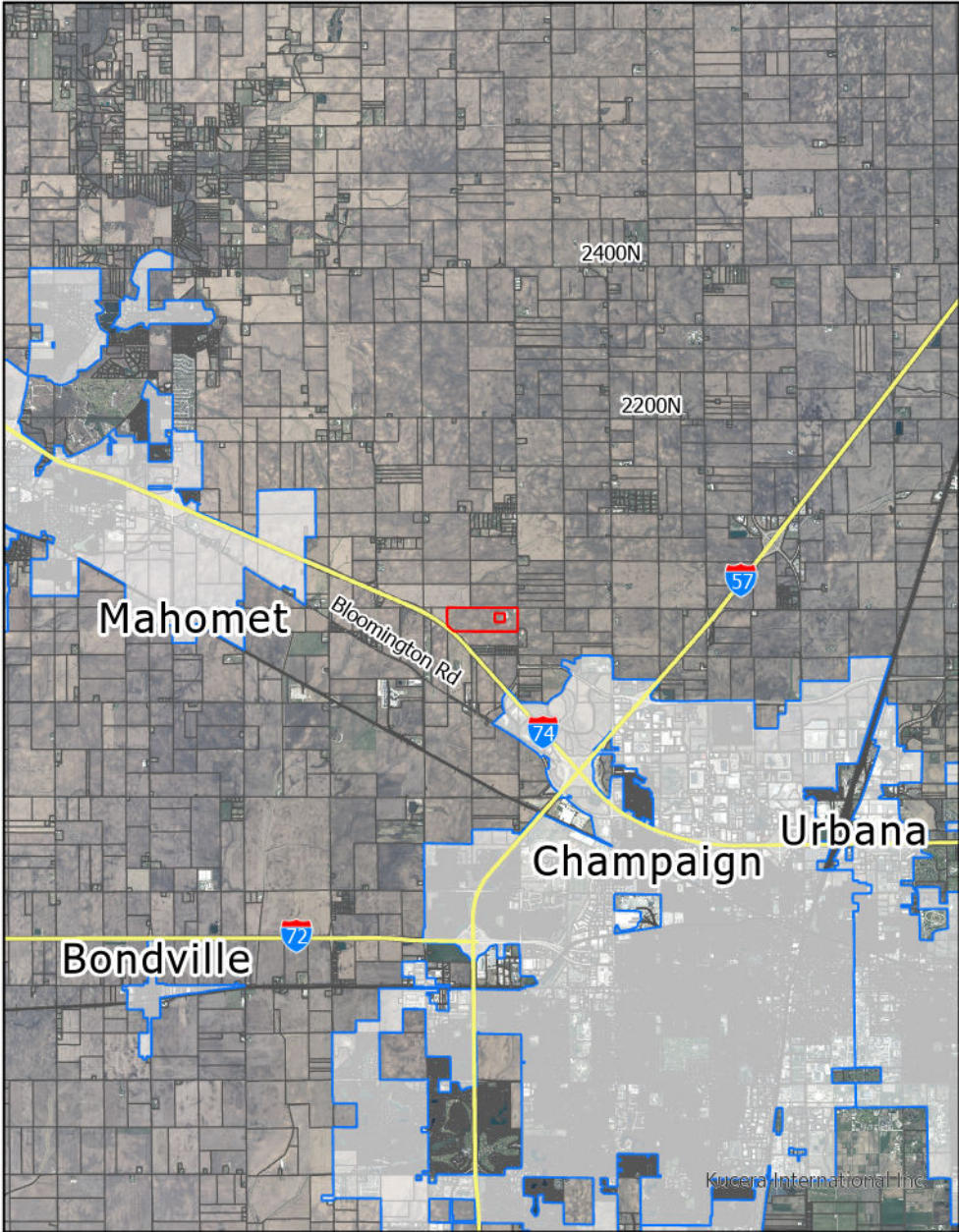
Subject Property



- Subject Parcel
- Municipal Boundary

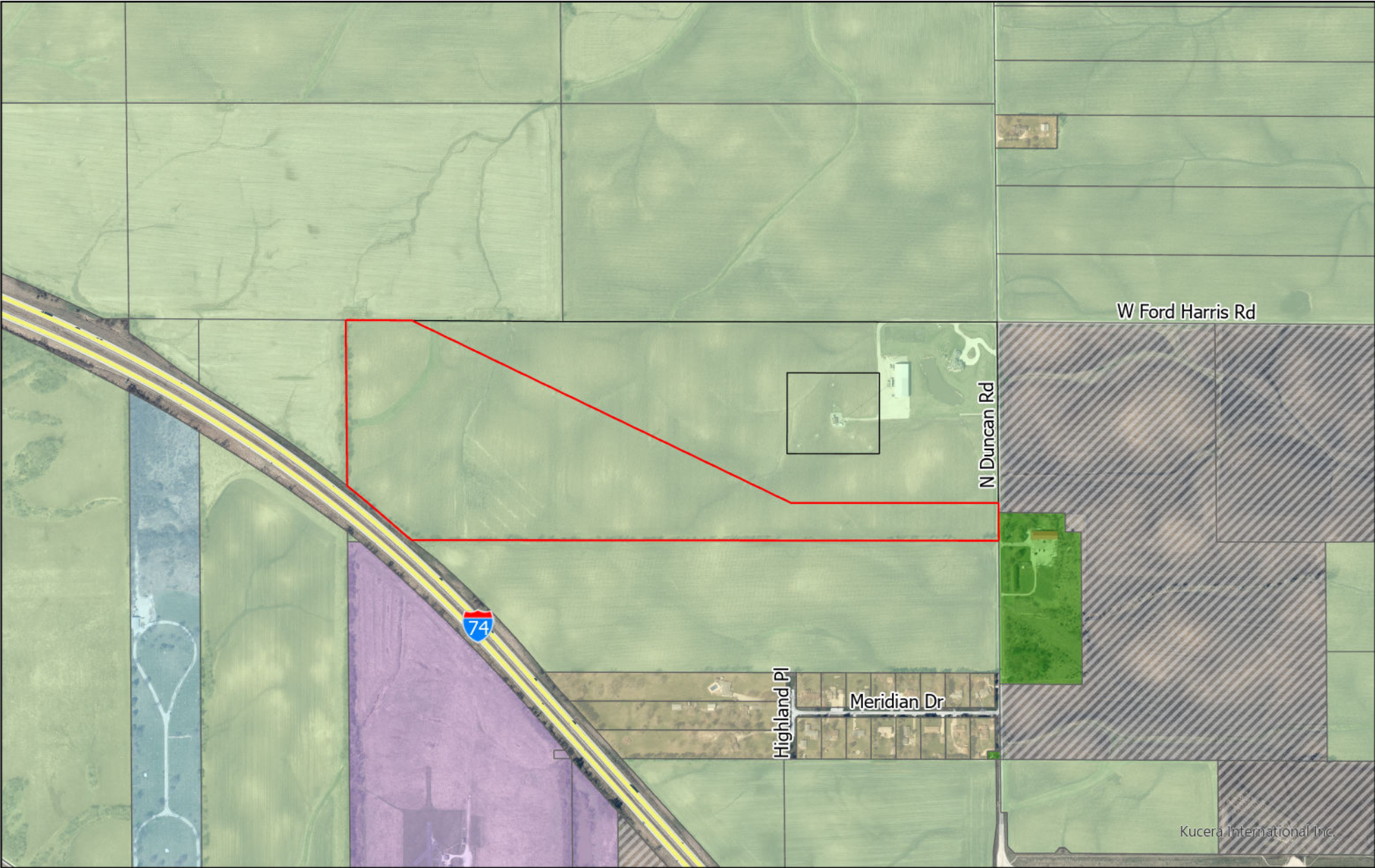


Parcel Location in Champaign County





Land Use Map  
Case 184-S-25  
January 29, 2026

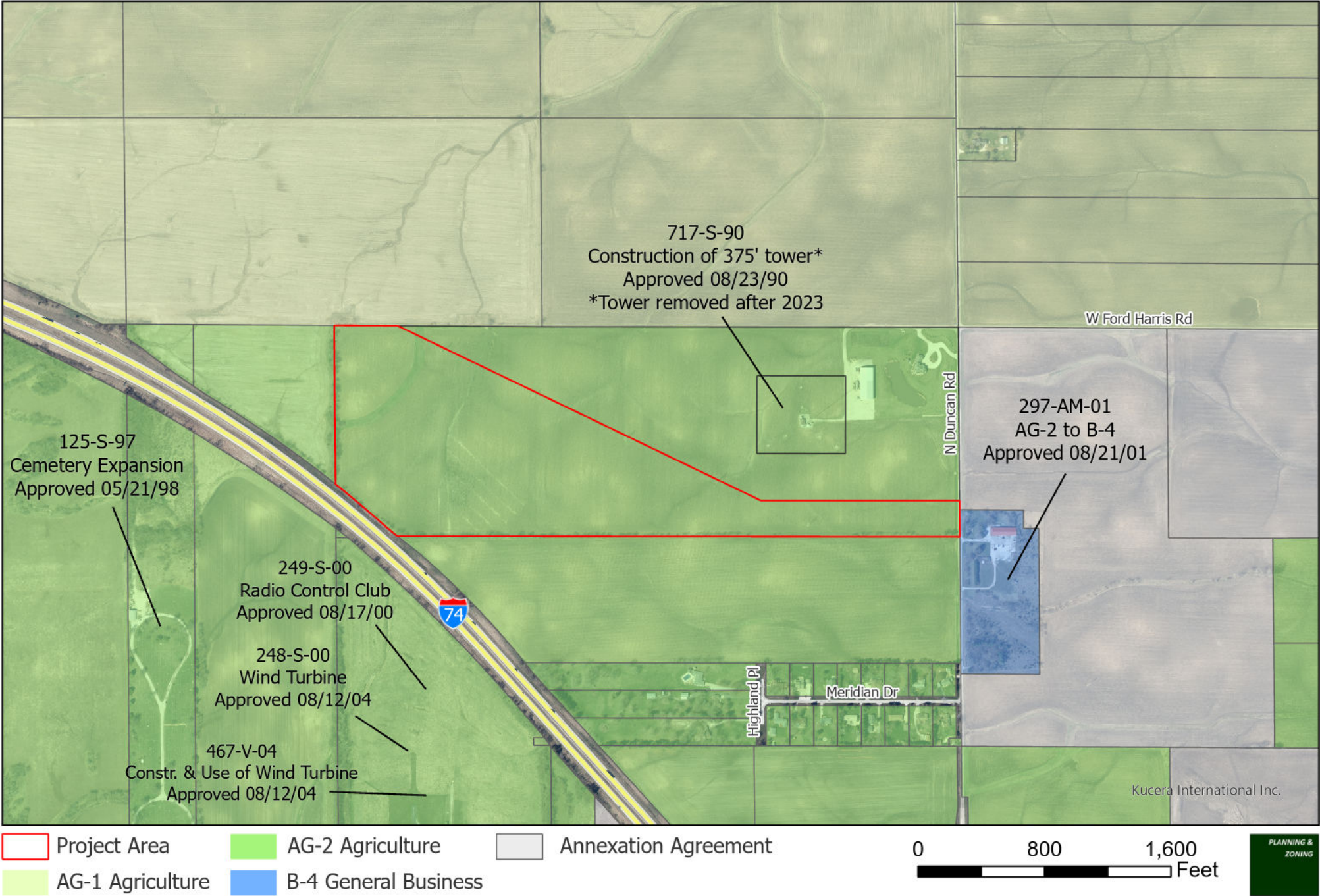


- Project Area
- Winery
- Commercial
- Agriculture
- Cemetery
- Annexation Agreement





Zoning Map  
Case 184-S-25  
January 29, 2026

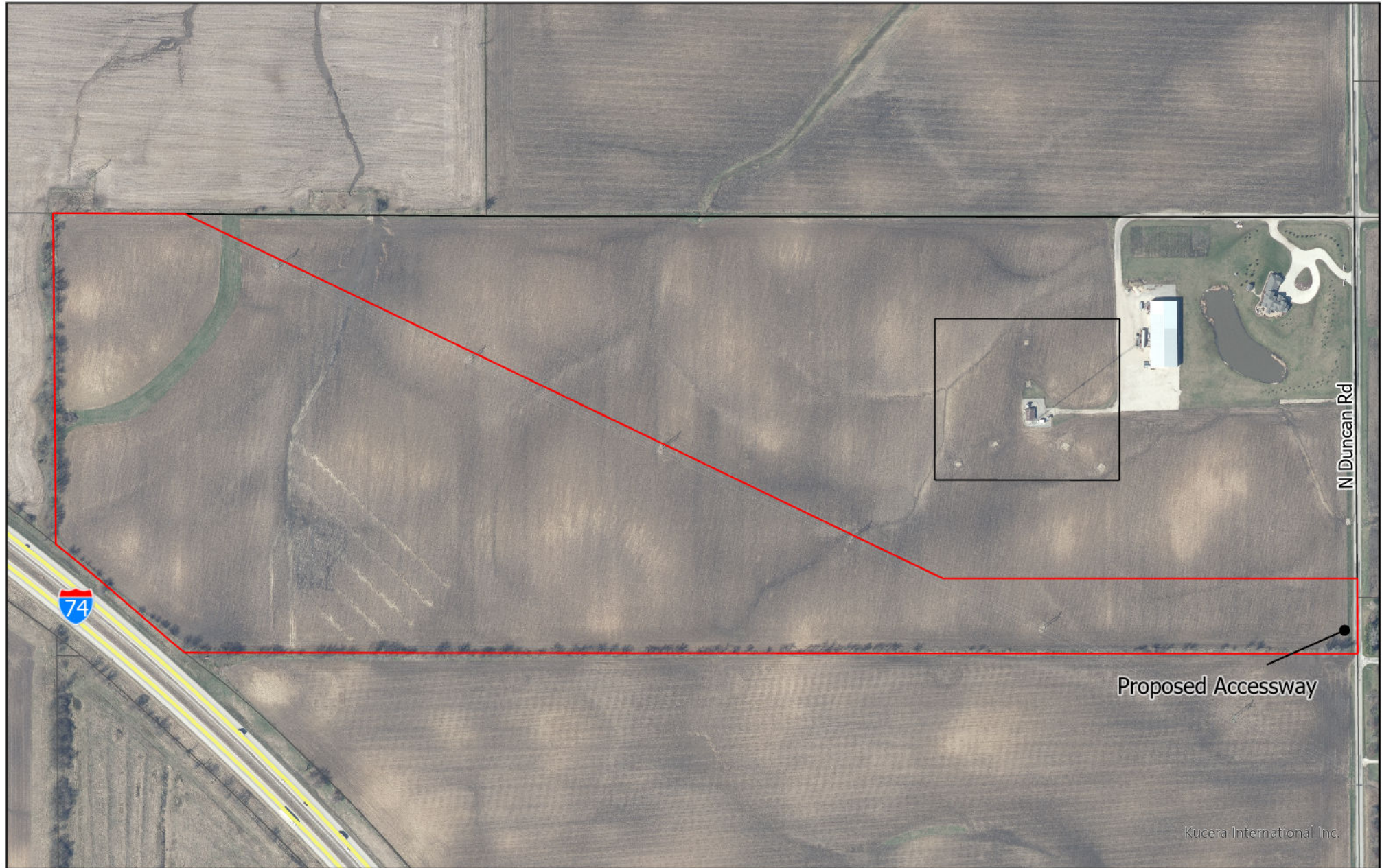




# Annotated 2023 Aerial

Case 184-S-25

January 29, 2026



 Project Area

0 400 800 Feet

PLANNING &  
ZONING



## 184-S-25 Site Images



**From N Duncan Rd. looking west toward Subject Property**



**From N Duncan Rd. near proposed entrance location looking north**



## 184-S-25 Site Images



**From N Duncan Rd. near proposed entrance looking south**



**From Duncan Rd. south of the Subject Property looking northwest toward existing treeline**



***REVISED PRELIMINARY DRAFT***

**184-S-25**

**SUMMARY OF EVIDENCE, FINDING OF FACT  
AND FINAL DETERMINATION  
of  
Champaign County Zoning Board of Appeals**

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Final Determination: **RECOMMEND APPROVAL**

Date: **January 29, 2025**

Petitioners: **North Duncan Road Solar, LLC, c/o ReWild Renewables LLC, via agent Zachary Farkes, and participating landowner T & S Franey LLC.**

Request: **Authorize a Community PV Solar Farm with a total nameplate capacity of 4.99 megawatts (MW), on approximately 46 acres, including access roads and wiring, in the AG-2 Agriculture Zoning District, and including the following waivers of standard conditions:**

**Part A: A waiver for locating the PV Solar Farm less than one and one-half miles from an incorporated municipality with a zoning ordinance per Section 6.1.5 B.(2)a.(a).**

**Part B: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals, per Section 6.1.5 G.(1).**

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## SUMMARY OF EVIDENCE

From the documents of record and the testimony and exhibits received at the public hearing conducted on **January 29, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. North Duncan Road Solar, LLC, c/o Rewild Renewables LLC, PO Box 1320, Portsmouth, NH 03802, via agent Zachary Farkes, and participating landowner T & S Franey LLC, are the developers of the proposed PV Solar Farm.
2. The subject property is approximately 46 acres on the north half of the northeast quarter and the northeast quarter of the northwest quarter of Section 28, Township 20 Range 8 East of the Third Principal Meridian, in Hensley Township, being tax parcel 12-14-28-201-002 containing 113.70 acres, commonly known as property owned by T & S Franey LLC.
  - A. The proposed 4.99 MW North Duncan Road Solar, LLC site would cover approximately 46 acres with an access drive from E. Ford Harris Rd.
3. Regarding municipal extraterritorial jurisdiction and township planning jurisdiction:
  - A. The subject property is within the one and one-half mile extraterritorial jurisdiction of the City of Champaign, a municipality with zoning. Zoned municipalities do not have protest rights in Special Use Permit cases. Notice of the public hearing was sent to the city.
    - (1) The City of Champaign Comprehensive Plan shows this location to be outside of the future development area shown on their Comprehensive Plan.
  - B. The subject property is located within Hensley Township, which has a Planning Commission. Townships with Planning Commissions are notified of Special Use Permit cases, but do not have protest rights in these cases.

## ***GENERALLY REGARDING LAND USE AND ZONING IN THE IMMEDIATE VICINITY***

4. Regarding land use and zoning on the subject property and in the vicinity of the subject property:
  - A. The subject property is zoned AG-2 Agriculture, and the area of the proposed solar farm is currently in agricultural production.
    - (1) The proposed PV SOLAR FARM would be located on an approximately 46 acres at the southwest corner of the property.
    - (2) There is a single-family home on the 113-acre property that encompasses the project site.
    - (3) There is also a 6.3-acre landlocked parcel within the 113-acre property that previously contained a 375 feet tall communications tower approved by Special Use Permit Case 717-S-90.
  - B. Land to the north of the subject property is zoned AG-1 Agriculture and is in agricultural production.
  - C. Land to the south of the subject property is zoned AG-2 Agriculture and is in agricultural production

- D. Land to the east of the subject property is under Annexation Agreement with the City of Champaign and is in agricultural production and is partly zoned B-4 and contains the Alto Vinyards tasting room.
- E. Land west of the subject property is zoned AG-2 Agriculture and contains the I-74 Interstate right-of-way and is in agricultural production.

**GENERALLY REGARDING THE PROPOSED SPECIAL USE**

- 5. Regarding the revised Site Plan for the proposed Special Use received November 12, 2025:
  - A. The Site Plan includes the following proposed features:
    - (1) One 4.99-megawatt community PV SOLAR FARM site on approximately 46 acres; and
    - (2) 8-feet tall perimeter fence with gated security entrance; and
    - (3) One equipment pad area; and
    - (4) A 16 ft. wide gravel access road extending west from N. Duncan Rd; and
    - (5) The Point of Interconnection (POI) is proposed to connect to an existing power line on the east side of N. Duncan Rd; and
    - (6) The nearest dwelling is approximately 850 feet from the solar farm fenced area; and
    - (7) There is a separation of 30 feet between the PV SOLAR FARM perimeter fence and the property line; and
    - (8) There is a separation of 1200 feet between the PV SOLAR FARM perimeter fence and the edge of the right-of-way for N. Duncan Rd.
  - C. Previously approved Zoning Use Permits for the subject property include:
    - (1) ZUPA #103-16-01 was approved on April 26, 2016, to construct a single-family home with attached garage, a detached agricultural storage shed and a one-acre pond.
    - (2) ZUPA #236-90-02 was approved on August 29, 1990, to construct a 375-foot-tall communications tower and equipment building.
  - D. Zoning case 717-S-90 was approved in 1990 to authorize a 375-foot-tall communications tower and equipment building in the AG-2 zoning district.

**GENERALLY REGARDING SPECIFIC ORDINANCE REQUIREMENTS**

- 6. Regarding authorization for a “COMMUNITY PV SOLAR FARM” in the AG-2 Agriculture Zoning District in the *Zoning Ordinance*:

AS APPROVED

- A. The County Board amended the Zoning Ordinance by adopting PV SOLAR FARM requirements when it adopted Ordinance No. 2018-4 on August 23, 2018.
- (1) The County Board amended the Zoning Ordinance by amending PV SOLAR FARM requirements when it adopted Ordinance 2020-1 on February 24, 2020, Ordinance 2020-7 on May 22, 2020, and Ordinance 2020-8 on May 22, 2020.
- B. The following definitions from the *Zoning Ordinance* are especially relevant to the requested Special Use Permit (capitalized words are defined in the Ordinance):
- (1) “ACCESS” is the way MOTOR VEHICLES move between a STREET or ALLEY and the principal USE or STRUCTURE on a LOT abutting such STREET or ALLEY.
- (2) “BEST PRIME FARMLAND” is Prime Farmland Soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System that under optimum management have 91% to 100% of the highest soil productivities in Champaign County, on average, as reported in the *Bulletin 811 Optimum Crop Productivity Ratings for Illinois Soils*. Best Prime Farmland consists of the following:
- a. Soils identified as Agriculture Value Groups 1, 2, 3 and/or 4 in the Champaign County LESA system;
- b. Soils that, in combination on a subject site, have an average LE of 91 or higher, as determined by the Champaign County LESA system;
- c. Any development site that includes a significant amount (10% or more of the area proposed to be developed) of Agriculture Value Groups 1, 2, 3 and/or 4 soils as determined by the Champaign County LESA system.
- (3) “DWELLING OR PRINCIPAL BUILDING, PARTICIPATING” is a DWELLING on land that is leased to a WIND FARM or a PV SOLAR FARM.
- (4) “DWELLING OR PRINCIPAL BUILDING, NON- PARTICIPATING” is a DWELLING on land that is not leased to a WIND FARM or a PV SOLAR FARM.
- (5) “FRONTAGE” is that portion of a LOT abutting a STREET or ALLEY.
- (6) “LOT” is a designated parcel, tract or area of land established by PLAT, SUBDIVISION or as otherwise permitted by law, to be used, developed or built upon as a unit.
- (7) “LOT LINE, FRONT” is a line dividing a LOT from a STREET or easement of ACCESS. On a CORNER LOT or a LOT otherwise abutting more than one STREET or easement of ACCESS only one such LOT LINE shall be deemed the FRONT LOT LINE.
- (8) “LOT LINE, REAR” is any LOT LINE which is generally opposite and parallel to the FRONT LOT LINE or to a tangent to the midpoint of the FRONT LOT LINE. In the case of a triangular or gore shaped LOT or where the LOT comes to a point opposite the FRONT LOT LINE it shall mean a line within the LOT 10 feet long and parallel to and at the maximum distance from the FRONT LOT LINE or said tangent.

- (9) "LOT LINES" are the lines bounding a LOT.
- (10) "NON-ADAPTABLE STRUCTURE" is any STRUCTURE or physical alteration to the land which requires a SPECIAL USE permit, and which is likely to become economically unfeasible to remove or put to an alternate USE allowable in the DISTRICT (by right or by SPECIAL USE).
- (11) "NOXIOUS WEEDS" are any of several plants designated pursuant to the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.) and that are identified in 8 Illinois Administrative Code 220.
- (12) "PHOTOVOLTAIC (PV)" is a type of solar energy system that produces electricity by the use of photovoltaic cells that generate electricity when struck by light.
- (13) "PV SOLAR FARM" is a unified development intended to convert sunlight into electricity by photovoltaic (PV) devices for the primary purpose of wholesale sales of generated electricity. A PV SOLAR FARM is under a common ownership and operating control even though parts of the PV SOLAR FARM may be located on land leased from different owners. A PV SOLAR FARM includes all necessary components including access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, a common switching station, maintenance and management facilities, and waterwells. PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.
- (14) "PV SOLAR FARM, COMMUNITY" is a PV SOLAR FARM of not more than 2,000 kilowatt nameplate capacity that meets the requirements of 20 ILCS 3855/1-10 for a "community renewable generation project" and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels as either a) two 2-MW projects on one parcel, or b) one 2-MW project on each of two contiguous parcels, as authorized by the Illinois Commerce Commission in Final Order 17-0838 on April 3, 2018.
- (15) "PRIVATE ACCESSWAY" is a service way providing ACCESS to one or more LOTS which has not been dedicated to the public.
- (16) "PRIVATE WAIVER" is a written statement asserting that a landowner has agreed to waive a specific WIND FARM or PV SOLAR FARM standard condition and has knowingly agreed to accept the consequences of the waiver. A PRIVATE WAIVER must be signed by the landowner.
- (17) "RIGHT-OF-WAY" is the entire dedicated tract or strip of land that is to be used by the public for circulation and service.
- (18) "SCREEN" is a STRUCTURE or landscaping element of sufficient opaqueness or density and maintained such that it completely obscures from view throughout its height the PREMISES upon which the screen is located.



**AS APPROVED**

- (19) “SCREEN PLANTING” is a vegetative material of sufficient height and density to filter adequately from view, in adjoining DISTRICTS, STRUCTURES, and USES on the PREMISES upon which the SCREEN PLANTING is located.
  - (20) “SETBACK LINE” is the BUILDING RESTRICTION LINE nearest the front of and across a LOT establishing the minimum distance to be provided between a line of a STRUCTURE located on said LOT and the nearest STREET RIGHT-OF-WAY line.
  - (21) “SPECIAL CONDITION” is a condition for the establishment of a SPECIAL USE.
  - (22) “SPECIAL USE” is a USE which may be permitted in a DISTRICT pursuant to, and in compliance with, procedures specified herein.
  - (23) “STREET” is a thoroughfare dedicated to the public within a RIGHT-OF-WAY which affords the principal means of ACCESS to abutting PROPERTY. A STREET may be designated as an avenue, a boulevard, a drive, a highway, a lane, a parkway, a place, a road, a thoroughfare, or by other appropriate names. STREETS are identified on the Official Zoning Map according to type of USE, and generally as follows:
    - (a) MAJOR STREET: Federal or State highways.
    - (b) COLLECTOR STREET: COUNTY highways and urban arterial STREETS.
    - (c) MINOR STREET: Township roads and other local roads.
  - (24) WELL SUITED OVERALL: A discretionary review performance standard to describe the site on which a development is proposed. A site may be found to be WELL SUITED OVERALL if the site meets these criteria:
    - a. The site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative effects on neighbors or the general public; and
    - b. The site is reasonably well-suited in all respects and has no major defects.
- C. Section 5.2 only authorizes a “PV SOLAR FARM” in the AG-1 or AG-2 Zoning Districts and requires a Special Use Permit authorized by the County Board.
- D. Paragraph 6.1.2 A. indicates that all Special Use Permits with exterior lighting shall be required to minimize glare on adjacent properties and roadways by the following means:
- (1) All exterior light fixtures shall be full-cutoff type lighting fixtures and shall be located and installed so as to minimize glare and light trespass. Full cutoff means that the lighting fixture emits no light above the horizontal plane.
  - (2) No lamp shall be greater than 250 watts and the Board may require smaller lamps when necessary.
  - (3) Locations and numbers of fixtures shall be indicated on the site plan (including floor plans and building elevations) approved by the Board.

- (4) The Board may also require conditions regarding the hours of operation and other conditions for outdoor recreational uses and other large outdoor lighting installations.
  - (5) The Zoning Administrator shall not approve a Zoning Use Permit without the manufacturer's documentation of the full-cutoff feature for all exterior light fixtures.
- E. Section 6.1.5 contains the standard conditions for any PV SOLAR FARM which are as follows (capitalized words are defined in the Ordinance):
- (1) Requirements for what must be included in the area of the PV SOLAR FARM are in 6.1.5 B.(1).
  - (2) Requirements for where a PV SOLAR FARM cannot be located are in 6.1.5 B.(2).
  - (3) Paragraph 6.1.5 C. eliminates LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, and maximum LOT COVERAGE requirements from applying to a PV SOLAR FARM.
  - (4) Paragraph 6.1.5 D. contains minimum separations for PV SOLAR FARMS from adjacent USES and STRUCTURES.
  - (5) Paragraph 6.1.5 E. contains standard conditions for the design and installation of PV SOLAR FARMS.
  - (6) Paragraph 6.1.5 F. contains standard conditions to mitigate damage to farmland.
  - (7) Paragraph 6.1.5 G. contains standard conditions for use of public streets.
  - (8) Paragraph 6.1.5 H. contains standard conditions for coordination with local fire protection districts.
  - (9) Paragraph 6.1.5 I. contains standard conditions for the allowable noise level.
  - (10) Paragraph 6.1.5 J. contains standard conditions for endangered species consultation.
  - (11) Paragraph 6.1.5 K. contains standard conditions for historic and archaeological resources review.
  - (12) Paragraph 6.1.5 L. contains standard conditions for acceptable wildlife impacts from PV SOLAR FARM construction and ongoing operations.
  - (13) Paragraph 6.1.5 M. contains standard conditions for screening and fencing of PV SOLAR FARMS.
  - (14) Paragraph 6.1.5 N. contains standard conditions to minimize glare from PV SOLAR FARMS.
  - (15) Paragraph 6.1.5 O. contains standard conditions for liability insurance.
  - (16) Paragraph 6.1.5 P. contains other standard conditions for operation of PV SOLAR FARMS.

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- (17) Paragraph 6.1.5 Q. contains standard conditions for a decommissioning plan and site reclamation agreement for PV SOLAR FARMS and modifies the basic site reclamation requirements in paragraph 6.1.1 A.
  - (18) Paragraph 6.1.5 R. contains standard conditions for securing an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
  - (19) Paragraph 6.1.5 S. contains standard conditions for a complaint hotline for complaints related to PV SOLAR FARM construction and ongoing operations.
  - (20) Paragraph 6.1.5 T. contains the standard condition for expiration of the PV SOLAR FARM County Board Special Use Permit.
  - (21) Paragraph 6.1.5 U. contains standard conditions establishing additional requirements for application for a PV SOLAR FARM County Board Special Use Permit that supplement the basic requirements for a special use permit application.
- F. Section 9.1.11 requires that a Special Use Permit shall not be granted by the Zoning Board of Appeals unless the public hearing record and written application demonstrate the following:
- (1) That the Special Use is necessary for the public convenience at that location;
  - (2) That the Special Use is so designed, located, and proposed as to be operated so that it will not be injurious to the DISTRICT in which it shall be located or otherwise detrimental to the public welfare except that in the CR, AG-1, and AG-2 DISTRICTS the following additional criteria shall apply:
    - a. The property is either BEST PRIME FARMLAND and the property with proposed improvements in WELL SUITED OVERALL or the property is not BEST PRIME FARMLAND and the property with proposed improvements is SUITED OVERALL.
    - b. The existing public services are available to support the proposed SPECIAL USE effectively and safely without undue public expense.
    - c. The existing public infrastructure together with proposed improvements is adequate to support the proposed development effectively and safely without undue public expense.
  - (3) That the Special Use conforms to the applicable regulations and standards of and preserves the essential character of the DISTRICT in which it shall be located, except where such regulations and standards are modified by Section 6.
  - (4) That the Special Use is in harmony with the general purpose and intent of this ordinance.
  - (5) That in the case of an existing NONCONFORMING USE, it will make such USE more compatible with its surroundings.

- G. Paragraph 9.1.11.D.1. states that a proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Regarding standard conditions:
- (1) The Ordinance requires that a waiver of a standard condition requires the following findings:
    - a. that the waiver is in accordance with the general purpose and intent of the ordinance; and
    - b. that the waiver will not be injurious to the neighborhood or to the public health, safety, and welfare.
  - (2) However, a waiver of a standard condition is the same thing as a variance and Illinois law (55ILCS/ 5-12009) requires that a variance can only be granted in accordance with general or specific rules contained in the Zoning Ordinance and the VARIANCE criteria in paragraph 9.1.9 C. include the following in addition to criteria that are identical to those required for a waiver:
    - a. Special conditions and circumstances exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district.
    - b. Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied will prevent reasonable or otherwise permitted use of the land or structure or construction
    - c. The special conditions, circumstances, hardships, or practical difficulties do not result from actions of the applicant.
  - (3) Including findings based on all of the criteria that are required for a VARIANCE for any waiver of a standard condition will eliminate any concern related to the adequacy of the required findings for a waiver of a standard condition and will still provide the efficiency of not requiring a public hearing for a VARIANCE, which was the original reason for adding waivers of standard conditions to the Ordinance.
- H. Paragraph 9.1.11.D.2. states that in granting any SPECIAL USE permit, the BOARD may prescribe SPECIAL CONDITIONS as to appropriate conditions and safeguards in conformity with the Ordinance. Violation of such SPECIAL CONDITIONS when made a party of the terms under which the SPECIAL USE permit is granted, shall be deemed a violation of this Ordinance and punishable under this Ordinance.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS NECESSARY FOR THE PUBLIC CONVENIENCE AT THIS LOCATION***

7. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use is necessary for the public convenience at this location:
- A. The Petitioner has testified on the application, **“The project is necessary for the public convenience because it will provide a stable, locally generated source of renewable electricity that supports regional energy reliability and statewide clean-energy goals. The site’s rural, agricultural location is particularly suitable for this purpose. By**

siting the Project on farmland, the project preserves the land's long-term agricultural potential while diversifying the rural economy with lease payments to local landowners, increased tax revenues, and temporary and permanent jobs. The Project therefore enhances the public welfare by reducing dependence on fossil fuels, strengthening the local tax base, and providing environmental and economic benefits to the surrounding community in a location that minimizes conflicts with residential or commercial uses.

- B. The State of Illinois has adopted a Renewable Portfolio Standard that established a goal of 25% of the State's energy coming from renewable sources by the year 2025.
- C. The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030.

***GENERALLY REGARDING WHETHER THE SPECIAL USE WILL BE INJURIOUS TO THE DISTRICT OR OTHERWISE INJURIOUS TO THE PUBLIC WELFARE***

- 8. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use be designed, located, and operated so that it will not be injurious to the District in which it shall be located, or otherwise detrimental to the public welfare:
  - A. The Petitioner has testified on the application, **"The Project has been designed, located, and proposed such that it WILL NOT be injurious or detrimental to the public welfare in that (i) the Project is expressly allowed in AG-2 districts, (ii) the Project meets or exceeds all requirements of the Zoning Ordinance, and (iii) has no noxious characteristics (sound, glare, pollution, traffic, etc.) that could negatively impact the public. The Project will utilize solar components that comply with the current edition of the National Electric Code, will be UL listed (or equivalent) and will be designed using anti-reflective coating. Applicant will maintain the property vegetation to keep it from overgrowing. The Project will also significantly increase the fair market value of the parcel for property taxes.**

**Additionally, the Project will provide a domestic, local source of energy that will be available to County residents who subscribe to the community solar project. The Project is a partnership with one landowner 30 N Duncan Road Solar, LLC | Special Use Permit Application November 2025 on a property that is currently used for agriculture. The transition of the parcel to a solar energy facility during the term of the lease supports restoration of the agricultural resources as the land beneath the solar modules will lie fallow, contributing to the restoration of soil nutrients. The Project will also comply with the Agricultural Impact Mitigation Agreement, into which it has entered.**

**Finally, the Project will include a security barrier, as required by the applicable solar energy systems ordinance to protect the solar energy from trespassers and vandals. The security barrier will comply with existing jurisdictional requirements. The Project will comply with all other local, state and federal regulations."**

- B. Regarding surface drainage, the PV SOLAR FARM fenced area generally drains toward the south and east.



- C. Regarding traffic in the subject property area:
- (1) The proposed solar farm would have one permanent access point on N. Duncan Rd. approximately 1,200 feet from the intersection of W. Ford Harris Rd. and N. Duncan Rd. roughly 50 feet north of the north entrance for the Alto Vinyards building.
  - (2) The Illinois Department of Transportation measures traffic on various roads throughout the County and determines the annual average 24-hour traffic volume for those roads and reports it as Average Daily Traffic (ADT). The most recent ADT data is from 2021 near the subject property. N. Duncan Rd. had an ADT of 600 at the proposed entrance to the project site.
  - (3) No significant increase in traffic is expected except during construction of the PV SOLAR FARM.
  - (4) The City of Champaign and the Hensley Township Highway Commissioner have been notified of this case.
  - (5) The petitioner has requested a waiver from the requirement for entering into a Roadway Upgrade and Maintenance Agreement or waiver thereof with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals. A special condition has been added to require a signed Roadway Upgrade and Maintenance Agreement prior to approval of a Zoning Use Permit.
- D. Regarding fire protection:
- (1) The subject property is approximately 7.8 road miles from the Cornbelt Fire Protection District station.
  - (2) A notice regarding the Special Use Permit application was sent to the Cornbelt Fire Protection District and no comments have been received.
- E. No part of the subject property is located within a Special Flood Hazard Area.
- F. The subject property is considered Best Prime Farmland. The Natural Resource Information Report received November 12, 2025, states that the soil on the subject property consists of 56B Dana silt loam, 152A Drummer silty clay, 154A Flanagan silt loam and 622C2 Wyand silt loam, and has an average Land Evaluation score of 93.
- G. Regarding outdoor lighting on the subject property, the petitioner did not indicate any lighting on the site plan submitted November 11, 2025. A special condition has been added to ensure compliance for any future outdoor lighting installation.
- H. Regarding wastewater treatment and disposal on the subject property, there is no wastewater treatment and disposal required or planned for the proposed PV SOLAR FARM.
- I. Regarding parking, there is no required parking for the proposed PV SOLAR FARM.

- J. Other than as reviewed elsewhere in this Summary of Evidence, there is no evidence to suggest that the proposed Special Use will generate either nuisance conditions such as odor, noise, vibration, glare, heat, dust, electromagnetic fields or public safety hazards such as fire, explosion, or toxic materials release, that are in excess of those lawfully permitted and customarily associated with other uses permitted in the zoning district.

***GENERALLY REGARDING WHETHER THE SPECIAL USE CONFORMS TO APPLICABLE REGULATIONS AND STANDARDS AND PRESERVES THE ESSENTIAL CHARACTER OF THE DISTRICT***

9. Generally regarding the *Zoning Ordinance* requirement that the proposed Special Use conforms to all applicable regulations and standards and preserves the essential character of the District in which it shall be located, except where such regulations and standards are modified by Section 6 of the Ordinance:
- A. The Petitioner has testified on the application, **“The Project does conform to the applicable regulations and standards of the district and does preserve the essential character of the district in that (i) the Applicant has asked for no material waivers to relevant regulations and standards and (ii) the Project is not only visually screened by existing and proposed vegetation, but is sited a considerable distance from non-participating residences and businesses and (iii) the Project introduces no noxious characteristics (sound, glare, pollution, traffic, etc.) that could negatively impact the district.”**
- B. Regarding compliance with the *Zoning Ordinance*, the following evidence was provided:
- (1) Section 5.2 authorizes a PV SOLAR FARM only by a County Board Special Use Permit in the AG-1 and AG-2 Agriculture Zoning Districts. It is not permitted by right in any district.
  - (2) There is no required parking.
  - (3) Requirements for what must be included in the area of the PV SOLAR FARM Special Use Permit are in subparagraph 6.1.5 B.(1).
    - a. The Site Plan received November 12, 2025, appears to conform to this requirement.
  - (4) Requirements which identify certain areas where a PV SOLAR FARM Special Use Permit shall not be located can be found in Subparagraph 6.1.5 B.(2).
    - a. Item 6.1.5 B.(2)a. requires a PV SOLAR FARM to be more than one and one half miles from an incorporated municipality with a zoning ordinance, unless the following is provided:
      - (a) No part of a PV SOLAR FARM shall be located within a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit, except for any power lines of 34.5 kVA or less and except for any proposed PV SOLAR FARM substation and related proposed connection to an existing substation.

- i. The subject property is located 0.58 miles from the City of Champaign, a municipality with zoning. A waiver has been added.
  - ii. The subject property is not within the contiguous urban growth area of Champaign.
- (b) The PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM.
  - i. The petitioner provided a copy of an email to the City of Champaign dated November 12, 2025, providing a link to the complete Special Use Permit Application.
- (c) The public hearing for any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28-day comment period is waived in writing by any relevant municipality.
  - i. No waiver of that requirement from the City of Champaign has been received.
- (d) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one-and-one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board.
  - i. Notice of the January 29, 2026, ZBA public hearing was sent by P&Z Staff to the City of Champaign on January 5, 2026. City of Champaign staff were also notified of the receipt of the project application on November 12, 2026, by email.
  - ii. No comments from the City of Champaign have been received as of January 21, 2026.
- (5) Requirements regarding interconnection to the power grid can be found in Subparagraph 6.1.5 B.(3):
  - a. The utility interconnection application must be applied for with the relevant utility and documentation provided at the time of Special Use Permit application.

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- (a) The petitioner has submitted a signed interconnection agreement with Ameren IL dated June 6, 2025, with their Special Use Permit application.
  - b. Documentation must be provided that the utility has accepted the application for the PV SOLAR FARM prior to issuance of the Zoning Compliance Certificate.
- (6) Requirements regarding Right to Farm can be found in Subparagraph 6.1.5 B.(4): “The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.”
  - a. A special condition has been added to ensure compliance.
- (7) Requirements regarding minimum lot standards can be found in Subparagraph 6.1.5 C.:
  - a. Subparagraph 6.1.5 C. eliminates LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, maximum LOT COVERAGE, or maximum LOT AREA requirements on BEST PRIME FARMLAND requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/ or PV SOLAR FARM maintenance and management facilities.
- (8) Requirements regarding minimum separations for PV SOLAR FARMS from other STRUCTURES, BUILDINGS, and USES can be found in Subparagraph 6.1.5 D.
  - a. The Site Plan received November 12, 2025, illustrates the separations between the solar farm fence and adjacent buildings and uses.
  - b. The proposed PV SOLAR FARM complies with all minimum separations in paragraph 6.1.5 D. in the following manner:
    - (a) Subparagraph 6.1.5 D.(1) requires PV SOLAR FARM fencing to be set back from the street centerline a minimum of 40 feet from a MINOR STREET and a minimum of 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.5 M.(2)a., but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.
      - i. The Site Plan received November 12, 2025, demonstrates compliance with the 40 feet setback from the centerline of N. Duncan Rd., which is a MINOR STREET.
      - ii. The Site Plan received November 12, 2025, demonstrates compliance with the 60 feet setback from the centerline of I-74., which is a MAJOR STREET
      - iii. Public Act 102-1123 requires a distance of 50 feet from the nearest edge of any component of the facility to the nearest edge of a public road RIGHT-OF-WAY.

- (i) The proposed distance complies with the Zoning Ordinance. The Zoning Ordinance is less restrictive than Public Act 102-1123 in this requirement and therefore the proposed distance is acceptable.
- (b) Subparagraph 6.1.5 D.(2) states that for properties participating in the solar farm, there is no required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning lot is provided for the existing DWELLING or PRINCIPAL BUILDING.
  - a. The subject properties meet minimum zoning lot requirements.
- (c) Subparagraph 6.1.5 D.(3)a. states that for any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):
  - i. For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.
    - (i) There are no adjacent lots that are 10 acres or less in area.
    - (ii) Public Act 102-1123 only requires a separation distance of 50 feet between the nearest edge of any component of the facility and the boundary lines of a NON-PARTICIPATING property. The Site Plan received November 12, 2025, demonstrates compliance with Public Act 102-1123.
  - ii. For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the PV SOLAR FARM, the separation shall exceed 240 feet as deemed necessary by the BOARD.
    - (i) There are no lots that are 10 acres or less in lot area adjacent to the subject property that are bordered on more than two sides by the PV SOLAR FARM.
    - (ii) Public Act 102-1123 requires a separation distance of 50 feet between the nearest edge of any component of the facility and the boundary lines of a NON-PARTICIPATING property. The Zoning Ordinance is more restrictive than Public Act 102-1123 in this requirement and therefore the proposed distance is acceptable.
- (d) Subparagraph 6.1.5 D.(3)b. states that for any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY), the separation shall be no less than 255 feet from any existing DWELLING or existing PRINCIPAL BUILDING and otherwise the



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- perimeter fencing shall be a minimum of 10 feet from a SIDE or REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.
- i. The perimeter fencing of the PV SOLAR FARM is at least 10 feet away from any SIDE or REAR LOT LINE of an adjacent LOT that is more than 10 acres in area.
  - ii. The perimeter fencing of the PV SOLAR FARM is at least 255 feet from any existing DWELLING or PRINCIPAL BUILDING.
  - iii. Public Act 102-1123 requires a separation distance of 50 feet between the nearest edge of any component of the facility and the boundary lines of a NON-PARTICIPATING property. The proposed distance of 53.9 feet complies with the Public Act 102-1123. The Zoning Ordinance is less restrictive than Public Act 102-1123 in this requirement and therefore the proposed distance is acceptable.
- (e) Subparagraph 6.1.5 D.(3)c. states that additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.
- i. There are no additional separations proposed at this time.
- (f) Subparagraph 6.1.5 D.(4) states that there must be a separation of at least 500 feet from specific types of airport and restricted landing area facilities unless the SPECIAL USE permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation.
- i. There is no AIRPORT or RESTRICTED LANDING AREA within 500 feet of the subject property.
- (g) Subparagraph 6.1.5 D.(5) requires a separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.
- i. There are no new substations or transmission lines of greater than 34.5 kVA within 500 feet of adjacent dwellings or residential DISTRICTS.
- (h) Subparagraph 6.1.5 D.(6) states that electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter

locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.

- i. The inverters shown on the Site Plan received November 12, 2025, are approximately 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence and 600 feet away from the nearest (north) property line. The inverters require specific approval due to being 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence.
  - ii. Regarding the distance between the inverters and nearby lots with dwellings, based on the Site Plan received November 12, 2025:
    - (i) The inverters are located toward the center of the array area. The distance between an inverter and the closest dwelling is over 1600 ft. away.
  - iii. Public Act 102-1123 does not have a separation requirement for inverters.
- (i) Subparagraph 6.1.5 D.(7) states that separation distances for any PV SOLAR FARM with solar equipment exceeding 8 feet in height, with the exception of transmission lines which may be taller, shall be determined by the BOARD on a case-by-case basis.
- i. The Special Use Permit Application narrative received November 12, 2025, indicates a maximum panel height of 15 ft.
  - ii. Public Act 102-1123 states that solar equipment can extend up to 20 feet above ground. Should the ZBA decide that additional separations are needed due to height, it could create a compliance issue with Public Act 102-1123.
- (j) Subparagraph 6.1.5 D.(8) states that PV SOLAR FARM solar equipment other than inverters shall be no less than 26 feet from the property line of any lot more than 10 acres in area.
- i. The Site Plan received November 12, 2025, shows that there is at least 26 feet of separation between the property line of any lot more than 10 acres in area and the PV SOLAR FARM equipment.
- (9) Paragraph 6.1.5 E. contains standard conditions for the design and installation of PV SOLAR FARMS. Compliance with paragraph 6.1.5 E. can be summarized as follows:
- a. Subparagraph 6.1.5 E.(1) requires certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704

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regarding building code compliance and conforms to the Illinois Accessibility Code.

- (a) No buildings have been proposed.
- b. Subparagraph 6.1.5 E.(2) establishes minimum requirements for electrical components.
  - (a) Part 6.1.5 E.(2)a. states that all electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.
    - i. The petitioner stated in their application materials, “The components of the PV SOLAR FARM will comply with the current edition of the National Electric Code.”
  - (b) Part 6.1.5 E.(2)b. states that burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV solar farm construction and minimizing impacts on agricultural drainage tile.
    - i. The petitioner did not mention the depth of burying power and communication wiring in their application but stated that they would meet the requirements of 6.1.5 E.(2).
- c. Subparagraph 6.1.5 E.(3) states that the height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM, and requires the maximum height of all above ground STRUCTURES to be identified in the application and as approved in the SPECIAL USE permit.
  - (a) The Site Plan received November 12, 2025, indicates a maximum panel height of 15 ft.
- d. Subparagraph 6.1.5 E.(4) requires that a reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
  - (a) The application stated that signage will conform with this requirement.
- e. Subparagraph 6.1.5 E.(5) requires that no PV SOLAR FARM construction may intrude on any easement or right of way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.
  - (a) Champaign County Geographic Information Systems data does not show any gas or hazardous liquid lines on the subject property.
  - (b) The subject property does not have a connection to public sewer or water.

- (c) The subject property is in the Beaver Lake and Fountainhead drainage districts. The drainage district commissioners have been notified of the project and no comments have been received. A drainage tile survey of the property was submitted with the Zoning Use Permit Application and shown no district tiles or mutual tiles on the site. A Special Condition has been added to protect any mutual tiles on the property.
- (10) Paragraph 6.1.5 F. contains standard conditions to mitigate damage to farmland.
  - a. The subject property is considered Best Prime Farmland. The Natural Resource Information Report received November 12, 2025, states that the soil on the subject property consists of 56B Dana silt loam, 152A Drummer silty clay, 154A Flanagan silt loam and 622C2 Wyandot silt loam, and has an average Land Evaluation score of 93.
  - b. The Applicant is required to sign an Agricultural Impact Mitigation Agreement, which would include requirements to mitigate damage to farmland per *505 ILCS 147/15(b)*. The petitioner submitted a signed, AIMA dated March 4, 2025. A special condition has been added to ensure compliance.
  - c. Regarding pollinator friendly ground cover in the mitigation of damage to farmland, the petitioner provided a Landscape Plan and Vegetation Management Plan with a seed mix with the Special Use Permit Application received November 12, 2025, that includes grasses and forbs.
  - d. Subparagraph 6.1.5 F.(1) establishes a minimum depth of 5 feet for underground wiring or cabling below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile or a lesser depth if so authorized by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R.
    - (a) The Special Use Permit application received November 12, 2025, includes an Agricultural Impact Mitigation Agreement dated March 4, 2025, that establishes the cable depths to be used.
  - e. Subparagraph 6.1.5 F.(2) establishes requirements for protection of agricultural drainage tile.
    - (a) The petitioner provided an existing drain tile investigation plan.
    - (b) The Special Use Permit application received November 12, 2025, includes an Agricultural Impact Mitigation Agreement dated March 4, 2025, that establishes rerouting and permanent repair of agricultural drainage tiles.
  - f. Subparagraph 6.1.5 F.(3) requires restoration for any damage to soil conservation practices.

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- (a) The Agricultural Impact Mitigation Agreement dated March 4, 2025, states, “Consultation with the appropriate County SWCD by the Facility Owner shall be carried out to determine if there are soil conservation practices (such as terraces, grassed waterways, etc.) that will be damaged by the Construction and/or Deconstruction of the Facility. Those conservation practices shall be restored to their preconstruction condition as close as reasonably practicable following Deconstruction in accordance with USDA NRCS technical standards. All repair costs shall be the responsibility of the Facility Owner.”
- g. Subparagraph 6.1.5 F.(4) establishes requirements for topsoil replacement pursuant to any open trenching.
  - (a) The Agricultural Impact Mitigation Agreement dated March 4, 2025, details how topsoil is to be handled.
- h. Subparagraph 6.1.5 F.(5) establishes requirements for mitigation of soil compaction and rutting.
  - (a) The Agricultural Impact Mitigation Agreement dated March 4, 2025, details how the facility owner must mitigate compaction and rutting.
- i. Subparagraph 6.1.5 F.(6) establishes requirements for land leveling.
  - (a) The Special Use Permit Application does not address land leveling or grading.
- j. Subparagraph 6.1.5 F.(7) establishes requirements for a permanent Erosion and Sedimentation Control Plan.
  - (a) The Agricultural Impact Mitigation Agreement dated March 4, 2025, details how the facility owner must mitigate erosion and sedimentation.
  - (b) A special condition has been added to require a Stormwater Pollution Prevention Plan prior to the approval a Zoning Use Permit for construction.
- k. Subparagraph 6.1.5 F.(8) establishes requirements for retention of all topsoil.
  - (a) The Agricultural Impact Mitigation Agreement dated March 4, 2025, details how topsoil is to be handled.
- l. Subparagraph 6.1.5 F.(9) establishes requirements for minimizing the disturbance to BEST PRIME FARMLAND by establishing a specific type of vegetative ground cover.
  - (a) A Landscape Plan and Vegetative Management plan were received on November 12, 2025, that identified the temporary ground cover and permanent ground cover to be used on the project site.

- m. The Special Use Permit application received November 12, 2025, included a Drain Tile Memo performed by Kimley Horn and an Existing Agricultural Drain Tile Investigation Plan. A drain tile mitigation plan will be required prior to approval of a Zoning Use Permit as required by 55ILCS5/5-12020.) A Special Condition has been included.
- (11) Paragraph 6.1.5 G. contains standard conditions for use of public streets.
- a. Paragraph 6.1.5 G.(1) requires the Applicant to enter into a signed Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney and/or any relevant Township Highway Commissioner prior to the close of the public hearing for the use of public streets, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements, and the signed and executed Roadway Upgrade and Maintenance agreements must provide for certain conditions.
    - (a) The petitioner has been in contact with the Hensley Township Highway Commissioner regarding a Roadway Upgrade and Maintenance Agreement. A waiver has been requested by the petitioner to require the agreement at a later time, and a special condition has been added to ensure compliance.
    - (b) The petitioner has contacted the City of Champaign and stated that the city will not require a Roadway Upgrade and Maintenance Agreement.
  - b. Paragraph 6.1.5 G.(2) requires that the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality.
    - (a) The petitioner did not provide information regarding a Transportation Impact Analysis in their application. A special condition has been added to ensure compliance.
  - c. Paragraph 6.1.5 G.(3) requires the Applicant or its successors in interest to enter into a Roadway Use and Repair Agreement with the appropriate highway authority for decommissioning the PV SOLAR FARM.
    - (a) No information was required or submitted for the Special Use Permit application.
- (12) Paragraph 6.1.5 H. contains standard conditions for coordination with local fire protection districts.
- a. The subject property is approximately 7.8 road miles from the Cornbelt Fire Protection District station.
  - b. A notice regarding the Special Use Permit application was sent to the Cornbelt Fire Protection District and no comments have been received.

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- (13) Paragraph 6.1.5 I. contains standard conditions for the allowable noise level.
  - a. Subparagraph 6.1.5 I. (1) requires the noise level from each PV SOLAR FARM to be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
    - (a) The petitioner stated in the Special Use Permit application received November 12, 2025, “The operational noise level at the nearest residential land use will be below the required thresholds.”
    - (b) A noise assessment was submitted with the Special Use Permit application received November 12, 2025.
  - b. Subparagraph 6.1.5 I.(3)a. requires that a SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis.
    - (a) The project size is considered to be a COMMUNITY PV SOLAR FARM and therefore a noise analysis is not required unless the ZBA requires one.
    - (b) A noise assessment was submitted with the Special Use Permit application received November 12, 2025.
- (14) Paragraph 6.1.5 J. contains standard conditions for endangered species consultation. Regarding compliance with 6.1.5 J.:
  - a. The petitioner conducted an IPaC coordination with the U.S. Fish and Wildlife Service (USFWS) (2025). The results of the effort identified five federally endangered, threatened, proposed, candidate, species as potentially occurring within the Project Area or surrounding region.
  - b. The petitioner submitted an EcoCAT review from the Illinois Department of Natural Resources (IDNR) dated February 19, 2025. The review did not identify any protected resources that may be in the project vicinity and concluded that further consultation was terminated.
- (15) Paragraph 6.1.5 K. contains standard conditions for historic and archaeological resources review. Regarding compliance with 6.1.5 K.:
  - a. The petitioner stated in their application, “A response letter provided by the SHPO, dated April 30, 2025, which notes that a Phase 1 archeological survey is requested to locate, identify and record any archeological resources that may be present on the site. The petitioner noted that they will work with the SHPO officer to define necessary setbacks and other relevant requirements of the SHPO, and such information will be included in the construction plan set that will accompany a Zoning Use permit for construction.

- b. A letter from the Illinois State Historic Preservation Office (SHPO) dated April 30, 2025, was included with the Special Use Permit Application received November 12, 2025.
  - c. A special condition has been added to require a Phase I archeological survey to be conducted in accordance with SHPO requirements prior to approval of a Zoning Use Permit
- (16) Paragraph 6.1.5 L. states: “The PV SOLAR FARM shall be located, designed, constructed, and operated so as to avoid and if necessary, mitigate the impacts to wildlife to a sustainable level of mortality.”
- a. The petitioner conducted an IPaC coordination with the U.S. Fish and Wildlife Service (USFWS) (2025). The results of the effort identified five federally endangered, threatened, proposed, candidate, species as potentially occurring within the Project Area or surrounding region.
  - b. The petitioner submitted an EcoCAT review from the Illinois Department of Natural Resources (IDNR) dated February 19, 2025. The review did not identify any protected resources that may be in the project vicinity and concluded that further consultation was terminated.
- (17) Paragraph 6.1.5 M. contains standard conditions for screening and fencing.
- a. Subparagraph 6.1.5 M.(1) requires the PV SOLAR FARM to have perimeter fencing that is at least 7 feet tall, with Knox boxes and keys provided at locked entrances, and a Vegetation Management Plan included in the application to control NOXIOUS WEEDS.
    - (a) The Site Plan submitted November 12, 2025, shows an 8 ft. stock fence with locked with a knox box for emergency access.
    - (b) A Vegetation Management Plan was submitted November 12, 2025, which includes information regarding the control of noxious weeds.
  - b. Subparagraph 6.1.5 M.(2) requires a visual screen around the perimeter of the PV SOLAR FARM.
    - (a) Subparagraph 6.1.5 M.(2)a.(a) requires that a visual screen be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT.
      - i. The nearest dwelling is approximately 850 feet to the south of the solar farm fencing.
      - ii. Landscaped screening has been included on the south side of the project area to screen the view from the houses to the south. The Landscape Plan received November 12, 2025, shows a double row of 5 ft. tall evergreen trees planted 10 feet on center



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- (18) Paragraph 6.1.5 N. contains standard conditions to minimize glare from the PV SOLAR FARM. Subparagraph 6.1.5 N.(1) requires that the design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties, and the application shall include an explanation of how glare will be minimized.
  - a. A glare study was submitted with the Special Use Permit Application on November 12, 2025. The study concludes that no glare is anticipated for nearby roadways or homes.
  - b. The glare study notes that the panels will be designed with an anti-reflective coating to minimize glare.
- (19) Paragraph 6.1.5 O. contains standard conditions for the minimum liability insurance for the PV SOLAR FARM.
  - a. The petitioner noted as part of the Special Use Permit Application that proof of the required insurance coverage will be submitted prior to approval of a Zoning Use Permit for construction
  - b. A special condition has been added to ensure compliance.
- (20) Paragraph 6.1.5 P. contains other standard conditions for operation of the PV SOLAR FARM.
  - a. Subparagraph 6.1.5 P.(1)c. states: “The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and the management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.”
    - (a) The petitioner did not provide information regarding cleaning of panels. A well for onsite water has not been proposed.
  - b. Subparagraph 6.1.5 P.(3) states: “The PV SOLAR FARM SPECIAL USE permit application shall include a weed control plan for the total area of the SPECIAL USE permit including areas both inside of and outside of the perimeter fencing. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et seq.). The weed control plan shall be explained in the application.”
    - (a) A Vegetation Management Plan was submitted with the application received November 12, 2025, which includes information regarding the control of noxious weeds.
    - (b) The Agricultural Impact Mitigation Agreement received with the application on November 12, 2025, contains information on weed control.

- c. All other requirements in Paragraph 6.1.5 P. do not have to be submitted as part of the Special Use Permit application; rather, they will be required during construction, operations, and/or decommissioning phases of the project.
- (21) Paragraph 6.1.5 Q. contains standard conditions for a Decommissioning and Site Reclamation Plan for the PV SOLAR FARM and modifies the basic site reclamation requirements in paragraph 6.1.1 A. Compliance with paragraph 6.1.5 Q. can be summarized as follows:
- a. Subparagraph 6.1.5 Q.(1) of the Ordinance requires a signed Decommissioning and Site Reclamation Plan conforming to the requirements of paragraph 6.1.1 A. of the Ordinance and the remainder of 6.1.5 Q. of the Ordinance. Compliance with the requirements of paragraph 6.1.1 A. of the Ordinance can be summarized as follows:
    - (a) Subparagraph 6.1.1 A.1. of the Ordinance requires the petitioner to submit a Decommissioning and Site Reclamation Plan for consideration by the Board.
      - i. The petitioner submitted a signed Preliminary Decommissioning Plan received November 12, 2025.
    - (b) Subparagraph 6.1.1 A.2. of the Ordinance requires that the decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of a NON-ADAPTABLE STRUCTURE, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit for such NON-ADAPTABLE STRUCTURES, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.
      - i. The Petitioner's Preliminary Decommissioning Plan received November 12, 2025, states that the financial assurance will be in the form of a letter of credit in the amount of 125% of decommissioning cost estimate.
    - (c) Subparagraph 6.1.1 A.3. of the Ordinance requires that separate cost estimates for Section 6.1.1 A.4.a., 6.1.1 A.4.b., and 6.1.1 A.4.c. shall be provided by an Illinois Licensed Professional Engineer and are subject to approval of the BOARD.
      - i. The petitioner submitted a signed Preliminary Decommissioning Plan with cost estimates received November 12, 2025.
    - (d) Subparagraph 6.1.1 A.4.d. of the Ordinance requires the Decommissioning and Site Reclamation Plan to provide for provision and maintenance of a letter of credit, as set forth in Section 6.1.1 A.5.

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- i. The Petitioner's Preliminary Decommissioning Plan received November 12, 2025, states that the financial assurance will be in the form of a letter of credit in the amount of 125% of decommissioning cost estimate.
  - (e) Subparagraph 6.1.1 A.5. of the Ordinance requires submission of an irrevocable letter of credit in the amount of 150% of the cost estimate required by 6.1.1 A.3 prior to issuance of a Zoning Use Permit.
    - i. The Petitioner's Preliminary Decommissioning Plan received November 12, 2025, states that the financial assurance will be in the form of a letter of credit in the amount of 125% of decommissioning cost estimate.
    - ii. Public Act 102-1123 requires financial assurances for decommissioning to be limited to 100% of the estimated costs for decommissioning.
  - (f) Subparagraph 6.1.1 A.6. of the Ordinance establishes a time period prior to the expiration of the irrevocable letter of credit during which the Zoning Administrator shall contact the landowner regarding the intent to renew the letter of credit and the landowner shall reply within a certain amount of time.
    - i. The Petitioner has acknowledged this requirement in the Preliminary Decommissioning Plan.
  - (g) Subparagraph 6.1.1 A.7. of the Ordinance establishes 5 factors to be considered in determining if a NON-ADAPTABLE structure (PV SOLAR FARM in this instance) is abandoned in place and 6.1.1 A.9. of the Ordinance establishes 7 conditions when the Zoning Administrator may draw upon the letter of credit and jointly these 12 circumstances comprise when the Zoning Administrator may draw upon the letter of credit.
    - i. The Preliminary Decommissioning Plan received November 12, 2025, includes reference to these items.
  - (h) All other requirements in Paragraph 6.1.5 Q.(1) do not have to be submitted as part of the Special Use Permit application; rather, they will be required during construction, operations, and/or decommissioning phases of the project.
- b. Subparagraph 6.1.5 Q.(2) of the Ordinance requires that in addition to the costs listed in subparagraph 6.1.1 A.4. of the Ordinance, the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.
- (a) The Preliminary Decommissioning Plan received November 12, 2025, includes removal of access roads.

- (b) The Preliminary Decommissioning Plan received November 12, 2025, requires the developer to enter into a Roadway Use and Repair Agreement with the relevant highway authority at the time of decommissioning.
  - c. Subparagraph 6.1.5 Q.(3) of the Ordinance requires the Decommissioning and Site Reclamation Plan to include additional information.
    - (a) The Preliminary Decommissioning Plan received November 12, 2025, includes reference to the requirements of 6.1.5 Q. (3).
  - d. Subparagraph 6.1.5 Q.(4) of the Ordinance requires that the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as required in paragraph 6.1.1 A.5. of the Ordinance. Regarding compliance with this subparagraph:
    - (a) The Letter of Credit must be supplied prior to receiving a Zoning Use Permit.
  - e. Subparagraph 6.1.5 Q.(5) of the Ordinance states that in addition to the conditions listed in subparagraph 6.1.1 A.9. the Zoning Administrator may also draw on the funds for a myriad of reasons.
    - (a) The Preliminary Decommissioning Plan received November 12, 2025, includes reference to the requirements of 6.1.5 Q. (5).
  - f. Subparagraph 6.1.5 Q.(6) of the Ordinance states that the Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.5 Q.(5) met, with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.
    - (a) The Preliminary Decommissioning Plan received November 12, 2025, includes reference to the requirements of 6.1.5 Q. (6).
  - g. Subparagraph 6.1.5 Q.(7) of the Ordinance states that the Decommissioning and Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.
    - (a) A special condition has been added to ensure compliance.
- (22) Paragraph 6.1.5 R. contains standard conditions for securing an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- a. The petitioner submitted a signed AIMA dated March 4, 2025, with the application on November 12, 2025. A special condition has been added to ensure compliance.

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- (23) Paragraph 6.1.5 S. contains standard conditions for a complaint hotline for complaints related to PV SOLAR FARM construction and ongoing operations.
  - a. The Special Use Permit Application received November 12, 2025, includes reference to the requirements of 6.1.5 S. A special condition has been added to ensure compliance.
- (24) Paragraph 6.1.5 T. contains a standard condition stating that the PV SOLAR FARM County Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.
  - a. A special condition has been added to ensure compliance.
- (25) Paragraph 6.1.5 U. contains standard conditions establishing additional requirements for application for a PV SOLAR FARM County Board Special Use Permit that supplement the basic requirements for a special use permit application.
  - a. Subparagraph 6.1.5 U.(1)a. requires a PV SOLAR FARM Project Summary.
    - (a) A Project Description was included with the application received November 12, 2025.
  - b. Subparagraph 6.1.5 U.(1)b. requires the name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM County Board SPECIAL USE permit.
    - (a) The application received November 12, 2025, demonstrates compliance with this requirement.
  - c. Subparagraph 6.1.5 U.(1)c. requires a site plan for the SOLAR FARM which includes the following:
    - (a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substations(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
      - i. The Site Plan received November 12, 2025, appears to demonstrate compliance with this requirement.
    - (b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 B.(1).
      - i. The Site Plan received December 2, 2025, appears to demonstrate compliance with this requirement.
    - (c) The location of all below-ground wiring.
      - i. The Site Plan received November 12, 2025, appears to demonstrate compliance with this requirement.

- (d) The location, height, and appearance of all above-ground wiring and wiring structures.
    - i. The Site Plan received November 12, 2025, appears to demonstrate compliance with this requirement.
  - (e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM County Board SPECIAL USE Permit. PV SOLAR FARM structures includes substations, third party transmission lines, maintenance and management facilities, or other significant structures.
    - i. The Site Plan received November 12, 2025, appears to demonstrate compliance with this requirement.
- d. Subparagraph 6.1.5 U.(1)d. requires submittal of all other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
  - (a) Compliance with this subparagraph has been shown in previous sections of this Summary of Evidence.
- e. Subparagraph 6.1.5 U.(1)e. requires that the PV SOLAR FARM SPECIAL USE permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5 B.(2)a.(b).
  - (a) The petitioner provided an email to the City of Champaign dated November 12, 2025, stating that the project will not require any further review.
- f. Subparagraph 6.1.5 U.(1)f. requires that a municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the ZONING ADMINISTRATOR prior to the consideration of the PV SOLAR FARM SPECIAL USE permit by the Champaign County Board or, in the absence of such a resolution, the ZONING ADMINISTRATOR shall provide documentation to the County Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the County Board as required by Section 6.1.5 B.(2)a.(c).

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- (a) Notice of the January 29, 2026, public hearing was sent by P&Z Staff to the City of Champaign on January 5, 2026.
    - (b) No comments from the City of Champaign have been received as of January 21, 2026.
  - g. Subparagraph 6.1.5 U.(1)g. requires that documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM as required by Section 6.1.5 B.(3)b.
    - (a) The petitioner has submitted a signed interconnection agreement with Ameren IL dated June 6, 2025, with their Special Use Permit application.
    - (b) A special condition has been added to ensure compliance.
  - h. Subparagraph 6.1.5 U.(2) requires that the Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the County Board SPECIAL USE permit application is pending.
    - (a) The P&Z Department received a Special Use Permit application and associated documents including a Site Plan on November 12, 2025.
    - (b) Any revised documents and plans will be submitted to the Department and the latest versions provided to the Board prior to any public hearing.
  - i. Subparagraph 6.1.5 U.(2) requires that the Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.
    - (a) The petitioner included a signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture dated March 4, 2025, received November 12, 2025.
- C. Regarding compliance with the *Storm Water Management and Erosion Control Ordinance*:
  - (1) The proposed Special Use is not exempt from the *Storm Water Management and Erosion Control Ordinance*. A Storm Water Drainage Plan and detention basin will be required if more than 16% of the subject property is impervious area, including gravel, buildings, and solar array rack posts.
  - (2) Regarding the SWMEC requirement to protect agricultural field tile, see the review of compliance with paragraph 6.1.5 F. that contains standard conditions to mitigate damage to farmland.
- D. Regarding the Special Flood Hazard Areas Ordinance, no part of the subject property is located within a Special Flood Hazard Area.

- E. Regarding the Subdivision Regulations, the subject property is located in the City of Champaign's subdivision jurisdiction and appears to be in compliance.
- F. Regarding the requirement that the Special Use preserve the essential character of the AG-2 Agriculture Zoning District:
  - (1) The proposed use is a PV SOLAR FARM that is consistent with the essential character of the AG-2 Agriculture District because it is only authorized in the AG-1 and AG-2 Districts.
- G. The proposed Special Use must comply with the Illinois Accessibility Code, which is not a county ordinance or policy, and the County cannot provide any flexibility regarding that Code. A Zoning Use Permit cannot be issued for any part of the proposed Special Use until full compliance with the Illinois Accessibility Code has been indicated in drawings.
  - (1) A special condition has been added to ensure that the project meets the Illinois Accessibility Code prior to issuance of a Zoning Compliance Certificate.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE***

- 10. Regarding the *Zoning Ordinance* requirement that the proposed Special Use is in harmony with the general intent and purpose of the Ordinance:
  - A. A PV SOLAR FARM may be authorized by the County Board in the AG-1 or AG-2 Agriculture Zoning Districts as a Special Use provided all other zoning requirements and standard conditions are met or waived.
    - (1) A proposed Special Use that does not conform to the standard conditions requires only a waiver of that particular condition and does not require a variance. Waivers of standard conditions are subject to the following findings:
      - a. that the waiver is in accordance with the general purpose and intent of the ordinance; and
      - b. that the waiver will not be injurious to the neighborhood or to the public health, safety, and welfare.
  - B. See Section 15 for a summary of evidence regarding whether any requested waiver of standard conditions will be in harmony with the general intent and purpose of the Ordinance.
  - C. Regarding whether the proposed Special Use Permit is in harmony with the general intent of the Zoning Ordinance:
    - (1) Subsection 5.1.2 of the Ordinance states the general intent of the AG-2 District and states as follows (capitalized words are defined in the Ordinance):

The AG-2 Agriculture DISTRICT is intended to prevent scattered indiscriminate urban development and to preserve the AGRICULTURAL nature within areas which are predominately vacant, and which presently do not demonstrate any significant potential for development. This DISTRICT is intended generally for application to areas within one and one-half miles of existing communities in the COUNTY.



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- (2) The types of uses authorized in the AG-2 District are in fact the types of uses that have been determined to be acceptable in the AG-2 District. Uses authorized by Special Use Permit are acceptable uses in the districts provided that they are determined by the ZBA to meet the criteria for Special Use Permits established in paragraph 9.1.11 B. of the Ordinance.
- (3) Paragraph 2.0(a) of the Ordinance states that one purpose of the Ordinance is securing adequate light, pure air, and safety from fire and other dangers.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits.

- (4) Paragraph 2.0(b) of the Ordinance states that one purpose of the Ordinance is conserving the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.
  - a. Regarding the value of nearby properties, it is not clear whether the proposed Special Use will have any impact on the value of nearby properties without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
  - b. Regarding the value of the subject property, it also is not clear if the requested Special Use Permit would have any effect.
    - (a) If the petitioner is denied the special use permit, the property can still be used for agricultural production.
  - c. Section 6.1.5 Q. of the PV SOLAR FARM text amendment approved on August 23, 2018, includes a standard condition requiring a Decommissioning and Site Reclamation Plan that is intended to ensure there is adequate financial assurance for removal of a PV SOLAR FARM at the end of its useful life. Ensuring adequate site reclamation is one method of protecting surrounding property values.
- (5) Paragraph 2.0(c) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding congestion in the public STREETS.

Other than additional traffic during construction and/or decommissioning of the PV SOLAR FARM, no significant increase in traffic is anticipated.

- (6) Paragraph 2.0(d) of the Ordinance states that one purpose of the Ordinance is lessening and avoiding the hazards to persons and damage to PROPERTY resulting from the accumulation of runoff from storm or flood waters.
  - a. The requested Special Use Permit is not in a Special Flood Hazard Area.
  - b. The proposed Special Use is not exempt from the *Storm Water Management and Erosion Control Ordinance*. A Storm Water Drainage Plan and

detention basin will be required if more than 16% of the subject property is impervious area, including gravel, buildings, and solar array rack posts.

- (7) Paragraph 2.0(e) of the Ordinance states that one purpose of the Ordinance is promoting the public health, safety, comfort, morals, and general welfare.
  - a. In regard to public safety, this purpose is similar to the purpose established in paragraph 2.0 (a) and is in harmony to the same degree.
  - b. In regard to public comfort and general welfare, this purpose is similar to the purpose of conserving property values established in paragraph 2.0 (b) and is in harmony to the same degree.
- (8) Paragraph 2.0 (f) states that one purpose of the Ordinance is regulating and limiting the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected; and paragraph 2.0 (g) states that one purpose is establishing, regulating, and limiting the BUILDING or SETBACK lines on or along any STREET, trafficway, drive or parkway; and paragraph 2.0 (h) states that one purpose is regulating and limiting the intensity of the USE of LOT AREAS, and regulating and determining the area of OPEN SPACES within and surrounding BUILDINGS and STRUCTURES.

These three purposes are directly related to the limits on building height and building coverage and the minimum setback and yard requirements in the Ordinance and the proposed site plan appears to be in compliance with those limits.

- (9) Paragraph 2.0(i) of the Ordinance states that one purpose of the Ordinance is classifying, regulating, and restricting the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES; and paragraph 2.0(j.) states that one purpose is dividing the entire COUNTY into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT AREA, area of OPEN SPACES, and other classification as may be deemed best suited to carry out the purpose of the ordinance; and paragraph 2.0(k) states that one purpose is fixing regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform; and paragraph 2.0(l) states that one purpose is prohibiting USES, BUILDINGS, OR STRUCTURES incompatible with the character of such DISTRICT.

Harmony with these four purposes requires that the special conditions of approval sufficiently mitigate or minimize any incompatibilities between the proposed Special Use Permit and adjacent uses, and that the special conditions adequately mitigate nonconforming conditions.

- (10) Paragraph 2.0(m) of the Ordinance states that one purpose of the Ordinance is preventing additions to and alteration or remodeling of existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

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This purpose is not relevant to the proposed Special Use Permit because it relates to nonconforming buildings, structures, or uses that existed on the date of the adoption of the Ordinance and no nonconforming structures that exist on the subject property.

- (11) Paragraph 2.0(n) of the Ordinance states that one purpose of the Ordinance is protecting the most productive AGRICULTURAL lands from haphazard and unplanned intrusions of urban USES.

The subject property is located in the AG-2 Agriculture District and the proposed project is not an urban USE.

- (12) Paragraph 2.0(o) of the Ordinance states that one purpose of the Ordinance is protecting natural features such as forested areas and watercourses.

The petitioners requested a natural resource review from the Illinois Department of Natural Resources EcoCAT tool. The review did not identify any protected resources that might be in the vicinity of the proposed PV Solar Farm and concluded that adverse effects are unlikely.

- (13) Paragraph 2.0(p) of the Ordinance states that one purpose of the Ordinance is encouraging the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The subject property is located in the AG-2 Agriculture District and does not require additional public utilities or transportation facilities.

- (14) Paragraph 2.0(q) of the Ordinance states that one purpose of the Ordinance is encouraging the preservation of AGRICULTURAL belts surrounding urban areas, to retain the AGRICULTURAL nature of the COUNTY, and the individual character of existing communities.

The subject property is located in the AG-2 Agriculture District and a PV SOLAR FARM is typically located in a rural setting.

- (15) Paragraph 2.0(r) of the Ordinance states that one purpose of the Ordinance is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The entire project area is located in an Agriculture zoning district, which is the only zoning DISTRICT in which a PV SOLAR FARM is authorized.

***GENERALLY REGARDING WHETHER THE SPECIAL USE IS AN EXISTING NONCONFORMING USE***

11. The proposed Special Use is not an existing NONCONFORMING USE.

***RELATED TO THE WAIVERS, GENERALLY REGARDING SPECIAL CONDITIONS THAT MAY BE PRESENT***

12. Generally regarding the Zoning Ordinance requirement of a finding that special conditions and circumstances exist which are peculiar to the land or structure involved which are not applicable to other similarly situated land or structures elsewhere in the same district:
  - A. Regarding Part A of the proposed waivers, for a separation distance of less than one-half mile from an incorporated municipality:
    - (1) The City of Champaign is aware of the proposed project and has not submitted any comments in opposition to the project.
  - B. Regarding Part B of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals:
    - (1) The petitioner is working with relevant jurisdictions to receive either an agreement or a waiver from this requirement.
    - (2) A special condition has been added requiring the applicant to submit a Roadway Upgrade and Maintenance Agreement or waiver therefrom and approved by ELUC at the time of application for a Zoning Use Permit.

***RELATED TO THE WAIVERS, GENERALLY REGARDING ANY PRACTICAL DIFFICULTIES OR HARDSHIPS RELATED TO CARRYING OUT THE STRICT LETTER OF THE ORDINANCE***

13. Generally regarding the Zoning Ordinance requirement of a finding that practical difficulties or hardships related to carrying out the strict letter of the regulations sought to be varied prevent reasonable and otherwise permitted use of the land or structures or construction on the lot:
  - A. Without Part A of the proposed waivers for a separation distance of less than one-half mile from an incorporated municipality, the PV SOLAR FARM could not be located on the subject property.
  - B. Without Part B of the proposed waivers for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals, the Special Use Permit process might have to be extended in order to have sufficient time to prepare these documents.

***RELATED TO THE WAIVERS, GENERALLY PERTAINING TO WHETHER OR NOT THE PRACTICAL DIFFICULTIES OR HARDSHIPS RESULT FROM THE ACTIONS OF THE APPLICANT***

14. Generally regarding the Zoning Ordinance requirement for a finding that the special conditions, circumstances, hardships, or practical difficulties do not result from the actions of the Applicant:
  - A. Regarding Part B of the proposed waivers for a separation distance of less than one-half mile from an incorporated municipality:
    - (1) The petitioners were made aware of this separation requirement when they applied for the Special Use Permit.
  - B. Regarding Part B of the proposed waivers for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals:

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- (1) The petitioner is working with relevant jurisdictions to receive either an agreement or a waiver from this requirement.

***GENERALLY PERTAINING TO WHETHER OR NOT THE WAIVERS ARE IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ORDINANCE***

15. Regarding the *Zoning Ordinance* requirement that the waivers of standard conditions of the Special Use will be in harmony with the general purpose and intent of the ordinance:
  - A. Regarding Part A of the proposed waivers for a separation distance of less than one and one-half miles from an incorporated municipality: the requested waiver (variance) is 41% of the minimum required, for a variance of 59%.
  - B. Regarding Part B of the proposed waivers for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals: the requested waiver (variance) is 0% of the minimum required, for a variance of 100%.

***RELATED TO THE WAIVERS, GENERALLY PERTAINING TO THE EFFECTS OF THE REQUESTED WAIVERS ON THE NEIGHBORHOOD AND THE PUBLIC HEALTH, SAFETY, AND WELFARE***

16. Regarding the *Zoning Ordinance* requirement for a finding that the granting of the waiver (variance) will not be injurious to the neighborhood, or otherwise detrimental to the public health, safety, or welfare:
  - A. The City of Champaign and Hensley Township have been notified of this case, and no comments have been received.
  - B. The Cornbelt Fire Protection District has been notified of this case, and no comments have been received.
  - C. The Beaver Lake and Fountainhead drainage districts have been notified of this case, and no comments have been received.
  - D. Considerations of public health, safety, and welfare for the proposed special use are discussed under Item 8 and are also applicable to the proposed waivers.

***GENERALLY REGARDING PROPOSED SPECIAL CONDITIONS OF APPROVAL***

17. Regarding proposed special conditions of approval:
  - A. **The approved site plan consists of the following documents:**
    - **Sheets C-100, C-200, C-300, C-400, L-100, L-101, L-200 of the Site Plan received November 12, 2025, that show the inverters 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence.**

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

**The constructed PV SOLAR FARM is consistent with the special use permit approval.**

- B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**

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

**That exterior lighting for the proposed Special Use meets the requirements established for Special Uses in the Zoning Ordinance.**

- C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

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

**That the proposed Special Use meets applicable state requirements for accessibility.**

- D. **A signed Decommissioning and Site Reclamation Plan that has been approved by Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

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

**That the Special Use Permit complies with Ordinance requirements and as authorized by waiver.**

- E. **Roadway Upgrade and Maintenance Agreements signed by the County Highway Engineer, Hensley Township Highway Commissioner and any other relevant highway jurisdiction, and approved by the Environment and Land Use Committee, or a waiver therefrom, shall be submitted at the time of application for a Zoning Use Permit.**

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

**To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.**

- F. **Underground drainage tile shall be investigated and identified with any necessary changes made to the solar array as follows:**
1. **A qualified Drain Tile Contractor with experience in Illinois shall be employed to investigate, repair, and install any underground drain tile.**
  2. **Desktop mapping and field reconnaissance shall identify all areas where drain tiles are expected to be located based on soils, topographic elevations, ground surface channels and/or depressions, wetlands, natural drainage ingress and egress locations, and knowledge of current owners and/or current farmers.**
  3. **Slit trenching shall be used to investigate the presence of mutual drainage tiles that serve upland areas under different ownership. All existing drain tiles**

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encountered shall be logged on field mapping and repaired to the original state according to Illinois Department of Agriculture Impact Mitigation Agreement (AIMA) standards.

4. Drain tile routes shall be located by surface probing or electronic detection and field staked at 20 feet intervals.
5. All existing drain tile that are found shall be located in the field using GPS location systems and recorded on as-built plans. Record mapping shall be completed according to typical civil engineering mapping and AIMA standards.
6. Any tile found shall be protected from disturbance or repaired and/or relocated in a manner consistent with AIMA and the Zoning Ordinance.
7. All mutual drain tiles shall either be relocated outside of the array area or shall be protected from construction disturbance and a 40- foot wide no construction area shall be centered on all mutual drain tiles.
8. A Drain Tile Investigation Survey including a map of all identified drain tile and a revised site plan to reflect any changes to the layout of the solar array shall be submitted to the Zoning Administrator prior to Zoning Use Permit Approval.
9. Future access shall be guaranteed for maintenance of all mutual drain tiles.

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

The identification and protection of existing underground drainage tile and to allow ongoing maintenance of mutual drain tiles.

- G. The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:
1. Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.
  2. An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.
  3. A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
  4. Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).

5. **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**
6. **The telephone number for the complaint hotline required by 6.1.5 S.**
7. **Any updates to the approved Site Plan from Case 184-S-25 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

**The PV SOLAR FARM is constructed consistent with the Special Use Permit approval and in compliance with the Ordinance requirements.**

- H. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**
1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**
  2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**
  3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
  4. **Confirmation from the Cornbelt Fire Protection District that a walkthrough of the project site with the developer met the requirements of the district.**

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

**The PV SOLAR FARM is constructed consistent with the special use permit approval and in compliance with the Ordinance requirements.**

- I. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**
1. **Maintain the pollinator plantings in perpetuity.**
  2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the**



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**services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**

- 4. Maintain a current general liability policy as required by 6.1.5 O.**
- 5. Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
- 6. Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
- 7. Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

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

**Future requirements are clearly identified for all successors of title, lessees, any operator and/or owner of the PV SOLAR FARM.**

- J. The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

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

**The PV SOLAR FARM is constructed in compliance with the Ordinance requirements.**

- K. 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.**

- L. A Phase 1 archeological survey that complies with State Historic Preservation Office (SHPO) regulations including and investigations or changes to the site plan recommended by the SHPO, shall be submitted at the time of application for a Zoning Use Permit.**

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

**Conformance with Illinois Department of Natural Resources requirements**

- M. The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

**That the current version of the Zoning Ordinance has been referenced.**

**DOCUMENTS OF RECORD**

1. Special Use Permit Application received November 12, 2025, with attachments:
  - A Special Use Permit Application form
  - B Special Use Permit Site Plan and Landscape Plan
  - C Vegetation Management Plan
  - D Noise Assessment
  - E FAA No Hazard Determination
  - F FEMA Firmette
  - G US FWS “No Effect” Determination
  - H USACE Determination and Wetland Delineation Report
  - I IDNR Clearance Letter
  - J SHPO Survey Request
  - K Preliminary Stormwater Report
  - L Fully Executed AIMA
  - M City of Champaign Notification
  - N Executed Interconnection Agreement
  - O Critical Component Data Sheets
  - P Drain Tile Memo
  - Q Natural Resources Information Report
  - R Preliminary Operations and Maintenance Plan
  - S Transportation Access Plan
  - T Glare Study
  - U Preliminary Decommissioning Plan
  - V ACP Solar Fact Sheet
  - W Property Value Impact Article
  - X Solar Module Toxicity Article
  - Y Vegetation Management at Solar Facilities Article
2. Preliminary Memorandum dated January 21, 2026, with attachments:
  - A Case Maps (Location Map, Land Use, and Zoning)
  - B 2023 Annotated Aerial Photo
  - C Site images taken October 7, 2025
  - D SUP Application (*separate bound copy for ZBA members, available on ZBA webpage and upon request at P&Z Department*)
  - E Draft Summary of Evidence, Finding of Fact and Final Determination for Case 184-S-25 dated January 21, 2026

## FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **184-S-25** held on **January 29, 2026**, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit **{IS / IS NOT}** necessary for the public convenience at this location because:
  - a. ***The State of Illinois has adopted a Renewable Portfolio Standard that established a goal of 25% of the State's energy coming from renewable sources by the year 2025.***
  - b. ***The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030.***
2. The requested Special Use Permit **{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}** is so designed, located, and proposed to be operated so that it **{WILL NOT / WILL}** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
  - a. The street has **{ADEQUATE / INADEQUATE}** traffic capacity and the entrance location has **{ADEQUATE / INADEQUATE}** visibility.
  - b. Emergency services availability is **{ADEQUATE / INADEQUATE}** **{because\*}**:
    - a. ***The subject property is approximately 7.8 road miles from the Cornbelt Fire Protection District station.***
    - b. ***A notice regarding the Special Use Permit application was sent to the Cornbelt Fire Protection District and no comments have been received.***
  - c. The Special Use **{WILL / WILL NOT}** be compatible with adjacent uses **{because\*}**:
    - a. ***The proposed project is surrounded by land in agricultural production to the north, south, east and west, and I-74 to the southwest.***
    - b. ***The nearest residence is approximately 850 feet from the PV SOLAR FARM fenced area.***
  - d. Surface and subsurface drainage will be **{ADEQUATE / INADEQUATE}** **{because\*}**:
    - a. ***No part of the subject property is in the Special Flood Hazard Area.***
    - b. ***The proposed project must comply with the Storm Water Management and Erosion Control Ordinance.***
  - e. Public safety will be **{ADEQUATE / INADEQUATE}** **{because\*}**:
    - a. ***Relevant jurisdictions were notified of this case, and no comments have been received.***
  - f. The provisions for parking will be **{ADEQUATE / INADEQUATE}** **{because\*}**:
    - a. ***No parking is required for a PV SOLAR FARM.***
  - g. The property **{IS/IS NOT}** WELL SUITED OVERALL for the proposed improvements **{because\*}**:
    - a. ***The site is reasonably well-suited in all respects and has no major defects.***

- h. Existing public services *{ARE/ARE NOT}* available to support the proposed SPECIAL USE without undue public expense *{because\*}*:
  - a. *No additional public services are necessary for the proposed development.*
- i. Existing public infrastructure together with the proposed development *{IS/IS NOT}* adequate to support the proposed development effectively and safely without undue public expense *{because\*}*:
  - a. *No new public infrastructure is required for the proposed development.*

(Note the Board may include other relevant considerations as necessary or desirable in each case.)

\*The Board may include additional justification if desired, but it is not required.

- 3a. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* conform to the applicable regulations and standards of the DISTRICT in which it is located, subject to approval of the requested waivers.
- 3b. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* preserve the essential character of the DISTRICT in which it is located because:
  - a. The Special Use will be designed to *{CONFORM / NOT CONFORM}* to all relevant County ordinances and codes.
  - b. The Special Use *{WILL / WILL NOT}* be compatible with adjacent uses.
  - c. Public safety will be *{ADEQUATE / INADEQUATE}*.
- 4. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {IS / IS NOT}* in harmony with the general purpose and intent of the Ordinance because:
  - a. The Special Use is authorized in the District.
  - b. The requested Special Use Permit *{IS/ IS NOT}* necessary for the public convenience at this location.
  - c. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN}* is so designed, located, and proposed to be operated so that it *{WILL / WILL NOT}* be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare.
  - d. The requested Special Use Permit *{SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN} {DOES / DOES NOT}* preserve the essential character of the DISTRICT in which it is located.
- 5. The requested Special Use **IS NOT** an existing nonconforming use.
- 6. Regarding necessary waivers of standard conditions:

Per Section 7.15 of the Champaign County ZBA Bylaws, “waivers may be approved individually or *en masse* by the affirmative vote of a majority of those members voting on the issue, and shall be incorporated into the Findings of Fact with the reason for granting each waiver described.”

- A. Regarding Part A of the proposed waivers for a separation distance of less than one and one-half miles from an incorporated municipality:

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- (1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:
    - a. ***The nearest area of the solar farm is approximately .62 miles from the City of Champaign.***
    - b. ***The requested waiver (variance) is 41% of the minimum required, for a variance of 59%.***
    - c. ***Relevant jurisdictions have been notified of this case. The City of Champaign has not submitted any objection to this development.***
    - d. ***Neighboring landowners have been notified of this case, and no comments have been received.***
  - (2) Special conditions and circumstances ***{DO / DO NOT}*** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
    - a. ***The location has access to the powerlines along N. Duncan Rd. and is separated from the farmland to the west by the railroad.***
    - b. ***Adjacent landowners within 1000 feet of the subject property were sent notification of the proposed project on January 14, 2026, and no comments have been received.***
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied ***{WILL / WILL NOT}*** prevent reasonable or otherwise permitted use of the land or structure or construction because:
    - a. ***Without the proposed waiver, the PV SOLAR FARM could not be located on the subject property.***
  - (4) The special conditions, circumstances, hardships, or practical difficulties ***{DO / DO NOT}*** result from actions of the applicant because:
    - a. ***The location has access to the powerlines along N. Duncan Rd., and the landowner wants to partner with the developer to construct the solar farm.***
  - (5) The requested waiver ***{SUBJECT TO THE PROPOSED SPECIAL CONDITION}*** ***{IS / IS NOT}*** the minimum variation that will make possible the reasonable use of the land/structure because:
    - a. ***Without the proposed waiver, the PV SOLAR FARM could not be located on the subject property.***
- B. Regarding Part B of the proposed waivers for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals:
- (1) The waiver ***{IS/ IS NOT}*** in accordance with the general purpose and intent of the Zoning Ordinance and ***{WILL/ WILL NOT}*** be injurious to the neighborhood or to the public health, safety, and welfare because:
    - a. ***The requested waiver (variance) is 0% of the minimum required, for a variance of 100%.***
    - b. ***A special condition has been added requiring this information prior to approval of a Zoning Use Permit.***

- (2) Special conditions and circumstances *{DO / DO NOT}* exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because:
  - a. *The petitioner is working with the Hensley Township Highway Commissioner on either a waiver or a Roadway Upgrade and Maintenance Agreement.*
  - b. *A special condition has been added requiring this information prior to approval of a Zoning Use Permit.*
- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied *{WILL / WILL NOT}* prevent reasonable or otherwise permitted use of the land or structure or construction because:
  - a. *Without the proposed waiver, the Special Use Permit process might have to be extended in order to have sufficient time to prepare this document.*
- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because:
  - a. *The petitioner is working with the Hensley Township Highway Commissioner to receive either an agreement or a waiver from this requirement.*
- (5) The requested waiver *{IS / IS NOT}* the minimum variation that will make possible the reasonable use of the land/structure because:
  - a. *Roadway agreements take time to establish, and that timeframe is not entirely in the control of the petitioner.*

7. **{NO SPECIAL CONDITIONS ARE HEREBY IMPOSED / THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

- A. The approved site plan consists of the following documents:
- Sheets C-100, C-200, C-300, C-400, L-100, L-101, L-200 of the Site Plan received November 12, 2025, that show the inverters 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence.

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

**The constructed PV SOLAR FARM is consistent with the special use permit approval.**

- B. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.

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

**That exterior lighting for the proposed Special Use meets the requirements established for Special Uses in the Zoning Ordinance.**

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- C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**

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

**That the proposed Special Use meets applicable state requirements for accessibility.**

- D. **A signed Decommissioning and Site Reclamation Plan that has been approved by Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**

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

**That the Special Use Permit complies with Ordinance requirements and as authorized by waiver.**

- E. **Roadway Upgrade and Maintenance Agreements signed by the County Highway Engineer, Hensley Township Highway Commissioner and any other relevant highway jurisdiction, and approved by the Environment and Land Use Committee, or a waiver therefrom, shall be submitted at the time of application for a Zoning Use Permit.**

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

**To ensure full compliance with the intent of the Zoning Ordinance in a timely manner that meets the needs of the applicant.**

- F. **Underground drainage tile shall be investigated and identified with any necessary changes made to the solar array as follows:**
1. **A qualified Drain Tile Contractor with experience in Illinois shall be employed to investigate, repair, and install any underground drain tile.**
  2. **Desktop mapping and field reconnaissance shall identify all areas where drain tiles are expected to be located based on soils, topographic elevations, ground surface channels and/or depressions, wetlands, natural drainage ingress and egress locations, and knowledge of current owners and/or current farmers.**
  3. **Slit trenching shall be used to investigate the presence of mutual drainage tiles that serve upland areas under different ownership. All existing drain tiles encountered shall be logged on field mapping and repaired to the original state according to Illinois Department of Agriculture Impact Mitigation Agreement (AIMA) standards.**
  4. **Drain tile routes shall be located by surface probing or electronic detection and field staked at 20 feet intervals.**



5. All existing drain tile that are found shall be located in the field using GPS location systems and recorded on as-built plans. Record mapping shall be completed according to typical civil engineering mapping and AIMA standards.
6. Any tile found shall be protected from disturbance or repaired and/or relocated in a manner consistent with AIMA and the Zoning Ordinance.
7. All mutual drain tiles shall either be relocated outside of the array area or shall be protected from construction disturbance and a 40-foot wide no construction area shall be centered on all mutual drain tiles.
8. A Drain Tile Investigation Survey including a map of all identified drain tile and a revised site plan to reflect any changes to the layout of the solar array shall be submitted to the Zoning Administrator prior to Zoning Use Permit Approval.
9. Future access shall be guaranteed for maintenance of all mutual drain tiles.

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

**The identification and protection of existing underground drainage tile and to allow ongoing maintenance of mutual drain tiles.**

**G. The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**

1. Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.
2. An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.
3. A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
4. Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).
5. A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.
6. The telephone number for the complaint hotline required by 6.1.5 S.

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7. **Any updates to the approved Site Plan from Case 184-S-25 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

**The PV SOLAR FARM is constructed consistent with the Special Use Permit approval and in compliance with the Ordinance requirements.**

- H. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**
  1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**
  2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**
  3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
  4. **Confirmation from the Cornbelt Fire Protection District that a walkthrough of the project site with the developer met the requirements of the district.**

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

**The PV SOLAR FARM is constructed consistent with the special use permit approval and in compliance with the Ordinance requirements.**

- I. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**
  1. **Maintain the pollinator plantings in perpetuity.**
  2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  4. **Maintain a current general liability policy as required by 6.1.5 O.**
  5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**

6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

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

**Future requirements are clearly identified for all successors of title, lessees, any operator and/or owner of the PV SOLAR FARM.**

- J. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

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

**The PV SOLAR FARM is constructed in compliance with the Ordinance requirements.**

- K. **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.**

- L. **A Phase 1 archeological survey that complies with State Historic Preservation Office (SHPO) regulations including and investigations or changes to the site plan recommended by the SHPO, shall be submitted at the time of application for a Zoning Use Permit.**

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

**Conformance with Illinois Department of Natural Resources requirements**

- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

**That the current version of the Zoning Ordinance has been referenced.**

## FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval of Section 9.1.11B. **{HAVE / HAVE NOT}** been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, recommends that:

The Special Use requested in Case **184-S-25** is hereby **{GRANTED/ GRANTED WITH SPECIAL CONDITIONS / DENIED}** to the applicant, **North Duncan Road Solar, LLC, c/o ReWild Renewables LLC, and participating landowner T & S Franey LLC**, to authorize the following as a Special Use on land in the AG-2 Agriculture Zoning District:

**Authorize a Community PV Solar Farm with a total nameplate capacity of 4.99 megawatts (MW), including access roads and wiring,**

***{SUBJECT TO THE FOLLOWING WAIVERS OF STANDARD CONDITIONS:}***

**Part A: A waiver for locating the PV Solar Farm less than one and one-half miles from an incorporated municipality with a zoning ordinance per Section 6.1.5 B.(2)a.(a).**

**Part B: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals, per Section 6.1.5 G.(1).**

***{SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:}***

- A. The approved site plan consists of the following documents:**
  - Sheets C-100, C-200, C-300, C-400, L-100, L-101, L-200 of the Site Plan received November 12, 2025, that show the inverters 75 feet away from the nearest (northeast) section of PV SOLAR FARM perimeter fence.**
- B. The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**
- C. The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**
- D. A signed Decommissioning and Site Reclamation Plan that has been approved by Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**
- E. Roadway Upgrade and Maintenance Agreements signed by the County Highway Engineer, Hensley Township Highway Commissioner and any other relevant highway jurisdiction, and approved by the Environment and Land Use Committee, or a**

**waiver therefrom, shall be submitted at the time of application for a Zoning Use Permit.**

- F. Underground drainage tile shall be investigated and identified with any necessary changes made to the solar array as follows:**
- 1. A qualified Drain Tile Contractor with experience in Illinois shall be employed to investigate, repair, and install any underground drain tile.**
  - 2. Desktop mapping and field reconnaissance shall identify all areas where drain tiles are expected to be located based on soils, topographic elevations, ground surface channels and/or depressions, wetlands, natural drainage ingress and egress locations, and knowledge of current owners and/or current farmers.**
  - 3. Slit trenching shall be used to investigate the presence of mutual drainage tiles that serve upland areas under different ownership. All existing drain tiles encountered shall be logged on field mapping and repaired to the original state according to Illinois Department of Agriculture Impact Mitigation Agreement (AIMA) standards.**
  - 4. Drain tile routes shall be located by surface probing or electronic detection and field staked at 20 feet intervals.**
  - 5. All existing drain tile that are found shall be located in the field using GPS location systems and recorded on as-built plans. Record mapping shall be completed according to typical civil engineering mapping and AIMA standards.**
  - 6. Any tile found shall be protected from disturbance or repaired and/or relocated in a manner consistent with AIMA and the Zoning Ordinance.**
  - 7. All mutual drain tiles shall either be relocated outside of the array area or shall be protected from construction disturbance and a 40-foot wide no construction area shall be centered on all mutual drain tiles.**
  - 8. A Drain Tile Investigation Survey including a map of all identified drain tile and a revised site plan to reflect any changes to the layout of the solar array shall be submitted to the Zoning Administrator prior to Zoning Use Permit Approval.**
  - 9. Future access shall be guaranteed for maintenance of all mutual drain tiles.**
- G. The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**
- 1. Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**
  - 2. An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit)**

AS APPROVED

rating of the proposed financial institution shall be a rating of “A” by S&P or a rating of “A2” by Moody’s within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.

3. A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
  4. Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).
  5. A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State’s Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.
  6. The telephone number for the complaint hotline required by 6.1.5 S.
  7. Any updates to the approved Site Plan from Case 184-S-25 per the Site Plan requirements provided in Section 6.1.5 U.1.c.
- H. A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:
1. An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.
  2. As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.
  3. An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.
  4. Confirmation from the Cornbelt Fire Protection District that a walkthrough of the project site with the developer met the requirements of the district.
- I. The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:
1. Maintain the pollinator plantings in perpetuity.
  2. Cooperate with local Fire Protection District to develop the District’s emergency response plan as required by 6.1.5 H.(2).

3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
4. **Maintain a current general liability policy as required by 6.1.5 O.**
5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**
- J. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**
- K. **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.**
- L. **A Phase 1 archeological survey that complies with State Historic Preservation Office (SHPO) regulations including investigations or changes to the site plan recommended by the SHPO, shall be submitted at the time of application for a Zoning Use Permit.**
- M. **The terms of approval are the requirements of the current Section 6.1.5 of the Zoning Ordinance as amended February 23, 2023.**

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

SIGNED:

ATTEST:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date