



SPECIAL MEETING OF THE CHAMPAIGN COUNTY BOARD AGENDA

County of Champaign, Urbana, Illinois

Tuesday, February 12, 2019 – *6:15 p.m. *Please Note Time

Lyle Shields Meeting Room, Brookens Administrative Center,
1776 East Washington Street, Urbana, Illinois

<u>Agenda Item</u>	<u>Page #</u>
I. Call to Order	
II. *Roll Call	
III. Prayer & Pledge of Allegiance	
IV. Read Notice of Meeting	
V. Approval of Agenda/Addenda	
VI. Public Participation	
VII. Standing Committee	
A. Environment & Land Use	
1. *Adoption of Ordinance No. 2019-3 Granting a Special Use Permit Zoning Case 922-S-18 “Champaign Sinclair” Community PV Solar Farm	1-4
VIII. Adjourn	
*Roll Call	
**Roll call and 15 votes	
***Roll call and 17 votes	
****Roll call and 12 votes	

Except as otherwise stated, approval requires the vote of a majority of those County Board members present.

*All meetings are at Brookens Administrative Center – 1776 E Washington Street in Urbana – unless otherwise noted.
To enter Brookens after 4:30 p.m., enter at the north (rear) entrance located off Lierman Avenue.*

Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled meeting.

ORDINANCE NO. 2019-3

**ORDINANCE GRANTING A SPECIAL USE PERMIT
ZONING CASE 922-S-18
“CHAMPAIGN SINCLAIR” COMMUNITY PV SOLAR FARM**

WHEREAS, the Champaign County Zoning Board of Appeals held a public hearing, made a formal recommendation for approval, and forwarded to this Board Case Number 922-S-18;

WHEREAS, the Champaign County Board finds that the Zoning Board of Appeals followed proper procedures and its Finding of Fact is supported by the manifest weight of evidence cited in the Summary of Evidence; and

WHEREAS, the Finding of Fact forwarded by the Zoning Board of Appeals demonstrates compliance of the petition in Zoning Case 922-S-18 with the criteria contained in Section 9.1.11 B. of the *Champaign County Zoning Ordinance*.

NOW, THEREFORE BE IT RESOLVED, by the Champaign County Board, Champaign County, Illinois, as follows:

1. That the Summary of Evidence, Documents of Record, Finding of Fact, and Final Determination forwarded by the Champaign County Zoning Board of Appeals in Zoning Case 922-S-18 are hereby endorsed and adopted, and incorporated herein by reference.
2. That a Special Use Permit is hereby granted to SolAmerica Energy LLC and participating landowner Phyllis Jane Sinclair for a community PV Solar Farm with a total nameplate capacity of 2 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District, with a fenced solar farm area of approximately 13.1 acres on a total of 75.33 acres on the real estate described below:

All of that part of the Northeast Quarter of Section 9, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, lying south of the Norfolk and Western Railroad right-of-way, in Champaign County, Illinois.

3. That the granting of the Special Use Permit in Case 922-S-18 include the following waivers of standard conditions:
 - Part A: A waiver for a distance of 1,340 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.
 - Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.

- Part C: 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 Board, per Section 6.1.5 G.
- Part D: A waiver for not including a Landscape Plan as part of the Special Use Permit application, per Section 6.1.5 F.(9)a.(b)iv.
- Part E: A waiver for not including a Weed Control Plan as part of the Special Use Permit application, per Section 6.1.5 P.(3).
4. That the granting of the Special Use Permit in Case 922-S-18 include the following special conditions of approval:
- A. **The approved site plan consists of the following documents:**
 - **Site Plan Sheets 1 through 5 received November 1, 2018, to include clarification of the maximum height of the solar arrays.**
 - **A Landscape Plan including Weed Control Plan to be approved by the Environment and Land Use Committee prior to submittal with the Zoning Use Permit Application.**
 - 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. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**
 - E. **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.**
 - F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement signed by South Homer Township and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**
 - G. **A Landscape Plan compliant with Section 6.1.5 F.(9)a.(b)iv., which includes a Weed Control Plan compliant with Section 6.1.5 P.(3) and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

- H. **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. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
 3. **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.**
 4. **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.**
 5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
 6. *(Note: not needed if a waiver is received)* **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.**
 7. **The telephone number for the complaint hotline required by 6.1.5 S.**
 8. **Any updates to the approved Site Plan from Case 922-S-18 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**
- I. **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.**

- J. 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.**

PRESENTED, PASSED, APPROVED AND RECORDED this 12th day of February, A.D. 2019.

SIGNED:

 Giraldo Rosales, Chair
 Champaign County Board

Date

 Darlene A. Kloepfel, County Executive

Date

 Aaron Ammons, County Clerk &
ex officio Clerk of the County Board

Date