

CASE NO. 696-S-11

SUPPLEMENTAL MEMORANDUM

August 25, 2011

Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708

Petitioners: California Ridge Wind Energy LLC and the participating landowners listed in the attached legal advertisement. California Ridge Wind Energy LLC is wholly owned by Invenergy Wind North America LLC, One South Wacker Drive, Suite 1900, Chicago, IL 60606, with corporate officers as listed in the attached legal advertisement.

Request: Authorize a Wind Farm which consists of 30 Wind Farm Towers (wind turbines) in total with a total nameplate capacity of 48 megawatts (MW) of which 28 Wind Farm Towers with a total nameplate capacity of 45 MW are proposed in Compromise Township (Part A) and 2 Wind Farm Towers with a total nameplate capacity of 3 MW are proposed in Ogden Township (Part B), and including access roads, wiring, and public road improvements, and including the waivers of standard conditions in Section 6.1.4 as listed in the attached legal advertisement.

Location: In Compromise Township the following sections are included with exceptions as described in the attached legal advertisement:

- Sections 19, 20, 21, 28, 29, 30, 31, 32, and 33 of T21N, R14W of the 2nd P.M.,
- Sections 24, 25, and 36 of T21N, R10E of the 3rd P.M.,
- Fractional Sections 30 and 31 of T21N, R11E, of the 3rd P.M.

In Ogden Township the following sections are included with exceptions as described in the attached legal advertisement:

- Fractional Section 6, T20N, R11E of the 3rd P.M.,
- Fractional Sections 4, 5, 6, and 7 of T20N, R14W of the 2nd P.M.,
- Sections 8, 9, and 16 of T20N, R14W of the 2nd P.M.

Site Area: Approximately 10,193 acres

Time Schedule for Development: Fall 2011

Prepared by: John Hall
Zoning Administrator

STATUS

This is the first hearing on this zoning case. The attachments summarize information on the various waivers of standard conditions.

ATTACHMENTS

- A Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B
- B Table of Necessary Waivers
- C Relevant Considerations For Necessary Waivers
- D Excerpts from Part 901 of the Illinois Pollution Control Board (IPCB) noise regulations (35 Illinois Administrative Code Subtitle H: Noise Part 901)

PUBLIC NOTICE OF PUBLIC HEARING IN REGARD TO A COUNTY BOARD SPECIAL USE PERMIT UNDER THE PROVISIONS OF THE CHAMPAIGN COUNTY ZONING ORDINANCE

CASE: 696-S-11

California Ridge Wind Energy LLC and the participating landowners listed below have filed a petition for a Special Use Permit under the provisions of the Champaign County Zoning Ordinance on property in unincorporated Champaign County. The petition is on file in the office of the Champaign County Department of Planning & Zoning, 1776 East Washington Street, Urbana, IL.

California Ridge Wind Energy LLC is wholly owned by Invenergy Wind North America LLC, One South Wacker Drive, Suite 1900, Chicago, IL 60606, with President, Michael Polsky; Vice President, James Murphy; Vice-President, Bryan Schueler; Vice-President, James Shield; Vice-President, Kevin Parzyck; Secretary, Joseph Condo, all with offices at One South Wacker Drive, Suite 1900, Chicago, IL 60606.

A public hearing will be held **Thursday, August 25, 2011 at 7:00 p.m.** prevailing time in the Lyle Shields Meeting Room, Brookens Administrative Center, 1776 E. Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition to:

Authorize a Wind Farm which consists of 30 Wind Farm Towers (wind turbines) in total with a total nameplate capacity of 48 megawatts (MW) of which 28 Wind Farm Towers with a total nameplate capacity of 45 MW are proposed in Compromise Township (Part A) and 2 Wind Farm Towers with a total nameplate capacity of 3 MW are proposed in Ogden Township (Part B), and including access roads, wiring, and public road improvements, and including waivers of standard conditions as listed below, on the following properties in Compromise Township (Part A) and Ogden Township (Part B) in Champaign County, Illinois:

PART A COMPROMISE TOWNSHIP

Section 19, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 19, with exceptions. A total of 6 Wind Farm Towers (wind turbines) are proposed in Section 19 as follows:

- 2 Wind Farm Towers are proposed in the Northwest Quarter of Section 19 on a 209.15 acre tract owned by G & E Farms, Inc., POB 35, Gifford, IL 61847-0335;
- 1 Wind Farm Tower is proposed in the Northeast Quarter of Section 19 on a 66 acre tract owned by William Pflugmacher, 333 Eiler Drive, Gifford, IL 61847-9727;
- 1 Wind Farm Tower is proposed in the Northeast Quarter of Section 19 on a 65.63 acre tract owned by Eric Suits, 2655 CR 2600E, Penfield, IL 61862;
- 1 Wind Farm Tower is proposed in the East Half of the Southwest Quarter of Section 19 on a 30 acre parcel owned by Louise Fruhling, 31361 N 750 East Rd, Potomac, IL 61865-6601;
- 1 Wind Farm Tower is proposed in the North Half of the Southeast Quarter of Section 19 on an 80 acre parcel owned by Loretta Fruhling/ Fruhling Family Trust, 388 Gibbs Drive, Rantoul, IL 61866

Other **participating** landowners in Section 19 are the following:
John Fruhling, 2499 CR 2600N, Penfield, IL 61862

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862
Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602
Greg Frerichs, 2506 CR2300N, Ogden IL 61859

Section 20, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes an 80 acre tract of land in the West Half of the Northwest Quarter of Section 20 and an 80 acre tract of land in the South Half of the Southwest Quarter of Section 20 and a 157.98 acre tract of land in the Southeast Quarter of Section 20. Participating landowners in Section 20 are the following:

Michael Babb, 2635 CR 2700E, Penfield, IL 61862
Marsha Gates, POB 704, Tolono, IL 61880
G & E Farms, Inc., 502 S. Main St. POB 35, Gifford, IL 61847-9713

Section 21, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes the Southwest Quarter of Section 21. Participating landowners in Section 21 are the following:

Derald and Florene Ackerman, 519 South Main Street, Gifford, IL 61847-9713
Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862
Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Section 24, T21N, R10E of the 3rd P.M., Compromise Township. The Special Use Permit includes the South Third of the Northwest Quarter and the Southwest Quarter. Participating landowners in Section 24 are the following:

Derald and Florene Ackerman, 519 South Main Street, Gifford, IL 61847-9713
Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Section 25, T21N, R10E of the 3rd P.M., Compromise Township. The Special Use Permit includes all of Section 25 with exceptions. A total of 2 Wind Farm Towers (wind turbines) are proposed in Section 25 as follows:

- 2 Wind Farm Towers are proposed on an 80 acre parcel in the South Half of the Southeast Quarter of Section 25 on land owned by the Mary Ruth Elfe Revocable Trust and Charlotte R. Van Blokland Trust, aka Tate Farm #3/Busey Ag Services, 3002 West Windsor Road, Champaign, IL 61822

Other participating landowners in Section 25 are the following:

Russell and Marilyn Buhr, 2594 CR 2300E, Gifford, IL 61847-9740
Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873
Luella Busboom, 2258 CR 2500N, St. Joseph, IL 61873
Maury Busboom, POB 131, Royal, IL 61871
Roger and Betty Gronewald, 508 E Main POB 117, Royal, IL 61871
Erna Hinrichs, 1037 Englewood Drive, Rantoul IL 61866
Darrell and Marilyn Mennenga, 5205 Beech Ridge Road, Nashville, TN 37221
David and Danita Uken, 2146 CR 2100N, St. Joseph, IL 61873

Section 28, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 28 with exceptions. A total of 3 Wind Farm Towers (wind turbines) are proposed in Section 28 as follows:

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

- 1 Wind Farm Tower is proposed on a 62.54 acre parcel in the Northeast Quarter of Section 28 on land owned by Kenneth Suits, 2738 CR 2600N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Southwest Quarter of Section 28 on land owned by Michael O'Neill, POB 236, Philo, IL 61864
- 1 Wind Farm Tower is proposed on a 70.26 acre parcel in the East Half of the Southeast Quarter of Section 28 on land owned by Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862

Other participating landowners in Section 28 are the following:

Michelle Babb, 2635 CR 2700E, Penfield, IL 61862
Alice Buck c/o Steve Buck, 609 Bayshore Drive, #9, Ft. Lauderdale, FL 33304
Steve Buck, 609 Bayshore Drive, #9, Ft. Lauderdale, FL 33304
Alice Cain Heirs c/o Steve Cain, POB 103, Philo, IL 61864
Gary Hovel, 2518 CR 2600E, Penfield, IL
Claas Hovel, 2971 CR 2700E, Penfield, IL
Jeffrey Suits, 2703 CR 2500N, Penfield, IL 61862
Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 61879

Section 29, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 29, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Section 29 as follows:

- 1 Wind Farm Tower is proposed on a 75 acre tract in the North Half of the Southeast Quarter of Section 29 on land owned by Velma Werner, 312 Penny Lane, Peotone, IL 60468

Other participating landowners in Section 29 are the following:

Albers Farm c/o Sandra J. King, POB 562, St. Joseph, IL 61872
Dick Albers, POB 213, Royal, IL 61871
Thomas and Patricia Buck, 2321 CR 2900N, Gifford, IL 61847
Bruinius Family Limited Partnership, 7723 W. Stuenkel Rd., Frankfort, IL 60423
Franzen Family Living Trust, 861 CR 900E, Tolono, IL 61880
Edgar and Sharon Hovel, 408 Moraine Dr., Rantoul, IL 61866
Gary Hovel, Trustee, 2518 CR 2600E, Penfield, IL 61862
Kenneth and Rosetta Suits, 2738 CR 2600N, Penfield, IL 61862

Fractional Section 30, T21N, R11E, of the 3rd P.M., Compromise Township. The Special Use Permit includes all of Fractional Section 30, with exceptions. A total of 5 Wind Farm Towers (wind turbines) are proposed in Fractional Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 60.86 acre parcel in the North Half of the South Half of Fractional Section 30 on land owned by Kay and John Fiscus, 105 Thomas Dr., St. Joseph, IL 61873
- 2 Wind Farm Towers are proposed on an 80 acre tract in the Southwest Quarter of Fractional Section 30 on land owned by Annette Brya Edwards c/o Busey Bank Ag Services, POB 107, Leroy, IL 61752
- 1 Wind Farm Tower is proposed on a 62.66 acre parcel in the East Half of Fractional Section 30 on land owned by Marvin and Pamela Ideus, 401 Eden Park Dr., Rantoul, IL 61866

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

- 1 Wind Farm Tower is proposed on an 80 acre parcel in the Southeast Quarter of Fractional Section 30 owned by Roseann Clifford, 2008 Sunview Dr., Champaign, IL 61821

Other participating landowners in Fractional Section 30 are the following:

Lois and Herbert Frerichs, POB 25, Royal, IL 61871
Alfred and Lorine Ideus, 2124 CR 2400N, St. Joseph, IL 61873
Roy and Barbara Johnson, 2640 CR 2500E, Penfield, IL 61862

Section 30, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 30 except the Northwest Quarter. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on an 80 acre parcel being the West Half of the Northeast Quarter of Section 30 on land owned by the Michael and Eileen Jarboe Trust, 2792 CR 2400N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on a 53.33 acre parcel located in the Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 30 on land owned by Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the West Half of the Southwest quarter of Section 30 on land owned by Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873

Other participating landowners in this Section 30 are the following:

John Blue, 2148 CR 2650E, Ogden, IL 61859
Daniel and Amy Cain, 2567 CR 2600E, Penfield, IL 61862
Edgar and Sharon Hovel, 408 Moraine Dr., Rantoul, IL 61866
Evelyn Suits, 2331 CR 2000E, Urbana, IL 61802
Robert and Dorene Pflugmacher, 866E CR 2250N, Ogden, IL 61859-9602

Fractional Section 31, T21N, R11E of the 3rd P.M., Compromise Township. The Special Use Permit includes the North Half of the Fractional Section 31 and the North Half of the Fractional Southwest Quarter of Fractional Section 31 and the East Half of the Southeast Quarter of Fractional Section 31. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 31 as follows:

- 1 Wind Farm Tower is proposed on a 140 acre parcel in the Northeast Quarter of Fractional Section 31 on land owned by Larry Foster, 28012 State Route 49, Armstrong, IL 61812

Other participating landowners in Fractional Section 31 are the following:

Mary Ruth Elfe Revocable Trust and Charlotte R. Van Blokland Trust, aka Tate Farm #3/Busey Ag Services, 3002 West Windsor Road, Champaign, IL 61822
John Blue, 2148 CR 2650E, Ogden, IL 61859
Judith E. Kopmann, POB 7, Royal, IL 61871
Douglas Walker and Susan Kingston, 1111 Stockholm Rd., Paxton, IL 60957

Section 31, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes the North Half of Section 31 and the Southwest Quarter of the Southeast Quarter of Section 31. One Wind Farm Tower (wind turbine) is proposed in this Section 31 as follows:

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Northeast Quarter of Section 31 on land owned by the LaVeda Pollack Trust c/o Kalin Kocher, 2455 CR 2600E, Penfield, IL 61862

Other participating landowners in this Section 31 are the following:

Larry Frerichs, 2474 CR 2500E, Penfield, IL 61862

Evelyn Suits, 2331 CR 2000E, Urbana, IL 61802

Carl and Jane Udovich, 3526 Bankview Dr., Joliet, IL 60431

Section 32, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 32 except a 1.10 acre tract of land located in the West Half of the Northwest Quarter of Section 32. Participating landowners in Section 32 are the following:

Delores Ann Rawlings, 2627 CR 2500N, Penfield, IL 61862

Brian Loschen, 2692 CR 2300N, Ogden, IL 61859

Illini FS, Inc., 1509 E. University Avenue, Urbana, IL 61802

Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 61879

Wendy M. Heeren Trust, 50 Maywood Dr., Danville, IL 61832

Arnold & Delores Loschen Trusts, 2654 CR 2400N, Ogden, IL 61859

Section 33, T21N, R14W of the 2nd P.M., Compromise Township. The Special Use Permit includes all of Section 33, with exceptions. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 40 acre parcel being the Northeast Quarter of the Northwest Quarter of Section 33 on land owned by Robert Long, Pearl St., Bluffs, IL 62621
- 1 Wind Farm Tower is proposed on a 77.04 acre parcel in the West Half of the Northeast Quarter of Section 33 on land owned by Roger N. Carter, 2562 CR 3000N, Penfield, IL 61862
- 1 Wind Farm Tower is proposed on an 80 acre parcel being the East Half of the Northeast Quarter of Section 33 on land owned by Harold and Darlene Hovel, POB 134, Royal, IL 61871

Other participating landowners in Section 33 are the following:

Michael and Eileen Jarboe Trusts, 2792 CR 2400N, Penfield, IL 61862

Thomas and Beverly Lee, 2308 Naples Court., Champaign, IL 61822

Dennis Madigan Living Trust, 18877 Medford, Beverly Hill, MI 48025

Section 36, T21N, R10E, Compromise Township. The Special Use Permit includes all of Section 36 except the South Half of the Northwest Quarter of Section 36 and the Southwest Quarter of Section 36. A total of 3 Wind Farm Towers (wind turbines) are proposed in this Section 30 as follows:

- 1 Wind Farm Tower is proposed on a 70 acre parcel in the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northeast Quarter of Section 36 on land owned by Earl and Delores Ideus, 508 N. West St., Gifford, IL 61847
- 1 Wind Farm Tower is proposed on a 50 acre parcel in the North Half of the South Half of the Northeast Quarter of Section 36 on land owned by Royce and Shauna Ideus, 2229 CR 2600N, Gifford, IL 61847

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

- 1 Wind Farm Tower is proposed on a 157 acre parcel in the Southeast Quarter of Section 36 on land owned by Judith, Leroy and Bonita Kopmann, POB 7, Royal, IL 61871
- Other participating landowners in Section 36 are the following:
Leroy and Bonita Kopmann Trust, 117 Susan Drive, Dwight, IL 60420

PART B OGDEN TOWNSHIP

Fractional Section 6, T20N, R11E of the 3rd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 6 except the Fractional Northwest Quarter of Fractional Section 6 and except the North Half of the Southwest Fractional Quarter of Fractional Section 6 and except the Northwest Quarter of the Southeast Quarter of Fractional Section 6 and except the West Half of the Northeast Fractional Quarter of Fractional Section 6. Participating landowners in Fractional Section 6 are the following:

Delores Ann Harms Trustee, POB 87, Royal, IL 61871
Mildred Hinrichs Trust, c/o Laveda Clem, 1982 CR 2100N, Urbana, IL 61822
Herbert and Betty Osterbur, 302 Benjamin Street, Royal, IL 61871

Fractional Section 6, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 6, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 6 as follows:

- 1 Wind Farm Tower is proposed on an 83.84 acre tract of land in the Southwest Quarter of Fractional Section 6 on land owned by Sylvia Flessner-Fulk, POB 837, St. Joseph, IL 61873

Other participating landowners in Fractional Section 6 are the following:

Darrell Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Kristi Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Neil Bruns, c/o Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Marlys McCartney, 1113 Ascot Dr., Rantoul, IL 61866
Marvin and Bernita Harms Trust, 2592 CR 2145N, St. Joseph, IL 61873
Gene and Deanna Osterbur Irrevocable Trust c/o Julie Carlson, 3828 East Whipporwhill Lane, Byron IL 61010
Reka Sage, 2304A CR 3000N, Apt. 203, Gifford, IL 61847
Wayne and Roxie Sage, 2545 CR 2400N, Ogden, IL 61859

Fractional Section 5, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Fractional Section 5, with exceptions. One Wind Farm Tower (wind turbine) is proposed in Fractional Section 5 as follows:

- 1 Wind Farm Tower is proposed on a 78.10 acre parcel in the Fractional North Half of Fractional Section 5 on land owned by Mark Loschen, 2455 CR 2050N, St. Joseph, IL 61873

Other participating landowners in Fractional Section 5 are the following:

Anna Albers, 2304A CR 3000N, Apt. 107, Gifford, IL 61847
Albers Farm c/o Sandra J. King, POB 562, St. Joseph, IL 61872
Douglas Frerichs, 2634 CR 2300N, Ogden, IL 61859
Arnold and Delores Loschen Trusts, 2654 CR200N, Ogden IL 61859
Gene and Deanna Osterbur c/o Julie Carlson, 3828 East Whipporwhill Lane, Byron IL 61010

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

Wayne and Roxie Sage, 2545 CR 2400N, Ogden, IL 61859
Dan Shearin, 2431 Parklake Drive, Morris, IL 60450

Fractional Section 4, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes a 72.8 acre tract of land located in the West Half of the West Half of Fractional Section 4 and an 80 acre tract of land located in the South Half of the Southeast Quarter of Fractional Section 4. Participating landowners in Fractional Section 4 are the following:
Inez K. Britt, 2333 CR 2800E, Ogden, IL 61859
John and Erna Ludwig Living Trusts, c/o Judith Ludwig Gorham, 409 N. Cherry St., Galesburg, IL 61401

Fractional Section 7, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes the Northeast Quarter of Fractional Section 7, with exceptions and a 60 acre tract of land in the East Half of the Southeast Quarter of Fractional Section 7. Participating landowners in Fractional Section 7 are the following:
Vernon and Wilma Buhr, 2152 CR 2400N, St. Joseph, IL 61873
Louis and Laverne Osterbur, 2293 CR 2600E, Ogden, IL 61859

Section 8, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes all of Section 8 with the exception of 160 acres in the West Half of Section 8 and 60.85 acres in the Southeast Quarter of Section 8. Participating landowners in Section 8 are the following:
Albert J. Franzen, POB 206, Broadlands, IL 61816
John and Erna Ludwig Living Trust, c/o Judith Ludwig Gorham, 409 N. Cherry St., Galesburg, IL 61401
Jillene and Ben Henderson, 2651 CR 2150N, Ogden, IL 61859
Randall and Deanna Loschen, 2629 CR 1800N, Ogden, IL 61859
Union Pacific Railroad, 1400 Douglas, Stop 1640, Omaha, NE 61879

Section 9, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes the Northwest Quarter of Section 9 and the Northeast Quarter of the Southeast Quarter of Section 9 and a 100 acre tract of land in the South Half of the Northeast Quarter and the West Half of the West Half of the Southeast Quarter of Section 9 and the East Half of the Southwest Quarter of Section 9. Participating landowners in Section 9 are the following:
Robert Scott Trust and Alsip Family Trust c/o Robert P. Scott, 107 Arrowhead Lane, Haines City, FL 33844
Robert and Joan Sattler Trusts, 207 McKinley, Milford, IL 60953
Busboom Family Trust c/o Glen L. and Billie J. Busboom, 2756 CR 2200N, Ogden, IL 61859

Section 16, T20N, R14W of the 2nd P.M., Ogden Township. The Special Use Permit includes an 80 acre tract of land in the East Half of the Northeast Quarter of Section 16. Participating landowners in Section 9 are the following:
Carol Sage Peak, c/o Helen Green, 206 Ridgeview St., Danville, IL 61832.
Clifford Peak, c/o Helen Green, 206 Ridgeview St., Danville, IL 61832.
Helen Green, 206 Ridgeview St., Danville, IL 61832.

Attachment A. Public Notice (modified legal advertisement) for Case 696-S-11 Parts A and B

Case 696-S-11
AUGUST 11, 2011

Waivers of standard conditions in Section 6.1.4 are required as follows:

1. Waive the standard condition of 6.1.4 A. 1.(e) that requires the special use permit area to include a minimum of 40 feet wide area for electrical lines
2. Waive the standard condition of 6.1.4 A.2.(b) that requires a wind farm to be a minimum of one mile from the CR District to allow wind farm wiring to be less than one mile from the CR District.
3. Waive the standard conditions of 6.1.4 C.3. and 6.1.4 C.8. that require the application to include copies of all private waivers of wind farm separations.
4. Waive the standard condition of 6.1.4 D. 1 (a) that requires certificates of design compliance from Underwriters Laboratories (“UL”) or equivalent third party.
5. Waive the standard condition of 6.1.4 D.9 that requires wind farm towers to be protected by non-climbing devices 12 feet vertically from the base.
6. Waive the standard condition of 6.1.4 F.1. that requires a signed Roadway Upgrade and Maintenance Agreement prior to the close of the public hearing before the Zoning Board of Appeals.
7. Waive the standard condition of 6.1.4 F.1.u. that requires street upgrades be in accordance with IDOT Bureau of Local Roads manual, 2005 edition.
8. Waive the standard condition 6.1.4 I. 1. that requires the noise level of each wind farm tower and wind farm to be in compliance with the Illinois Pollution Control Board regulations at the residential property line rather than to be compliance just at the dwelling.
9. Waive the standard condition of 6.1.4 J. that requires the application to contain a copy of the Agency Action Report from the Illinois Department of Natural Resources Endangered Species Program.
10. Waive the standard condition of 6.1.4 P.4.(b) that requires the applicant to gradually pay down 100% of the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13 years of the Wind Farm operation.
11. Waive the standard condition of 6.1.4 S.1.(c)(3) that requires that locations of wind turbines for the zoning use permit application cannot increase the noise impact over that approved in the special use permit.

All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time.

Eric Thorsland, Chair
Champaign County Zoning Board of Appeals

Attachment B Table of Necessary Waivers

Case 696-S-11

August 25, 2011

Waiver	Requested or Required	Degree of Waiver	Notes
1. Waive the standard condition of 6.1.4 A. 1.(e) that requires the special use permit area to include a minimum of 40 feet wide area for electrical lines.	Requested	Essentially no waiver as the area of the special use permit will be greater than the minimum required	
2. Waive the standard condition of 6.1.4 A.2.(b) that requires a wind farm to be a minimum of one mile from the CR District to allow wind farm wiring to be less than one mile from the CR District.	Required	100% waiver but only for underground wiring which should have little actual impact	
3. Waive the standard conditions of 6.1.4 C.3. and 6.1.4 C.8. that require the application to include copies of all private waivers of wind farm separations.	Required	100% waiver but only in regards to participating landowners	
4. Waive the standard condition of 6.1.4 D. 1 (a) that requires certificates of design compliance from Underwriters Laboratories ("UL") or equivalent third party.	Required	100% waiver but the intent is to be in compliance before commercial operation commences.	See the proposed special condition.
5. Waive the standard condition of 6.1.4 D.9 that requires wind farm towers to be protected by non-climbing devices 12 feet vertically from the base.	Requested	100% waiver but it could be argued that the waiver is not required	
6. Waive the standard condition of 6.1.4 F.1. that requires a signed Roadway Upgrade and Maintenance Agreement prior to the close of the public hearing before the Zoning Board of Appeals.	Required	100% waiver but the intent is to be in compliance before the County Board takes action	See the proposed special condition.
7. Waive the standard condition of 6.1.4 F.1.u. that requires street upgrades be in accordance with IDOT Bureau of Local Roads manual, 2005 edition.	Requested	100% waiver	
8. Waive the standard condition 6.1.4 I. 1. that requires the noise level of each wind farm tower and wind farm to be in compliance with the Illinois Pollution Control Board regulations at the residential property line rather than to be compliance just at the dwelling.	Required	Partial waiver that is subject to some dispute; see the discussion regarding the IPCB noise regulations	
9. Waive the standard condition of 6.1.4 J. that requires the application to contain a copy of the Agency Action Report from the Illinois Department of Natural Resources Endangered Species Program.	Requested	The waiver may not actually be required because the substantive requirement appears to have been met. See the discussion.	
10. Waive the standard condition of 6.1.4 P.4.(b) that requires the applicant to gradually pay down 100% of the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13	Requested	Only a partial waiver is requested.	

years of the Wind Farm operation.			
11. Waive the standard condition of 6.1.4 S.1.(c)(3) that requires that locations of wind turbines for the zoning use permit application cannot increase the noise impact over that approved in the special use permit.	Required	Only a partial waiver	The request is not to waive the applicable noise regulations but simply to provide greater flexibility for final turbine placement. The final turbine locations are still proposed to meet the applicable noise regulations

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

Waivers of standard conditions in Section 6.1.4 are required as follows:

1. Waive the standard condition of 6.1.4 A. 1.(e) that requires the special use permit area to include a minimum of 40 feet wide area for electrical lines.

Requested by Invenergy on p. 3-9 of the *California Ridge Wind Energy Project Champaign County Special Use Permit Application* received July 1, 2011. The following are relevant considerations:

a. From p. 3-9 of the *Application*:

- (1) During construction California Ridge will encounter field conditions which occasionally require rerouting of collection systems amongst a property.
- (2) Some relevant information will not be known until immediately before or during construction and will require adjustment and relocation of underground cable installations.
- (3) Authorizing the requested waiver will allow adjustments up to until and during construction to ensure field conditions and landowner concerns are accounted for in the final wind farm design and construction.

b. As proposed, the area of the WIND FARM Special Use Permit will be much larger than the minimum area intended by the requirements of 6.1.4A.1.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

2. **Waive the standard condition of 6.1.4 A.2.(b) that requires a wind farm to be a minimum of one mile from the CR District to allow wind farm wiring to be less than one mile from the CR District.**

Item 6.1.4 A.2.(b) requires a wind farm to be a minimum of one mile from the CR District. Some of the land participating in the wind farm is actually located within one-and-one-half miles of the CR District but the only wind farm development proposed within a mile of the CR District is the installation of underground wiring. The following are relevant considerations:

- a. The area where the wiring is proposed has been in row crop production since before the *Zoning Ordinance* was adopted on October 10, 1973, and the installation of wiring will not disturb any wooded area or area of significant native vegetation.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

3. **Waive the standard conditions of 6.1.4 C.3. and 6.1.4 C.8. that require the application to include copies of all private waivers of wind farm separations.**

The following are relevant considerations:

- a. No private waivers appear to be required from non-participating landowners and the only private waivers that are required would be from participating landowners.
- b. Participating landowners may be presumed to be in agreement with all separations or they would not be participating.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

4. **Waive the standard condition of 6.1.4 D. 1 (a) that requires certificates of design compliance from Underwriters Laboratories (“UL”) or equivalent third party.**

The following are relevant considerations:

- a. The certificate of design compliance from Underwriters Laboratories (“UL”) or an equivalent third party is intended to document that the wind farm turbines meet relevant industry safety standards.
- b. The manufacturer has not yet received a certificate of compliance for this model of turbine.
- c. The applicant should be able to provide the certificate of design compliance before the wind farm begins commercial operation.
- d. The Zoning Administrator must authorize a Zoning Compliance Certificate for the wind farm before the wind farm begins commercial operation and a special condition has been proposed to require the submission of a certificate of design compliance as a prerequisite to receiving a Zoning Compliance Certificate.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

The following special condition makes it clear that a **certificate of design compliance from Underwriters Laboratories (“UL”) or equivalent third party shall be required:**

The Zoning Administrator shall not approve a Zoning Compliance Certificate until the applicant submits a copy of a certificate of design compliance from Underwriters Laboratories (“UL”) or equivalent third party

To ensure that:

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

The wind farm turbines are certified to meet relevant industry safety standards.

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

5. **Waive the standard condition of 6.1.4 D.9 that requires wind farm towers to be protected by non-climbing devices 12 feet vertically from the base.**

Requested by Invenergy on p. 4-1 of the *California Ridge Wind Energy Project Champaign County Special Use Permit Application* received July 1, 2011. The following are relevant considerations:

a. From p. 4-1 of the *Application*:

- (1) The GE 1.6-100 turbines included in this permit application are freestanding, monopole tubular steel towers with a diameter of approximately 15 feet.
- (2) All surfaces are sandblasted and multiple layers of coating are applied for protection against corrosion.
- (3) Rather than have a steel lattice structure these wind turbines have a smooth, solid steel structure and access to the turbine is through a lockable steel door at the base of the tower.
- (4) Requiring anti-climbing devices and fences on a monopole tubular structure which is only accessible through a lockable steel door is both duplicative and unnecessary.

b. The lockable steel door at the base of the tower could be considered a type of anti-climbing device.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

6. **Waive the standard condition of 6.1.4 F.1. that requires a signed Roadway Upgrade and Maintenance Agreement prior to the close of the public hearing before the Zoning Board of Appeals.**

The following are relevant considerations:

- (a) Subparagraph 6.1.4F.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.
- (b) There is no signed Roadway Upgrade and Maintenance agreement approved by either the County Engineer and State's Attorney or the Compromise or Ogden Township Highway Commissioners.
- (c) Appendix H of the *California Ridge Wind Energy Project Champaign County Special Use Permit Application* received July 1, 2011, states that a Road Use and Repair Agreement is still being negotiated with the Champaign County Engineer and the Compromise and Ogden Township Highway Commissioners. The *Application* did not request this waiver.
- (c) A letter regarding road use agreements was received from Marvin Johnson, Compromise Township Highway Commissioner, and Greg Frerichs, Ogden Township Highway Commissioner, on August 18, 2011. The letter can be summarized as follows:
 - (1) the Highway Commissioners have been discussing the use of township roads for the construction of the California Ridge Wind Farm with Invenergy since the Spring of 2009;
 - (2) they remain optimistic that the terms of an agreement can be reached within the next few weeks;
 - (3) they request that the ZBA adhere to the terms of the Zoning Ordinance while allowing them to fulfill their responsibilities as Highway Commissioners.
- (d) The County Engineer has also been involved in similar negotiations since the Spring of 2009 but has not submitted a letter regarding that agreement. If the County Engineer did not feel that the negotiations were productive it is likely that he would let the ZBA know about those unproductive negotiations.
- (e) A special condition has been proposed to require all required Roadway Upgrade and Maintenance Agreements to be signed and submitted prior to the County Board decision in this special use permit. The condition will allow the negotiations to continue as long as necessary and should ensure that signed agreements are submitted before any County Board decision.

Regarding the required findings for this waiver of standard condition:

- (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 _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

-
- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

-

The following special condition makes it clear that a signed Roadway Upgrade and Maintenance Agreement shall be required prior to any County Board decision on this special use permit:

The County Board shall not make a final decision in Case 696-S-11 until copies of signed Roadway Upgrade and Maintenance Agreements are received from all relevant highway jurisdictions

To ensure that:

All relevant highway jurisdictions are allowed to fulfill their responsibilities without unduly delaying a final decision in Case 696-S-11.

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

7. **Waive the standard condition of 6.1.4 F.1.u. that requires street upgrades be in accordance with IDOT Bureau of Local Roads manual, 2005 edition.**

Requested by Invenergy on p. H-1 in Appendix H of the *California Ridge Wind Energy Project Champaign County Special Use Permit Application* received July 1, 2011. The following are relevant considerations:

a. From Appendix H of the *Application*:

- (1) A Road Use and Repair Agreement is still being negotiated with the Champaign County Engineer and the Compromise and Ogden Township Highway Commissioners.
- (2) The intent of the Road Use and Repair Agreement is to insure that roads used in connection to the wind farm are in as good a condition after the wind farm construction as they were before the wind farm construction.
- (3) Implementation of upgrade requirements called for by the Bureau of Local Roads and Streets Manual would entail substantial widening and reconstruction of a number of roads and that would impose a significant financial burden on California Ridge to the extent that it would jeopardize the financial viability of the wind farm.
- (4) Pursuant to the Illinois Highway Code, a Township Highway Commissioner does not have the authority to unilaterally agree to the widening or alternation of township roads.

b. Repairing or rebuilding roads is not necessarily the same as an upgrade.

Regarding the required findings for this waiver of standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

8. Waive the standard condition 6.1.4 I. 1. that requires the noise level of each wind farm tower and wind farm to be in compliance with the Illinois Pollution Control Board regulations at the residential property line rather than to be compliance just at the dwelling.

The following are relevant considerations:

- a. Subparagraph 6.1.4 I. 1. requires the noise level from each WIND FARM TOWER or WIND FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
- b. Regarding the Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910):
 - (1) 35 IAC 901.101 b) defines Class A land as all land used as specified by LBSC Codes 1000 through 1340, 2410 through 2455, 5200 through 5230, 5500, 6100 through 6145, 6222, 6510 through 6530, 6568 through 6600.
 - (2) Appendix B to 35 IAC 901 identifies LBCS Code 1100 as “Private Household” and as Class A under 35 IAC 901 Land Class.
 - (3) Appendix B to 35 IAC 901 does not contain the land use “wind farm” but does identify “alternative energy sources” under LBCS Code 4314 as Class C.
 - (4) 35 IAC 901.102 regulates the emission of sound from any property line noise source located on any Class A,B, or C land to any receiving Class A land. One type of Class A land is land used for a private household.
- c. Regarding the compliance of the proposed WIND FARM with the applicable IPCB noise regulations:
 - (1) The discussion of the anticipated noise levels on p. 5-3 of the *Application* explains that “a total of 553 receptors (at residences) were modeled for the Project area.” and refers several times to “residences” as “noise receivers” but never refers to “residential land”.
 - (2) Tables 5 and 6 in Appendix C summarize the daytime and nighttime sound analysis modeling results for the relevant octave bands for the residence with the highest noise level and compares those results to the maximum allowable sound level. The modeling results are lower than the maximum allowable sound level for all octave bands.
 - (3) Appendix C in Appendix C gives the noise modeling results on an hourly basis (Leq) for all receptors and the maximum allowable sound level is never exceeded at any octave band but IPCB noise regulations do not regulate Leq.
- d. In a letter approved at the October 29, 2009, ZBA meeting the ZBA had requested that the County Board approve the hiring of a noise consultant to provide a qualified evaluation of wind farm noise submittals. At the November 30, 2009, the Environment and Land Use Committee voted to not hire a noise consultant to evaluate the noise studies submitted by wind farm developers.

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

Regarding the required findings for this waiver of the standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

9. **Waive the standard condition of 6.1.4 J. that requires the application to contain a copy of the Agency Action Report from the Illinois Department of Natural Resources Endangered Species Program.**

The following are relevant considerations:

- a. Subparagraph 6.1.4 J. requires the application to contain a copy of the Agency Action Report from the Illinois Department of Natural Resources Endangered Species Program.
- b. As requested by Invenergy on pages 5-19 and 5-20 of the *California Ridge Wind Energy Project Champaign County Special Use Permit Application* received July 1, 2011:
 - (1) California Ridge consulted with the Illinois Department of Natural Resources (IDNR) and a letter dated December 4, 2009, was received from the IDNR and included in Appendix J. In the letter Keith Shank stated "The Department's consultation process for this propose is terminated."
 - c. In the letter dated December 4, 2009, from the IDNR Keith Shank also stated that the consultation was only valid for a two-year period and if the proposed action was not implemented in that time a new consultation will be necessary.
 - d. In a July 13, 2011, email to John Hall, Keith Shank stated as follows:
 - (1) His letter dated December 4, 2009, would substitute for an Agency Action Report and the consultation was not out of date but that conditions had changed regarding the Indiana Bat and the Mudpuppy Salamander and an updated consultation was necessitated.
 - (2) Consultation is technically not complete until the authorizing agency (Champaign County) stated its response to the IDNR recommendations.

Regarding the required findings for this waiver of the standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11

August 25, 2011

10. **Waive the standard condition of 6.1.4 P.4.(b) that requires the applicant to gradually pay down 100% of the value of the irrevocable letter of credit by placing cash deposits in an escrow account over the first 13 years of the Wind Farm operation.**

Evidence to be added

Regarding the required findings for this waiver of the standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties *{DO / DO NOT}* result from actions of the applicant because _____

Attachment C Relevant Considerations For Necessary Waivers

Case 696-S-11
August 25, 2011

11. Waive the standard condition of 6.1.4 S.1.(c)(3) that requires that locations of wind turbines for the zoning use permit application cannot increase the noise impact over that approved in the special use permit.

The following are relevant considerations:

- a. Subparagraph 6.1.4 S.1.(c)(3) requires that locations of wind turbines for the zoning use permit application cannot increase the noise impact over that approved in the special use permit.
- b. The applicant has requested that the special use permit allow greater flexibility in adjusting the final location of WIND FARM TOWERS provided that the applicable noise regulations are not exceeded. The requested flexibility could result in somewhat greater noise levels than indicated in Appendix C of the *Application* but the noise level at any residence would not be greater than allowed under the IPCB regulations

Regarding the required findings for this waiver of the standard condition:

- (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 _____

- (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 _____

- (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 _____

- (4) The special conditions, circumstances, hardships, or practical difficulties **{DO / DO NOT}** result from actions of the applicant because _____

**TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE H: NOISE
CHAPTER I: POLLUTION CONTROL BOARD**

**PART 901
SOUND EMISSION STANDARDS AND LIMITATIONS FOR PROPERTY LINE-NOISE-
SOURCES**

Section	
901.101	Classification of Land According to Use
901.102	Sound Emitted to Class A Land
901.103	Sound Emitted to Class B Land
901.104	Highly - Impulsive Sound
901.105	Impact Forging Operations
901.106	Prominent Discrete Tones
901.107	Exceptions
901.108	Compliance Dates for Part 901
901.109	Highly - Impulsive Sound from Explosive Blasting
901.110	Amforge Operational Level
901.111	Modern Drop Forge Operational Level
901.112	Wyman-Gordon Operational Level
901.113	Wagner Casting Site-Specific Operational Level (Repealed)
901.114	Moline Forge Operational Level
901.115	Cornell Forge Hampshire Division Site-Specific Operational Level
901.116	Forgings and Stampings, Inc. Operational Level
901.117	Rockford Drop Forge Company Operational Level
901.118	Scot Forge Company – Franklin Park Division Operational Level
901.119	Clifford-Jacobs Operational Level
901.120	C.S. Norcross Operational Level
901.121	Vaughan & Bushnell Operational Level
901.122	Ameren Elgin Facility Site-Specific Noise Emission Limitations
901.APPENDIX	Old Rule Numbers Referenced
A	
901.APPENDIX	Land-Based Classification Standards and Corresponding 35 Ill. Adm.
B	Code 901 Land Classes

AUTHORITY: Implementing Section 25 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/25 and 27].

SOURCE: Originally filed as Part 2 of Chapter 8: Noise Pollution, effective August 10, 1973; amended at 2 Ill. Reg. 27. p. 223, effective June 26, 1978; amended at 5 Ill. Reg. 6371, effective June 1, 1981; amended at 5 Ill. Reg. 8533, effective August 10, 1981; amended at 6 Ill. Reg. 10960, effective September 1, 1982; codified at 7 Ill. Reg. 13646; amended at 7 Ill. Reg. 14519, effective October 17, 1983; amended in R83-35 at 8 Ill. Reg. 18893, effective September 25, 1984; amended in R83-33, 26, 29, 30 and R83-34 at 9 Ill. Reg. 1405, effective January 17, 1985; Section 901.105(f)(1), (2) and (3) recodified to Sections 901.110, 901.111 and 901.112 at 9 Ill. Reg. 7147; amended in R83-25, 31 and 32 at 9 Ill. Reg. 7149, effective May 7, 1985; amended in R83-7 at 11 Ill. Reg. 3136, effective January

28, 1987; amended in R04-11, at 28 Ill. Reg. 11910, effective July 30, 2004; amended in R03-9 at 30 Ill. Reg.5533, effective March 10, 2006; amended in R06-11 at 31 Ill. Reg. 1984, effective January 12, 2007.

Section 901.101 Classification of Land According to Use

- a) The land use classification system used for the purposes of applying numeric sound standards for this Part is based on the Land-Based Classification Standards (LBCS) (Jeer, Sanjay. 2001. Land-Based Classification Standards . Online, <http://www.planning.org/LBCS>. American Planning Association: Chicago, Illinois). The LBCS applicable to this Part is set forth in Appendix B.
- b) Class A land includes all land used as specified by LBCS Codes 1000 through 1340, 2410 through 2455, 5200 through 5230, 5500, 6100 through 6145, 6222, 6510 through 6530, 6568 through 6600.
- c) Class B land includes all land used as specified by LBCS Codes 2100 through 2336, 2500 through 2720, 3500 through 3600, 4220 through 4243, 5100 through 5160, 5300 through 5390, 5400, 6147, 6210 through 6221, 6300 through 6320, 6400 through 6430, 6560 through 6567, 6700 through 6830, 7100 through 7380.
- d) Class C land includes all land used as specified by LBCS Codes 3100 through 3440, 4120 through 4180, 4210 through 4212, 4300 through 4347, 7400 through 7450, 8000 through 8500, and 9100 through 9520.
- e) A parcel or tract of land used as specified by LBCS Code 9100, 9400, or 5500 when adjacent to Class B or C land may be classified similarly by action of a municipal government having zoning jurisdiction over such land. Notwithstanding any subsequent changes in actual land use, land so classified retains such B or C classification until the municipal government removes the classification adopted by it.

(Source: Amended at 30 Ill. Reg.5533, effective March 10, 2006)

Section 901.102 Sound Emitted to Class A Land

- a) Except as elsewhere provided in this Part, no person shall cause or allow the emission of sound during daytime hours from any property-line-noise-source located on any Class A, B or C land to any receiving Class A land which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within such receiving Class A land, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such property-line-noise-source.

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving Class A Land from		
	Class C Land	Class B Land	Class A Land

31.5	75	72	72
63	74	71	71
125	69	65	65
250	64	57	57
500	58	51	51
1000	52	45	45
2000	47	39	39
4000	43	34	34
8000	40	32	32

- b) Except as provided elsewhere in this Part, no person shall cause or allow the emission of sound during nighttime hours from any property-line-noise-source located on any Class A, B or C land to any receiving Class A land which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within such receiving Class A land, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such property-line-noise-source.

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving Class A Land from		
	Class C Land	Class B Land	Class A Land
31.5	69	63	63
63	67	61	61
125	62	55	55
250	54	47	47
500	47	40	40
1000	41	35	35
2000	36	30	30
4000	32	25	25
8000	32	25	25

(Source: Amended at 30 Ill. Reg.5533, effective March 10, 2006)

Section 901.103 Sound Emitted to Class B Land

Except as provided elsewhere in this Part, no person shall cause or allow the emission of sound from any property-line-noise-source located on any Class A, B or C land to any receiving Class B land which exceeds any allowable octave band sound pressure level specified in the following table, when measured at any point within such receiving Class B land, provided, however, that no measurement of sound pressure levels shall be made less than 25 feet from such property-line-noise-source.

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving Class B Land from		
	Class C Land	Class B Land	Class A Land

Old Part 2 of Chapter 8

35 Ill. Adm. Code Part 901

Rule 201	Section 901.101
Rule 202	Section 901.102(a)
Rule 203	Section 901.102(b)
Rule 204	Section 901.103
Rule 205	Repealed
Rule 205 (was old 206)	Section 901.104
Rule 206 (new rule)	Section 901.105
Rule 207	Section 901.106
Rule 208	Section 901.107
Rule 209	Section 901.108
Rule 210	Section 901.109
Added in Codification	Appendix A
Unnumbered Appendix to Chapter 8, Part 2	Appendix B

Section 901.APPENDIX B Land-Based Classification Standards and Corresponding 35 Ill. Adm. Code 901 Land Classes

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		

Residence or accommodation functions	1000	Residence or accommodation functions	A
	1100	Private household	
	1200	Housing services for the elderly	
	1210	Retirement housing services	
	1220	Congregate living services	
	1230	Assisted-living services	
	1240	Life care or continuing care services	
	1250	Skilled-nursing services	
	1300	Hotels, motels, or other accommodation services	
	1310	Bed and breakfast inn	
	1320	Rooming and boarding	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	1330	Hotel, motel, or tourist court	A
	1340	Casino hotel	
General sales or services	2000	General sales or services	
	2100	Retail sales or service	B
	2110	Automobile sales or service establishment	
	2111	Car dealer	
	2112	Bus, truck, mobile homes, or large vehicles	<input type="checkbox"/>
	2113	Bicycle, motorcycle, ATV, etc.	<input type="checkbox"/>
	2114	Boat or marine craft dealer	<input type="checkbox"/>
	2115	Parts, accessories, or tires	<input type="checkbox"/>
	2116	Gasoline service	<input type="checkbox"/>
	2120	Heavy consumer goods sales or service	<input type="checkbox"/>
	2121	Furniture or home furnishings	<input type="checkbox"/>
	2122	Hardware, home centers, etc.	<input type="checkbox"/>
	2123	Lawn and garden supplies	<input type="checkbox"/>
	2124	Department store, warehouse club or superstore	<input type="checkbox"/>
	2125	Electronics and Appliances	<input type="checkbox"/>
	2126	Lumber yard and building materials	<input type="checkbox"/>
	2127	Heating and plumbing equipment	<input type="checkbox"/>
	2130	Durable consumer goods sales and service	<input type="checkbox"/>
	2131	Computer and software	<input type="checkbox"/>
	2132	Camera and photographic supplies	<input type="checkbox"/>
	2133	Clothing, jewelry, luggage, shoes, etc.	<input type="checkbox"/>
	2134	Sporting goods, toy and hobby, and musical instruments	<input type="checkbox"/>
	2135	Books, magazines, music, stationery	<input type="checkbox"/>
	2140	Consumer goods, other	<input type="checkbox"/>
	2141	Florist	<input type="checkbox"/>
2142	Art dealers, supplies, sales and service	<input type="checkbox"/>	
2143	Tobacco or tobacconist establishment	<input type="checkbox"/>	
2144	Mail order or direct selling establishment	<input type="checkbox"/>	
2145	Antique shops, flea markets, etc.	<input type="checkbox"/>	
2150	Grocery, food, beverage, dairy, etc.	<input type="checkbox"/>	
2151	Grocery store, supermarket, or bakery	<input type="checkbox"/>	
2152	Convenience store	<input type="checkbox"/>	
2153	Specialty food store	<input type="checkbox"/>	
2154	Fruit and vegetable store	<input type="checkbox"/>	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	2155	Beer, wine, and liquor store	<input type="checkbox"/>
	2160	Health and personal care	<input type="checkbox"/>
	2161	Pharmacy or drug store	<input type="checkbox"/>
	2162	Cosmetic and beauty supplies	<input type="checkbox"/>
	2163	Optical	<input type="checkbox"/>
	2200	Finance and Insurance	<input type="checkbox"/>
	2210	Bank, credit union, or savings institution	<input type="checkbox"/>
	2220	Credit and finance establishment	<input type="checkbox"/>
	2230	Investment banking, securities, and brokerages	<input type="checkbox"/>
	2240	Insurance-related establishment	<input type="checkbox"/>
	2250	Fund, trust, or other financial establishment	<input type="checkbox"/>
	2300	Real estate, and rental and leasing	<input type="checkbox"/>
	2310	Real estate services	<input type="checkbox"/>
	2320	Property management services	<input type="checkbox"/>
	2321	Commercial property-related	<input type="checkbox"/>
	2322	Rental housing-related	<input type="checkbox"/>
	2330	Rental and leasing	<input type="checkbox"/>
	2331	Cars	<input type="checkbox"/>
	2332	Leasing trucks, trailers, RVs, etc.	<input type="checkbox"/>
	2333	Recreational goods rental	<input type="checkbox"/>
	2334	Leasing commercial, industrial machinery, and equipment	<input type="checkbox"/>
	2335	Consumer goods rental	<input type="checkbox"/>
	2336	Intellectual property rental (video, music, software, etc.)	B
	2400	Business, professional, scientific, and technical services	A
	2410	Professional services	
	2411	Legal services	
	2412	Accounting, tax, bookkeeping, payroll services	
	2413	Architectural, engineering, and related services	
	2414	Graphic, industrial, interior design services	
	2415	Consulting services (management, environmental, etc.)	
	2416	Research and development services (scientific, etc.)	
	2417	Advertising, media, and photography services	
	2418	Veterinary services	
	2420	Administrative services	
	2421	Office and administrative services	
	2422	Facilities support services	
	2423	Employment agency	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	2424	Business support services	<input type="checkbox"/>
	2425	Collection agency	<input type="checkbox"/>
	2430	Travel arrangement and reservation services	<input type="checkbox"/>
	2440	Investigation and security services	<input type="checkbox"/>
	2450	Services to buildings and dwellings	<input type="checkbox"/>
	2451	Extermination and pest control	<input type="checkbox"/>
	2452	Janitorial	<input type="checkbox"/>
	2453	Landscaping	<input type="checkbox"/>
	2454	Carpet and upholstery cleaning	
	2455	Packing, crating, and convention and trade show services	A
	2500	Food services	B
	2510	Full-service restaurant	
	2520	Cafeteria or limited service restaurant	
	2530	Snack or nonalcoholic bar	<input type="checkbox"/>
	2540	Bar or drinking place	<input type="checkbox"/>
	2550	Mobile food services	<input type="checkbox"/>
	2560	Caterer	<input type="checkbox"/>
	2570	Food service contractor	<input type="checkbox"/>
	2580	Vending machine operator	<input type="checkbox"/>
	2600	Personal services	<input type="checkbox"/>
	2700	Pet and animal sales or service (except veterinary)	<input type="checkbox"/>
	2710	Pet or pet supply store	
	2720	Animal and pet services	B
Manufacturing and wholesale trade	3000	Manufacturing and wholesale trade	
	3100	Food, textiles, and related products	C
	3110	Food and beverages	
	3120	Tobacco manufacturing establishment	
	3130	Textiles	
	3140	Leather and allied products	
	3200	Wood, paper, and printing products	
	3210	Wood products establishment	
	3220	Paper and printing materials	
	3230	Furniture and related products	
	3300	Chemicals, and metals, machinery, and electronics manufacturing	
	3310	Petroleum and coal products	
	3320	Chemicals, plastics, and rubber products	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	3330	Nonmetallic mineral products	□
	3340	Primary metal manufacturing	□
	3350	Machinery manufacturing	□
	3360	Electrical equipment, appliance, and components manufacturing	□
	3370	Transportation equipment, automobiles, etc.	□
	3400	Miscellaneous manufacturing	□
	3410	Jewelry and silverware	□
	3420	Dolls, toys, games, and musical instruments	□
	3430	Office supplies, inks, etc.	
	3440	Signs	C
	3500	Wholesale trade establishment	B
	3510	Durable goods	
	3520	Nondurable goods	□
	3600	Warehouse and storage services	B
Transportation, communication, information, and utilities	4000	Transportation, communication, information, and utilities	
	4100	Transportation services	
	4110	Air transportation	U
	4111	Air passenger transportation	
	4112	Air freight transportation	
	4113	Airport and support establishment	□
	4114	Aircraft and accessories	
	4115	Other air transportation (including scenic, balloon, etc.)	U
	4120	Rail transportation	C
	4121	Rail passenger transportation	
	4122	Rail freight transportation	
	4123	Rail transportation support establishment	□
	4130	Road, ground passenger, and transit transportation	□
	4131	Local transit systems-mixed mode	□
	4132	Local transit systems-commuter rail	□
	4133	Local transit systems-bus, special needs, and other motor vehicles	□
	4134	Interurban, charter bus, and other similar establishments	□
	4135	School and employee bus transportation	□
4136	Special purpose transit transportation (including scenic, sightseeing, etc.)	□	
4137	Taxi and limousine service	□	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	4138	Towing and other road and ground services	--
	4140	Truck and freight transportation services	--
	4141	General freight trucking, local	--
	4142	General freight trucking, long-distance	--
	4143	Freight trucking, specialized (used household and office goods)	--
	4144	Freight trucking, specialized (except used goods)	--
	4150	Marine and water transportation	--
	4151	Marine passenger transportation	--
	4152	Marine freight transportation	--
	4153	Marine port and harbor operations	--
	4154	Marine cargo handling and dry dock services	--
	4155	Marine navigational and other services	--
	4160	Courier and messenger services	--
	4170	Postal services	--
	4180	Pipeline transportation	C
4200		Communications and information	
	4210	Publishing	C
	4211	Newspapers, books, periodicals, etc.	C
	4212	Software publisher	C
	4220	Motion pictures and sound recording	B
	4221	Motion picture and video production, publishing, and distribution	
	4222	Motion picture viewing and exhibition services	--
	4223	Sound recording, production, publishing, and distribution	--
	4230	Telecommunications and broadcasting	--
	4231	Radio and television broadcasting	--
	4232	Cable networks and distribution	--
	4233	Wireless telecommunications	--
	4234	Telephone and other wired telecommunications	--
	4240	Information services and data processing industries	--
	4241	Online information services	--
	4242	Libraries and archives	--
	4243	News syndicate	B
4300		Utilities and utility services	C
	4310	Electric power	
	4311	Hydroelectric	
	4312	Fossil	--

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	4313	Nuclear	<input type="checkbox"/>
	4314	Alternative energy sources	<input type="checkbox"/>
	4320	Natural gas, petroleum, fuels, etc.	<input type="checkbox"/>
	4330	Water, steam, air conditioning supply	<input type="checkbox"/>
	4331	Drinking water	<input type="checkbox"/>
	4332	Irrigation and industrial water supply	<input type="checkbox"/>
	4333	Air conditioning and steam supply	<input type="checkbox"/>
	4340	Sewer, solid waste, and related services	<input type="checkbox"/>
	4341	Hazardous waste collection	<input type="checkbox"/>
	4342	Hazardous waste treatment and disposal	<input type="checkbox"/>
	4343	Solid waste collection	<input type="checkbox"/>
	4344	Solid waste combustor or incinerator	<input type="checkbox"/>
	4345	Solid waste landfill	<input type="checkbox"/>
	4346	Waste treatment and disposal	<input type="checkbox"/>
	4347	Septic tank and related services	<input type="checkbox"/>
			C
Arts, entertainment, and recreation	5000	Arts, entertainment, and recreation	
	5100	Performing arts or supporting establishment	B
	5110	Theater, dance, or music establishment	
	5120	Sports team or club	
	5130	Racetrack establishment	<input type="checkbox"/>
	5140	Promoter of performing arts, sports, and similar events	<input type="checkbox"/>
	5150	Agent for management services	
	5160	Independent artist, writer, or performer	B
	5200	Museums and other special purpose recreational institutions	A
	5210	Museum	
	5220	Historical or archeological institution	<input type="checkbox"/>
	5230	Zoos, botanical gardens, arboreta, etc.	A
	5300	Amusement, sports, or recreation establishment	B
	5310	Amusement or theme park establishment	
	5320	Games arcade establishment	
	5330	Casino or gambling establishment	<input type="checkbox"/>
5340	Miniature golf establishment	<input type="checkbox"/>	
5350	Skiing	<input type="checkbox"/>	
5360	Marina or yachting club facility operators	<input type="checkbox"/>	
5370	Fitness, recreational sports, gym, or athletic club,	<input type="checkbox"/>	
5380	Bowling, billiards, pool, etc.	<input type="checkbox"/>	

LBCS		Description	35 IAC 901 Land Class	
Main Category	Function Code			
	5390	Skating rinks, roller skates, etc.	B	
	5400	Camps, camping, and related establishments		
	5500	Natural and other recreational parks	A	
Education, public admin., health care, and other inst.	6000	Education, public admin., health care, and other inst.		
	6100	Educational services	A	
	6110	Nursery and preschool		
	6120	Grade schools		
	6121	Elementary		
	6122	Middle		□
	6123	Senior		□
	6124	Continuance		□
	6125	Alternate education services		□
	6126	Adult education services		□
	6130	Colleges and universities		□
	6140	Technical, trade, and other specialty schools		□
	6141	Beauty schools		□
	6142	Business management		□
	6143	Computer training		□
	6144	Driving education		
	6145	Fine and performing arts education		A
	6146	Flight training		U
	6147	Sports and recreation education	B	
	6200	Public administration		
	6210	Legislative and executive functions	B	
	6220	Judicial functions	B	
	6221	Courts	B	
	6222	Correctional institutions	A	
	6300	Other government functions	B	
	6310	Military and national security		
	6320	Space research and technology		
6400	Public Safety			
6410	Fire and rescue	□		
6420	Police	□		
6430	Emergency response	B		
6500	Health and human services			
6510	Ambulatory or outpatient care services	A		

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	6511	Clinics	
	6512	Family planning and outpatient care centers	
	6513	Medical and diagnostic laboratories	□
	6514	Blood and organ banks	□
	6520	Nursing, supervision, and other rehabilitative services	
	6530	Hospital	A
	6560	Social assistance, welfare, and charitable services	B
	6561	Child and youth services	
	6562	Child day care	
	6563	Community food services	□
	6564	Emergency and relief services	□
	6565	Other family services	□
	6566	Services for elderly and disabled	
	6567	Veterans affairs	B
	6568	Vocational rehabilitation	A
	6600	Religious institutions	A
	6700	Death care services	B
	6710	Funeral homes and services	
	6720	Cremation services and cemeteries	
	6800	Associations, nonprofit organizations, etc.	□
	6810	Labor and political organizations	□
	6820	Business associations and professional membership organizations	□
	6830	Civic, social, and fraternal organizations	B
Construction-related businesses	7000	Construction-related businesses	
	7100	Building, developing, and general contracting	B
	7110	Residential construction	
	7120	Land development and subdivision	
	7130	Industrial, commercial and institutional building construction	□
	7200	Machinery related	□
	7210	Building equipment and machinery installation contractors	□
	7220	Excavation contractor	□
	7230	Water well drilling contractor	□
	7240	Wrecking and demolition establishment	□
	7250	Structural steel erection contractor	□
	7300	Special trade contractor	□
7310	Carpentry, floor, and tile contractor	□	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	7320	Concrete contractor	□
	7330	Electrical contractor	□
	7340	Glass and glazing contractor	□
	7350	Masonry and drywall contractors	□
	7360	Painting and wall covering	□
	7370	Plumbing, heating, and air-conditioning	
	7380	Roofing, siding, and sheet metal contractors	B
	7400	Heavy construction	C
	7410	Highway and street construction;	
	7420	Bridge and tunnel construction	
	7430	Water, sewer, and pipeline construction	□
	7440	Power lines, communication and transmission lines	
	7450	Industrial and other nonbuilding construction	C
Mining and extraction establishments	8000	Mining and extraction establishments	C
	8100	Oil and natural gas	
	8200	Metals (iron, copper, etc.)	
	8300	Coal	□
	8400	Nonmetallic mining	
	8500	Quarrying and stone cutting establishment	C
Agriculture, forestry, fishing and hunting	9000	Agriculture, forestry, fishing and hunting	
	9100	Crop production	C
	9110	Grain and oilseed	
	9111	Wheat	
	9112	Corn	□
	9113	Rice	□
	9114	Soybean and oilseed	□
	9115	Dry pea and bean	□
	9120	Vegetable farming or growing services	□
	9130	Fruits and trees	□
	9140	Greenhouse, nursery, and floriculture	□
	9141	Food crops grown under cover	□
	9142	Nursery and tree production	□
	9143	Floriculture production	□
	9150	All other crops	□
	9151	Tobacco crop	□
9152	Cotton crop	□	

LBCS		Description	35 IAC 901 Land Class
Main Category	Function Code		
	9153	Sugarcane crop	-
	9154	Hay	-
	9155	Peanut crop	-
9200		Support functions for agriculture	-
	9210	Farm and farm labor management services	-
	9220	Spraying, dusting, and other related services	-
	9230	Crop harvesting and post harvest crop activities (including drying, siloing, etc.)	-
	9240	Cotton ginning, grist milling, etc.	-
9300		Animal production including slaughter	-
	9310	Cattle ranch and crops	-
	9311	Beef cattle ranch establishments	-
	9312	Cattle feedlot establishment	-
	9320	Dairy cattle and milk production	-
	9330	Hog and pig farm	-
	9340	Poultry and egg production and hatcheries	-
	9350	Sheep and goat farming establishments	-
	9360	Fish hatcheries, fisheries, and aquaculture	-
	9370	All other animal production	-
	9371	Apiculture (bees, wax, and related operations)	-
	9372	Horse and equine production	-
	9373	Fur-bearing animal production	-
	9380	Support functions for animal production	-
9400		Forestry and Logging	-
	9410	Logging	-
	9420	Forest nurseries	-
	9430	Support functions for forestry	-
9500		Fishing, hunting and trapping, game preserves	-
	9510	Fishing	-
	9520	Hunting and trapping, game retreats, game and fishing preserves	C
9900		Unclassifiable function	U
	9910	Not applicable to this dimension	-
	9990	To be determined	-
	9999	To be determined	U

(Source: Amended at 30 Ill. Reg.5533, effective March 10, 2006)