

## **CASE NO. 130-AT-24**

### **SUPPLEMENTAL MEMORANDUM #5**

**May 8, 2025**

**Petitioner:** Zoning Administrator

**Request:** Amend the Champaign County Zoning Ordinance to add “Battery Energy Storage System” as a new principal use under the category “Industrial Uses: Electric Power Generating Facilities” and indicate that a Battery Energy Storage System may be authorized by a Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts; add requirements and fees for “Battery Energy Storage Systems”; add any required definitions, and make certain other revisions to the Ordinance as detailed in the full legal description in Attachment I.

**Location:** Unincorporated Champaign County

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

**Prepared by:** **John Hall**  
Zoning Administrator

**Charlie Campo**  
Senior Planner

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## **SEPERATION DISTANCES**

### **Board Interest in Revised Minimum Separations**

At the 3/13/2025 public hearing the Board reviewed a report of an air plume modeling simulation that found “significant” air quality concerns for a downwind distance of 300 meters from an assumed BESS thermal runaway. Included in Supplemental Memorandum #3 for the same hearing was a report that recommended that in the absence of a site-specific air plume modeling simulation there should be an evacuation or shelter-in-place order within a ¼ mile radius of a BESS site that was undergoing a thermal runaway or combustion incident. After reviewing Supplemental Memorandums #3 and #4, the Board expressed interest in a ¼ mile separation to the nearest principal building and one Board member stated support for a ¼ mile separation to the nearest “non-participating” property line.

Requiring a ¼ mile separation from a BESS facility to the nearest principal building under other ownership will not change the minimum area required for a BESS facility but could limit the locations in which a BESS could be located. See Attachment C. Requiring a similar separation to property lines would be a major change. The existing wind farm separation to non-participating property lines are a similar requirement that is already in the Zoning Ordinance.

### **Similarity to the Wind Farm Separations**

The kind of separation the Board expressed interest in for BESS is similar to the existing separations required for wind farm towers. The Zoning Ordinance requires wind farm towers to be 1,200 feet from

the nearest non-participating principal building and also a separation to non-participating property lines of 1.5 times the height of the wind farm tower with a maximum wind farm tower height of 500 feet. To the best recollection of staff who participated in the wind farm text amendment, the justification of the separation to property lines was a compromise to provide some degree of “protection” to adjacent lands without requiring the full 1,200 feet separation from property lines. The total area required for a wind farm tower from non-participating property lines is a minimum of 41.44 acres but if rectangular tracts are used then the area increases to a minimum of 52.55 acres.

### **A BESS Separation Similar to the Wind Farm Separations**

A BESS separation could be similar to the wind farm separation by requiring both a separation to the nearest principal building under other ownership (ie, non-participating) and a separation to non-participating property lines. The separation to property lines could be the same as the separation to the nearest principal building under other ownership or it could be less. Two alternatives are reviewed below:

- **Requiring a ¼ mile separation to nearest principal building and to property lines.** Requiring a ¼ mile separation to property lines (or to non-participating property lines) will greatly increase the amount of land required for a BESS facility. The minimum BESS site for which inquiries have been made in Champaign County to date is 10 acres. If such a site were required to have 1,320 feet of separation to a non-participating property, it would require a minimum of 236.64 acres or 270.00 acres if rectangular tracts are assumed. Note that the “non-BESS” portion of the project would not necessarily have to be owned by the BESS developer but could simply be land whose owner has agreed (probably for some remuneration) to participate in the development only for the purposes of the required separation to non-participating property lines. It is also recommended that the separation to non-participating property lines exempt land on which there is an electrical substation. See Attachment E.
- **Requiring a ¼ mile separation to nearest principal building but less separation to property lines.** A separation similar to the wind farm separation would be to require a ¼ mile separation to the nearest principal building but requiring only 825 feet of separation (825 feet is the same proportion of 1,320 feet that 750 feet is of 1,200 feet) to the nearest non-participating property line. The separation to non-participating property would require a total of 121.59 acres or 135.00 acres if rectangular tracts are assumed. See Attachment G.

### **Map Exhibit for Example BESS Site**

A proposed BESS project site has been used to create map exhibits that depict how the different proposed separations will work with an actual property in Champaign County. See Attachments D and E.

### **ATTACHMENTS**

- A Legal Advertisement
- B Revised Draft Amendment dated 05/08/2025
- C
  1. Diagram of ¼ Mile Separation to Principal Building
  2. Proposed text for ¼ Mile Separation to Principal Building

- D
  - 1. Diagram of ¼ Mile Separation to Non-Participating Property Lines
  - 2. Map Exhibit of ¼ Mile Separation to Non-Participating Property Lines
  - 3. Proposed text for ¼ Mile Separation to Non-Participating Property Lines
- E
  - 1. Diagram of Hybrid Separation
  - 2. Map Exhibit of Hybrid Separation
  - 3. Proposed text for Hybrid Separation

LEGAL PUBLICATION: WEDNESDAY, MARCH 13, 2024

CASE: 130-AT-24

**NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF THE CHAMPAIGN COUNTY ZONING ORDINANCE**

CASE 130-AT-24

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to amend the text of the Champaign County Zoning Ordinance. The petition is on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, March 28, 2024 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows regarding Battery Energy Storage Systems (BESS):

1. Add the following definitions to Section 3.0 Definitions: BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS), BATTERY ENERGY STORAGE SYSTEM (BESS), TIER-1 BATTERY ENERGY STORAGE SYSTEMS, TIER-2 BATTERY ENERGY STORAGE SYSTEMS.
2. Add new paragraph 4.2.1 C.8. to provide that a BATTERY ENERGY STORAGE SYSTEM may be authorized as a SPECIAL USE Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.
3. Amend Section 5.2 as follows:
  - a. Add "BATTERY ENERGY STORAGE SYSTEM" to be allowed by Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts.
  - b. Add Footnotes 32 and 33 regarding TIER-1 and TIER-2 requirements.
4. Add new Section 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS to establish regulations including but not limited to:
  - a. General standard conditions
  - b. Minimum lot standards
  - c. Minimum separations
  - d. Standard conditions for design and installation
  - e. Standard conditions to mitigate damage to farmland
  - f. Standard conditions for use of public streets
  - g. Standard conditions for coordination with local fire protection district
  - h. Standard conditions for allowable noise level
  - i. Standard conditions for endangered species consultation
  - j. Standard conditions for historic and archaeological resources review
  - k. Standard conditions for acceptable wildlife impacts
  - l. Screening and fencing
  - m. Standard condition for liability insurance

- n. Operational standard conditions
  - o. Standard conditions for Decommissioning and Site Reclamation Plan
  - p. Complaint hotline
  - q. Standard conditions for expiration of Special Use Permit
  - r. Application requirements
5. Regarding BATTERY ENERGY STORAGE SYSTEMS fees, revise Section 9 as follows:
- a. Add new paragraph 9.3.1 K. to add application fees for a BATTERY ENERGY STORAGE SYSTEMS Zoning Use Permit.
  - b. Add new subparagraph 9.3.3 B.(9) to add application fees for a BATTERY ENERGY STORAGE SYSTEMS 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. Meeting materials can be found online about one week before the meeting at: [http://www.co.champaign.il.us/CountyBoard/meetings\\_ZBA.php](http://www.co.champaign.il.us/CountyBoard/meetings_ZBA.php). If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email [zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us) no later than 4:30 pm the day of the meeting.

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

**TO BE PUBLISHED: WEDNESDAY, MARCH 13, 2024, ONLY**

Send bill and one copy to: Champaign County Planning and Zoning Dept.  
Brookens Administrative Center  
1776 E. Washington Street  
Urbana, IL 61802  
Phone: 384-3708

Our News Gazette account number is 99225860.

## ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025

(Annotation only on proposed Sec. 6.1.8C.(3))

### 1. Add the following to Section 3. Definitions:

**BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS):** An electronic system that protects battery energy storage systems from operating outside of their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

**BATTERY ENERGY STORAGE SYSTEM (BESS):** an electrochemical energy storage system that collects energy from the electrical grid or other electrical resource and then discharges that energy at a later time to provide electricity when needed.

- A. TIER-1 BATTERY ENERGY STORAGE SYSTEMS have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. TIER-2 BATTERY ENERGY STORAGE SYSTEMS have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery unit in a room or enclosed area.

### 2. Add new paragraph 4.2.1 C.8. as follows:

#### 4.2.1 CONSTRUCTION and USE

- C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:
  - 8. A BATTERY ENERGY STORAGE SYSTEM may be authorized as a County Board SPECIAL USE Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.

### 3. Amend Section 5.2 as follows:

#### SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

- BATTERY ENERGY STORAGE SYSTEM would be a new land use allowed by County Board Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts, as shown in the table below.

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
BATTERY ENERGY STORAGE SYSTEM, TIER-1 <sup>32</sup>																

# ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025

(Annotation only on proposed Sec. 6.1.8C.(3))

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
BATTERY ENERGY STORAGE SYSTEM, TIER-2 <sup>33</sup>		B	B						B			B		B	B



= Permitted on individual LOTS as a Special Use Permit



= County Board Special Use Permit



= Permitted by right

## 4. Add new Footnotes 31 and 32 under Section 5.2 as follows:

31. A TIER-1 BATTERY ENERGY STORAGE SYSTEM is permitted by-right in all zoning districts, subject to the setback and yard requirements in Section 5.3 of the Zoning Ordinance. No Zoning Use Permit shall be required if the area occupied by the TIER-1 BESS is less than 150 square feet.
32. A TIER-2 BATTERY ENERGY STORAGE SYSTEM is subject to the requirements of Section 6.1.8 of the Zoning Ordinance.

## 5. Add new Section 6.1.8 as follows:

### 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS

A TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit may only be authorized in the AG-1 Agriculture Zoning DISTRICT, the AG-2 Agriculture Zoning DISTRICT, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry Zoning District, or the I-2 Heavy Industry Zoning District subject to the following standard conditions.

#### A. General Standard Conditions

##### (1) Right to farm

- a. 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.

#### B. Minimum LOT Standards

- (1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, or maximum LOT COVERAGE requirements for a TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- (2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.

#### C. Minimum Standard Conditions for Separations for a TIER-2 BATTERY ENERGY STORAGE SYSTEM from adjacent USES and STRUCTURES

## ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025

(Annotation only on proposed Sec. 6.1.8C.(3))

The location of each TIER-2 BATTERY ENERGY STORAGE SYSTEM shall provide the following required separations as measured from the BATTERY ENERGY STORAGE SYSTEM fencing:

- (1) The perimeter fencing shall 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 6.1.8L.(2) but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET nor shall the TIER-2 BESS equipment be less than 55 feet from the centerline of a MINOR STREET and a minimum of 75 feet from the centerline of a COLLECTOR STREET and a minimum of 85 feet from the centerline of a MAJOR STREET. The location of perimeter fencing relative to a STREET can also be affected by the presence of a DWELLING or PRINCIPAL BUILDING per 6.1.8C.(2).
- (2) For properties participating in the TIER-2 BESS: More than 100 feet required separation from any existing DWELLING or existing PRINCIPAL BUILDING unless fire control and suppression are provided for the TIER-2 BESS per Section 6.1.8D.h. in which case the minimum required separation is 10 feet and otherwise, except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.

**(3) For properties not participating in the TIER-2 BESS:**

**a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):**

**(a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on no more than two sides by the TIER-2 BESS, the separation shall be no less than 415 feet from the property line provided that no TIER-2 BESS equipment is closer than 100 feet to the perimeter fence and the total required separation shall be 515 feet.**

**(b) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the TIER-2 BESS, the separation shall exceed 415 feet as deemed necessary by the BOARD.**

**b. For any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY):**

**(a) The minimum separation shall be no less than 430 feet from any existing DWELLING or existing PRINCIPAL BUILDING provided that no TIER-2 BESS equipment is closer than 100 feet to the perimeter fence and the total required separation shall be 530 feet.**

**(b) Provided that no TIER-2 BESS equipment is closer than 530 feet to any existing DWELLING or existing PRINCIPAL**



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(Annotation only on proposed Sec. 6.1.8C.(3))

BUILDING, the perimeter fencing shall otherwise 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 TIER-2 BESS.

c. 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

- (4) When a TIER-2 BATTERY ENERGY STORAGE SYSTEM is included in a PV SOLAR FARM or a SOLAR ARRAY or a WIND FARM, the separations required in Sections 6.1.8C.(2) and (3) shall only apply to the TIER-2 BATTERY ENERGY STORAGE SYSTEM, except for the interconnection point and driveway for the TIER-2 BATTERY ENERGY STORAGE SYSTEM, and shall not apply to any part of the PV SOLAR FARM or a SOLAR ARRAY or a WIND FARM.

### D. Standard Conditions for Design and Installation of any TIER-2 BATTERY ENERGY STORAGE SYSTEM.

- (1) Any building that is part of a TIER-2 BATTERY ENERGY STORAGE SYSTEM shall include as a requirement for a Zoning Compliance Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 101-369 regarding building code compliance and conforms to the Illinois Accessibility Code.
- (2) Electrical Components
- a. All electrical components of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall conform to the National Electrical Code as amended.
- b. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- (3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a TIER-2 BATTERY ENERGY STORAGE SYSTEM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit.
- (4) Warnings
- a. A reasonably visible warning sign shall be installed and shall include the type of technology associated with the battery energy

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and 24-hour emergency contact information, including reach-back phone number.

- b. As required by the National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
- (5) No 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.
- (6) Safety
  - a. Standards. Battery energy storage systems and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) and UL 9540A (Standard for Testing Methods for Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems) with subcomponents meeting each of the following standards as applicable:
    - (a) IEEE 1578 (Institute of Electrical and Electronics Engineers; Recommended Practice for Stationary Battery Electrolyte Spill Containment and Management; only required for installations using lead-acid batteries);
    - (b) NFPA 13 (Standard for Installation of Sprinkler Systems);
    - (c) NFPA 68 (Standard on Explosion Prevention by Deflagration Venting);
    - (d) NFPA 69 (Standard on Explosion Prevention Systems);
    - (e) NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems)
    - (f) NFPA 1142 (Standard on Water Supplies for Suburban and Rural Firefighting);
    - (g) NFPA 2010 (Standard for Fixed Aerosol Fire Extinguishing Systems);

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- (h) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications);
  - (i) UL 1642 (Standard for Lithium Batteries);
  - (j) UL 1741 or UL 62109 (Inverters and Power Converters);
  - (j) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 and applicable codes, regulations and safety standards may be used to meet system certification requirements.
- b. Hazard Mitigation Analysis
  - (a) The Special Use Permit Application shall include a commitment to the provision of a Hazard Mitigation Analysis that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for a Hazard Mitigation Analysis.
  - (b) Prior to application for a Zoning Use Permit, the TIER-2 BESS Owner shall provide to the relevant fire protection district or department a Hazard Mitigation Analysis of the proposed BESS that meets the requirements of NFPA 855.
  - (c) The relevant fire protection district or department shall document their approval of the Hazard Mitigation Analysis in writing if the Hazard Mitigation Analysis meets the requirements for approval in Section 4.4.3 of NFPA 855.
  - (d) The Zoning Use Permit Application for the proposed TIER-2 BESS shall include documentation that the relevant fire protection district or department has approved the Hazard Mitigation Analysis and a copy of the approved Hazard Mitigation Analysis shall be submitted with the Zoning Use Permit Application.
- c. Commissioning Report
  - (a) Prior to requesting a Zoning Compliance Certificate to authorize operation of the TIER-2 BESS, the TIER-2 BESS Owner shall provide to the relevant fire protection district or department a Commissioning Report that meets the requirements of NFPA 855.

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(Annotation only on proposed Sec. 6.1.8C.(3))

- (b) A Zoning Compliance Certificate for a TIER-2 BESS shall not be issued unless the Zoning Administrator receives written documentation that the relevant fire protection district or department has received the Commissioning Report and a copy of the Commissioning Report shall be submitted to the Zoning Administrator.
- d. Vegetation control.
  - (a) Areas within 10 feet on each side of outdoor TIER-2 BESS equipment shall be cleared of combustible vegetation except that grass may be used as a ground cover provided it is maintained such that it does not form a means of readily transmitting fire.
- e. Access drives.
  - (a) For TIER-2 BESS that are located outdoors, no part of the TIER-2 BESS shall be located more than 100 feet from an access drive that is a minimum of 20 feet wide and made of eight inches of compacted aggregate and with corner radii that meets the requirements of the relevant fire protection district or department.
- f. BATTERY ENERGY STORAGE MANAGEMENT SYSTEM
  - (a) When thermal runaway protection is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the TIER-2 BESS shall include a BATTERY ENERGY STORAGE MANAGEMENT SYSTEM to protect the energy storage systems from operating outside of the safe operating parameters and that will disconnect electrical power to the energy storage system or place it in a safe condition if potentially hazardous temperatures or other conditions are detected and prevent thermal runaway.
  - (b) Both the Special Use Permit Application and the Zoning Use Permit Application shall include a basic description of the proposed BATTERY ENERGY STORAGE MANAGEMENT SYSTEM.
- g. Smoke and fire detection systems.
  - (a) Smoke and fire detection systems shall not be required for TIER-2 BESS that are installed outdoors (not on or inside a building or in a walk-in unit no larger than 53 feet by 8.5 feet by 9.5 feet) unless smoke and fire detection systems are recommended to the BOARD in writing by the relevant fire

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protection district or department or unless the BOARD requires smoke and fire detection systems as a special condition of approval.

- (b) Smoke and fire detection systems shall be required for TIER-2 BESS that are installed on or inside a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet.
  - (c) When smoke and fire detection systems are required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant times in the zoning approval process:
    - i. The Special Use Permit Application shall include a basic description of the proposed smoke and fire detection systems.
    - ii. The Zoning Use Permit Application shall include a description of the proposed smoke and fire detection systems by an Illinois Licensed Professional Engineer including both text and drawings.
- h. Fire control and suppression
  - (a) Fire control and suppression systems and water supply for fire fighting shall not be required for TIER-2 BESS that are installed outdoors (not on or inside a building or in a walk-in unit no larger than 53 feet by 8.5 feet by 9.5 feet) and located more than 100 feet from other buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock, and other exposure hazards not associated with electrical grid infrastructure unless fire suppression systems and water supply are recommended to the BOARD in writing by the relevant fire protection district or department or unless the BOARD requires fire suppression systems and/ or water supply as a special condition of approval.
  - (b) Fire control and suppression systems and water supply for fire fighting shall be required for TIER-2 BESS that are installed outdoors (not located on or inside a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet) and located less than 100 feet from other buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock, and other exposure hazards not associated with electrical grid infrastructure or located on or inside a building or a walk-in unit that is larger than 53 feet by 8.5 feet by 9.5 feet).

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- (c) When fire control and suppression systems and water supply for fire fighting are required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant times in the zoning approval process:
    - i. The Special Use Permit Application shall include a basic description of the proposed fire control and suppression systems and water supply.
    - ii. The Zoning Use Permit Application shall include a description of the proposed fire control and suppression systems and water supply, by an Illinois Licensed Professional Engineer including both text and drawings.
  - (d) The relevant fire protection district or department shall be the authority having jurisdiction per NFPA 855 for approving TIER-2 BESS to be installed in open parking garages and/or dedicated-use BESS buildings and/or outdoor walk-in enclosures without the protection of automatic fire control and suppression systems where authorized by NFPA 855 and such approvals shall be documented in writing and a copy of the approval shall be submitted with the Zoning Use Permit Application.
- i. Explosion control.
  - (a) Explosion prevention or deflagration venting shall be provided that will comply with the requirements of NFPA 855 for the type of TIER-2 BESS that is proposed.
  - (b) The Special Use Permit Application shall include a commitment to the provision of explosion prevention and/ or deflagration venting that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for explosion prevention and/ or deflagration venting.
  - (c) The actual description of the explosion prevention or deflagration venting to be provided shall be part of the Hazard Mitigation Analysis required by Sec. 6.1.8D.(6)b.
- j. Ground-fault protection
  - (a) Three-phase installations shall have adequate ground-fault protection.

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- (b) Systems with little or no impedance shall be designed to trip off-line automatically.
  - (c) In systems that have high levels of impedance the overvoltage shall be controlled with grounding banks, other forms of impedance grounding, or surge arresters. The electrical components at risk of overvoltage shall also have phase-to-phase level insulation.
  - (d) The Zoning Use Permit Application shall include a description of the ground-fault protection by an Illinois Licensed Professional Engineer.
- k. Control of electrolyte spill.
  - (a) When spill control is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the Special Use Permit Application shall include a general description and written discussion for the proposed control of electrolyte spill that will meet NFPA 855 requirements.
  - (b) The Zoning Use Permit Application shall include a description of the proposed spill control by an Illinois Licensed Professional Engineer .
- l. Neutralization of spills from free-flowing electrolyte.
  - (a) When neutralization of free-flowing electrolyte is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the Special Use Permit Application shall include a written discussion of the proposed neutralization that meets the requirements of NFPA 855.
  - (b) The Zoning Use Permit Application shall include a written discussion of the proposed neutralization by an Illinois Licensed Professional Engineer that meets the requirements of NFPA 855.
- m. Safety caps. When safety caps are required by NFPA 855 for the type of TIER-2 BESS that is proposed, both the Special Use Permit Application and the Zoning Use Permit Application shall include a description of the proposed safety caps that meets the requirements of NFPA 855.
- n. Exhaust ventilation.

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

- (a) When exhaust ventilation is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant milestones:
    - i. The Special Use Permit Application shall include a basic description of the proposed exhaust ventilation.
    - ii. The Zoning Use Permit Application shall include a description of the proposed exhaust ventilation by an Illinois Licensed Professional Engineer including both text and drawings.
- o. TIER-2 BESS in or on buildings.
  - (a) When a TIER-2 BESS is proposed to be located in or on a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet, compliance with all relevant NFPA 855 requirements shall be explained in general in the Special Use Permit Application with more detailed description submitted at the time of Zoning Use Permit Application including text and drawings by an Illinois Licensed Architect and/or an Illinois Licensed Professional Engineer.
- p. Remediation measures.
  - (a) As required by NFPA 855, in the event that a fire or other event has damaged the TIER-2 BESS and ignition or reignition of the TIER-2 BESS is possible, the owner of the TIER-2 BESS shall provide authorized service personnel to be dispatched to assist emergency first responders to mitigate the hazard or remove damaged equipment from the premises within a response time approved by the relevant fire protection district or department in the approved emergency response plan.
  - (b) When required by the relevant fire protection district or department, the owner of the TIER-2 BESS shall provide hazard support personnel at the expense of the owner of the TIER-2 BESS to respond to possible ignition or re-ignition of the damaged TIER-2 BESS within a response time approved by the relevant fire protection district or department in the approved emergency response plan, as required by NFPA 855.
  - (c) The trained hazard support personnel shall be approved by the relevant fire protection district or department.
  - (d) The authorized service personnel shall be permitted to perform the duties of the hazard support personnel.



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- (e) Required hazard support personnel shall monitor the TIER-2 BESS continuously in a method approved by the relevant fire protection district or department until the hazard is mitigated and the relevant fire protection district or department gives authorization to the owner or authorized agent that onsite hazard support personnel are no longer required.
  - (f) On-duty hazard support personnel shall have the responsibilities listed in NFPA 855.
  - (g) The Special Use Permit application shall include a commitment to the provision of authorized service personnel and/or hazard support personnel that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for the provision of authorized service personnel and/or hazard support personnel.
- (7) Cooling of a TIER-2 BESS shall not use groundwater other than for closed-loop geothermal cooling. The application shall include a description of the proposed cooling system of the TIER-2 BESS.

### **E. Standard Conditions to Mitigate Damage to Farmland**

- (1) All underground wiring or cabling for the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be at a minimum depth of 5 feet below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile.
- (2) Protection of agricultural drainage tile
  - a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary TIER-2 BATTERY ENERGY STORAGE SYSTEM access lanes or driveways, construction of any TIER-2 BATTERY ENERGY STORAGE SYSTEM STRUCTURES, any equipment, underground wiring, or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.
  - b. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:

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- (a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.
  - (b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
  - (c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.
- c. Any agricultural drainage tile located underneath construction staging areas, access lanes, and driveways shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.
- d. Any agricultural drainage tile that must be relocated shall be relocated as required in the *Champaign County Storm Water Management and Erosion Control Ordinance*.
- e. Conformance of any relocation of drainage district tile with the *Champaign County Storm Water Management and Erosion Control Ordinance* shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.
- f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.

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- g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
  - h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage.
  - i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
  - j. Following completion of the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, the Applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant.
- (3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, maintenance, and/or decommissioning shall be restored by the applicant to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction condition.
- (4) Topsoil replacement

For any open trenching required pursuant to TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, the topsoil shall be stripped and replaced as follows:

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

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- (5) Mitigation of soil compacting and rutting
  - a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease.
  - b. Unless specifically provided for otherwise in the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease, the Applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.
- (6) Land leveling
  - a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease.
  - b. Unless specifically provided for otherwise in the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease, the Applicant shall level all disturbed land as follows:
    - (a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
    - (b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.
- (7) Permanent Erosion and Sedimentation Control Plan
  - a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the TIER-2 BATTERY ENERGY STORAGE SYSTEM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
  - b. As-built documentation of all permanent soil erosion and sedimentation improvements for the TIER-2 BATTERY ENERGY STORAGE SYSTEM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

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(8) Retention of all topsoil

No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM.

(9) Minimize disturbance to BEST PRIME FARMLAND

a. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:

(a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be minimized at all times consistent with good engineering practice.

F. Standard Conditions for Use of Public Streets

Any TIER-2 BATTERY ENERGY STORAGE SYSTEM applicant proposing to use any County Highway or a township or municipal STREET for the purpose of transporting TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment for construction, operation, or maintenance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall identify all such public STREETS and pay the costs of any necessary permits and the costs to repair any damage to the STREETS caused by the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, as follows:

(1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, except for any TIER-2 BATTERY ENERGY STORAGE SYSTEM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.8 F.1, 6.1.8 F.2, and 6.1.8 F.3, and the signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:

a. The applicant shall agree to conduct a pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:

(a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.

(b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County

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Engineer feels may not carry the loads likely during the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.

- (c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the BATTERY ENERGY STORAGE SYSTEM construction.
- b. The Applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
- c. The Applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
- d. The Applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
- e. The Applicant shall obtain any necessary Access Permits including any required plans.
- f. The Applicant shall erect permanent markers indicating the presence of underground cables.
- g. The Applicant shall install marker tape in any cable trench.
- h. The Applicant shall become a member of the Illinois statewide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or "JULIE") and provide JULIE with all of the information necessary to update its record with respect to the TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- i. The Applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection system.
- j. The Applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.
- k. The Applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.

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- l. The Applicant shall transport the TIER-2 BATTERY ENERGY STORAGE SYSTEM loads so as to minimize adverse impact on the local traffic including farm traffic.
- m. The Applicant shall schedule TIER-2 BATTERY ENERGY STORAGE SYSTEM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.
- n. The Applicant shall provide as much advance notice as in commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the Applicant will provide 48 hours' notice to the extent reasonably practicable.
- o. The Applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.
- p. The Applicant shall establish a single escrow account and a single Irrevocable Letter of Credit for the cost of all STREET upgrades and repairs pursuant to the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
- q. The Applicant shall notify all relevant parties of any temporary STREET closures.
- r. The Applicant shall obtain easements and other land rights needed to fulfill the Applicant's obligations under this Agreement.
- s. The Applicant shall agree that the County shall design all STREET upgrades in accordance with the most recent edition of the IDOT Bureau of Local Roads and Streets Manual.
- t. The Applicant shall provide written Notice to Proceed to the relevant STREET maintenance authority by December 31 of each year that identifies the STREETS to be upgraded during the following year.
- u. The Applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.
- v. The Applicant shall conduct a post- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction baseline survey similar to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM

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construction baseline survey to identify the extent of repairs necessary to return the STREETS to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction condition.

- w. The Applicant shall pay for the cost of all repairs to all STREETS that are damaged by the Applicant during the construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM and restore such STREETS to the condition they were in at the time of the pre-TIER-2 BATTERY ENERGY STORAGE SYSTEM construction inventory.
  - x. All TIER-2 BATTERY ENERGY STORAGE SYSTEM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.
  - y. The Applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.
  - z. The Applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.
  - aa. Provisions for expiration date on the agreement.
  - bb. Other conditions that may be required.
- (2) A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the TIER-2 BATTERY ENERGY STORAGE SYSTEM until the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, that includes the following:
- a. Identify all such public STREETS or portions thereof that are intended to be used by the Applicant during construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM as well as the number of loads, per axle weight of each load, and type of equipment that will be used to transport each load.
  - b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.



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- c. A schedule of the anticipated STREET repair costs to be made in advance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction and following construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM.
    - d. The Applicant shall reimburse the County Engineer, or Township Highway Commissioner, or municipality where relevant, for all reasonable engineering fees including the cost of a third-party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
  - (3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.
- G. Standard Conditions for Coordination with Local Fire Protection District
  - (1) The Applicant shall submit to the local fire protection district a copy of the site plan.
  - (2) The Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan. The emergency response plan shall include the following information:
    - a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
    - b. Procedures for inspection and testing of associated alarms, interlocks, and controls.
    - c. Procedures to be followed in response to notifications from the TIER-2 BATTERY ENERGY STORAGE MANAGEMENT SYSTEM, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire department personnel for potentially hazardous conditions in the event of a system failure.
    - d. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.

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- e. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
  - f. Procedures for dealing with TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment from the facility.
  - g. Other procedures as determined necessary by the relevant Fire Protection District to provide for the safety of occupants, neighboring properties, and emergency responders.
  - h. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
  - i.** An explanation of the arrangements for the TIER-2 BESS owner to provide authorized service personnel and/ or hazard support personnel to assist first responders to mitigate the hazard or remove damaged equipment from the premises within an acceptable response time.
- (3) Documentation that the relevant fire protection district or department has accepted the emergency response plan shall be submitted with the Zoning Use Permit Application.
- (4) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.
- H. Standard Conditions for Allowable Noise Level
  - (1) Noise levels from any TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (*35 Illinois Administrative Code*, Subtitle H: Noise, Parts 900, 901, 910).
  - (2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment necessary for a competent noise analysis.
  - (3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:

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- a. The SPECIAL USE Permit application for a TIER-2 BATTERY ENERGY STORAGE SYSTEM shall include a noise analysis that includes the following:
  - (a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
  - (b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM within 1,500 feet of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
  - (c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
  - (d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.
- (4) The Zoning Use Permit Application shall include an updated noise analysis if there are any changes in BESS equipment or any changes in BESS equipment locations from the approved Special Use Permit.
- (5) After construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
  - a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise.
  - b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.

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### **I. Standard Conditions for Endangered Species Consultation**

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

### **J. Standard Conditions for Historic and Archaeological Resources Review**

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

### **K. Standard Conditions for Acceptable Wildlife Impacts**

The TIER-2 BATTERY ENERGY STORAGE SYSTEM 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.

### **L. Screening and Fencing**

#### **(1) Perimeter fencing**

- a. TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 7 feet.
- b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS are controlled or eradicated consistent with the Illinois Noxious Weed Law (505 *ILCS* 100/1 *et. seq.*). Management of the vegetation shall be explained in the SPECIAL USE Permit Application.

#### **(2) Screening**

- a. Areas within 10 feet on each side of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be cleared of combustible vegetation and other combustible growth.

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- b A visual screen shall be provided around the perimeter of the TIER-2 BATTERY ENERGY STORAGE SYSTEM as follows:
  - (a) The visual screen shall be provided for any part of the TIER-2 BATTERY ENERGY STORAGE SYSTEM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the full 1,000 feet of an existing DWELLING or residential DISTRICT provided the Applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the TIER-2 BATTERY ENERGY STORAGE SYSTEM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.
  - (b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.
  - (c) The visual screen shall be a vegetated buffer as follows:
    - i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native greases and other native flowering plants and/or an area of agricultural crop production that will conceal the TIER-2 BATTERY ENERGY STORAGE SYSTEM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.
    - ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the TIER-2 BATTERY ENERGY STORAGE SYSTEM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.
    - iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380

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Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the BATTERY ENERGY STORAGE SYSTEM fence while still providing adequate clearance for maintenance.

- iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the BATTERY ENERGY STORAGE SYSTEM perimeter fence is opaque.
- v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the TIER-2 BATTERY ENERGY STORAGE SYSTEM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.
- vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit application.

### **M. Standard Condition for Liability Insurance**

- (1) The Owner or Operator of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate.
- (2) The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.

### **N. Operational Standard Conditions**

- (1) Maintenance
  - a. Any physical modification to the TIER-2 BATTERY ENERGY STORAGE SYSTEM that increases the number of batteries or

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structures and/or the land area occupied by the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall require a new SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of equipment provided replacement is done in fashion similar to the original installation.

### **(2) Materials Handling, Storage and Disposal**

- a. All solid wastes related to the construction, operation and maintenance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.
- b. All hazardous materials related to the construction, operation, maintenance, and decommissioning of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.

### **(3) Vegetation management**

- a. The TIER-2 BATTERY ENERGY STORAGE SYSTEM 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.
- b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (55 ILCS 100/1 *et. seq.*).
- c. The weed control plan shall be explained in the application.

### **O. Standard Conditions for Decommissioning and Site Reclamation Plan**

- (1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A.
- (2) In addition to the purposes listed in subparagraph 6.1.1A.4., 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 TIER-2 BATTERY ENERGY STORAGE SYSTEM and all costs related to removal of access driveways.
- (3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:
  - a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of

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voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.

- b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall in no way affect or change the applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the TIER-2 BATTERY ENERGY STORAGE SYSTEM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
- d. A stipulation that at such time as decommissioning takes place the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the TIER-2 BATTERY ENERGY STORAGE SYSTEM or prior to ceasing operations of the TIER-2 BATTERY ENERGY STORAGE SYSTEM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign COUNTY may incur in the event that decommissioning is actually required.



## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to: attorney's fees; construction management and other professional fees; and, the costs of preparing requests for proposals and bidding documents required to comply with State law or Champaign COUNTY purchasing policies.

- h. Provisions for the removal of structures, debris, cabling, and associated equipment on the surface and to a level of not less than five feet below the surface, and the sequence in which removal is expected to occur.
- i. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit shall be deemed void.
- j. A stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
- k. A stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of financial assurance.
- l. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the TIER-2 BATTERY ENERGY STORAGE SYSTEM begins operations, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
- m. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

- n. The Decommissioning and Site Reclamation Plan shall comply with the requirements of NFPA 855.
- (4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:
- a. At the time of SPECIAL USE Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Section 6.1.1A.4.a. and 6.1.1A.4.b., and 6.1.1A.4.c. and shall otherwise be compliant with Section 6.1.1A.5. except that if the TIER-2 BATTERY ENERGY STORAGE SYSTEM has a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the decommissioning and site reclamation plan as follows:
    - (a) No Zoning Use Permit to authorize construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be authorized by the Zoning Administrator until the TIER-2 BATTERY ENERGY STORAGE SYSTEM owner shall provide the COUNTY with financial assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
    - (b) On or before the sixth anniversary of the Commercial Operation Date, the TIER-2 BATTERY ENERGY STORAGE SYSTEM Owner shall provide the COUNTY with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
    - (c) On or before the eleventh anniversary of the Commercial Operation Date, the TIER-2 BATTERY ENERGY STORAGE SYSTEM Owner shall provide the COUNTY with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.

**ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

b. Net salvage value may be deducted for decommissioning costs as follows:

(a) One of the following standards shall be met:

- i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the TIER-2 BATTERY ENERGY STORAGE SYSTEM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
- ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the TIER-2 BATTERY ENERGY STORAGE SYSTEM; or
- iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.

(b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.8 O.(4).b.(a) prior to the issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.

(c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.

(d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the TIER-2

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

### **BATTERY ENERGY STORAGE SYSTEM STRUCTURES, equipment, and access roads.**

- (e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
  - (f) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
  - (g) The credit for net estimated salvage value attributable to any TIER-2 BATTERY ENERGY STORAGE SYSTEM may not exceed the estimated cost of removal of the above-ground portion of that TIER-2 BATTERY ENERGY STORAGE SYSTEM on the subject site.
- c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
  - (a) On the tenth anniversary of the financial assurance and at least once every five years thereafter, the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
  - (b) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the TIER-2 BATTERY ENERGY STORAGE SYSTEM was approved.
- e. The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor's Financial

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

Services LLC (S&P) and Moody's Investors Service (Moody's) shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating, as follows:

- (a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by Standard and Poor's Financial Services LLC (S&P) and/or Moody's Investors Service (Moody's) and/or the Kroll Bond Rating Agency.
  - (b) The 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 "A3" by Moody's, or a rating of "A-" by Kroll Bond Rating Agency.
  - (c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody's, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody's, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.
- f. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.8 O.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.8 O.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
- g. Unless the Governing Body approves otherwise, the Champaign County State's Attorney's Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.
- (5) In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
- a. In the event that any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof ceases to be functional for more than six consecutive months after the Zoning Compliance Certificate is issued and the Owner is not diligently repairing such TIER-2 BATTERY ENERGY STORAGE SYSTEM or component.
  - b. In the event that the Owner declares the TIER-2 BATTERY ENERGY STORAGE SYSTEM or any TIER-2 BATTERY

**ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

ENERGY STORAGE SYSTEM component to be functionally obsolete for tax purposes.

- c. There is a delay in the construction of any TIER-2 BATTERY ENERGY STORAGE SYSTEM of more than 6 months after construction on that TIER-2 BATTERY ENERGY STORAGE SYSTEM begins.
  - d. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
  - e. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof that is otherwise derelict for a period of 6 months.
  - f. The TIER-2 BATTERY ENERGY STORAGE SYSTEM is in violation of the terms of the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit for a period exceeding ninety (90) days.
  - g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY's interest in the decommissioning and site reclamation plan.
  - h. The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit Zoning Case.
- (6) The Zoning Administrator may, but is not required to, deem the TIER-2 BATTERY ENERGY STORAGE SYSTEM abandoned, or the standards set forth in Section 6.1.8 O.(5) met, with respect to some, but not all, of the TIER-2 BATTERY ENERGY STORAGE SYSTEM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the TIER-2 BATTERY ENERGY STORAGE SYSTEM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- (7) 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 and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

P. Complaint Hotline

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

- (1) Prior to the commencement of construction on the TIER-2 BATTERY ENERGY STORAGE SYSTEM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
- (2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
- (3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.
- (4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
- (5) All calls shall be recorded, and the recordings shall be saved for transcription for a minimum of two years.
- (6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.
- (7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.

### **Q. Standard Conditions for Expiration of TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit**

A TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.

### **R. Application Requirements**

- (1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11A.3., the application shall contain or be accompanied by the following information:
  - a. A TIER-2 BATTERY ENERGY STORAGE SYSTEM Project Summary, including, to the extent available:
    - (a) A general description of the project, the proposed BESS technology (type of BESS); the proposed BESS capacity at the point of interconnection; the maximum number and type of battery devices; the maximum area occupied by the BESS development; the expected lifetime of the battery devices; any planned capacity maintenance (augmentation); the proposed project features to respond to any BESS technology specific requirements of NFPA 855; and the

## **ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

- potential equipment manufacturer(s). The maximum number and type of battery devices may be different at the time of application for a Zoning Use Permit based on the actual equipment manufacturer but the BESS technology and the proposed BESS capacity at the point of interconnection and the maximum area occupied by the BESS development should not exceed that approved in the SPECIAL USE Permit.
- (b) The specific proposed location of the TIER-2 BATTERY ENERGY STORAGE SYSTEM including all tax parcels on which the BATTERY ENERGY STORAGE SYSTEM will be constructed.
    - (c) A description of the Applicant, Owner and Operator, including their respective business structures.
  - b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
  - c. A site plan for the TIER-2 BATTERY ENERGY STORAGE SYSTEM indicating the following:
    - (a) The approximate planned location of all TIER-2 BATTERY ENERGY STORAGE SYSTEMS, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, battery devices, electrical inverter(s), electrical transformer(s), electrical cabling, ancillary equipment, screening and fencing, third party transmission lines, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
    - (b) The site plan shall clearly indicate the area of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
    - (c) The general location of below-ground wiring.
    - (d) The location, height, and appearance of all above-ground wiring and wiring structures.
    - (e) The separation of all TIER-2 BATTERY ENERGY STORAGE SYSTEM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that



**ATTACHMENT B. PROPOSED AMENDMENT AS OF 5/08/2025**

(Annotation only on proposed Sec. 6.1.8C.(3))

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 the greater separation does not increase the noise impacts that were approved in the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.

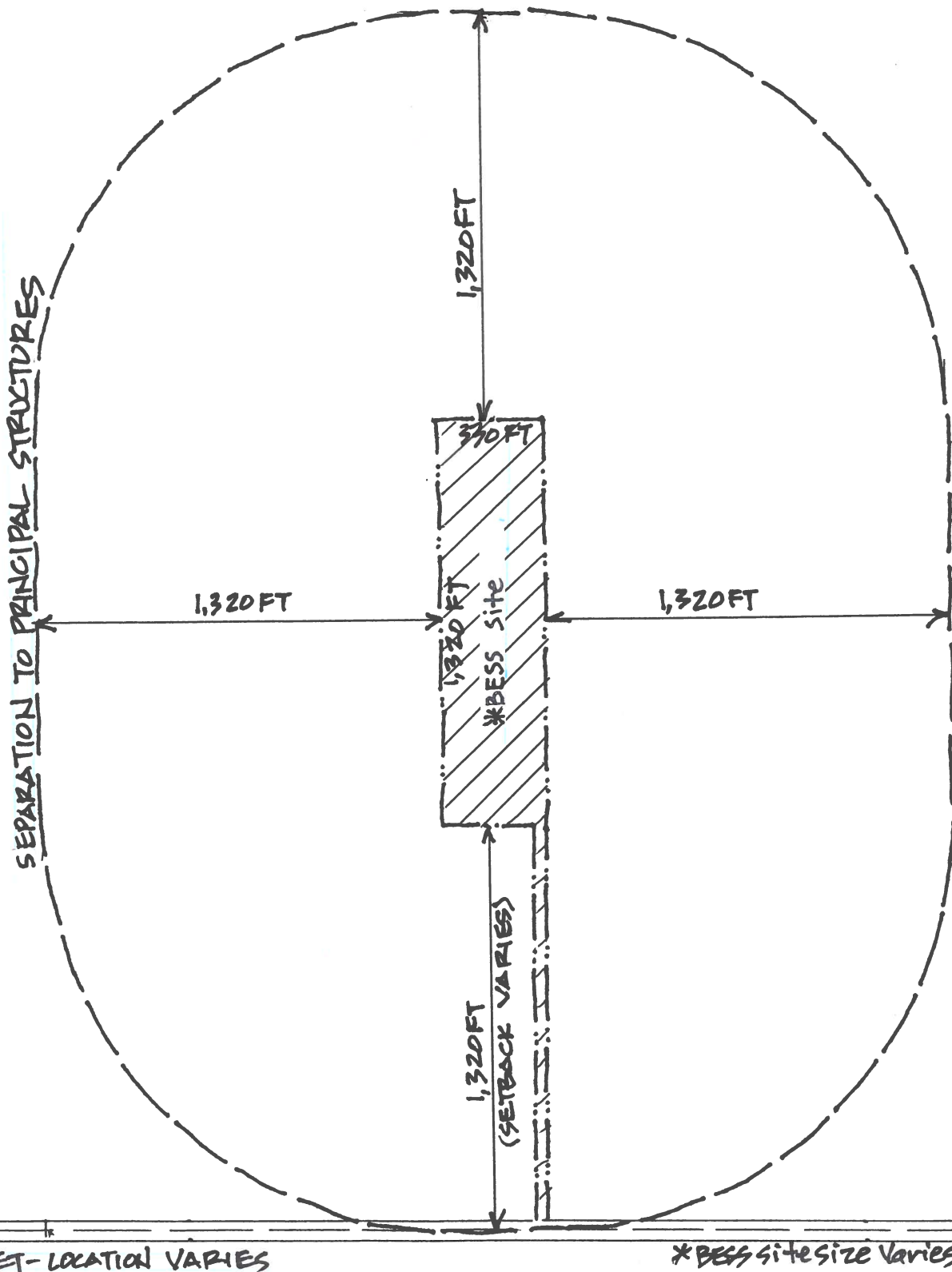
- d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
- (2) The Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the SPECIAL USE Permit application is pending.
- (3) The Zoning Use Permit Application shall include the following:
  - a. Any updates or changes to the information that was submitted for the SPECIAL USE Permit but any changes must be consistent with the approved SPECIAL USE Permit.
  - b. Any information specifically required in Section 6.1.8 for a Zoning Use Permit Application.
  - c. Any other information necessary to document the authorized construction including an electrical diagram detailing the TIER-2 BATTERY ENERGY STORAGE SYSTEM layout, associated components, and electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices.

**6. Add new paragraph 9.3.1 K. as follows:**

K. TIER-1 BATTERY ENERGY STORAGE SYSTEM.....no fee  
TIER-2 BATTERY ENERGY STORAGE SYSTEM.....\$1800 per megawatt

**7. Add new subparagraph 9.3.3 B.(9) as follows:**

(9) TIER-1 BATTERY ENERGY STORAGE SYSTEM.....no fee  
TIER-2 BATTERY ENERGY STORAGE SYSTEM.....\$1,320 per megawatt



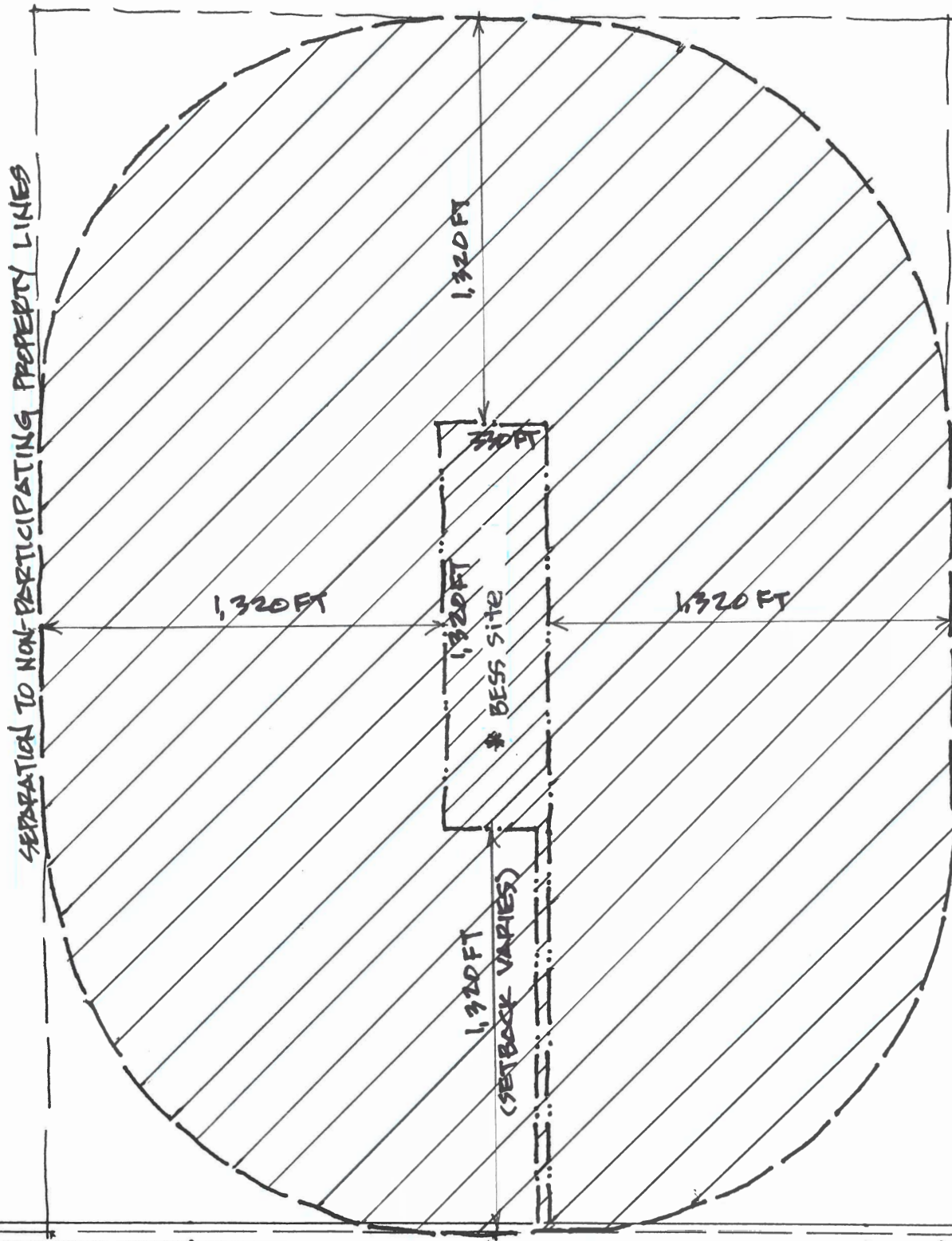
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DIAGRAM OF 1/4 MILE SEPARATION TO PRINCIPAL BUILDING

## **PROPOSED TEXT FOR 1/4 MILE SEPARATION TO PRINCIPAL BUILDINGS**

Revise proposed Sec. 6.1.8 C.(3) to be as follows:

- (3) For properties not participating in the TIER-2 BESS:
  - a. The minimum separation to the nearest NON-PARTICIPATING PRINCIPAL BUILDING shall be 1,320 feet measured from the nearest BESS equipment to the PRINCIPAL BUILDING. This separation may be reduced by a PRIVATE WAIVER signed by the owner of the PRINCIPAL BUILDING. No minimum separation shall be required to a building on an electrical substation property or to a building on a PARTICIPATING PV SOLAR FARM or a PARTICIPATING WIND FARM.



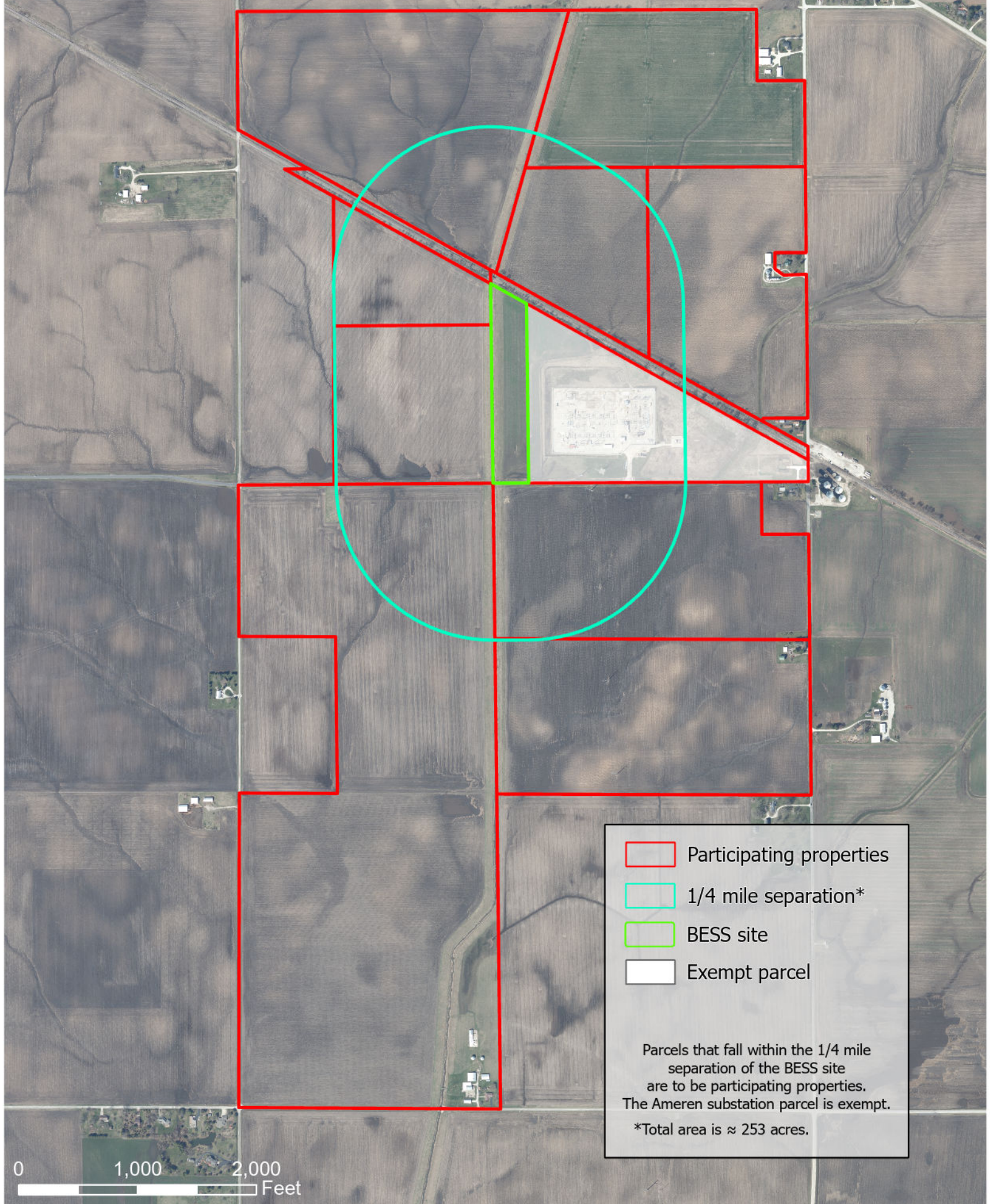
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

DIAGRAM OF 1/4 MILE SEPARATION TO NON-PARTICIPATING PROPERTY



# 1/4 Mile Separation to Non-Participating Property Lines

Case 1:20-at-0247, Attachment D Page 2 of 3



-  Participating properties
-  1/4 mile separation\*
-  BESS site
-  Exempt parcel

Parcels that fall within the 1/4 mile separation of the BESS site are to be participating properties. The Ameren substation parcel is exempt.

\*Total area is  $\approx$  253 acres.

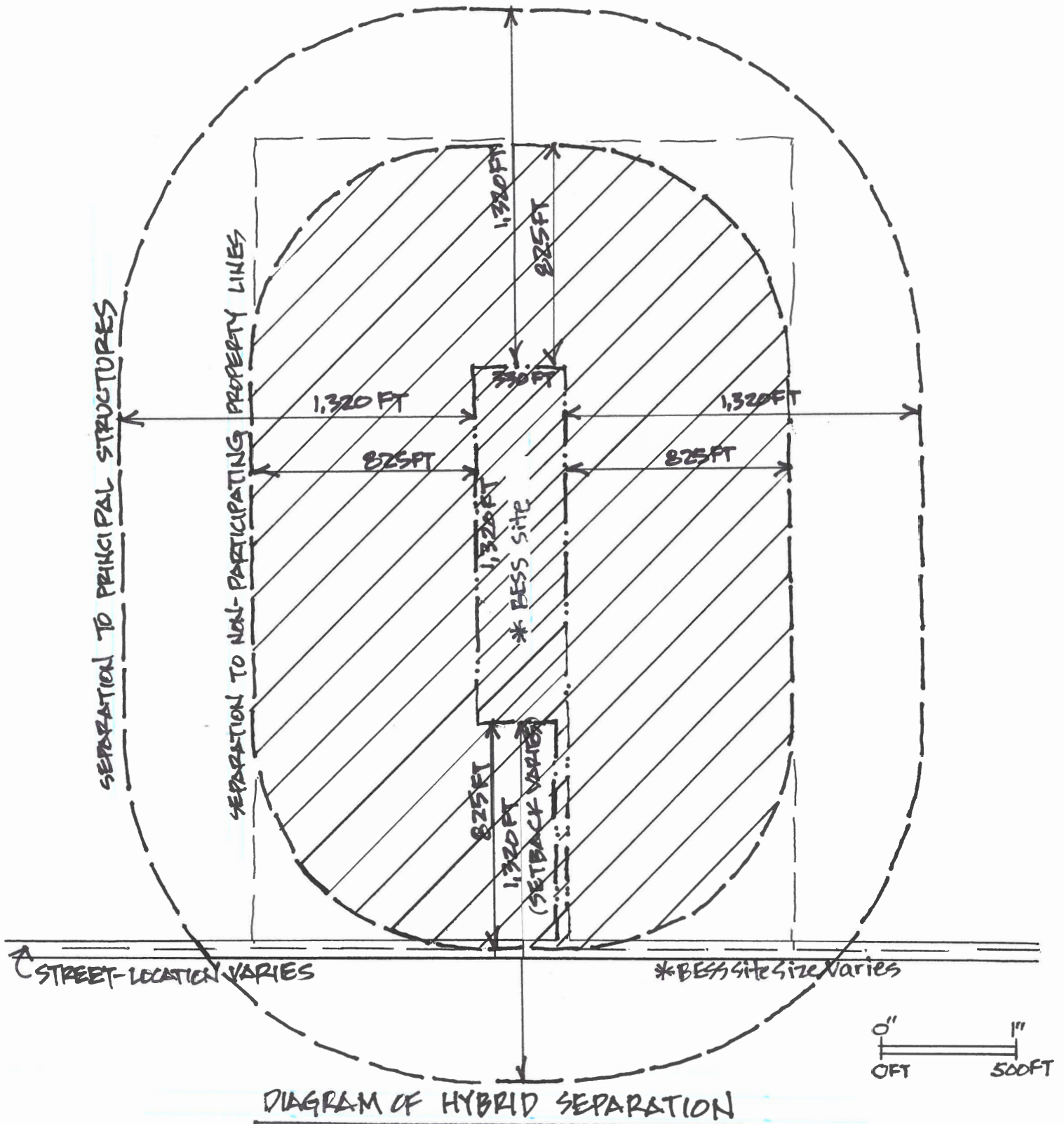
0 1,000 2,000 Feet

**PROPOSED TEXT FOR ¼ MILE SEPARATION TO NON-PARTICIPATING PROPERTY**

Revise proposed Sec. 6.1.8 C.(3) to be as follows:

- (3) For properties not participating in the TIER-2 BESS:
  - a. The minimum separation to the nearest NON-PARTICIPATING PROPERTY shall be 1,320 feet measured from the nearest BESS equipment to the nearest point on the NON-PARTICIPATING PROPERTY. This separation may be reduced by a PRIVATE WAIVER signed by the owner of the adjacent property. No minimum separation shall be required to an electrical substation property or to a PARTICIPATING PV SOLAR FARM or PARTICIPATING WIND FARM.
  - b. 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

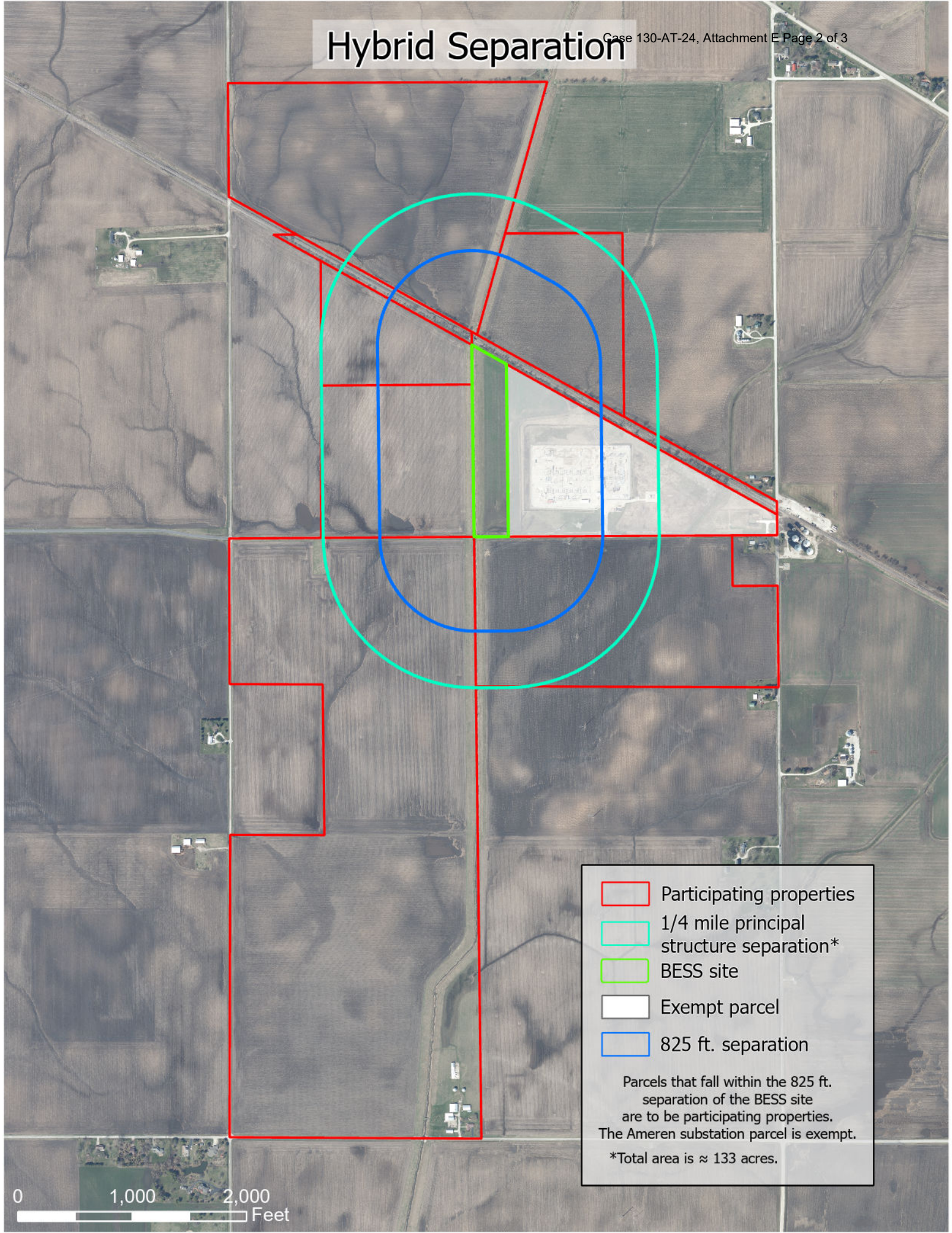






# Hybrid Separation

Case 130-AT-24, Attachment E Page 2 of 3



- Participating properties
- 1/4 mile principal structure separation\*
- BESS site
- Exempt parcel
- 825 ft. separation

Parcels that fall within the 825 ft. separation of the BESS site are to be participating properties. The Ameren substation parcel is exempt.

\*Total area is  $\approx$  133 acres.

0 1,000 2,000 Feet



**PROPOSED TEXT FOR HYBRID SEPARATION:**

Revise proposed Sec. 6.1.8 C.(3) to be as follows:

- (3) For properties not participating in the TIER-2 BESS:
  - a. The minimum separation shall be as follows:
    - (a) The minimum separation to the nearest NON-PARTICIPATING PRINCIPAL BUILDING shall be 1,320 feet measured from the nearest BESS equipment to the PRINCIPAL BUILDING. This separation may be reduced by a PRIVATE WAIVER signed by the owner of the BUILDING.
    - (b) The minimum separation to the nearest NON-PARTICIPATING PROPERTY shall be 825 feet measured from the nearest BESS equipment to the nearest point on the NON-PARTICIPATING PROPERTY.
    - (c) PARTICIPATING PROPERTY that is not actually used for the BESS shall be included in the property description in the application and the owner's signature shall be included in the application.
    - (d) This separation may be reduced by a PRIVATE WAIVER signed by the owner of the NON-PARTICIPATING property.
    - (e) No minimum separation shall be required to an electrical substation property or to a PARTICIPATING PV SOLAR FARM or PARTICIPATING WIND FARM.
  - b. 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