



**CHAMPAIGN COUNTY BOARD**  
**ENVIRONMENT and LAND USE COMMITTEE AGENDA**

County of Champaign, Urbana, Illinois  
Thursday, April 6, 2023 - 6:30 p.m.

Shields-Carter Meeting Room  
Brookens Administrative Center, 1776 E. Washington St., Urbana

**Committee Members:**

Eric Thorsland – Chair  
Aaron Esry – Vice-Chair  
Jim Goss  
Kyle Patterson

Emily Rodriguez  
Jilmala Rogers  
Chris Stohr

<b>Agenda</b>	<b>Page #'s</b>
I. Call to Order	
II. Roll Call	
III. Approval of Agenda/Addendum	
IV. Approval of Minutes	
A. February 9, 2023 – Regular Meeting	1 - 4
V. Public Participation	
VI. Communications	
VII. <u>New Business: Items for Information Only</u>	
A. Online registration still open for April 15, 2023, Household Hazardous Waste Collection Event at State Farm Center	
VIII. <u>New Business: Items to Receive and Place on File by ELUC to Allow a 30-Day Review Period</u>	
A. <b>Zoning Case 074-S-22.</b> A request by Medanos Solar LLC, PO Box 14055 Chicago, IL 60614, a subsidiary of Cultivate Power, LLC, owned by Brian Matthay, 2819 Buchanan St, San Francisco, CA 94123 and Noah Hyte, 321 Beloit Ave, Los Angeles, CA 90049; via agent Kiera Gavin, and participating landowner Terry Wolf, 1409 W Bridalveil Pl, Oro Valley, AZ 85737, to authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 and AG-2 Agriculture Zoning Districts, on a 48.64-acre tract in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter and part of a 197.02-acre tract in the east half of Section 4, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as farmland owned by Terry Wolf on the north side of CR 1100N (County Highway 15) northeast of the Village of Homer, Illinois, and including the following waivers of standard conditions:	5 - 34
Part A: A waiver for a distance of 0 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.	

*All meetings are at Brookens Administrative Center – 1776 E Washington Street in Urbana – unless otherwise noted. To enter Brookens after 4:30 p.m., enter at the north (rear) entrance located off Lierman Avenue. Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled meeting.*

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Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3. of the Zoning Ordinance.

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

Part D: A waiver for not completing consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 K. of the Zoning Ordinance.

- B. Decommissioning and Site Reclamation Plan for Zoning Case 074-S-22.** A request 35 - 49  
by Medanos Solar LLC, PO Box 14055, Chicago, IL 60614, a subsidiary of Cultivate Power, LLC, owned by Brian Matthay, 2819 Buchanan St, San Francisco, CA 94123 and Noah HYTE, 321 Beloit Ave, Los Angeles, CA 90049; via agent Kiera Gavin, and participating landowner Terry Wolf, 1409 W Bridalveil Pl, Oro Valley, AZ 85737, to approve the Decommissioning and Site Reclamation Plan for the PV Solar Farm in Zoning Case 074-S-22 with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 and AG-2 Agriculture Zoning Districts, on a 48.64-acre tract in the Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter and part of a 197.02-acre tract in the east half of Section 4, Township 18 North, Range 14 West of the Second Principal Meridian in South Homer Township, and commonly known as farmland owned by Terry Wolf on the north side of CR 1100N (County Highway 15) northeast of the Village of Homer, Illinois.

**IX. New Business: Items to be Recommended to the County Board**

- A. Zoning Case 080-S-22.** A request by Anthony Donato, d.b.a. IAG Investments LLC 50 - 72  
to authorize a Special Use Permit for a photovoltaic solar array with a total nameplate capacity of 6 megawatts (MW), including access roads and wiring, as a County Board Special Use Permit and as a second principal use in addition to a data center authorized by the ZBA in related Case 079-S-22, in the AG-2 Agriculture Zoning District on a 21-acre tract in the North Half of the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township that is located west of the veterinary clinic with an address of 3003 East Windsor Road, Urbana and including the following waivers of standard conditions:

Part A: A waiver from providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.

Part B: A waiver from locating the PV Solar Array less than one-half mile from an incorporated municipality with a zoning ordinance and within the contiguous urban growth area of a municipality per Section 6.1.5 B.(2)a.

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Part C: A waiver for locating 32 feet from a non-participating existing dwelling on a lot that is 10 acres or less in area in lieu of the minimum required separation of 240 feet between the solar farm fencing and the property line, per Section 6.1.5 D.(3)a.

Part D: A waiver from submitting a Roadway Upgrade and Maintenance Agreement prior to consideration of the Special Use Permit by the Board, per Section

- B. **Decommissioning and Site Reclamation Plan for Zoning Case 080-S-22.** A request by Anthony Donato, via IAG Investments LLC, to approve the Decommissioning and Site Reclamation Plan for the PV SOLAR ARRAY in Zoning Case 080-S-22 with a total nameplate capacity of 6 megawatts (MW), including access roads and wiring, on a 21-acre tract in the North Half of the Northeast Quarter of Section 27, Township 19 North, Range 9 East of the Third Principal Meridian in Urbana Township that is located west of the veterinary clinic with an address of 3003 East Windsor Road, Urbana. 73 - 85
- C. **Zoning Case 087-AM-22.** A request by Brian and Lana Krutsinger to amend the Zoning Map to change the zoning district designation for approximately 18 acres of the 30.37-acre subject property from the CR Conservation Recreation Zoning District to the AG-2 Agriculture Zoning District on a 30.37-acre tract in the East Half of the Northeast Quarter of Section 10, Township 18N, Range 10 East of the Third Principal Meridian in Sidney Township and commonly known as the Krutsinger residence located at 2197 CR 1100N, Sidney. 86 - 99
- X. Other Business
- A. Monthly Reports
- i. January 2023 100 - 110
- ii. February 2023 111 - 120
- XI. Chair's Report
- XII. Designation of Items to be Placed on the Consent Agenda
- XIII. Adjournment



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

**MINUTES – Subject to Review and Approval**

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DATE: Thursday, March 9, 2023  
TIME: 6:30 p.m.  
PLACE: Shields-Carter Meeting Room  
Brookens Administrative Center  
1776 E Washington, Urbana, IL 61802

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**Committee Members**

<b>Present</b>	<b>Absent</b>
Aaron Esry (Vice-Chair)	
Jim Goss	
Kyle Patterson	
Emily Rodriguez	
Jilmala Rogers	
Chris Stohr	
Eric Thorsland (Chair)	

**County Staff:** John Hall (Zoning Administrator) and Mary Ward (Recording Secretary)

**Others Present:** None

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**MINUTES**

**I. Call to Order**

Committee Chair Thorsland called the meeting to order at 6:30 p.m.

**II. Roll Call**

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

**III. Approval of Agenda/Addendum**

**MOTION** by Mr. Goss to approve the agenda and addendum, seconded by Mr. Patterson. Upon voice vote, the **MOTION CARRIED** unanimously to approve the agenda and addendum.

**IV. Approval of Minutes**

A. February 9, 2023 – Regular Meeting

**MOTION** by Mr. Esry to approve the minutes of the February 9, 2023 regular meeting, seconded by Mr. Patterson. Upon voice vote, the **MOTION CARRIED** unanimously to approve the minutes.

**V. Public Participation**

There was no public participation.

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**VI. Communications**

Mr. Stohr reminded the committee that the registration was open for the Household Hazardous Waste Recycling event on April 15.

**VII. New Business: Items to be Recommended to the County Board**

A. **Zoning Case 083-S-22.** A request by Anthony Donato, d.b.a. IAG Investments, LLC to authorize a Special Use Permit for a photovoltaic solar array with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring as a County Board Special Use Permit and as a second principal use in addition to a data center authorized by the ZBA in related Case 082-S-22, in the AG-2 Agriculture and B-3 Highway Business Zoning Districts on a 21-acre tract in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 24, Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township that is located west of the Road Ranger facility with an address of 4910 N. Market St., Champaign, and including the following waivers of standard conditions:

Part A: A waiver from providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A 3.

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

Part C: A waiver from submitting a Roadway Upgrade and Maintenance Agreement prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.(1).

Mr. Hall informed the committee that Part C, the waiver from submitting a Roadway Upgrade and Maintenance Agreement, is not needed. When this goes to the County Board, a waiver for Part C will not be included. This was recommended unanimously by ZBA and there were no comments at the public hearing.

**MOTION** by Mr. Esry to approve Zoning Case 083-S-22 with the elimination of Part C. Seconded by Ms. Rogers. Mr. Goss has a potential conflict and will be abstaining on the votes for all parts of this zoning case. Upon voice vote, the **MOTION CARRIED** unanimously with one abstention.

B. **Decommissioning and Site Reclamation Plan for Zoning Case 083-S-22.** A request by Anthony Donato, via IAG Investments LLC, to approve the Decommissioning and Site Reclamation Plan for the PV SOLAR ARRAY in Zoning Case 083-S-22 with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, on a 21-acre tract in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 24, Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township that is located West of the Road Ranger facility with an address of 4910 N. Market St., Champaign.

This was compared with and consistent to the previous two zoning cases. It has the same unit costs.

**MOTION** by Mr. Patterson and seconded by Ms. Rogers to approve the Decommissioning and Site Reclamation Plan for Zoning Case 083-S-22. Upon voice vote, the **MOTION CARRIED** unanimously with an abstention by Mr. Goss.

82 C. **Noise Analysis for Zoning Case 083-S-22.** A request by Anthony Donato, via IAG Investments LLC, to  
83 approve the noise analysis for the PV SOLAR ARRAY in Zoning Case 083-S-22 with a total nameplate  
84 capacity of 5 megawatts (MW), including access roads and wiring, on a 21-acre tract in the Northeast  
85 Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 24,  
86 Township 20 North, Range 8 East of the Third Principal Meridian in Hensley Township that is located west  
87 of the Road Ranger facility with an address of 4910 N. Market St., Champaign.  
88

89 The analysis shows the nearest residential property line to the solar array will have a noise level of about  
90 40 dBA, which is well below the Pollution Control Board requirement.  
91

92 **MOTION** by Mr. Patterson and seconded by Mr. Stohr to accept the Noise Analysis for Zoning Case 083-S-  
93 22. Upon voice vote, the **MOTION CARRIED** unanimously with an abstention by Mr. Goss.  
94

95 D. **Authorization for Public Hearing on Proposed Zoning Ordinance Text Amendment to Revise**  
96 **Requirements for Wind Farm and PV Solar Farm as required by Public Act 102-1123.**  
97

98 Mr. Hall said that this is for approval by the committee to go to the Zoning Board of Appeals and does not  
99 need County Board approval. This is in response to the new Public Act adopted by the State that takes  
100 away the county's discretion in approving Wind Farms and Solar Farms. Basically, we're being told we  
101 have to do this by the State. The county's ordinance cannot be more restrictive than the Public Act. This  
102 means that this amendment will establish new standards for Wind Farms and Solar Farms that is much  
103 less restrictive than the current ordinance.  
104

105 A change is being made to the timeline. The state would like it done by May 27<sup>th</sup>, which we will not be  
106 able to meet. The new proposed timeline has this going to the County Board on June 22<sup>nd</sup>. Normally,  
107 text amendments sit at ELUC for a month, instead the plan is to have it for the June 8<sup>th</sup> ELUC meeting for  
108 the committee to both to affirm the ZBA recommendations and then also recommend to the County  
109 Board. The County Board could approve this at their June 22<sup>nd</sup> meeting. The timeline will not meet the  
110 State's requirement but will do our best to meet it. There are 2-3 grey areas that will be sent to the  
111 State's Attorney's Office and hopefully, we'll hear back from them in a timely manner.  
112

113 Mr. Goss asked if the committee and ZBA could be provided with a red-line version of all the changes. It  
114 wouldn't really be a red-line version as we are keeping the current requirements to deal with non-  
115 conformities for the existing wind farm. We are actually adding a new section for those approved after  
116 this is adopted. Mr. Hall had planned on doing a red-line version on the Decommissioning and Site  
117 Reclamation Plan. Mr. Goss felt that we need something to show the comparison. A comparison chart  
118 was suggested and would work also.  
119

120 Mr. Patterson asked since the State is essentially writing an ordinance, do we even need an ordinance?  
121 The way the State has written this is ingenious. You can't have an ordinance that prohibits them, you  
122 can't have an ordinance that is more restrictive and if you have an ordinance, you must have a public  
123 hearing. A public hearing gives an environment where the public can ask questions of the developer and  
124 testimony is given under oath.  
125

126 Mr. Esry will vote no on this. This is his way of protesting what the state has forced upon us. This was  
127 done at the end of the lame duck session. The Governor had said he didn't agree with this and would  
128 leave it up to the counties and work with them. If there are trailer bills, then we'll have to go through  
129 hearings again to match the State ordinance again. He didn't think any counties in the state were in  
130 favor of this. He will vote no.

131 **MOTION** by Ms. Rogers to authorize a public hearing on the proposed zoning ordinance text  
132 amendment. Seconded by Mr. Patterson. A roll call vote was taken, and the **MOTION CARRIED** with a  
133 vote of 5 yays to 2 nays. Yays = Patterson, Rodriguez, Rogers, Stohr, and Thorsland. Nays = Esry and  
134 Goss.  
135

- 136 E. County Board Resolution Authorizing Signature of County Executive for Extension of IHDA Strong  
137 Communities Program Grant.  
138

139 Mr. Hall said that the grant program will be extended for six months. We hope that within the six-month  
140 extension we will be able do a project.  
141

142 **MOTION** by Mr. Goss and seconded by Mr. Patterson to approve recommending the County Board  
143 Resolution. Upon voice vote, the **MOTION CARRIED** unanimously.  
144

145 **VIII.** Other Business

- 146 A. Semi-Annual Review of CLOSED Session Minutes  
147

148 Everyone had a chance to look at the information from the State's Attorney.  
149

150 **MOTION** by Mr. Esry per the State's Attorney's advice to keep the closed session minutes closed. Seconded  
151 by Ms. Rodriguez. Upon voice vote, the **MOTION CARRIED** unanimously.  
152

153 **IX.** Chair's Report

154 There was no chair's report.  
155

156 **X.** Designation of Items to be Placed on the Consent Agenda

157 Items VII. A., B., C., and E. are to be placed on the Consent Agenda.  
158

159 **XI.** Adjournment

160 Mr. Thorsland adjourned the meeting at 7:02 p.m.  
161  
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163

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

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

From: **John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

Date: **March 27, 2023**

RE: **Recommendation for County Board Special Use Permit  
Case 074-S-22**

Request: **Authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, in the AG-1 and AG-2 Agriculture Zoning Districts, and including the following waivers of standard conditions:**

**Part A: A waiver for a distance of 0 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.**

**Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3. of the Zoning Ordinance.**

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

**Part D: A waiver for not completing consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 K. of the Zoning Ordinance.**

Petitioner: **Medanos Solar LLC, via agent Kiera Gavin**

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## **BACKGROUND**

The petitioner would like to construct a 5-megawatt (MW) PV Solar Farm, which requires a County Board Special Use Permit.

## **STATUS**

The Zoning Board of Appeals (ZBA) voted 4-3 to “RECOMMEND DENIAL” of this County Board Special Use Permit at its March 16, 2023 meeting.

- Those voting in opposition noted that the PV Solar Farm was too close to the Village of Homer and would not be compatible with adjacent uses and its proximity would be injurious to the neighborhood or to the public health, safety and welfare.



- Those voting in favor cited that the petitioner has made numerous changes to the Site Plan that mitigated concerns raised by the Village, including adding vegetative screening, noise reduction fencing around inverters, moving power poles away from the village hall, and moving the solar farm farther north away from the village.

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of Homer, a municipality with zoning. The subject property is located within South Homer Township, which does not have a Plan Commission.

A PV Solar Farm County Board Special Use Permit typically must go through two ELUC meetings before it can move on to final determination by the County Board. However, Section 6.1.5 B(2)(g) of the Zoning Ordinance allows the project to only have one ELUC meeting if the relevant municipality waives this requirement in writing. The Village of Homer has not waived this requirement, so two ELUC meetings are necessary.

There are 13 approved special conditions for case 074-S-22 listed below.

## **PUBLIC INPUT RECEIVED**

- (1) At the December 29, 2023 ZBA meeting, cross-examination of the petitioner's agent touched on concerns about noise, visual blight, the possibility of increasing setbacks to residential neighbors, property values, vegetation management, decommissioning plan, screening, and protection of drainage tile.
- (2) On January 26, 2023, Village of Homer Resolution 2023 – R-2 opposing the solar farm project was received (Attachment C). The Resolution listed the following reasons for opposing the development:
  - a. The Solar Project is in very close proximity to the Village precluding natural and desirable development in one of the limited directions for expansion for the Village and contrary to Village plans.
  - b. The Solar Project will create noise from its inverters and any transformer thereby being a nuisance.
  - c. Due to its proximity to the Village, the Solar Project will create visual blight reducing views, disrupt local habitat, and expose those in proximity to electromagnetic waves/radiation which do not already exist.
  - d. The Solar Project will negatively affect area property values.
- (3) At the February 16, 2023 ZBA meeting, the following testimony was received:
  - a. Ted Hartke testified regarding concerns about noise and the location of power poles adjacent to the Village Hall.
  - b. Jim White, Interim Mayor of Homer, testified regarding concerns about the location of the power poles adjacents to the Village Hall and screening for the solar farm.

- (4) At the March 2, 2023 ZBA meeting, the following testimony was received:
- a. Suzanne Smith said she appreciated all the proposed upgrades. She asked about the types of plants that would be used in the vegetative screening and asked if plants would be replaced if they die. She asked about the noise fence and its durability for the life of the project. She said she lives on a farm north of the subject property. She said she is an advocate for renewable energy but hopes that time will be taken to learn about the solar industry. She said our area is being inundated by wind and solar projects and she hopes we take time to understand these things prior to making decisions. She expressed concerns about waiving regulations such as the waiver for locating within one-half mile of a municipality. She said that decommissioning plans are very important and she hopes there will be a very thorough decommissioning plan so they will not be left with a mess of a retired solar array in the future.
- (5) At the March 16, 2023 ZBA meeting, the following testimony was received:
- a. Jim White, Mayor of Homer, said that he appreciated the changes that had been made to the site plan, but speaking on behalf of the Village, the proposed PV Solar Farm was not wanted. He cited continued concerns about visual blight, protection of drainage tile, and limiting the growth of the Village.

**APPROVED SPECIAL CONDITIONS FOR CASE 074-S-22**

- A. **The approved site plan consists of the following documents:**
- **Revised Site Plan received February 28, 2023.**

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

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

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

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

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

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

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

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

- D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement**

**with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

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

**That the land affected by PV SOLAR FARM is restored to its pre-construction capabilities.**

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

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

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

- F. *(Note: not needed if a waiver is received from the Village)* **A Roadway Upgrade and Maintenance Agreement signed by the Village of Homer and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

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

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

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

5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**
7. **An agency action report from the State Historic Preservation Office regarding historic and archaeological resources review, as required by 6.1.5 K.**
8. **The telephone number for the complaint hotline required by 6.1.5 S.**
9. **Any updates to the approved Site Plan from Case 074-S-22 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

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

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

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

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

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

3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
4. **Maintain a current general liability policy as required by 6.1.5 O.**
5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

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

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

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

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

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

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

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

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

- L. **Within the boundary of the solar farm, the petitioner shall:**
1. **Complete a survey identifying all drainage tile and stake off all tile encountered prior to construction;**
  2. **Replace or repair all privately owned underground drainage tile that are identified and encountered consistent with both the Champaign County Storm Water Management and Erosion Control Ordinance and with the Agriculture Impact Mitigation Agreement; and**
  3. **No Zoning Compliance Certificate shall be authorized by the Zoning Administrator until all required “as-built” drawings showing the location of all drainage tile within the boundary of the solar farm have been filed with the**

**Illinois Department of Agriculture and the Champaign County Soil and Water Conservation District.**

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

**To ensure conformance with all relevant requirements for replacement of underground drainage tile within the area of the special use permit.**

- M. **The petitioner shall maintain the privately owned underground drainage tiles within the boundary of the solar farm for the lifetime of the special use permit including any repairs that may be necessary for up to one year after decommissioning and site reclamation.**

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

**To ensure maintenance of underground drainage tile within the area of the special use permit for the lifetime of the special use permit.**

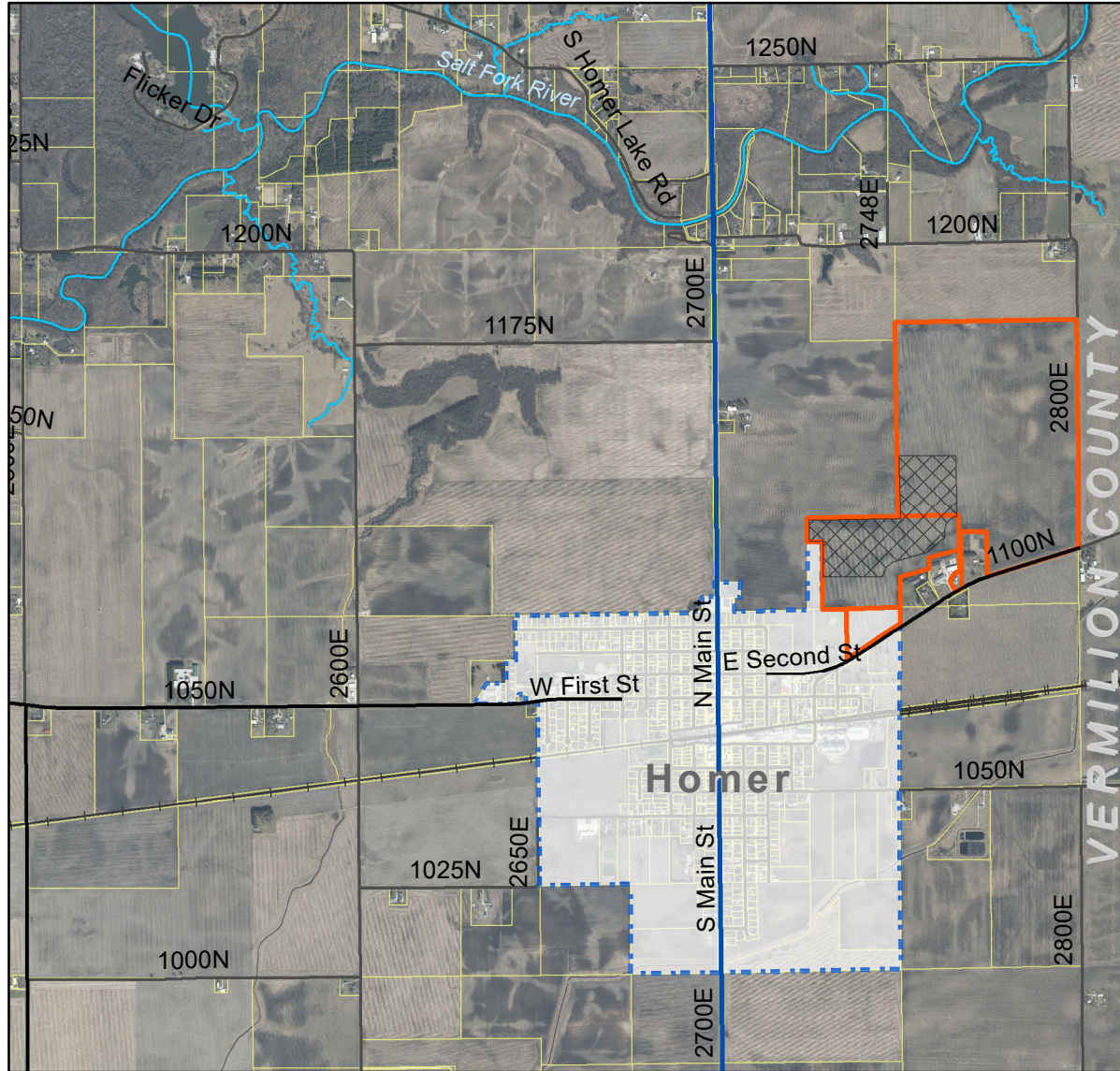
**ATTACHMENTS**





- A Case Maps (Location, Land Use, Zoning)
- B Revised Site Plan received February 28, 2023
- C Village of Homer Resolution of Protest received January 26, 2023
- D Finding of Fact and Final Determination for Case 074-S-22 as approved by the ZBA on March 16, 2023

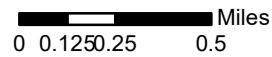
# Location Map

Case 074-S-22  
December 29, 2022

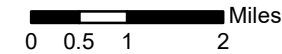
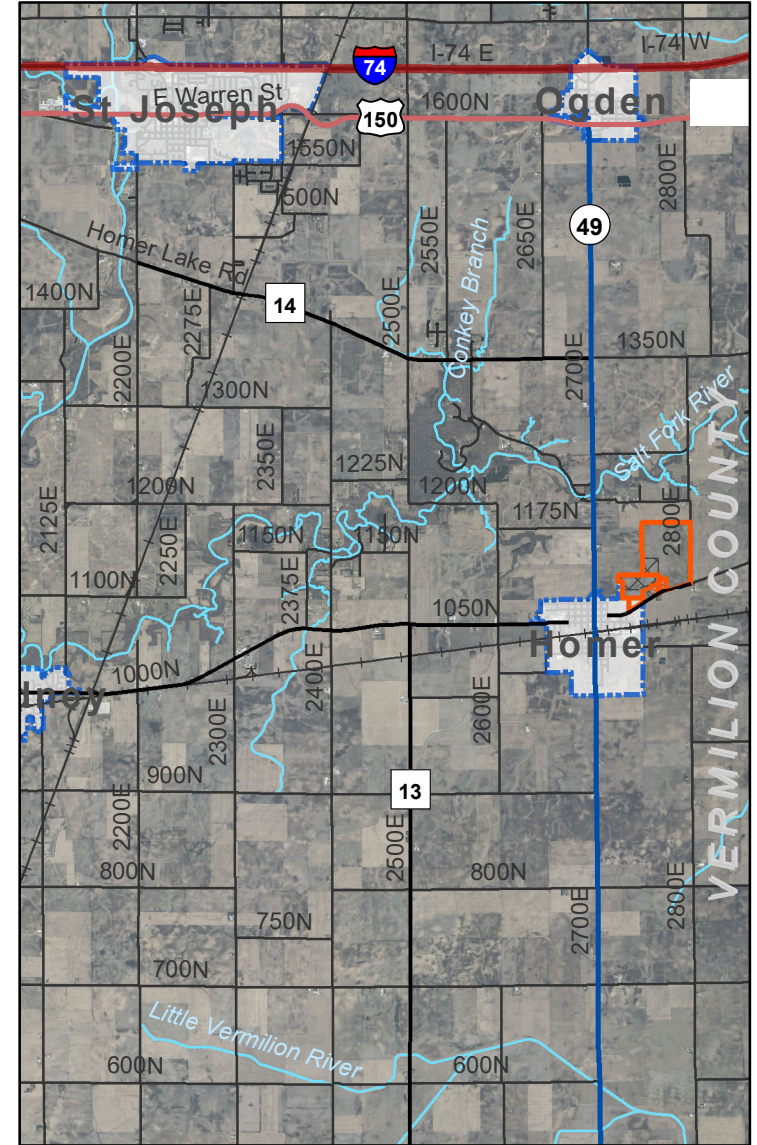
### Subject Property



-  Subject Properties
-  Parcels
-  Municipal Boundary
-  Fenced solar area (approx)



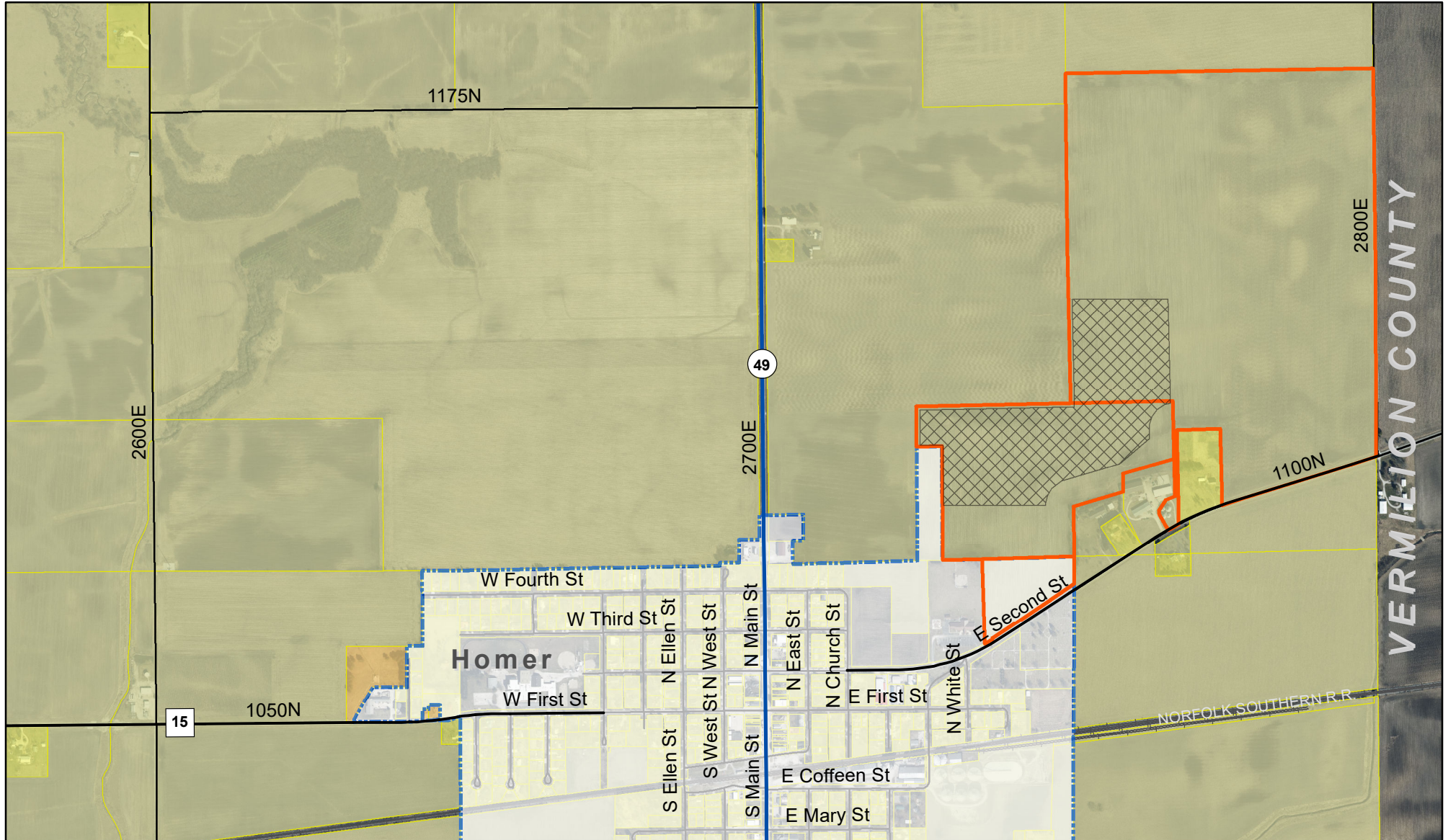
### Property location in Champaign County



Champaign County  
Department of  
PLANNING &  
ZONING

# Land Use Map

Case 074-S-22  
December 29, 2022



- Subject Properties
- Municipal Boundary
- Parcels
- Fenced solar area (approx)
- Agriculture
- Residential
- Utility

0 300 600 1,200 Feet

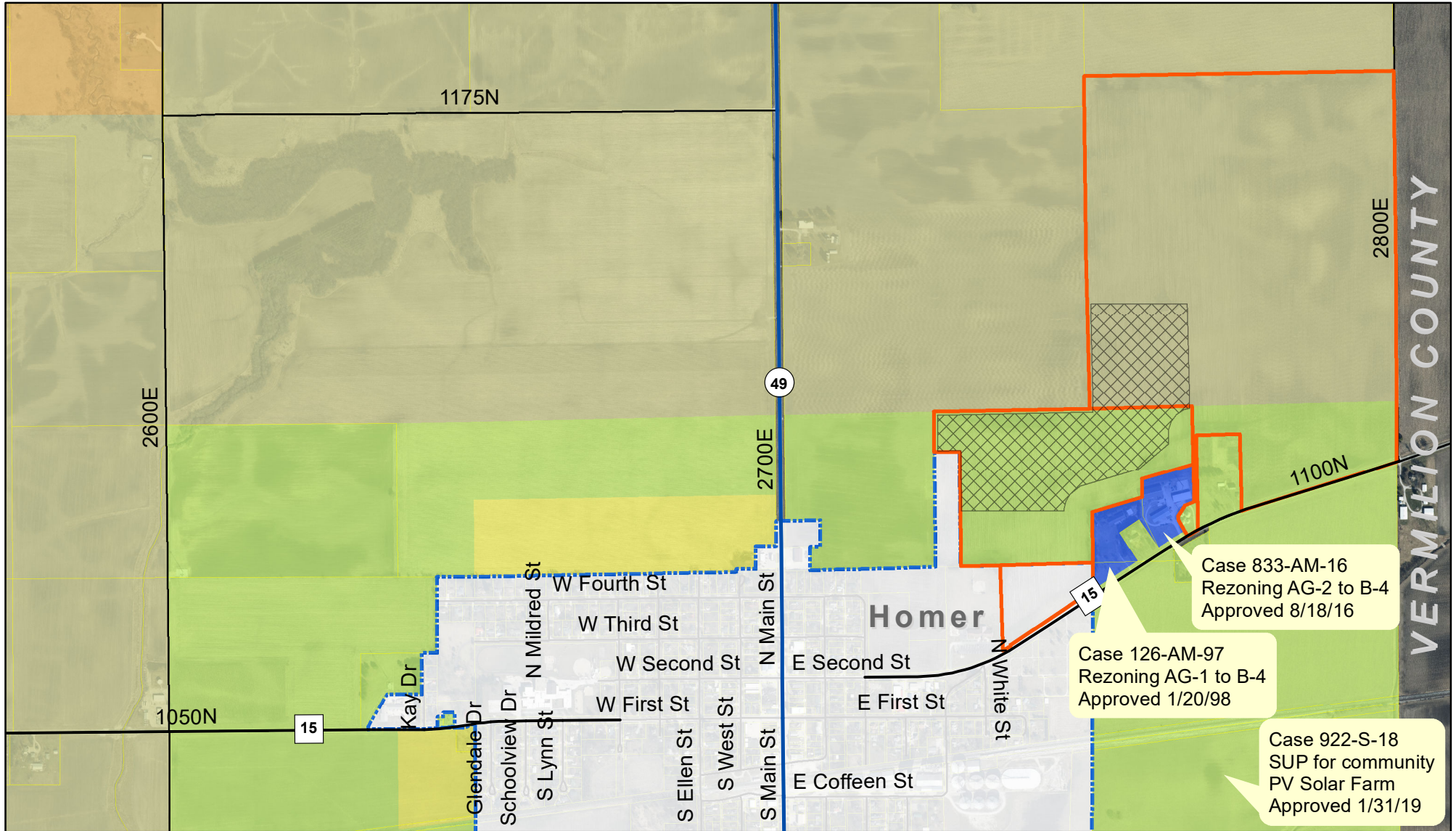


Champaign County  
Department of  
PLANNING &  
ZONING



# Zoning Map

Case 074-S-22  
December 29, 2022

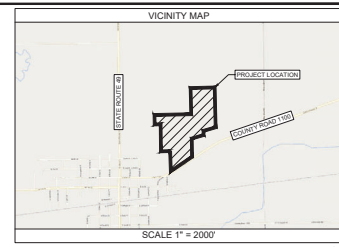
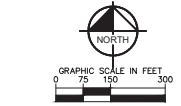
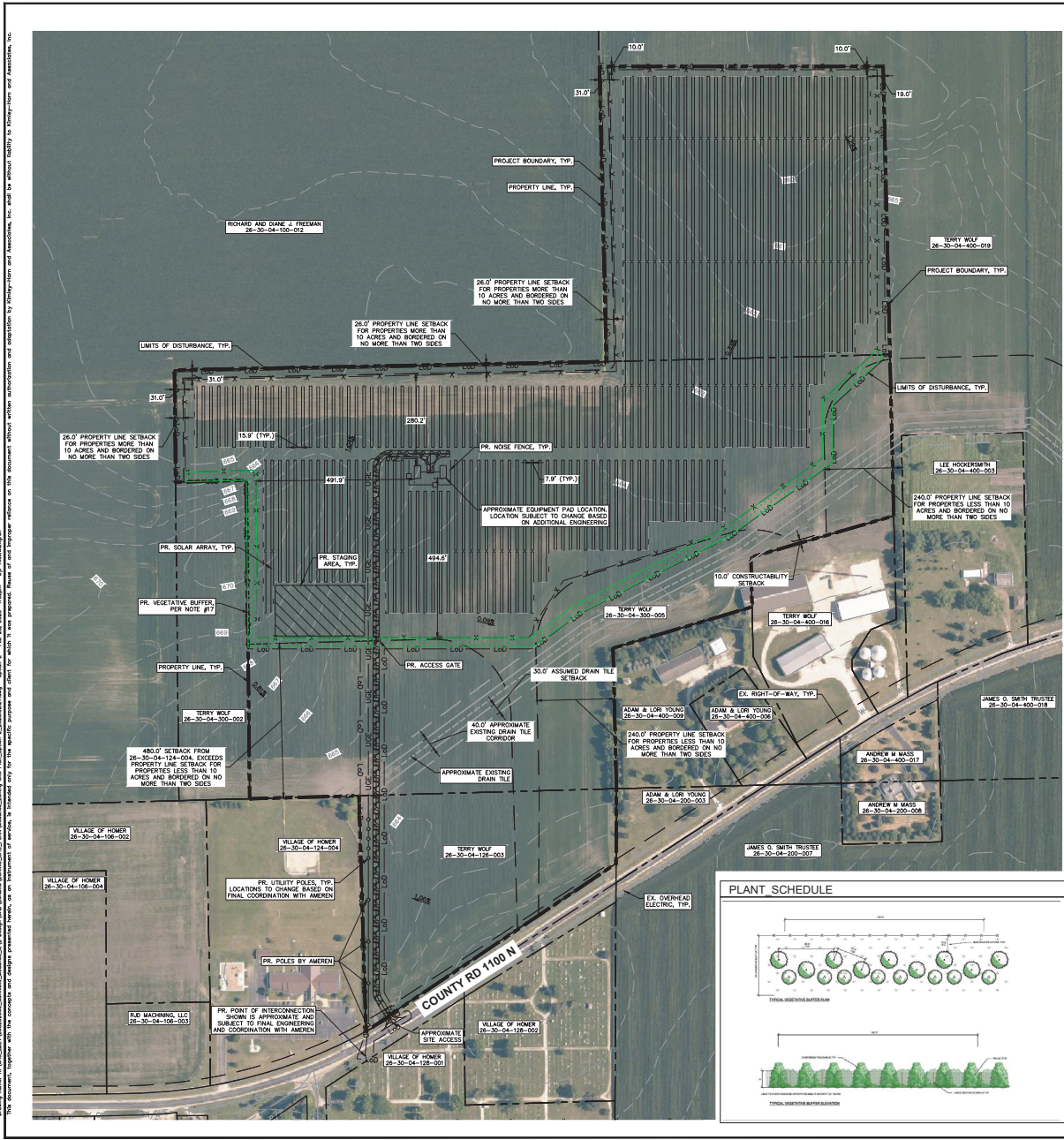


- Subject Properties
- Municipal Boundary
- CR Conservation Recreation
- AG-1 Agriculture
- R-1 Single Family Residence
- B-4 General Business
- Fenced solar area (approx)
- AG-2 Agriculture

Feet

0 300 600 1,200

Champaign County  
Department of  
**PLANNING &  
ZONING**



### LEGEND

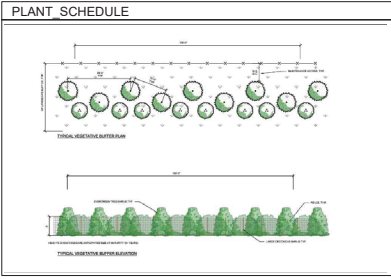
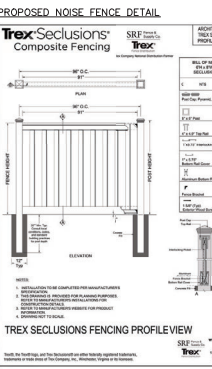
PROPERTY LINE (PER CHAMPAIGN COUNTY CODE)	R/W
RIGHT OF WAY (ASSUMED)	
SETBACK	
STREET CENTRALLINE	
MAJOR STREET CENTRALLINE	
EX. DRAIN TILE (APPROXIMATE)	
EX. DRAIN TILE CORRIDOR (APPROXIMATE)	
EX. DRAIN TILE (ASSIGNED)	
EX. OVERHEAD ELECTRIC (PER AERIAL)	EX OHE
EX. UTILITY POLE (PER AERIAL)	
ROAD LABEL	IL-251
EX. FLOW DIRECTION AND SLOPE	
PR. SECURITY FENCE	X
PR. PANEL LIMITS	
PR. LIMITS OF DISTURBANCE	LoD
PR. OVERHEAD ELECTRIC	
PR. UNDERGROUND ELECTRIC	UG
PR. GRAVEL ACCESS ROAD	
PR. UTILITY POLE	
PR. EQUIPMENT PAD	
PR. SOLAR ARRAY	
PR. STAGING AREA	
PR. VEGETATIVE BUFFER	
PR. NOISE FENCE	

### SITE DATA TABLE

PN NUMBERS	26-30-04-300-005, 26-30-04-400-019, 26-30-04-100-003
PROPERTY OWNER	TERRY WOLF
SITE ADDRESS	2710 COUNTY RD 1100 N, HOMER, IL 61849
ZONING JURISDICTION	CHAMPAIGN COUNTY
CURRENT LAND USE	AGRICULTURE
PROPOSED USE	SOLAR FARM ENERGY SYSTEM
TOTAL PARCEL AREA	237.0 ± AC
PROJECT AREA	52.8 ± AC
AREA WITHIN FENCE	46.0 ± AC
PRELIMINARY SOLAR AREA	38.1 ± AC
MAJOR STREET CENTRALLINE	60'
PROPERTY LINE SETBACK	10', 24', 240' OR 480', SEE NOTE 15
ASSUMED DRAIN TILE SETBACK	75'

\*ZONING SITE PLAN IS BEING SUBMITTED FOR SPECIAL USE PERMIT TO CONSTRUCT/OPERATE A SOLAR FARM ENERGY SYSTEM

- ### NOTES
- THE PURPOSE OF THIS PLAN IS FOR SPECIAL USE REVIEW AND APPROVAL BY CHAMPAIGN COUNTY TO CONSTRUCT A SOLAR FARM ENERGY SYSTEM.
  - THIS PLAN HAS PRODUCED UTILIZING GIS RESOURCES AND INFORMATION FROM MULTIPLE SOURCES, INCLUDING CHAMPAIGN COUNTY, GROSS FARM, AND GISD TOPOGRAPHIC INFORMATION.
  - SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON THE FLOOD INSURANCE RATE MAP (COMMUNITY PANEL 170505000) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
  - THE LOCATIONS OF PROPOSED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO FENCING, SOLAR ARRAY, GRAVEL PAD, AND UTILITY SERVICES TO ANY REMAINING BUILDINGS OR ADJACENT BUILDINGS THROUGHOUT THE OPERATION AND MAINTENANCE PHASES, EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE TEMPORARILY STABILIZED WITH GRAVEL, SOIL CONDITIONS AND EQUIPMENT CATCH WILL DETERMINE FINAL DESIGN.
  - PROPOSED AREA, INCLUDING CONSTRUCTION STAGING AREA, SHALL BE CLEARED AND BRUSHED AS NECESSARY, RETAINING PRE-DEVELOPMENT DRAINAGE PATTERNS TO THE GREATEST POSSIBLE EXTENT. EXISTING DRAINAGE PATTERNS SHALL BE MAINTAINED DURING CONSTRUCTION TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
  - ALL DIMENSIONS SHOWN ARE IN 90 DEGREES UNLESS OTHERWISE NOTED.
  - CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN UTILITY SERVICES.
  - CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDINGS OR ADJACENT BUILDINGS THROUGHOUT THE OPERATION AND MAINTENANCE PHASES, EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE TEMPORARILY STABILIZED WITH GRAVEL, SOIL CONDITIONS AND EQUIPMENT CATCH WILL DETERMINE FINAL DESIGN.
  - THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROMOTE SOILS, BARRIERS, BANKING, EROSION CONTROL, AND DRAINAGE FACILITIES AS NECESSARY. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY AGAIN.
  - SITE WILL HAVE NO DESIGNATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDING/STRUCTURES, OR STORMWATER MANAGEMENT FACILITIES.
  - STORMWATER MANAGEMENT FACILITIES TO BE PROVIDED AS REQUIRED BY COUNTY AND/OR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITTING REQUIREMENTS TO BE DETERMINED DURING FINAL DESIGN.
  - SOLAR PANELS WILL BE SECURED WITH ANTI-REFLECTIVE COATING TO MINIMIZE GLARE.
  - COLLECTION LINES WITHIN THE SOLAR FARM WILL BE LOCATED AND MAINTAINED UNDERGROUND.
  - THERE SHALL BE NO EXTERIOR LIGHTING.
  - SETBACKS SHOWN ON THIS PLAN ARE BASED ON CHAMPAIGN COUNTY CODE OF ORDINANCES, SECTION 5 OF MONTGOMERY COUNTY, IL ORDINANCE FOR SOLAR ENERGY FARM, AND SOLAR GRADE CONDITIONS.
  - ALL NECESSARY PERMITS FOR SOIL, EROSION CONTROL, AND DRAINAGE CONSTRUCTION WILL BE OBTAINED AS PART OF FINAL ENGINEERING AND PRIOR TO CONSTRUCTION.
  - LANDSCAPE BUFFER - EMERGENCY TREES AND LARGE DECIDUOUS SHRUBS TO BE PLANTED AROUND THE PERIMETER OF THE SITE WHERE EXISTING VEGETATION IS NOT SUITABLE FOR FUTURE SCREENING. PROPOSED VEGETATION SPECIES ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN AND LOCAL AVAILABILITY.



REV.	DATE	REVISIONS
6	02/17/2023	
5	11/07/2022	
4	10/13/2022	
3	REV. 3	
2	REV. 2	
1	09/15/2022	
0	09/14/2022	

**CULTIVATE POWER**



DATE OF EXPIRATION: 11-30-23	SCALE: AS SHOWN	CC	AC
DATE: 09/09/2022	DESIGNED BY: AS SHOWN	CC	AC
DATE: 09/09/2022	DRAWN BY: AS SHOWN	CC	AC
DATE: 09/09/2022	CHECKED BY: AS SHOWN	CC	AC

**ZONING SITE PLAN (OPTION 2)**

**CULTIVATE POWER MEDANOS SOLAR, LLC**  
CHAMPAIGN COUNTY, IL

**RECEIVED**  
FEB 28, 2023  
CHAMPAIGN COUNTY  
PLANNING & ZONING

SHEET NUMBER  
**EX-1**



500 EAST SECOND STREET • HOMER, ILLINOIS 61849 • TELEPHONE (217) 896-2521

E-mail: [villageofhomer@gmail.com](mailto:villageofhomer@gmail.com) • FAX (217) 896-2559

Website: [homervillage.com](http://homervillage.com)

*This Institution is an Equal Opportunity Provider and Employer.*

RECEIVED

JAN 26 2023

CHAMPAIGN CO. P & Z DEPARTMENT

January 24, 2023

Dear Mr. Hall,

Enclosed is a Resolution that was passed on January 23, 2023 by the Village of Homer Board of Trustees in opposition of the proposed solar farm North East of the Village adjacent to Village Property.

Sincerely,

A handwritten signature in blue ink that reads "Jim White".

Jim White, Mayor

**VILLAGE OF HOMER  
CHAMPAIGN COUNTY, ILLINOIS**

**RECEIVED**

**JAN 26 2023**

CHAMPAIGN CO. P & Z DEPARTMENT

**RESOLUTION NO. 2023 – R-2**

**A RESOLUTION OBJECTING TO A PROPOSED SOLAR FARM PURSUANT TO  
55 ILCS 5/5-120/4 AND OTHER APPLICABLE LAW**

Adopted by the  
Board of Trustees of the Village of Homer  
this 23rd day of January 2023

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Published in pamphlet form by authority of the President and the Board of Trustees of the Village of Homer, Champaign County, Illinois, this 23rd day of January 2023.

**VILLAGE OF HOMER  
CHAMPAIGN COUNTY, ILLINOIS**

**Resolution No. 2023-R-2**

**January 23, 2023**

**A RESOLUTION OBJECTING TO A PROPOSED SOLAR FARM PURSUANT TO  
55 ILCS 5/5-120/4 AND OTHER APPLICABLE LAW**

WHEREAS, the Village of Homer, Champaign County, State of Illinois (the “Village”) is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto with full powers to enact ordinances and resolutions for the benefit of the residents of the Village; and

WHEREAS, the Village of Homer previously established the Village of Homer Zoning Ordinance, the Village of Homer Subdivision Ordinance and a Village Comprehensive Plan encompassing the one-and-a-half-mile area outside of the Village; and

WHEREAS, pursuant to ILCS 5/11-12-4, the Illinois Constitution, applicable case law and all other laws, the Village has extra-territorial jurisdiction over the territory extending 1.5 miles from the Village corporate limits; and

WHEREAS, pursuant to a meetings held by the Champaign County ELUC in 2022 with plans for upcoming meetings in 2023 all relating to a proposed SOLAR GARDEN/SOLAR FARM/SOLAR DEVELOPMENT (“Solar Project”) located within the Village of Homer extraterritorial jurisdiction; and

WHEREAS, the Solar Project is also located within the ½ mile perimeter of the Village and is almost contiguous to the Village boundaries; and

WHEREAS, approval of the Solar Project by the County of Champaign may require potential text amendments and/or other processes of approval by the County; and

WHEREAS, 55 ILCS 5/5-12014 (b) provides that text amendments to a County Zoning Ordinance must be approved by a “...favorable vote of ¾ of all the members of the county board...in the case of a proposed text amendment to the Zoning Ordinance, by resolution of the corporate authorities of the zoned municipality with limits nearest adjacent, filed with the county clerk...”; and

WHEREAS, the Village of Homer desires to put on record its objection to said Solar Project; and

WHEREAS, pursuant to 55 ILCS 5/5-12014 and other applicable law, the Village of Homer is entitled, by the within Resolution, to provide this written protest of any approval of said Solar Project and its written protest of any proposed text amendment or other amendment related thereto thereby triggering said ¾ vote of all of the members of the County Board to approve any such amendment; and

WHEREAS, the public address for Champaign County is listed as 1779 E. Washington Street, Urbana, Illinois 61802; and

WHEREAS, the Attorney representing Champaign County is its State's Attorney, JULIA RIETZ with a publicly posted address of 101 E. Main Street #2, Urbana, Illinois 61801; and

WHEREAS, in support of the within Village of Homer objection to the above referenced Solar Project and any related amendments and/or zoning changes, the Village asserts that:

- A. The Solar Project is in very close proximity to the Village precluding natural and desirable development in one of the limited directions for expansion for the Village and contrary to Village plans.
- B. The Solar Project will create noise from its inverters and any transformer thereby being a nuisance.
- C. Due to its proximity to the Village, the Solar Project will create visual blight reducing views, disrupt local habitat, and expose those in proximity to electromagnetic waves/radiation which do not already exist.
- D. The Solar Project will negatively affect area property values.

**NOW THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF HOMER, CHAMPAIGN COUNTY, ILLINOIS, AS FOLLOWS:**

1. The President and Board of Trustees of the Village of Homer hereby find that all recitals hereinbefore stated as contained in the preambles to this Resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this Resolution.
2. The President and Board of Trustees of the Village of Homer hereby decree, pursuant to 55 ILCS 5/5-12014, County ordinances, and other applicable law, that the Village of Homer and its Board of Trustees objects to approval of the Solar Project and any text, ordinance or other amendment to the Champaign County Zoning Ordinance.
3. This Resolution shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.
4. The Village Clerk is hereby directed and authorized to file a copy of the within Resolution with the Champaign County Clerk with a copy to be sent to JOHN HALL, Zoning Administrator as Petitioner/Applicant by certified mail at 1776 E. Washington Street, Urbana, Illinois 61802 with an informational copy to also be mailed to him by USPS First Class Mail with an informational copy to also be sent to JULIA REITZ as his attorney as being JULIA REITZ, State's Attorney, 101 E. Main Street #2, Urbana, Illinois 61801 by certified mail and also by USPS First Class Mail.
5. The Village Board President is further authorized to direct, carry out, and/or perform such actions as are necessary, in his opinion, to carry out this Resolution and its underlying intent.

The foregoing Resolution was moved by Mike Johnson, seconded by Skip James and approved by roll call vote:

Trustee	Aye	Nay
Guy James, Trustee	<u>✓</u>	<u>          </u>
Skip James, Trustee	<u>✓</u>	<u>          </u>
Mike Johnson, Trustee	<u>✓</u>	<u>          </u>
Ray Ryerson, Trustee	<u>✓</u>	<u>          </u>
John Dodd, Trustee	<u>—</u>	<u>          </u>
Herb Lacey, Trustee	<u>✓</u>	<u>          </u>
President, Jim White	<u>✓</u>	<u>          </u>

Approved this 23rd day of January 2023.

APPROVED:

Jim White  
Jim White  
Village President

ATTEST:

Sharon Jeffers  
Sharon Jeffers  
Village Clerk

STATE OF ILLINOIS )  
 ) SS  
COUNTY OF CHAMPAIGN )

**CERTIFICATE**

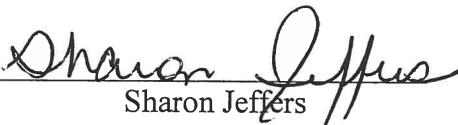
I, Sharon Jeffers, certify that I am the duly appointed and acting municipal clerk of the Village of Homer, Champaign County Illinois.

I further certify that on January 23, 2023 the Corporate Authorities of such municipality passed and approved Resolution No. 2023-R-2 entitled:

**A RESOLUTION OBJECTING TO A PROPOSED SOLAR FARM PURSUANT TO  
55 ILCS 5/5-120/4 AND OTHER APPLICABLE LAW**

I further certify that the attached copy of said resolution is a true and correct copy of said resolution, as appears from the records of the Village of Homer, Illinois.

DATED at Homer, Illinois, this 23rd day of January 2023.

  
\_\_\_\_\_  
Sharon Jeffers  
Village Clerk  
Village of Homer, Illinois



**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

**FINDINGS OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **074-S-22** held on **December 29, 2022, February 16, 2023, March 2, 2023 and March 16, 2023**, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit **IS** necessary for the public convenience at this location because: the State of Illinois has adopted a Renewable Portfolio Standard that established a goal of 25% of the State's energy coming from renewable sources by the year 2025. The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030. There is an existing power line along the south side of CR 1100N (County Highway 15) where they can attach themselves to the grid.
2. The requested Special Use Permit, **SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN**, is so designed, located, and proposed to be operated so that it **WILL NOT** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
  - a. The street has **ADEQUATE** traffic capacity and the entrance location has **ADEQUATE** visibility.
  - b. Emergency services availability is **ADEQUATE** because: the subject properties are approximately 0.5 mile from the Village of Homer fire station. In an email received November 21, 2022, Fire Chief Don Happ acknowledged receipt of the site plan for the proposed PV Solar Farm. The Homer Fire Protection District was notified of this case and no comments have been received.
  - c. The Special Use **WILL NOT** be compatible with adjacent uses because: a resolution of protest was received from the Village of Homer on January 26, 2023, citing incompatibility concerns with the proximity of the project to the village. Input received at public hearings everyone voiced concerns about that.
  - d. Surface and subsurface drainage will be **ADEQUATE** because: no part of the subject property is in the Special Flood Hazard Area. The proposed project must comply with the Storm Water Management and Erosion Control Ordinance. The petitioners, in coordination with the Village of Homer, have established a drain tile corridor and setback for the village tile that crosses the subject property.
  - e. Public safety will be **ADEQUATE** because: Homer Fire Protection District has already been working and has their comments as far as training and what they're asking for.
  - f. The provisions for parking will be **ADEQUATE** because: no parking is required for a PV SOLAR FARM.
  - g. The property **IS NOT WELL SUITED OVERALL** for the proposed improvements due to its proximity to the Village of Homer.

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

- h. Existing public services **ARE** available to support the proposed SPECIAL USE without undue public expense because: no additional public services are necessary for the proposed development.
- i. Existing public infrastructure together with the proposed development **IS** adequate to support the proposed development effectively and safely without undue public expense because: no new public infrastructure is required for the proposed development.

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

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

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

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

- A. Regarding Part A of the proposed waivers, for a distance of 0 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet):
  - (1) The waiver **IS NOT** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL** be injurious to the neighborhood or to the public

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

health, safety, and welfare because: the petitioners have held public meetings with the Village of Homer Board of Trustees, and concerns have not been resolved.

- (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: on January 26, 2023, Village of Homer Resolution 2023 – R-2 opposing the solar farm project was received. At ZBA meetings, testimony touched on concerns about noise, visual blight, the possibility of increasing setbacks to residential neighbors, property values, vegetation management, decommissioning plan, screening, power pole locations, and protection of drainage tile.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: without Part A of the proposed waivers, the applicant would have to consider a different configuration for the PV SOLAR FARM only on the eastern 197-acre subject property. Without the waiver, the applicant would not have restrictions according to Public Act 102-1123.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO** result from actions of the applicant because: the petitioners have held public meetings with the Village of Homer Board of Trustees, and the petitioners have made adjustments to their site plan based on concerns raised by the Village Board. The petitioner has also held meetings at the ZBA. The solar array could be moved to a location farther away from the Village of Homer.
  - (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS NOT** the minimum variation that will make possible the reasonable use of the land/structure because: the solar array can be moved farther away from the Village boundaries.
- B. Regarding Part B of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public health, safety, and welfare because: the petitioner will still need to provide this document prior to receiving a Zoning Use Permit.
  - (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: cost estimates for the DSRP are unique to each solar project.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: the Special Use Permit process might have to be extended in order to have sufficient time to prepare these

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22***As approved by the ZBA on March 16, 2023*

documents, and they might lack the accuracy that can only be secured in the construction permitting phase.

- (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: some details such as cost estimates are not available until closer to construction.
  - (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS** the minimum variation that will make possible the reasonable use of the land/structure.
- C. Regarding Part C of the proposed waivers, for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public health, safety, and welfare because: the petitioner will still need to provide this documentation prior to receiving a Zoning Use Permit.
  - (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: the petitioner has been working with the Village of Homer on either a waiver or a Roadway Upgrade and Maintenance Agreement. A special condition has been added requiring the applicant to submit a Roadway Upgrade and Maintenance Agreement or waiver therefrom and approved by ELUC at the time of application for a Zoning Use Permit from the Village of Homer.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: the Special Use Permit process might have to be extended in order to have sufficient time to prepare these documents, and they might lack the accuracy that can only be secured in the construction permitting phase.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: the petitioner is working with the Village of Homer to receive either an agreement or a waiver from the Village.
  - (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS** the minimum variation that will make possible the reasonable use of the land/structure.
- D. Regarding Part D of the proposed waivers, for not completing consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources prior to consideration of the Special Use Permit by the Board:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

health, safety, and welfare because: a special condition has been added that the petitioner must submit this information as part of their Zoning Use Permit application.

- (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: the State Historic Preservation Office is experiencing a backlog.
- (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: without the waiver, the Special Use Permit process would have to be extended until the State Historic Preservation Office overcomes its backlog.
- (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: the State Historic Preservation Office is experiencing a backlog.
- (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS** the minimum variation that will make possible the reasonable use of the land/structure.

**7. THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

- A. **The approved site plan consists of the following documents:**
  - **Revised Site Plan received February 28, 2023.**

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

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

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

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

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

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

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

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

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

- D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

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

**That the land affected by PV SOLAR FARM is restored to its pre-construction capabilities.**

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

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

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

- F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by the Village of Homer and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**

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

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

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

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**
2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's or a rating of "A-" by Kroll's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
6. ***(Note: not needed if a waiver is received)* A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**
7. **An agency action report from the State Historic Preservation Office regarding historic and archaeological resources review, as required by 6.1.5 K.**
8. **The telephone number for the complaint hotline required by 6.1.5 S.**
9. **Any updates to the approved Site Plan from Case 074-S-22 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**

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

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

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

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

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

- I. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**
1. **Maintain the pollinator plantings in perpetuity.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

2. **Cooperate with local Fire Protection District to develop the District’s emergency response plan as required by 6.1.5 H.(2).**
3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
4. **Maintain a current general liability policy as required by 6.1.5 O.**
5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

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

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

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

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

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

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

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

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

- L. **Within the boundary of the solar farm, the petitioner shall:**
1. **Complete a survey identifying all drainage tile and stake off all tile encountered prior to construction;**
  2. **Replace or repair all privately owned underground drainage tile that are identified and encountered consistent with both the Champaign County Storm Water Management and Erosion Control Ordinance and with the Agriculture Impact Mitigation Agreement; and**



**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

3. **No Zoning Compliance Certificate shall be authorized by the Zoning Administrator until all required “as-built” drawings showing the location of all drainage tile within the boundary of the solar farm have been filed with the Illinois Department of Agriculture and the Champaign County Soil and Water Conservation District.**

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

**To ensure conformance with all relevant requirements for replacement of underground drainage tile within the area of the special use permit.**

- M. **The petitioner shall maintain the privately owned underground drainage tiles within the boundary of the solar farm for the lifetime of the special use permit including any repairs that may be necessary for up to one year after decommissioning and site reclamation.**

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

**To ensure maintenance of underground drainage tile within the area of the special use permit for the lifetime of the special use permit.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

**FINAL DETERMINATION**

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

The Special Use requested in Case **074-S-22** is hereby **DENIED** to the applicant, **Medanos Solar LLC**, to authorize the following as a Special Use on land in the AG-1 and AG-2 Agriculture Zoning Districts:

**Authorize a Community PV Solar Farm with a total nameplate capacity of 5 megawatts (MW), including access roads and wiring, and**

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

- Part A: A waiver for a distance of 0 feet between a PV Solar Farm and a municipal boundary in lieu of the minimum required one-half mile (2,640 feet), per Section 6.1.5 B.(2)a. of the Zoning Ordinance.
- Part B: A waiver for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3. of the Zoning Ordinance.
- Part C: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G. of the Zoning Ordinance.
- Part D: A waiver for not completing consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 K. of the Zoning Ordinance.

**SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:**

- A. **The approved site plan consists of the following documents:**
  - **Revised Site Plan received February 28, 2023.**
- B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**
- C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR FARM until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**
- D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

**with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

- E. **A signed Decommissioning and Site Reclamation Plan that has been approved by the Environment and Land Use Committee is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**
- F. *(Note: not needed if a waiver is received)* **A Roadway Upgrade and Maintenance Agreement or waiver therefrom signed by the Village of Homer and approved by the Environment and Land Use Committee, shall be submitted at the time of application for a Zoning Use Permit.**
- G. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR FARM:**
1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**
  2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
  3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A2" by Moody's or a rating of "A-" by Kroll's within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**
  4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
  5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
  6. *(Note: not needed if a waiver is received)* **A Transportation Impact Analysis provided by the applicant that is mutually acceptable to the Applicant and the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, as required by 6.1.5 G. 2.**
  7. **An agency action report from the State Historic Preservation Office regarding historic and archaeological resources review, as required by 6.1.5 K.**
  8. **The telephone number for the complaint hotline required by 6.1.5 S.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22***As approved by the ZBA on March 16, 2023*

9. **Any updates to the approved Site Plan from Case 074-S-22 per the Site Plan requirements provided in Section 6.1.5 U.1.c.**
- H. **A Zoning Compliance Certificate shall be required for the PV SOLAR FARM prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**
1. **An as-built site plan of the PV SOLAR FARM including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR FARM to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**
  2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer.**
  3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
- I. **The Applicant or Owner or Operator of the PV SOLAR FARM shall comply with the following specific requirements that apply even after the PV SOLAR FARM goes into commercial operation:**
1. **Maintain the pollinator plantings in perpetuity.**
  2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  4. **Maintain a current general liability policy as required by 6.1.5 O.**
  5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
  6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
  7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**
- J. **The PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 074-S-22**

*As approved by the ZBA on March 16, 2023*

- K. The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**
- L. Within the boundary of the solar farm, the petitioner shall:**
  - 1. Complete a survey identifying all drainage tile and stake off all tile encountered prior to construction;**
  - 2. Replace or repair all privately owned underground drainage tile that are identified and encountered consistent with both the Champaign County Storm Water Management and Erosion Control Ordinance and with the Agriculture Impact Mitigation Agreement; and**
  - 3. No Zoning Compliance Certificate shall be authorized by the Zoning Administrator until all required “as-built” drawings showing the location of all drainage tile within the boundary of the solar farm have been filed with the Illinois Department of Agriculture and the Champaign County Soil and Water Conservation District.**
- M. The petitioner shall maintain the privately owned underground drainage tiles within the boundary of the solar farm for the lifetime of the special use permit including any repairs that may be necessary for up to one year after decommissioning and site reclamation.**

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

SIGNED:

ATTEST:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

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

From: **John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

Date: **March 27, 2023**

RE: **Medanos Solar LLC document requiring ELUC approval from  
Zoning Case 074-S-22**

Request: **ELUC approval of a Decommissioning and Site Reclamation Plan  
including cost estimates for the 5 MW PV Solar Farm that is the  
subject of Zoning Case 074-S-22**

Petitioner: **Medanos Solar LLC, via agent Kiera Gavin**

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## BACKGROUND

The petitioner, Medanos Solar LLC, seeks Special Use Permit approval from the Champaign County Board at its May 18, 2023 meeting to construct a 5-megawatt (MW) Photovoltaic (PV) Solar Farm northeast of the Village of Homer.

There is one document required by the Zoning Ordinance that could only be completed closer to construction time and therefore was not included in the initial Special Use Permit approval. The Zoning Board of Appeals approved a special condition as part of Case 074-S-22 to ensure that this document would be reviewed and approved by ELUC at a later date.

- Special Condition E. states: “**A signed Decommissioning and Site Reclamation Plan that has been approved by ELUC is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**”

## DECOMMISSIONING AND SITE RECLAMATION PLAN

P&Z Staff reviewed the Decommissioning and Site Reclamation Plan (DSRP) received on March 24, 2023 against the Zoning Ordinance requirements in Section 6.1.5 Q. Staff found the narrative in the DSRP to be in compliance with the Zoning Ordinance.

Staff reviewed the cost estimates in the DSRP and compared them with previously approved cost estimates from Zoning Cases 064-S-22 and 080-S-22. The cost estimates from 064-S-22 were approved by ELUC in November 2022 and the costs for 080-S-22 seek approval at the April 6, 2023 ELUC meeting. Staff found that the cost estimates for the current case 074-S-22 were approximately 12% less per megawatt than those in case 064-S-22, and the cost estimates for case 080-S-22 were approximately 8.5% less per megawatt than those in case 064-S-22.

## ATTACHMENTS

- A Case 074-S-22 Decommissioning and Site Reclamation Plan with decommissioning cost estimate received March 24, 2023

**Medanos Solar**  
**DECOMMISSIONING AND SITE RECLAMATION PLAN**  
**March 2023**

## Purpose

This decommissioning and site reclamation plan is provided by Medanos Solar, LLC (the “Project Company”) and will detail the projected decommissioning demands associated with the proposed project.

The purpose of this decommissioning plan is to provide procedures and an approximate opinion of probable construction cost for partial or full closure of the solar facility. Champaign County Zoning Ordinance requires a decommissioning plan and performance guarantees to supplement plans submitted as part of the Special Use Permit Package. This decommissioning plan details provisions for facility deconstruction and site restoration to satisfy the specific guidelines set forth in the Project’s Special Use Permit. This decommissioning plan shall take effect upon facility abandonment, discontinuation of operation, or expiration of the use permit as defined by Champaign County Zoning Ordinance.

## Site Location

Medanos Solar proposes to build a photovoltaic (PV) solar facility (“Solar Facility”) with a nameplate capacity of approximately 5 MW<sub>AC</sub> (“Project”), in Champaign County, IL. The Facility is located 2710 County Road 1100 N, Homer, IL 61849, Champaign County and within tax parcel identification numbers 26-30-04-300-005, 26-30-04-400-019, and 26-30-04-126-003 (“Property”).

## Anticipated Service Life of the Project

The facility shall be decommissioned in accordance with this Decommissioning Plan (“Plan”), restoring the site to its agreed-upon post-decommissioned state upon expiration or termination of the Power Purchase Agreement or within twelve (12) months after the end of the useful life of the facility. It is anticipated the Solar Facility will have a maturity date of twenty (20) years but carries an expected useful lifetime of 40 years.

Decommissioning responsibilities include the removal of any perimeter fences, any concrete pads, all metal structures (mounting racks and trackers), all photovoltaic (PV) modules, pipelines, alternators, generators, aboveground and underground cables, transformers, inverters, fans, switch boxes, fixtures, etc. and otherwise restoring the premises to its original condition or mutually agreed upon state. Other Plan activities include the management of materials and waste, projected costs, and a decommissioning fund agreement overview.

**RECEIVED**  
**MAR 24, 2023**  
**CHAMPAIGN COUNTY**  
**PLANNING & ZONING**

## Decommissioning Risk Over the Lifecycle of a Project

The probability of an event that would lead to abandonment or long-term interruption is extremely low during the first 15 to 20 years of the Project life. Accordingly, the risk of decommissioning the Project is extremely low during this time frame. The reasons why the risk to decommission the Project is extremely low in the early phases of the Project include, but are not limited to:

- Project owners have sophisticated financing structures that allow the lender or tax equity partner to step in and rectify the event that may lead to abandonment.
- Most critical solar components have original equipment manufacturer (OEM) warranties with terms exceeding five years that include labor and parts. A warranty is an agreement or guarantee outlined by a manufacturer to a customer that defines performance requirements for a product or service. Warranties give customers a form of insurance if the purchased product or service does not adhere to quality standards. These warranties assure the Project owner, financing parties, and other stakeholders, that equipment will perform as expected which minimizes the risk of a decommissioning event. Average warranty lengths for critical solar components range from 5 to 10 years, with production warranties on solar panels extending to 20 to 25 years.
- Solar projects consist of many networked components designed to convert solar radiation into electrical energy. The failure of any single component will not result in a substantial reduction of energy generation that could lead to a decommissioning event.
- Solar projects are required to maintain replacement value property damage insurance coverage and business interruption insurance coverage. Business interruption insurance covers the loss of income that a business suffers after a disaster or equipment failure. Typical solar business interruption insurance covers income loss for twelve months from the date of the event triggering the loss.
- The replacement costs of solar components will typically decline over time, and accordingly, costs to replace failed or damaged equipment after lapsed OEM warranties will not create large financial hurdles for the Project.
- In the early stages of the Project, the resale value of the equipment is significantly higher than the decommissioning costs, resulting in a net positive (revenue).

Considering the reasons stated above, a decommissioning bond early in the life of a solar project life is not required to assure the coverage facility removal and site restoration costs. However, it is noted that the Champaign County Zoning Ordinance requires Financial Assurance be provided to the County.

Solar power is an increasingly popular form of renewable energy around the world and as an alternative to the burning of fossil fuels, solar ranks alongside wind and hydropower as essential energy options for the future of the planet. Solar also offers the additional benefit of being easier to build, operate, and decommission with minimal environmental risks. Recent rises in popularity and use can be linked to lower installation and operation costs and it is expected that this pattern will continue, further reducing the risk of a decommissioning event.



Per Champaign County Zoning Ordinance Section 6.1.1A.4a-d, the decommissioning and site reclamation plan shall provide for:

- a) Removal of above-ground portion of any structure on the subject site; site grading; and interim soil erosion control
- b) Below-ground restoration, including final grading and surface treatment
- c) Any environmental remediation required by State or Federal law
- d) Provision and maintenance of a letter of credit, as set forth in Section 6.1.1A.5

### Financial Assurance

To maintain compliance with section 6.1.1A.5 of the Champaign County Zoning Ordinance, the applicant must maintain an irrevocable letter of Credit (LOC) as a form of financial assurance. The Owner shall deliver the LOC to Champaign County prior to project approval.

Per Champaign County Zoning Ordinance Section 6.1.5Q.4a(a-c), no zoning permit to authorize construction of the PV SOLAR FARM shall be authorized until the PV SOLAR FARM owner shall provide the Champaign County with financial assurance to cover 12.5% of the decommissioning cost. On or before the sixth anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the Champaign County with Financial Assurance to cover 62.5% of the decommissioning cost, and on or before the eleventh anniversary of the Commercial Operation Date, shall provide Champaign County with Financial Assurance to cover 125% of the decommissioning cost. The decommissioning cost is determined as the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4a. and 6.1.1A.4b. and 6.1.1A.4c. and otherwise compliant with Section 6.1.1A.5.

Per Champaign County Zoning Ordinance Section 6.1.5Q.4d(a), the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows: at least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the PV SOLAR FARM modules have an unlimited warranty of a least 10 years and also have 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, then at least once every five years for the first 25 years of the financial assurance and at least once every two 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.

The Decommissioning and Site Reclamation Plan must also include provisions for anticipated repairs to any public STREET that is used during the reclamation process, in accordance with Section 6.1.5Q.2. No negative impacts to public streets is anticipated; per 6.1.5G.3, when decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.

Champaign County Zoning Ordinance Section 6.1.5Q.4b(f), notes that salvage values must be capped at 70% of the total net estimated salvage value when considering deducting salvage value from the total estimated decommissioning cost. In the event that decommissioning is required, the full salvage value shall be available.

As required by Champaign County Zoning Ordinance Section 6.1.1A.3, Exhibit A, The Engineer's Cost Estimate, outlines itemized costs that include separate estimates for the items in Sections 6.1.1A.4a-c.

### Further Stipulations for Decommissioning

Champaign County Zoning Ordinance section 6.1.1A and 6.1.5Q contains additional stipulations and requirements regarding the decommissioning process. Per 6.1.5Q.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 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 PV SOLAR FARM 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 PV SOLAR FARM.
- c) Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM 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 PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, 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. 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) The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.
  - i) Underground electrical cables of a depth of 5 feet or greater may be left in place.
  - j) The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:
    - a. The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.
    - b. The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.
    - c. If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist of Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.
    - d. An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.
  - k) A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE Permit shall be deemed void.
  - l) 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.
  - m) 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.

- n) 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 PV SOLAR FARM begins to produce electricity, 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.

Additionally, per Champaign County Zoning Ordinance Section 6.1.5Q.4b(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.

Champaign County Zoning Ordinance Section 6.1.1A.9 states that the Zoning Administrator may draw on the funds to have said NON-ADAPTABLE STRUCTURE removed as per Section 6.1.1A.4. of the decommissioning and site reclamation plan when any of the following occur:

- a) no response is received from the land owner within thirty (30) days from initial notification by the Zoning Administrator;
- b) the land owner does not enter, or breaches any term of a written agreement with the COUNTY to remove said NON-ADAPTABLE STRUCTURE as provided in Section 6.1.1A.8.;
- c) any breach or performance failure of any provision of the decommissioning and site reclamation plan;
- d) the owner of record has filed a bankruptcy petition, or compromised the COUNTY's interest in the letter of credit in any way not specifically allowed by the decommissioning and site reclamation plan;
- e) a court of law has made a finding that a NON-ADAPTABLE STRUCTURE constitutes a public nuisance;
- f) the owner of record has failed to replace an expiring letter of credit within the deadlines set forth in Section 6.1.1A.6.; or
- g) any other conditions to which the COUNTY and the land owner mutually agree, as set forth in the decommissioning and site reclamation plan.

According to Section 6.1.5Q.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 PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.
- b) In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.

- c) There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.
- d) Any PV SOLAR FARM 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 PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.
- f) The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM 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.
- i) The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.5D. or failed to submit it to the COUNTY within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.

### **Decommissioning Cost Estimate and Bonding**

An engineer's opinion of probable construction cost and analysis of material salvage value were prepared as part of this decommissioning plan. Exhibit A summarizes probable costs associated with decommissioning including the allowable deduction of salvage values.

Per Champaign County Zoning Ordinance Section 6.1.1A.2, the decommissioning and site reclamation plan shall be binding upon all successors of title, lessees, to any operator and/or owner of Medanos Solar, LLC, and to all parties to the decommissioning and site reclamation plan. Prior to the issuance of a SPECIAL USE Permit, the landowner or applicant shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance.

Champaign County Zoning Ordinance requires Medanos Solar, LLC to provide a faithful performance bond as a financial guarantee for proper decommissioning. Per Champaign County Zoning Ordinance Section 6.1.5Q.4a(c), the irrevocable letter of credit shall be in the amount of one hundred twenty five percent (125%) of an independent engineer's cost estimate. Furthermore, Medanos Solar, LLC will be required to submit detailed engineering plans at the time of decommissioning, and obtain construction permits as required by appropriate authorities.

Expenses associated with decommissioning the Project will be dependent on labor costs at the time of decommissioning. For the purposes of this report, current RSMeans data was used to estimate labor, material, and equipment expenses.



As required by Champaign County Zoning Ordinance Section 6.1.1A.3, Exhibit A (estimate including salvage) outline itemized costs that include separate estimates for the items in Sections 6.1.1A.4a-c. Exhibits B and C show 5-year average salvage values for steel and copper wire.

Total probable cost of decommissioning in Year 20 (including salvage) is estimated to be **\$169,929**.

Irrevocable Letter of Credit per Champaign County Zoning Ordinance Section 6.1.5Q.4a(c) for decommissioning in Year 20 (including salvage) is estimated to be **\$212,412**.



**EXHIBIT A**

<b>Medanos Solar</b> <b>Champaign County, Illinois</b> <b>Decommissioning Estimate Pro Forma w/ Salvage</b>						
The Engineer has no control over the cost of labor, materials, equipment, or over the Contractor's methods of determining prices or over competitive bidding or market conditions. Opinions of probable costs provided herein are based on the information known to Engineer at this time and represent only the Engineer's judgment as a design professional familiar with the construction industry. The Engineer cannot and does not guarantee that proposals, bids, or actual construction costs will not vary from its opinions of probable costs. LS = Lump Sum, HR = Hours, EA = Each, LF = Linear Feet.						
Item	Quantity	Unit	Unit Price	Salvage Deduction (70% of Total)	Total Price (incl. markups)	Total Price
<b>General Items</b>						
Mobilization	1	LS		\$ -	\$16,540.00	\$ (16,540.00)
Supervision	210	HR	\$ 96.00000	\$ -	\$20,160.00	\$ (20,160.00)
Temporary Facilities	1	LS		\$ -	\$2,010.00	\$ (2,010.00)
Safety	1	LS		\$ -	\$1,360.00	\$ (1,360.00)
Legal Expenses	1	LS		\$ -	\$360.00	\$ (360.00)
General Liability Insurance	1	LS		\$ -	\$1,460.00	\$ (1,460.00)
Contractor's G&A	1	LS		\$ -	\$2,760.00	\$ (2,760.00)
<b>General Items Subtotal</b>						<b>\$ (44,650.00)</b>
<b>Civil Items</b>						
SWPPP, Erosion Control Measures (Disturbed Area)	53	Ac	\$670.00000	\$ -	\$35,175.00	\$ (35,175.00)
Seeding	3	Ac	\$1,932.45200	\$ -	\$5,797.36	\$ (5,797.36)
Tilling 6" topsoil/scarifying access road and rough grading existing soil	1	Ac	\$9,229.41000	\$ -	\$9,229.41	\$ (9,229.41)
Remove and Recycle Chainlink Fence, 8' High	7,364	LF	\$5.51329	\$ 4,330.03	\$40,599.84	\$ (36,269.81)
Remove Power Pole	5	EA	\$869.53000	\$ -	\$4,347.65	\$ (4,347.65)
<b>Civil Items Subtotal</b>						<b>\$ (90,819.23)</b>
<b>Electrical Items</b>						
Removal and Recycle AC Cables	1,799	LF	\$0.95983	\$ 54.78	\$1,726.74	\$ (1,671.96)
Removal and Recycle DC Cables	171,173	LF	\$0.25764	\$ 5,212.23	\$44,101.90	\$ (38,889.67)
Backfill AC and DC trenches	104,358	LF	\$0.32658	\$ -	\$34,081.24	\$ (34,081.24)
Remove and Recycle Inverters	2	EA	\$2,346.040000	\$ 7,560.00	\$4,692.08	\$ 2,867.92
Removed and Recycle Photovoltaic Modules	17,400	EA	\$6.11000	\$ 161,251.80	\$106,314.00	\$ 54,937.80
<b>Electrical Items Subtotal</b>						<b>\$ (16,837.16)</b>
<b>Structural Items</b>						
Remove and Recycle Piles (10' W6x7 piles @ 25' OC assumed )	3,171	EA	\$6.5800	\$ 37,290.96	\$20,865.18	\$ 16,425.78
Remove and Recycle Support Assemblies	385,809	LB	\$0.043618	\$ 40,509.95	\$16,828.26	\$ 23,681.69
<b>Structural Items Subtotal</b>						<b>\$ 40,107.47</b>
<b>Reclamation Items</b>						
Contaminated Soils Testing	1	LS		\$ -	\$2,000.00	\$ (2,000.00)
Reclamation Monitoring and Maintenance	1	LS		\$ -	\$5,000.00	\$ (5,000.00)
<b>Reclamation Items Subtotal</b>						<b>\$ (7,000.00)</b>
				<b>Subtotal:</b>	<b>\$ 256,209.74</b>	<b>\$375,408.66</b>
					<b>Inflation (1.5%/year):</b>	<b>\$ (41,344.74)</b>
					<b>County Administration Costs (2.5% before Salvage)</b>	<b>\$ (9,385.22)</b>
					<b>Total:</b>	<b>\$ (169,928.88)</b>
					<b>Total Cost/MW:</b>	<b>\$ (33,985.78)</b>

- Notes:**
1. A site of similar size was used to derive potential quantities for erosion and sediment control (scaling from 36 MW to 5 MW). Quantities were determined by comparing "unit/MW" quantities directly.
  2. Labor productivity and unit rates were derived from RSMean Online (Heavy Construction, 2022 data).
  3. Labor, material, and equipment rates are based on the RSMean City Cost Index (CCI) for Champaign, IL.
  4. Material salvage values were based off of current US salvage exchange rates.
  5. Equipment rental rates were determined from local rental facilities.
  6. Photovoltaic Module material salvage rate is based on straight-line depreciation of modules (-0.5% per year).
  7. For PV Module Removal/Recycle labor and equipment costs are computed at present values, while salvage value is computed at 20 year depreciated values.
  8. Material salvage values were determined using the most prevalent salvageable metal in each component. Copper Wire @\$0.87/LB (AC and DC Cables) and Steel @0.84/LF of fence, @\$1.05/pile, and @\$0.15/LB.
  9. Inverter resale value is dependent on the assumption that all inverters will be decommissioned and resold half way through their useful life (every 5 years).
  10. Decommissioning quantities determined on 02/15/2023.



Date of Expiration: 11-30-23



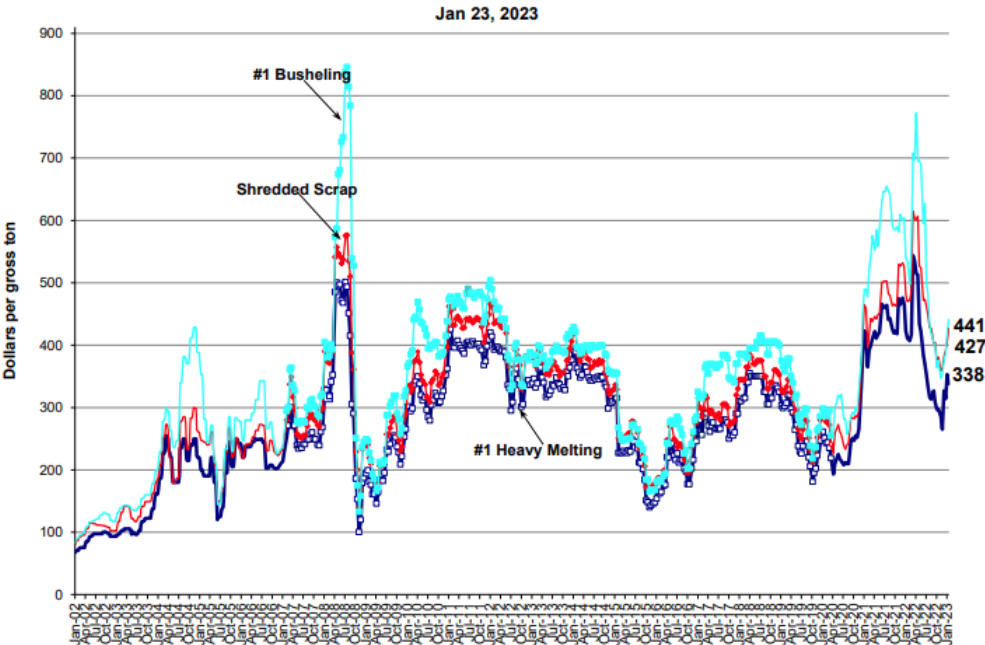


**EXHIBIT B**

**Steel Salvage:**  
 Source: SteelBenchmarker.com

**SteelBenchmarker™ Scrap Price**

USA, delivered to steel plant  
 (AMM scrap price data, Jan. 2002 - Jan. 2007; SteelBenchmarker data begins Feb. 2007)



<b>#1 Heavy Melting Steel (SteelBenchmarker, 5-year average)</b>		
	<b>\$/gross ton</b>	<b>\$/lb</b>
Max (approx.)	\$540.00	\$0.24
Min (approx.)	\$180.00	\$0.08
Avg (approx.)	\$360.00	<b>\$0.15</b>

**EXHIBIT C**

### Copper Salvage:

Source: [Macrotrends.net](https://www.macrotrends.net), [iscrapapp.com](https://www.iscrapapp.com)



Item	Price	Unit	Notes
Copper (5-year average)	\$3.37	\$/lb	Source: <i>Macrotrends.net</i> (2/13/2023)
Copper Wire (Feb. 2023)	\$1.06	\$/lb	Source: <i>Iscrapapp.com</i> (2/14/2023)
Copper (Feb. 2023)	\$4.08	\$/lb	Source: <i>Macrotrends.net</i> (2/13/2023)
Copper Wire/Copper Ratio	0.260	-	Divided Feb. 2023 spot insulated copper wire price by copper Feb. 2023 spot price (\$1.06/\$4.08)
Copper Wire (5-year average)	\$0.87	\$/lb	Copper 5-year average multiplied by ratio

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

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

From: **John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

Date: **March 27 2023**

RE: **Recommendation for County Board Special Use Permit  
Case 080-S-22**

Request: **Authorize a photovoltaic solar array with a total nameplate  
capacity of 6 megawatts (MW), including access roads and wiring,  
in the AG-2 Agriculture Zoning District as a second principal use as  
a County Board Special Use Permit and including the following  
waivers of standard conditions (other waivers may be necessary):**

**Part A: A waiver for not providing a Decommissioning and Site  
Reclamation Plan that includes cost estimates prepared  
by an Illinois Licensed Professional Engineer prior to  
consideration of the Special Use Permit by the Board,  
per Section 6.1.1 A.3.**

**Part B: A waiver for locating the PV Solar Array less than one-  
half mile from an incorporated municipality and within  
the contiguous urban growth area of a municipality per  
Section 6.1.5 B.(2)a.**

**Part C: A waiver for locating 32 feet from a non-participating  
existing dwelling on a lot that is 10 acres or less in area  
in lieu of the minimum required separation of 240 feet  
between the solar farm fencing and the property line,  
per Section 6.1.5 D.(3)a.**

**Part D: A waiver for not submitting a Roadway Upgrade and  
Maintenance Agreement prior to consideration of the  
Special Use Permit by the Board, per Section 6.1.5  
G.(1).**

Petitioner: **Anthony Donato, d.b.a. IAG Investments LLC**

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## **BACKGROUND**

The petitioner would like to construct two principal uses on the 21-acre subject property: a 2,000 square foot Data Center and a 6-megawatt (MW) PV Solar Array. The Data Center requires a Special Use Permit (Case 079-S-22) that was approved at the March 2, 2023 ZBA meeting. The PV Solar Array requires a County Board Special Use Permit (Case 080-S-22).

**STATUS**

The Zoning Board of Appeals (ZBA) voted 7-0 to “RECOMMEND ENACTMENT” of this County Board Special Use Permit at its March 2, 2023 meeting. All findings were affirmative.

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the City of Urbana, a municipality with zoning. The subject property is located within Urbana Township, which does not have a Plan Commission.

A PV Solar Farm County Board Special Use Permit typically must go through two ELUC meetings before it can move on to final determination by the County Board. However, Section 6.1.5 B(2)(g) of the Zoning Ordinance allows the project to only have one ELUC meeting if the relevant municipality waives this requirement in writing. In an email received January 26, 2023, the City waived the requirement for having two meetings – see Attachment C.

There are 13 approved special conditions for case 080-S-22 listed below.

Comments were received from the adjacent A&E Animal Hospital owners, who had concerns about noise affecting their animals and clients. An agreement was reached between the petitioner and A&E that the petitioner would construct a berm around the clinic and would conduct periodic noise studies to ensure acceptable noise levels. Special conditions were also added to support the agreement.

**APPROVED SPECIAL CONDITIONS FOR CASE 080-S-22**

- A. **The approved site plan consists of the following documents:**
- **Site Plan sheets received March 2, 2023.**

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

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

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

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

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

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

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

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

- D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

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

**That the land affected by PV SOLAR ARRAY is restored to its pre-construction capabilities.**

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

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

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

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

1. **Documentation of the solar module's unlimited 10-year warranty and the 25-year limited power warranty.**
2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A" by S&P or a rating of "A3" by Moody's or a rating of "A-" by Kroll Bond Rating Agency within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**
4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
6. **The telephone number for the complaint hotline required by 6.1.5 S.**
7. **Any updates to the approved Site Plan per the requirements provided in Section 6.1.5 U.1.c.**

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

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

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

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

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

- H. The Applicant or Owner or Operator of the PV SOLAR ARRAY shall comply with the following specific requirements that apply even after the PV SOLAR ARRAY goes into commercial operation:**
- 1. Maintain the pollinator plantings and required visual screening in perpetuity.**
  - 2. Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  - 3. Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  - 4. Maintain a current general liability policy as required by 6.1.5 O.**
  - 5. Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
  - 6. Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
  - 7. Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**



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

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

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

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

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

- J. **Within one year of residential development (i.e. construction of a dwelling) within 1,000 feet of the south and east sides of the PV SOLAR ARRAY, the owner of the PV SOLAR ARRAY will establish vegetative screening per Section 6.1.5 M.(2) of the Zoning Ordinance.**

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

**To ensure that a screen is planted in the event that anticipated future residential development does occur on adjacent land.**

- K. **The petitioner shall submit a copy of an agreement to the Zoning Administrator regarding the noise limit for the Special Use that is agreeable to and signed by both parties Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners and IAG Investments LLC or subsequent owners as part of the application for a Zoning Use Permit.**

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

**That the parties establish a noise limit that is agreeable to both.**

- L. **The noise limit established in the noise agreement between the petitioner and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners shall be enforced by the County the same as for the IPCB noise limit in section 6.1.5 I. of the Zoning Ordinance.**

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

**That the noise limit is enforceable by the County.**

- M. **An annual noise study shall be conducted and the results shall be submitted to the Zoning Administrator and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners to document that the Special Use remains compliant with the noise agreement.**

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

**That there is annual compliance with the agreement.**

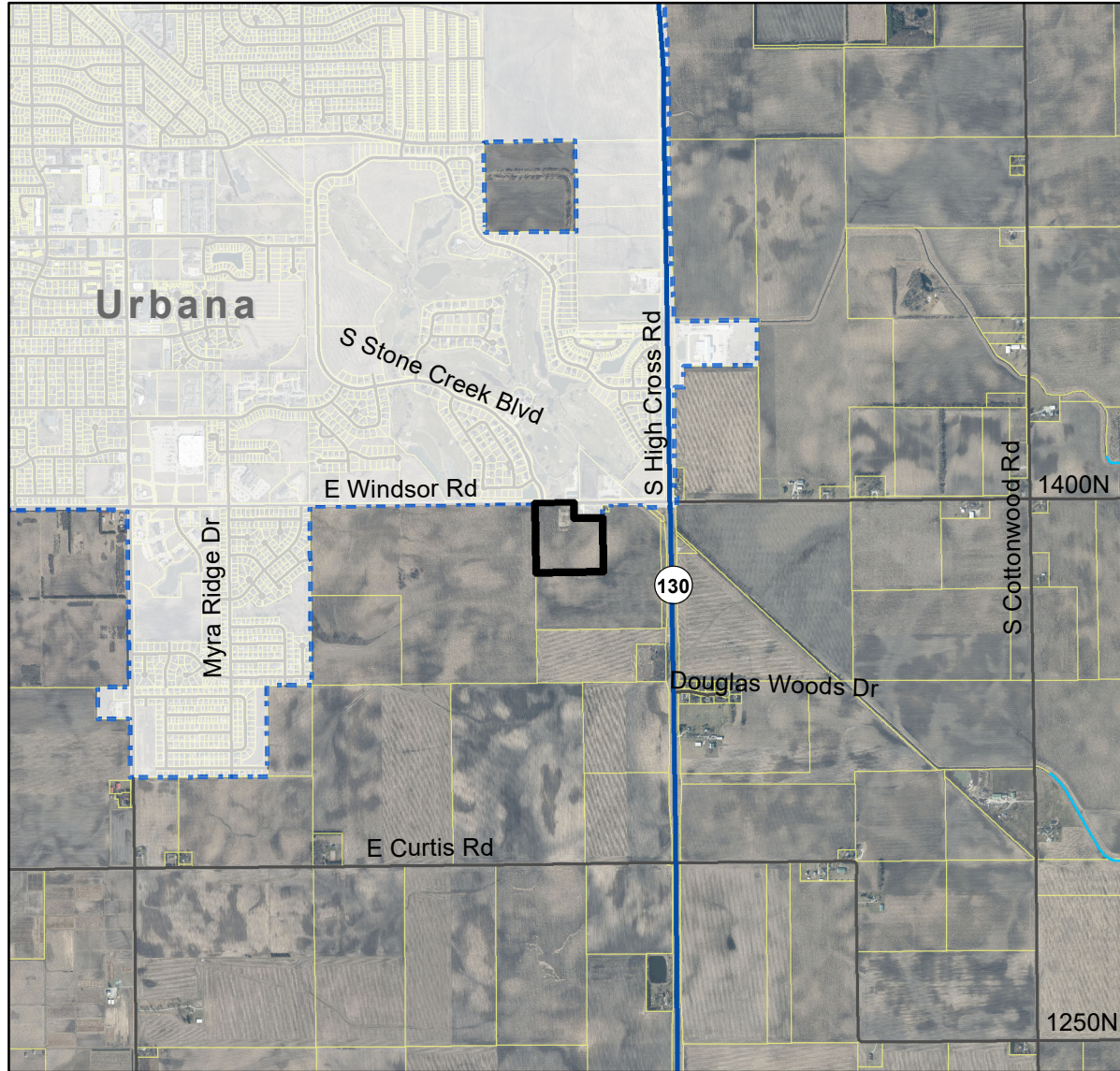
**ATTACHMENTS**




- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received March 2, 2023
- C Email from City of Urbana waiving public comment period received January 26, 2023
- D Finding of Fact and Final Determination for Case 080-S-22 as approved by the ZBA on March 2, 2023

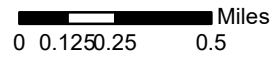
# Location Map

Cases 079-S-22, 080-S-22 & 081-V-22  
January 26, 2023

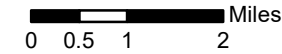
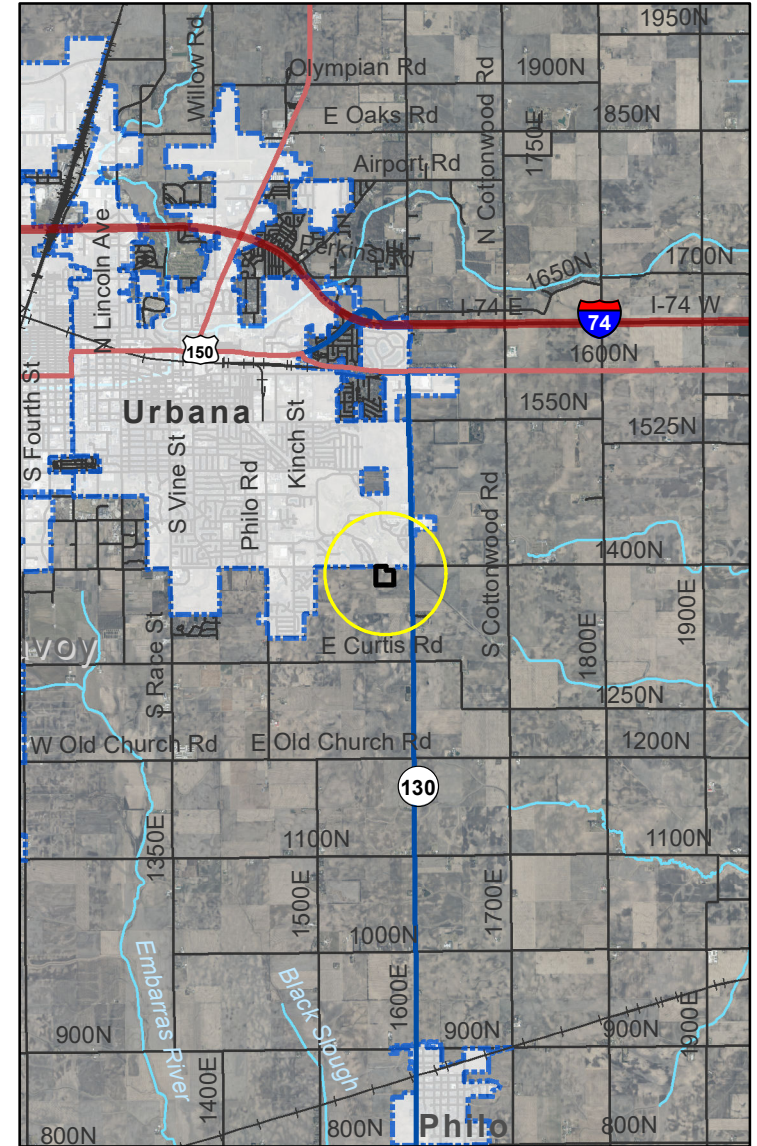
Subject Property



-  Subject Property
-  Parcels
-  Municipal Boundary



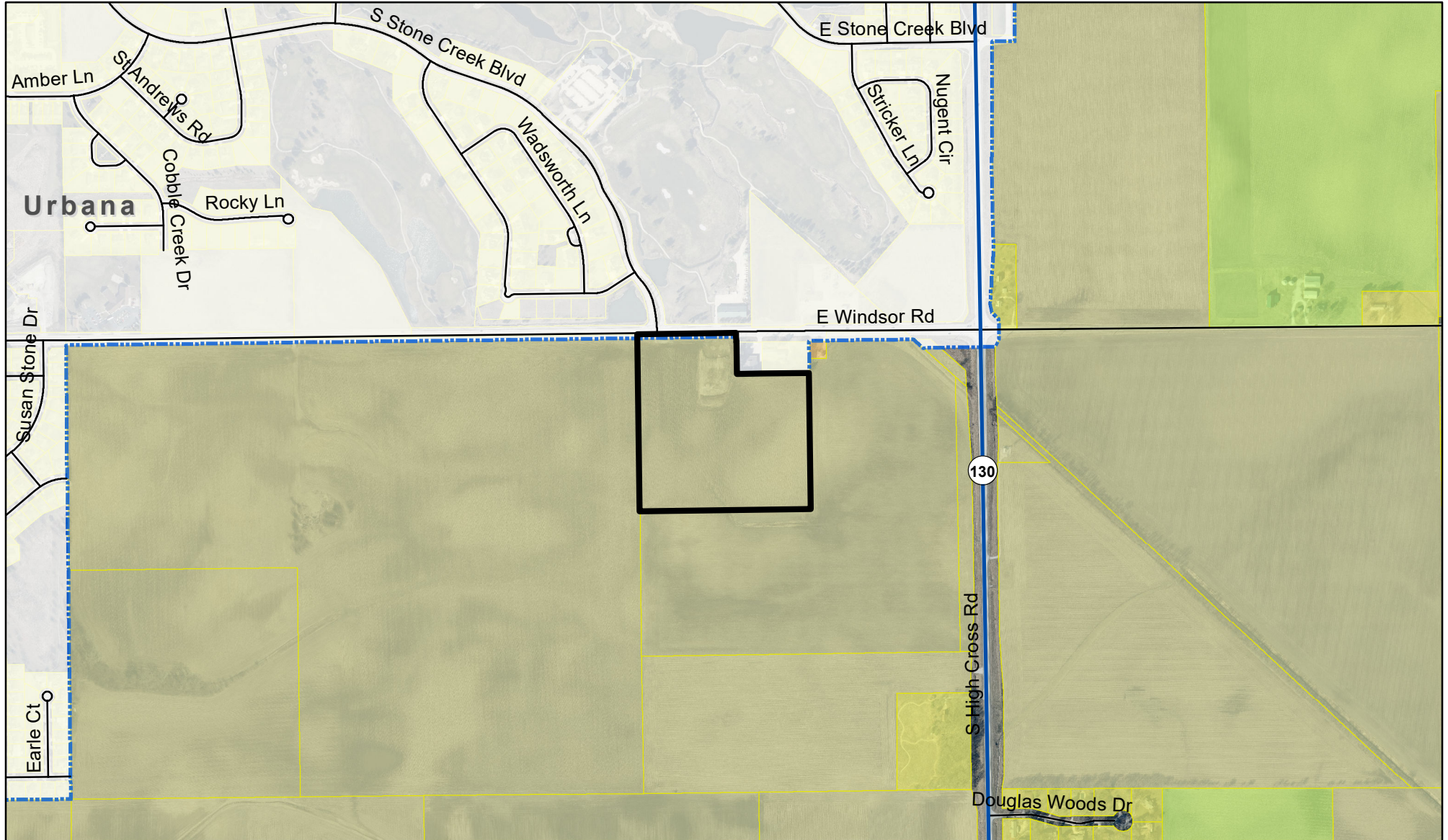
Property location in Champaign County



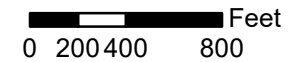
Champaign County  
Department of  
PLANNING &  
ZONING

# Land Use Map

Cases 079-S-22, 080-S-22 & 081-V-22  
January 26, 2023

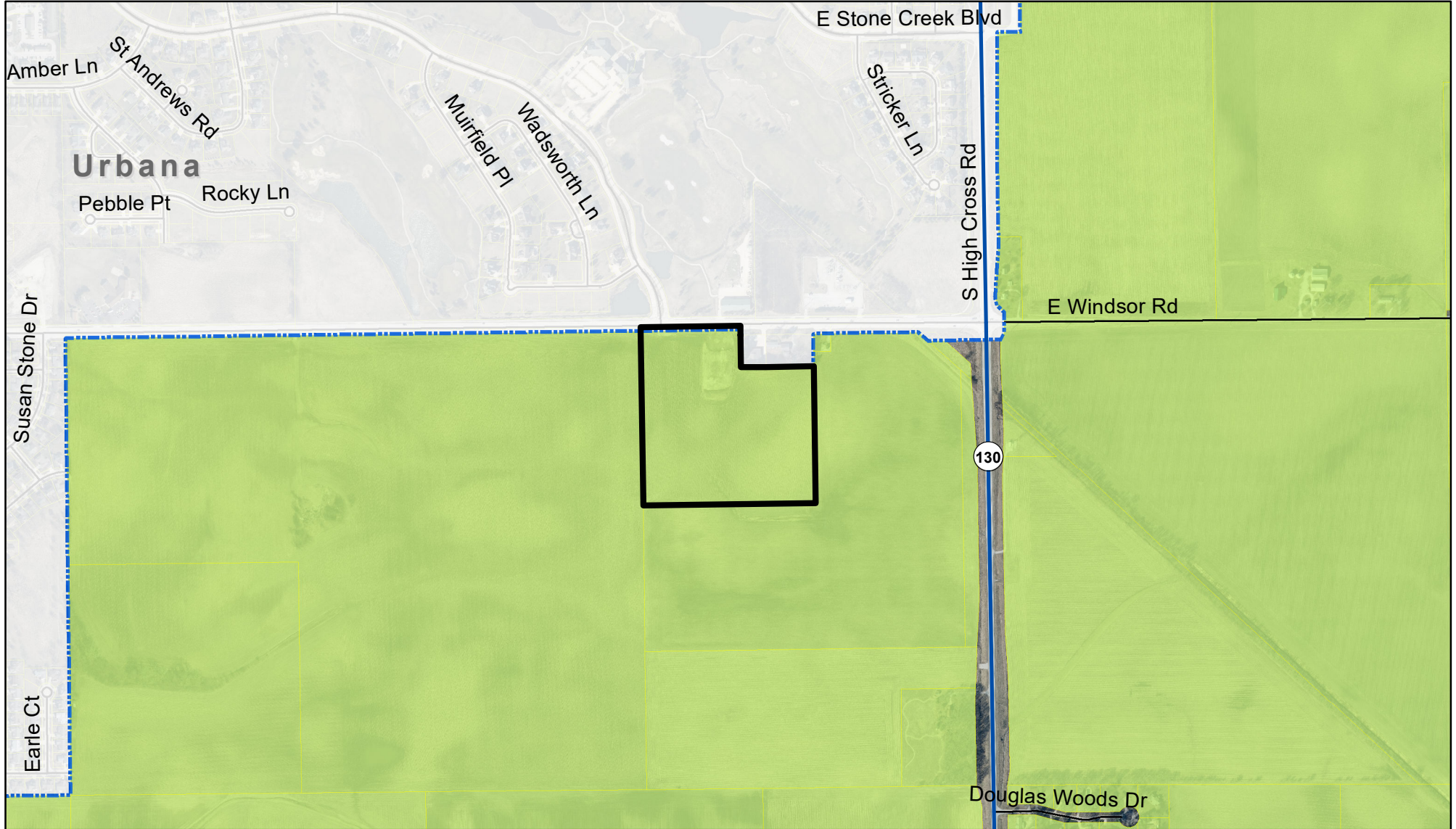





- Subject Property
- Agriculture
- Residential
- Municipal Boundary
- Ag/Residential
- Utility
- Parcels



# Zoning Map

Cases 079-S-22, 080-S-22 & 081-V-22  
January 26, 2023

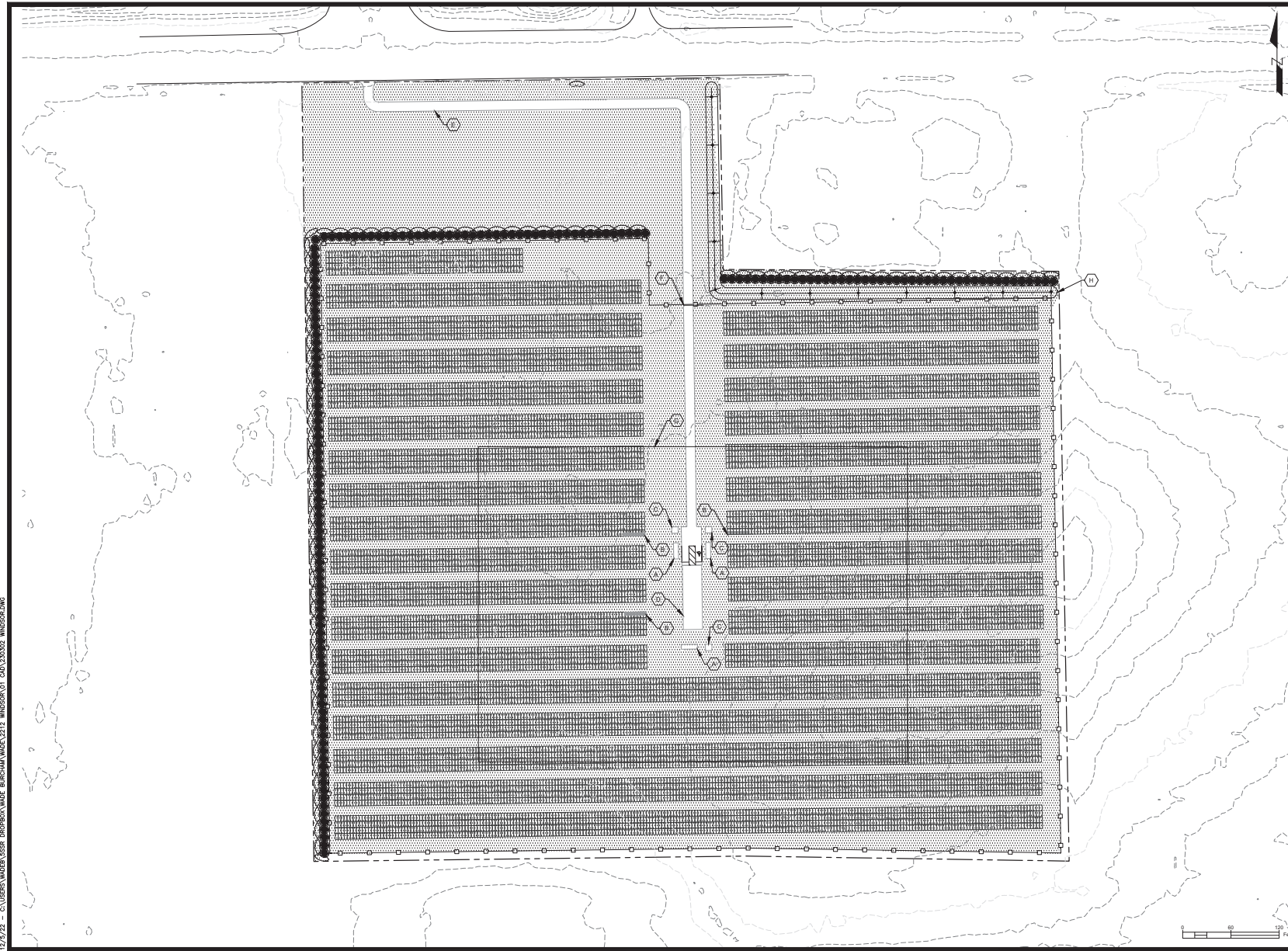


-  Subject Property
-  Municipal Boundary
-  AG-2 Agriculture

0 200 400 800 Feet



Champaign County  
Department of  
PLANNING &  
ZONING



**SYMBOLS LEGEND:**

- EX. EXISTING
- PR. PROPOSED
- - - - - EXISTING GRADE
- - - - - EX. PROPERTY LINE
- [Grid Pattern] PROPOSED SOLAR PANEL ARRAY
- [Square with X] PR. 7' CHAIN LINK FENCE

**GENERAL NOTES:**

- (A) PR. SWITCH GEAR
- (B) PR. INVERTERS
- (C) PR. AMEREN TRANSFORMER
- (D) PR. DATA CENTER
- (E) PR. GRAVEL DRIVE (MAINTAIN EXISTING DRAINAGE PATTERNS)
- (F) PR. GATE (WITH PRIVACY SLATS)
- (G) SEE DATA CENTER DETAIL
- (H) BERM

**RECEIVED**  
 MAR 2, 2023  
 CHAMPAIGN COUNTY  
 PLANNING & ZONING

**SHEET NOTES:**

- TOPOGRAPHY BASED ON THE NATIONAL ELEVATION DATASET (NED) 1/8 ARC-SECOND RESOLUTION (USGS NED 19 NAD83 W88X25 IL CHAMPAIGNCO 2008 1/8 ARC-SECOND 2010 15 X 15 MINUTE IMG) WARPERD TO NSRS 2011 ILLINOIS STATE PLANES, EAST ZONE, US FOOT.

BTB ENERGY  
 INFO@BTBCONTRACTING.COM  
 (224) 757-5784

Date	Drawn By	Check By	Project #	Temp #	Review By	Rev.	Description	Date	Appr.
3/2/23	US	US							

3/2/23	US	US							
3/2/23	US	US							
3/2/23	US	US							
3/2/23	US	US							

**WINDSOR ROAD SOLAR FARM**  
 CHAMPAIGN, IL

**SITE PLAN**

DRAWING NO.  
**3**  
 SHEET NO.  
 3 of 6

12/5/22 - C:\USERS\WINDSOR\BRIAN\WINDSOR\BRIAN\WINDSOR\04\US0202\WINDSOR.DWG  
 GEN 50:20

**Susan Burgstrom**

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**From:** Garcia, Kevin <kjgarcia@urbanainllinois.us>  
**Sent:** Thursday, January 26, 2023 5:02 PM  
**To:** John Hall  
**Cc:** Susan Burgstrom  
**Subject:** Urbana Has No Comment RE: Certain Upcoming CCZBA Special Use Permits Cases

CAUTION: External email, be careful when opening.

Good Afternoon, John,

I'm writing to you regarding a few of your upcoming County ZBA cases. The City of Urbana has no comments on the Special Use Permit cases 068-S-22 and 070-S-22. We also see no need for the County ZBA and ELUC to hold two meetings for each of the two upcoming solar cases, 070-S-22 and 080-S-22.

Please let me know if you have any questions.

Thanks,

Kevin

Kevin Garcia  
Principal Planner

Community Development Services | City of Urbana  
400 S Vine St | Urbana, Illinois 61801  
217.328.8269

RECEIVED

JAN 26 2023

CHAMPAIGN CO. P & Z DEPARTMENT

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Under the Illinois Freedom of Information Act (FOIA), any written communication to or from City of Urbana employees, officials or board and commission members regarding City of Urbana business is a public record and may be subject to public disclosure.

## FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22

*As approved by the ZBA on March 2, 2023*

### FINDINGS OF FACT

From the documents of record and the testimony and exhibits received at the public hearing for zoning case **080-S-22** held on **January 26, 2023 and March 2, 2023**, the Zoning Board of Appeals of Champaign County finds that:

1. The requested Special Use Permit **IS** necessary for the public convenience at this location because: the State of Illinois has adopted a Renewable Portfolio Standard that established a goal of 25% of the State's energy coming from renewable sources by the year 2025. The Illinois Future Energy Jobs Act requires installation of 3,000 MW of new solar capacity by the year 2030.
2. The requested Special Use Permit, **SUBJECT TO THE SPECIAL CONDITIONS IMPOSED HEREIN**, is so designed, located, and proposed to be operated so that it **WILL NOT** be injurious to the district in which it shall be located or otherwise detrimental to the public health, safety, and welfare because:
  - a. The street has **ADEQUATE** traffic capacity and the entrance location has **ADEQUATE** visibility because: traffic volumes are not expected to increase significantly; no comments have been received from the City of Urbana, which has maintenance jurisdiction over East Windsor Road; and notice was also sent to the Township Supervisor and the Township Road Commissioner, and no comments have been received.
  - b. Emergency services availability is **ADEQUATE** because: the subject property is located within the Philo Fire Protection District and is approximately 5.9 road miles from the Philo Fire Station. The Fire Chief was notified of these cases, and no comments have been received.
  - c. The Special Use **WILL** be compatible with adjacent uses because: the proposed PV SOLAR ARRAY will not be disruptive to surrounding agriculture.
  - d. Surface and subsurface drainage will be **ADEQUATE** because: no part of the subject property is located within a mapped floodplain, and a Storm Water Drainage Plan and detention basin will be required if more than 16% of the subject property is impervious area, including gravel, buildings, and solar array rack posts, per the Storm Water Management and Erosion Control Ordinance.
  - e. Public safety will be **ADEQUATE** because: the subject property is located approximately 5.9 road miles from the Philo Fire Station; the Fire Chief was notified of this case, and no comments have been received, and notice was also sent to the Township Supervisor and Township Road Commissioner, and no comments have been received.
  - f. The provisions for parking will be **ADEQUATE** because: a PV SOLAR ARRAY does not require parking, and there is no significant increase in traffic expected for the proposed development.
  - g. The property **IS WELL SUITED OVERALL** for the proposed improvements because: the site is reasonably well-suited in all respects and has no major defects.



## FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22

*As approved by the ZBA on March 2, 2023*

- h. Existing public services **ARE** available to support the proposed SPECIAL USE without undue public expense because: no additional public services are necessary for the proposed development.
- i. Existing public infrastructure together with the proposed development **IS** adequate to support the proposed development effectively and safely without undue public expense because: no new public infrastructure is required for the proposed development.

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

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

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

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

- A. Regarding Part A of the proposed waivers, for not providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board:
  - (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public

## FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22

*As approved by the ZBA on March 2, 2023*

- health, safety, and welfare because: the petitioner will still need to provide this document prior to receiving a Zoning Use Permit.
- (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: some details such as cost estimates are not available until closer to construction.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: some details such as cost estimates are not available until closer to construction.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: some details such as cost estimates are not available until closer to construction.
  - (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS** the minimum variation that will make possible the reasonable use of the land/structure.
- B. Regarding Part B of the proposed waivers, for locating the PV SOLAR ARRAY less than one-half mile from an incorporated municipality and within the contiguous urban growth area of a municipality:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public health, safety, and welfare because: relevant jurisdictions have been notified of these cases, and no comments have been received.
  - (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: the City of Urbana is aware of the proposed project and no comments have been received.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: without the waiver, the project could not be constructed on the subject property.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: the petitioner was not aware of this requirement when they purchased the land for the project.
  - (5) The requested waiver **IS** the minimum variation that will make possible the reasonable use of the land/structure because: without the waiver, the project could not be constructed on the subject property.

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

- C. Regarding Part C of the proposed waivers, for locating 32 feet from a non-participating existing dwelling on a lot that is 10 acres or less in area in lieu of the minimum required separation of 240 feet between the solar farm fencing and the property line:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public health, safety, and welfare because: relevant jurisdictions have been notified of these cases, and no comments have been received, and neighboring property owners have been notified of these cases, and no comments have been received.
  - (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: there is a mature evergreen tree line surrounding the dwelling that serves as a visual barrier, and the petitioner proposes to add evergreen screening on the north side of the PV SOLAR ARRAY.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: without the waiver, a significant number of solar panels would have to be removed.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: the petitioner was not aware of this requirement when they purchased the land for the project.
  - (5) The requested waiver **IS** the minimum variation that will make possible the reasonable use of the land/structure.
- D. Regarding Part D of the proposed waivers, for not submitting a Roadway Upgrade and Maintenance Agreement prior to consideration of the Special Use Permit by the Board:
- (1) The waiver **IS** in accordance with the general purpose and intent of the Zoning Ordinance and **WILL NOT** be injurious to the neighborhood or to the public health, safety, and welfare because: the petitioner will still need to provide this document prior to receiving a Zoning Use Permit.
  - (2) Special conditions and circumstances **DO** exist which are peculiar to the land or structure involved, which are not applicable to other similarly situated land and structures elsewhere in the same district because: the petitioner is in discussion with the City of Urbana regarding this requirement and needs more time.
  - (3) Practical difficulties or hardships created by carrying out the strict letter of the regulations sought to be varied **WILL** prevent reasonable or otherwise permitted use of the land or structure or construction because: the Special Use Permit process might have to be extended in order to have sufficient time to prepare the required materials.
  - (4) The special conditions, circumstances, hardships, or practical difficulties **DO NOT** result from actions of the applicant because: the petitioner is in discussion with the City of Urbana regarding this requirement and needs more time.

## FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22

*As approved by the ZBA on March 2, 2023*

- (5) The requested waiver, **SUBJECT TO THE PROPOSED SPECIAL CONDITION, IS** the minimum variation that will make possible the reasonable use of the land/structure.

7. **THE SPECIAL CONDITIONS IMPOSED HEREIN ARE REQUIRED TO ENSURE COMPLIANCE WITH THE CRITERIA FOR SPECIAL USE PERMITS AND FOR THE PARTICULAR PURPOSES DESCRIBED BELOW:**

A. **The approved site plan consists of the following documents:**

- **Site Plan sheets received March 2, 2023.**

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

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

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

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

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

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

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

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

D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**

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

**That the land affected by PV SOLAR ARRAY is restored to its pre-construction capabilities.**

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

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

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

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

- F. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR ARRAY:**
1. **Documentation of the solar module’s unlimited 10-year warranty and the 25-year limited power warranty.**
  2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
  3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A” by S&P or a rating of “A3” by Moody’s or a rating of “A-” by Kroll Bond Rating Agency within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**
  4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
  5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
  6. **The telephone number for the complaint hotline required by 6.1.5 S.**
  7. **Any updates to the approved Site Plan per the requirements provided in Section 6.1.5 U.1.c.**

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

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

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

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

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

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

- H. **The Applicant or Owner or Operator of the PV SOLAR ARRAY shall comply with the following specific requirements that apply even after the PV SOLAR ARRAY goes into commercial operation:**
1. **Maintain the pollinator plantings and required visual screening in perpetuity.**
  2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  4. **Maintain a current general liability policy as required by 6.1.5 O.**
  5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
  6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
  7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**

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

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

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

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

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

- J. **Within one year of residential development (i.e. construction of a dwelling) within 1,000 feet of the south and east sides of the PV SOLAR ARRAY, the owner of the PV SOLAR ARRAY will establish vegetative screening per Section 6.1.5 M.(2) of the Zoning Ordinance.**

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

**To ensure that a screen is planted in the event that anticipated future residential development does occur on adjacent land.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

- K. The petitioner shall submit a copy of an agreement to the Zoning Administrator regarding the noise limit for the Special Use that is agreeable to and signed by both parties Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners and IAG Investments LLC or subsequent owners as part of the application for a Zoning Use Permit.**

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

**That the parties establish a noise limit that is agreeable to both.**

- L. The noise limit established in the noise agreement between the petitioner and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners shall be enforced by the County the same as for the IPCB noise limit in section 6.1.5 I. of the Zoning Ordinance.**

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

**That the noise limit is enforceable by the County.**

- M. An annual noise study shall be conducted and the results shall be submitted to the Zoning Administrator and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners to document that the Special Use remains compliant with the noise agreement.**

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

**That there is annual compliance with the agreement.**

## FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22

*As approved by the ZBA on March 2, 2023*

### FINAL DETERMINATION

The Champaign County Zoning Board of Appeals finds that, based upon the application, testimony, and other evidence received in this case, that the requirements for approval of Section 9.1.11B. **HAVE** been met, and pursuant to the authority granted by Section 9.1.6 B. of the Champaign County Zoning Ordinance, recommends that:

The Special Use requested in Case **080-S-22** be **GRANTED WITH SPECIAL CONDITIONS** to the applicant, **Anthony Donato, d.b.a. IAG Investments LLC**, to authorize the following as a Special Use on land in the AG-2 Agriculture Zoning district:

**Authorize a photovoltaic solar array with a total nameplate capacity of 6 megawatts (MW), including access roads and wiring, in the AG-2 Agriculture Zoning District as a second principal use as a County Board Special Use Permit and including the following waivers of standard conditions (other waivers may be necessary):**

**Part A: A waiver from providing a Decommissioning and Site Reclamation Plan that includes cost estimates prepared by an Illinois Licensed Professional Engineer prior to consideration of the Special Use Permit by the Board, per Section 6.1.1 A.3.**

**Part B: A waiver for locating the PV Solar Array less than one-half mile from an incorporated municipality and within the contiguous urban growth area of a municipality per Section 6.1.5 B.(2)a.**

**Part C: A waiver for locating 32 feet from a non-participating existing dwelling on a lot that is 10 acres or less in area in lieu of the minimum required separation of 240 feet between the solar farm fencing and the property line, per Section 6.1.5 D.(3)a.**

**Part D: A waiver from submitting a Roadway Upgrade and Maintenance Agreement prior to consideration of the Special Use Permit by the Board, per Section 6.1.5 G.(1).**

### SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS:

- A. **The approved site plan consists of the following documents:**
  - **Site Plan sheets received January 18, 2023.**
- B. **The Zoning Administrator shall not authorize a Zoning Use Permit Application or issue a Zoning Compliance Certificate on the subject property until the lighting specifications in Paragraph 6.1.2.A. of the Zoning Ordinance have been met.**
- C. **The Zoning Administrator shall not issue a Zoning Compliance Certificate for the proposed PV SOLAR ARRAY until the petitioner has demonstrated that the proposed Special Use complies with the Illinois Accessibility Code, if necessary.**
- D. **The Zoning Administrator shall not authorize a Zoning Use Permit until the petitioner submits a copy of an executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture per the requirements established in Paragraph 6.1.5 R. of the Zoning Ordinance.**



**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

- E. **A signed Decommissioning and Site Reclamation Plan that has been approved by ELUC is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.**
- F. **The following submittals are required prior to the approval of any Zoning Use Permit for a PV SOLAR ARRAY:**
1. **Documentation of the solar module’s unlimited 10-year warranty and the 25-year limited power warranty.**
  2. **Certification by an Illinois Professional Engineer that any relocation of drainage district tile conforms to the Champaign County Storm Water Management and Erosion Control Ordinance.**
  3. **An irrevocable letter of credit to be drawn upon a federally insured financial institution with a minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A” by S&P or a rating of “A3” by Moody’s or a rating of “A-” by Kroll Bond Rating Agency within 200 miles of Urbana or reasonable anticipated travel costs shall be added to the amount of the letter of credit.**
  4. **A permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.**
  5. **Documentation regarding the seed to be used for the pollinator planting, per 6.1.5 F.(9).**
  6. **The telephone number for the complaint hotline required by 6.1.5 S.**
  7. **Any updates to the approved Site Plan per the requirements provided in Section 6.1.5 U.1.c.**
- G. **A Zoning Compliance Certificate shall be required for the PV SOLAR ARRAY prior to going into commercial production of energy. Approval of a Zoning Compliance Certificate shall require the following:**
1. **An as-built site plan of the PV SOLAR ARRAY including structures, property lines (including identification of adjoining properties), as-built separations, public access road and turnout locations, substation(s), electrical cabling from the PV SOLAR ARRAY to the substations(s), and layout of all structures within the geographical boundaries of any applicable setback.**
  2. **As-built documentation of all permanent soil erosion and sedimentation improvements for all PV SOLAR ARRAY including any access road prepared by an Illinois Licensed Professional Engineer.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

3. **An executed interconnection agreement with the appropriate electric utility as required by Section 6.1.5 B.(3)b.**
- H. **The Applicant or Owner or Operator of the PV SOLAR ARRAY shall comply with the following specific requirements that apply even after the PV SOLAR ARRAY goes into commercial operation:**
1. **Maintain the pollinator plantings and required visual screening in perpetuity.**
  2. **Cooperate with local Fire Protection District to develop the District's emergency response plan as required by 6.1.5 H.(2).**
  3. **Cooperate fully with Champaign County and in resolving any noise complaints including reimbursing Champaign County any costs for the services of a qualified noise consultant pursuant to any proven violation of the I.P.C.B. noise regulations as required by 6.1.5 I.(4).**
  4. **Maintain a current general liability policy as required by 6.1.5 O.**
  5. **Submit annual summary of operation and maintenance reports to the Environment and Land Use Committee as required by 6.1.5 P.(1)a.**
  6. **Maintain compliance with the approved Decommissioning and Site Reclamation Plan including financial assurances.**
  7. **Submit to the Zoning Administrator copies of all complaints to the telephone hotline on a monthly basis and take all necessary actions to resolve all legitimate complaints as required by 6.1.5 S.**
- I. **The owners of the subject property hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.**
- J. **Within one year of residential development (i.e. construction of a dwelling) within 1,000 feet of the south and east sides of the PV SOLAR ARRAY, the owner of the PV SOLAR ARRAY will establish vegetative screening per Section 6.1.5 M.(2) of the Zoning Ordinance.**
- K. **The petitioner shall submit a copy of an agreement to the Zoning Administrator regarding the noise limit for the Special Use that is agreeable to and signed by both parties Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners and IAG Investments LLC or subsequent owners as part of the application for a Zoning Use Permit.**
- L. **The noise limit established in the noise agreement between the petitioner and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners shall be enforced by the County the same as for the IPCB noise limit in section 6.1.5 I. of the Zoning Ordinance.**

**FINDINGS OF FACT AND FINAL DETERMINATION FOR CASE 080-S-22**

*As approved by the ZBA on March 2, 2023*

- M. **An annual noise study shall be conducted and the results shall be submitted to the Zoning Administrator and Elain Ltd (dba A&E Animal Hospital) /UP Real Estate LLC or subsequent owners to document that the Special Use remains compliant with the noise agreement.**

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

SIGNED:

ATTEST:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

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

From: **John Hall, Zoning Administrator  
Susan Burgstrom, Senior Planner**

Date: **March 27, 2023**

RE: **Documents requiring ELUC approval from Zoning Case 080-S-22**

Request: **ELUC approval of a Decommissioning and Site Reclamation Plan including cost estimates for the 6 MW PV solar array that is the subject of Zoning Case 080-S-22**

Petitioner: **Anthony Donato, d.b.a. IAG Investments LLC**

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## BACKGROUND

The petitioner, IAG Investments LLC, seeks Special Use Permit approval from the Champaign County Board at its April 20, 2023 meeting to construct a 6-megawatt (MW) Photovoltaic (PV) Solar Array on the south side of Windsor Road just outside Urbana.

There is one document required by the Zoning Ordinance that could only be completed closer to construction time and therefore was not included in the initial Special Use Permit approval. The Zoning Board of Appeals approved a special condition as part of Case 080-S-22 to ensure that this document would be reviewed and approved by ELUC at a later date.

- Special Condition E. states: **“A signed Decommissioning and Site Reclamation Plan that has been approved by ELUC is required at the time of application for a Zoning Use Permit that complies with Section 6.1.1 A. and Section 6.1.5 Q. of the Zoning Ordinance, including a decommissioning cost estimate prepared by an Illinois Professional Engineer.”**

## DECOMMISSIONING AND SITE RECLAMATION PLAN

P&Z Staff reviewed the Decommissioning and Site Reclamation Plan (DSRP) received on March 20, 2023 against the Zoning Ordinance requirements in Section 6.1.5 Q. Staff found the narrative in the DSRP to be in compliance with the Zoning Ordinance.

Staff reviewed the cost estimates in the DSRP and compared them with previously approved cost estimates from Zoning Cases 064-S-22 and 074-S-22. The cost estimates from 064-S-22 were approved by ELUC in November 2022 and the costs for 074-S-22 seek approval at the April 6, 2023 ELUC meeting. Staff found that the cost estimates for the current case 080-S-22 were 8.5% less per megawatt to those in case 064-S-22, and the cost estimates for 074-S-22 were approximately 12% less per megawatt than those in case 064-S-22.

## ATTACHMENTS

- A Case 080-S-22 Decommissioning and Site Reclamation Plan with decommissioning cost estimate received March 20, 2023

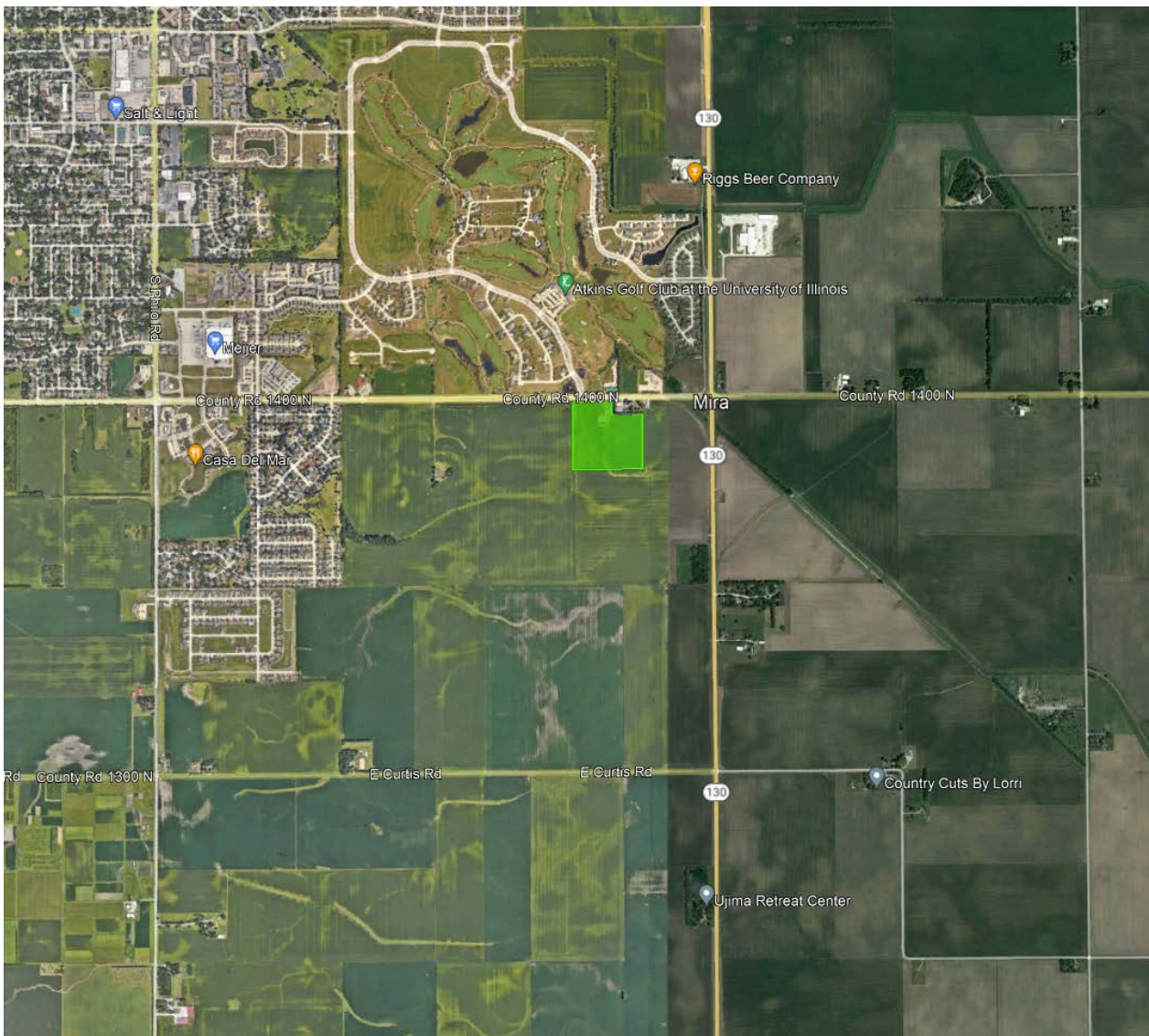
# Decommissioning & Site Reclamation Plan

3001 W Windsor Rd, Urbana, IL, 61802

6mw Ground Mounted Solar Project



Date Signed 03.20.2023  
Exp 11.30.2023



**RECEIVED**  
MAR 20, 2023  
CHAMPAIGN COUNTY  
PLANNING & ZONING

## Introduction

Donato Solar – Urbana, LLC (“Owner”) proposes to develop a solar photovoltaic (PV) facility (the “Project”) with a maximum nameplate capacity of six megawatts alternating current (6 MWac). The Project will be developed on private property located along the east side on E Windsor Rd, at approximately 3001 E Windsor Rd, Urbana, IL, 61802, (the “Property”), as shown in Figure 1.

The Project consists of approximately 16 acres within a 20-acre parent parcel of private land located in Urbana, IL Township, Champaign County, Illinois. The Project will produce electricity to be used onsite and connected to the local distribution grid utilizing existing overhead lines along E Windsor Rd. Interconnection to the grid will include both underground and overhead wires along with new utility poles located on the Property.

## Approval Process

As a condition to Champaign County (“County”) providing Zoning Use Permit Approval (“Approval”) of the Project on the Property, Owner shall submit a decommissioning and site reclamation plan to the County for the subject site. This Decommissioning and Site Reclamation Plan (the “DSRP”) describes the anticipated activities and process for decommissioning of the proposed facility following its useful life. The purpose of decommissioning is to restore the Property to a clean, safe and usable condition for continued use by the landowner.

The DSRP shall be binding upon all successors of title, lessees, any operator and/or owner of the Project, and all parties to the decommissioning and site reclamation plan. Prior to Approval, the landowner or Owner shall also record a covenant incorporating the provisions of the decommissioning and site reclamation plan on the deed subject to the LOT, requiring that the reclamation work be performed and that a letter of credit be provided for financial assurance (the “Security”).

The Owner agrees that the sale, assignment in fact or law, or such other transfer of owner’s financial interest in the PV SOLAR FARM shall in no way affect or change owner’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 PV SOLAR FARM.

The Owner, 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 PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, 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.

Decommissioning consists of the removal of above-ground and below-ground facility components,

management of excess materials and waste as well as the restoration of the Property, as applicable. Activities are expected to take between 8-10 weeks but no longer than four-months. The Owner agrees to remove any part of the Project and all associated equipment and structures if the Project part ceases to function for six (6) consecutive months, unless the Owner is diligently working to repair that part.

Future consultation will occur with the County prior to decommissioning to discuss preferences and commitments to restore the Property to its pre-construction condition or a similar state. All decommissioning and restoration activities will adhere to the requirements set forth by Occupational Health and Safety Administration (OSHA) and will be in accordance with all applicable federal, state and local permitting requirements. As with the construction phase, an on-site manager responsible for safety will be present on-site (generally the contractor's project manager) while decommissioning activities are taking place.

Upon removal and decommissioning of the Project, the Owner shall inform the County accordingly, in writing. Upon the County's determination that the Owner has decommissioned and removed the Solar Energy Project and restored the Property as required under the Site Plan Approval, the County shall: (i) release the Owner from this Plan; (ii) issue a certificate of completion and release and (iii) return or release any unused portion of the Security to the Owner. A determination that the removal and restoration has been satisfactorily completed shall be in the reasonable discretion of the County. The Owner and its agents and consultants shall fully comply with all reasonable requests for inspections and information by the County and its agents.

If the Owner fails to complete the required removal of the Project and restoration of the Property as set forth herein, the County shall be entitled to utilize the Security provided hereunder to the extent necessary, in the County's reasonable discretion, to complete the removal and restoration process. Any portion of the Security that is not utilized as set forth herein shall be returned to the Owner, less reasonable administrative costs. In the event that the County elects to obtain the Security, in whole or in part, as described in this paragraph, it shall notify the Owner accordingly, in writing and, within fourteen (14) days of such writing, the Security shall be paid to the County.

The Plan is based on current procedures and experience. These procedures may be subject to revision based on new experiences and requirements over time. At the time of decommissioning, various options and procedures will be re-evaluated to ensure that decommissioning is safe and beneficial to the environment.

## **Financial Assurance**

To fulfill its obligations to provide the Security, the Owner shall be required to execute and file with the County a Letter of Credit ("LOC"), in an amount sufficient for the faithful performance of the terms and conditions of the Approval issued hereunder, and to provide for the aforesaid removal and restoration of the Property subsequent to removal of the Project. The Owner shall deliver, to the County, suitable evidence of the establishment of the LOC prior to the Approval of the Project.

Section 6.1.5Q.(4)a. of the Zoning Ordinance requires the amount of the LOC to be 12.5% of the decommissioning cost (including allowable salvage) at the time of Zoning Use Permit Approval, and 62.5% of the decommissioning cost (including allowable salvage) at the sixth anniversary of operation, and 125% of the decommissioning cost (including allowable salvage) at the eleventh anniversary of operation. Section 6.1.5Q.(4)d. of the Zoning Ordinance requires the amount of the financial assurance to be updated every five years for the first 25 years and every two years thereafter. Additionally, Section 6.1.5Q.(4)f. of the Zoning Ordinance requires the amount of the LOC to equal or exceed 125% of the decommissioning cost estimate at all times.

Upon County's request, per Section 6.1.5Q.(4)d. of the Zoning Ordinance, the Owner shall update the amount of the LOC every five years for the first 25 years and every two years thereafter. The Owner shall deliver to the County evidence of the new balance of the Security, as aforesaid.

The Owner shall at all times provide the County with the name of the current Owner or Owners of the Project, updated no more than forty five (45) days after transfer of title.

The Engineer's Cost Estimate for the DSRP is included in Exhibit 1.

## Further Stipulations

The Owner confirms the review of the relevant County Zoning Ordinance sections, including Sections 6.1.1.A and 6.1.5.Q, and confirms the additional stipulations and requirements contained therein:

- 1) Owner or successor shall notify the County by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding within 10 days if commencement of the proceeding.
- 2) The County and its authorized representatives are authorized by the Owner for right of entry onto the Project premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
- 3) At such time as decommissioning takes place the Owner, its successors in interest, and all parties to the DSRP are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- 4) The Owner, its successors in interest, and all parties to the DSRP shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- 5) Should the DSRP be deemed invalid by a court of competent jurisdiction the Project SPECIAL USE permit shall be deemed void.
- 6) The Owner's obligation to complete the DSRP and to pay all associated costs shall be independent of the Owner's obligation to provide the Security.
- 7) The liability of the Owner's failure to complete the DSRP or any breach of the DSRP requirement shall not be capped by the amount of the Security, and the Owner will provide for payment of any associated costs that Champaign County may incur in the event that decommissioning is actually required to be carried out by Champaign County.



- 8) If the Owner 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 Owner installs equipment or property increasing the cost of decommissioning after the Project begins to produce electricity, at any point, the Owner shall first obtain the consent of the Zoning Administrator. If the Owner's lien holders remove equipment or property credited to the salvage value, the Owner 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.
- 9) The Owner, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.5. Q.(4)b.(a) prior to issuance of any Zoning Use Permit and upon every renewal of the Security and at any other time upon the request of the Zoning Administrator.
- 10) The Owner, 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 Project to the demolisher to pay the costs of reclamation work, should the reclamation work be performed by Champaign County.
- 11) 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 Project, equipment, and access roads.
- 12) 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 judgment as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
- 13) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.
- 14) The total amount of the Security after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
- 15) The credit for net estimated salvage value attributable to the Project may not exceed the estimated cost of removal of the above-ground portion of the Project on the subject site.
- 16) Net salvage value may be deducted from decommissioning costs as follows:
  - (a) One of the following standards shall be met:
    - i) The Owner, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the Project 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 Owner, 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 Project; or
    - iii) Any and all financing and/or financial security agreements entered into by the Owner, 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 6.1.1 A.2 that the reclamation work be done.
- 17) The County has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.

- 18) The Owner, 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) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Owner, 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 Owner, 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 Project was approved.
- 19) The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor's Financial 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 both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's).
  - 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 "A2" by Moody's.
  - c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P or Moody's 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 or Moody's meets or exceeds the minimum acceptable long term corporate debt (credit) rating.
- 20) At all times the value of the irrevocable letter of credit shall be increased annually as necessary to reflect actual rates of inflation over the life span of the Project and the amount shall be equal to or exceed 125% of the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the Project was approved.
- 21) Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5 Q.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.5 Q.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
- 22) Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1 A.5.
- 23) 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.
- 24) In addition to the conditions listed in subparagraph 6.1.1 A.9. the Zoning Administrator may also draw on the funds for the following reasons:

- a) In the event that any Project or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such Project or component.
  - b) In the event that the Owner declares the Project or any Project component to be functionally obsolete for tax purposes.
  - c) There is a delay in the construction of any Project of more than 6 months after construction on that Project begins.
  - d) Any Project 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 Project or component thereof that is otherwise derelict for a period of 6 months.
  - f) The Project is in violation of the terms of the Project SPECIAL USE permit for a period exceeding ninety (90) days.
  - g) The Owner, 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 Owner in the course of the special use permit zoning case.
- 25) The Zoning Administrator may, but is not required to, deem the Project abandoned, or the standards set forth in Section 6.1.5 Q.(5) met, with respect to some, but not all, of the Project, to the extent that such portion of the Project otherwise meets the standards of abandonment or the standards set forth in Section 6.1.5 Q.(5). In that event, the Zoning Administrator may draw upon the Security to perform the reclamation work as to that portion of the Project only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining Project.

## Permitting & Approvals

Prior to the initiation of decommissioning activities, local code will be reviewed for applicability with decommissioning activities. The County will be consulted to confirm and applications made for appropriate permits and approvals. At a minimum, it is anticipated that a new storm water pollution prevention plan (SWPPP) will be required along with a building permit. It is assumed that neither a new or revised site plan or special use permit would be necessary because decommissioning activities are associated with the originally issued approvals.

Potential negative environmental effects from decommissioning of the facility will be mitigated through use of erosion and sediment control measures, limiting the use of heavy machinery (where possible), and maintaining a buffer from natural features. These control measures, as well as other mitigation measures used during construction will be re-implemented during the decommissioning phase and until the site is stabilized.

Throughout the decommissioning process, the County will be provided with regular updates and notice upon completing the restoration activities.

## Facility Description

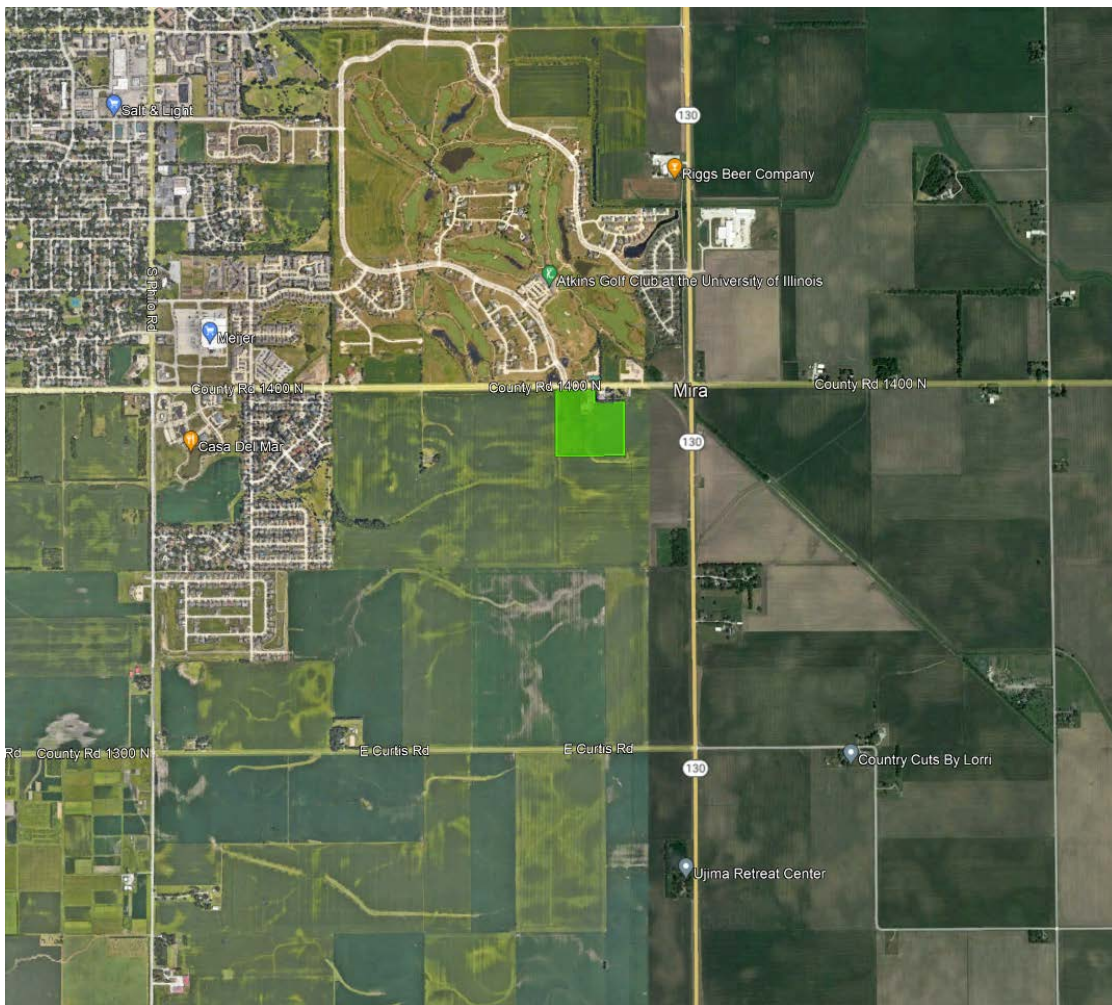
The solar PV modules will be installed on metal racking structures with a fixed tilt and secured to the ground utilizing direct push or technology. Direct Current (DC) wiring with the Project will be secured behind the modules, collected at a common point and transition underground to the inverters. From the inverter/transformer pad, AC wiring will run underground until a point before E Windsor Rd where it will surface and connect to a series of utility poles on the Property before connecting to National Grid's Project.

Access to the Project will be from E Windsor utilizing a 20' wide crushed stone road constructed for access to the facility. The access road would be up to approximately 600-feet in length.

The transformer skid will be mounted on a concrete pad located within the array. The pad used for the skid will be approximately 15' x 6'.

The site will be secured with a seven-foot perimeter fence.

Figure 1: Project Location



## Decommissioning

A significant amount of the components of the Project will include recyclable or re-saleable components, including copper, aluminum, galvanized steel, and modules. Due to their resale monetary value, these components will be dismantled and disassembled rather than being demolished and disposed of.

Following coordination with the local utility company regarding timing and required procedures for disconnecting the Facility from the private utility, all electrical connections to the Project will be disconnected and all connections will be tested locally to confirm that no electric current is running through them before proceeding. All electrical connections to the panels will be cut at the panel and then removed from their framework by cutting or dismantling the connections to the supports. Inverters, transformers, and switchgear will be lifted, secured onto flat beds, and transported off-site for processing.

Modules will be detached from the racking system and stacked for removal. However, in the event of a total fracture, the broken module will be recycled at a PV recycling facility.

The metal piling systems used to secure the PV Project in the ground will be removed entirely and if full removal is not possible, then terminated at a depth greater than five feet from grade or at bedrock whichever is shallower. The piling materials will be collected and recycled. Additionally, all associated metal mounting structures along with the metal perimeter fencing and gates will be removed and either reused or sent for recycling.

Grade slabs will be broken, removed, and recycled. Unless requested by the landowner for the access road to remain, materials from road construction will be removed, shipped off-site for either re-use or disposal. If necessary, the former road bed will be backfilled and graded with material native to the region to blend it with the immediately adjacent and existing topography.

Aboveground utility poles owned by the Project will be completely removed and disposed of off-site in accordance with utility best practices. Overhead wires will be removed from the area of the solar modules and terminated at the point of interconnection. Underground wiring at depths of less than five feet will be removed and recycled.

Prior to final demobilization, a final walkthrough of the Project area and the Property is completed to police for and ensure all debris is collected and removed.

## Site Restoration

Those areas disturbed during decommissioning activities will be graded as necessary to ensure a uniform slope for proper storm water management, prevent the ponding of waters and address any rutting or other depressions caused by removal equipment. The disturbed areas will then be seeded either by hand or via hydro seeding to reestablish vegetation compatible with the Property and region. It is

anticipated that a seed mix native to the area will be used by the decommissioning contractor, unless the landowner instructs that they will begin using the property for agricultural purposes and will reestablish the area with agricultural vegetation.

The DSRP and cost estimate includes provisions for the removal and restoration of the access driveways. The construction, operation, and decommissioning of the project will not require alterations to any public streets, therefore no repairs to public streets are anticipated.

**Donato Solar - Urbana, LLC****Estimated Decommissioning Costs**

**Project Name:** Donato Solar - Urbana  
**Date:** 3/15/2023  
**By:** AFG/LAG

Project Size	8.9 MW-DC		6 MW-AC	
	Quantity	Unit	Unit Cost	Total Cost
Mobilization/Demobilization	1		\$10,000	\$10,000
<b>Permitting</b>				
State Permits	1		\$10,000	\$10,000
<b>Subtotal</b>				\$10,000

SWPPP and SPCC plan. Cost is an estimate based on current market rate.

**Civil Infrastructure**

Removal of Security Fence	3750 Feet		\$2.85	\$10,688
<b>Subtotal</b>				\$10,688

**Structural Infrastructure**

Removal of Racking	525 Hours		\$64.78	\$34,010
Removal of Steel Posts	1822 Posts		\$9.76	\$17,783
Haul Steel Racking and Posts.	342 Ton		\$10.00	\$3,420
<b>Subtotal</b>				\$55,212

**Electrical Collection/Transmission System**

Removal of PV Modules	16224 Units		\$7.75	\$125,736
Haul PV Modules	584.064 Ton		\$10.00	\$5,841
Removal of Combiner Boxes	48 Units		\$35.00	\$1,680
Removal of Inverters	48 Units		\$35.00	\$1,680
Removal of Panelboard and Transformers	1		\$2,500.00	\$2,500
Removal of DC wiring	560000 Feet		\$0.17	\$95,200
Removal of Underground of AC wiring	62000 Feet		\$2.32	\$143,840
Haul Wiring	23.927 Ton		\$13.00	\$311
<b>Subtotal</b>				\$376,788

Electrical removal costs were based on industry standard installation time for a 3 man crew. Pad mounted and underground wiring/equipment were based on 2 man crew with necessary equipment.

**Site Restoration**

Permanent Seeding on damaged area	18 Acres	\$250	\$4,500
<b>Subtotal</b>			<b>\$4,500</b>

Assumed pollinator habitat/native plant.

<b>Subtotal of Construction Activities</b>			\$467,187
<b>County Administration Cost (2.5%)</b>	0.025		\$11,680
<b>Total Demolition Costs</b>			<b>\$478,867</b>

**Salvage**

Fencing	7.875 Ton	\$127.00	\$1,000
Steel Posts and Racking	342 Ton	\$127.00	\$43,434
PV Modules	16224 Units	\$18.00	\$292,032
Inverters and Transformers	48 Units	\$500.00	\$24,000
Copper Wiring	31920 LBS	\$1.05	\$33,516
Aluminum Wiring	15934 LBS	\$0.08	\$1,275
<b>Subtotal Net Salvage</b>			<b>\$395,257</b>

<b>70% of Salvage Value</b>		\$276,679.79
<b>Demolition Minus Salvage</b>		\$202,187.30
<b>5% Buffer</b>		\$10,109.37
<b>Total LOC Amount</b>		<b>\$212,296.67</b>

Scrap values are based on 5yr averages from Mack's Recycling. Data available upon request.



Champaign County  
Department of

**PLANNING &  
ZONING**

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1776 E. Washington Street  
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zoningdept@co.champaign.il.us  
www.co.champaign.il.us/zoning

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

From: **John Hall, Zoning Administrator**  
**Susan Burgstrom, Senior Planner**

Date: **March 27, 2023**

RE: **Recommendation for rezoning Case 087-AM-23**

Request: **Amend the Zoning Map to change the zoning district designation for approximately 18 acres of the 30.37-acre subject property from the CR Conservation Recreation Zoning District to the AG-2 Agriculture Zoning District.**

Petitioner: **Brian and Lana Krutsinger**

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## **STATUS**

The Zoning Board of Appeals (ZBA) voted 7-0 to “RECOMMEND ENACTMENT” of this map amendment at its March 16, 2023 meeting. The ZBA found that the rezoning achieved all relevant Goals, Objectives, and Policies from the Champaign County Land Resource Management Plan.

The subject property is located within the one and one-half mile extraterritorial jurisdiction of the Village of Sidney, a municipality with zoning. The subject property is located within Sidney Township, which does not have a Plan Commission. Townships with Plan Commissions have protest rights in Map Amendment cases.

There is one approved Special Condition for the rezoning regarding acceptance of the Right to Farm Resolution 3425.

There was one negative comment received from the public. While the neighbor does not object to the rezoning, they do not want to see an event center developed on the property, which is one of the land uses that is permitted in the AG-2 Agriculture Zoning District that is not permitted in the current CR Conservation Recreation Zoning District.

## **BACKGROUND**

The petitioners have had their 30.37-acre residential property for sale since early September 2022. The two offers they have received fell through because the potential buyers wanted to establish an event center, which is not allowed in the CR district. The petitioners would like to rezone approximately 18 acres of the 30.37 acres to AG-2 Agriculture because there is a more extensive list of possible land uses that could occupy the property than what is available in the CR Conservation Recreation Zoning District. They are hopeful that the rezoning will ease the sale of their property.

## **PROPOSED SPECIAL CONDITION**

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

The above special condition is necessary to ensure the following:

**Conformance with Policy 4.2.3 of the Land Resource Management Plan.**

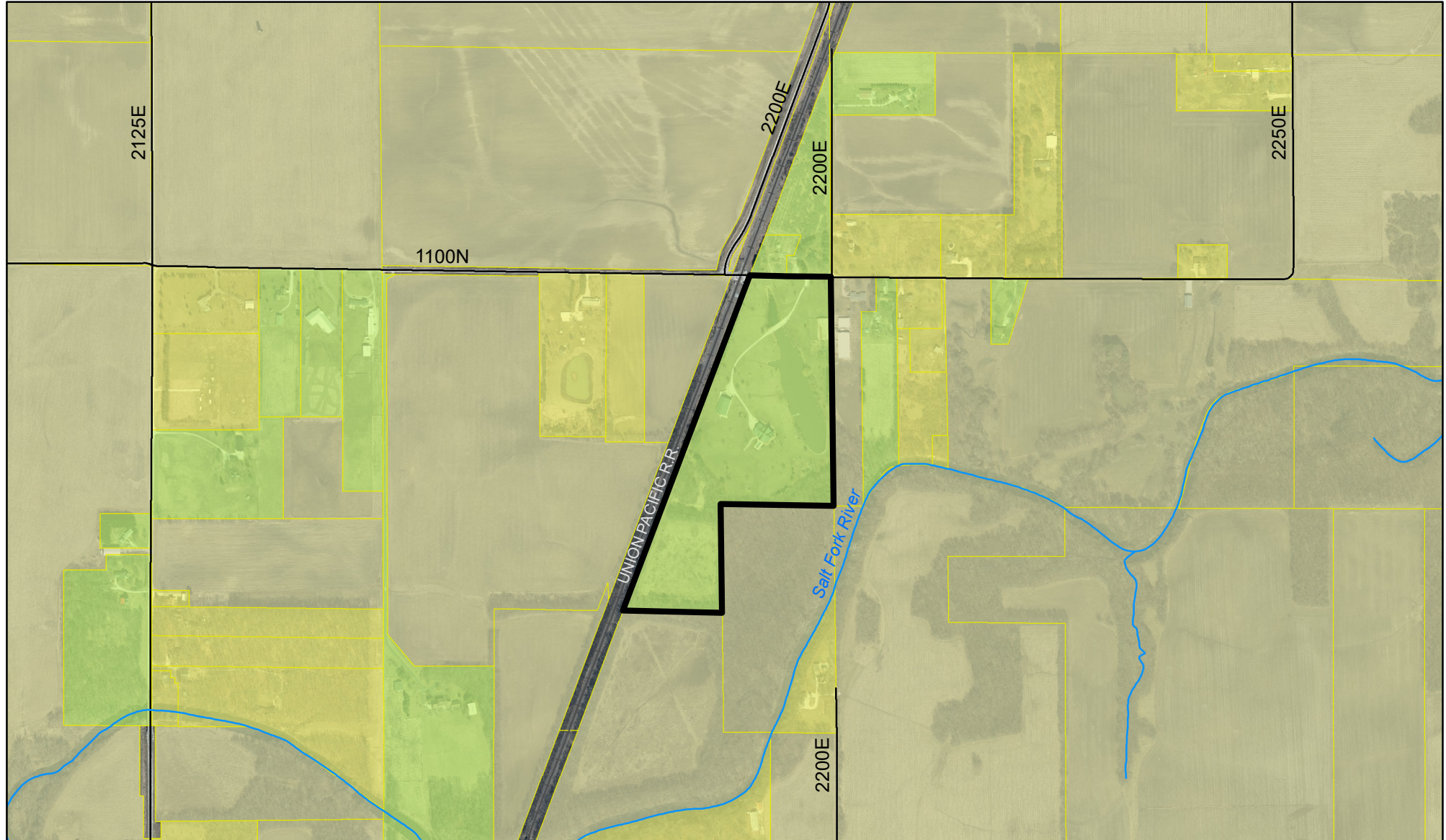
## **ATTACHMENTS**

- A Case Maps (Location, Land Use, Zoning)
- B Site Plan received February 3, 2023
- C Boundary Survey by Berns, Clancy & Associates received March 7, 2023
- D Copy of Right to Farm Resolution 3425
- E Summary Finding of Fact and Final Determination for Case 087-AM-23 as approved by the ZBA on March 16, 2023



# Land Use Map

Cases 087-AM-23 & 088-V-23  
March 16, 2023



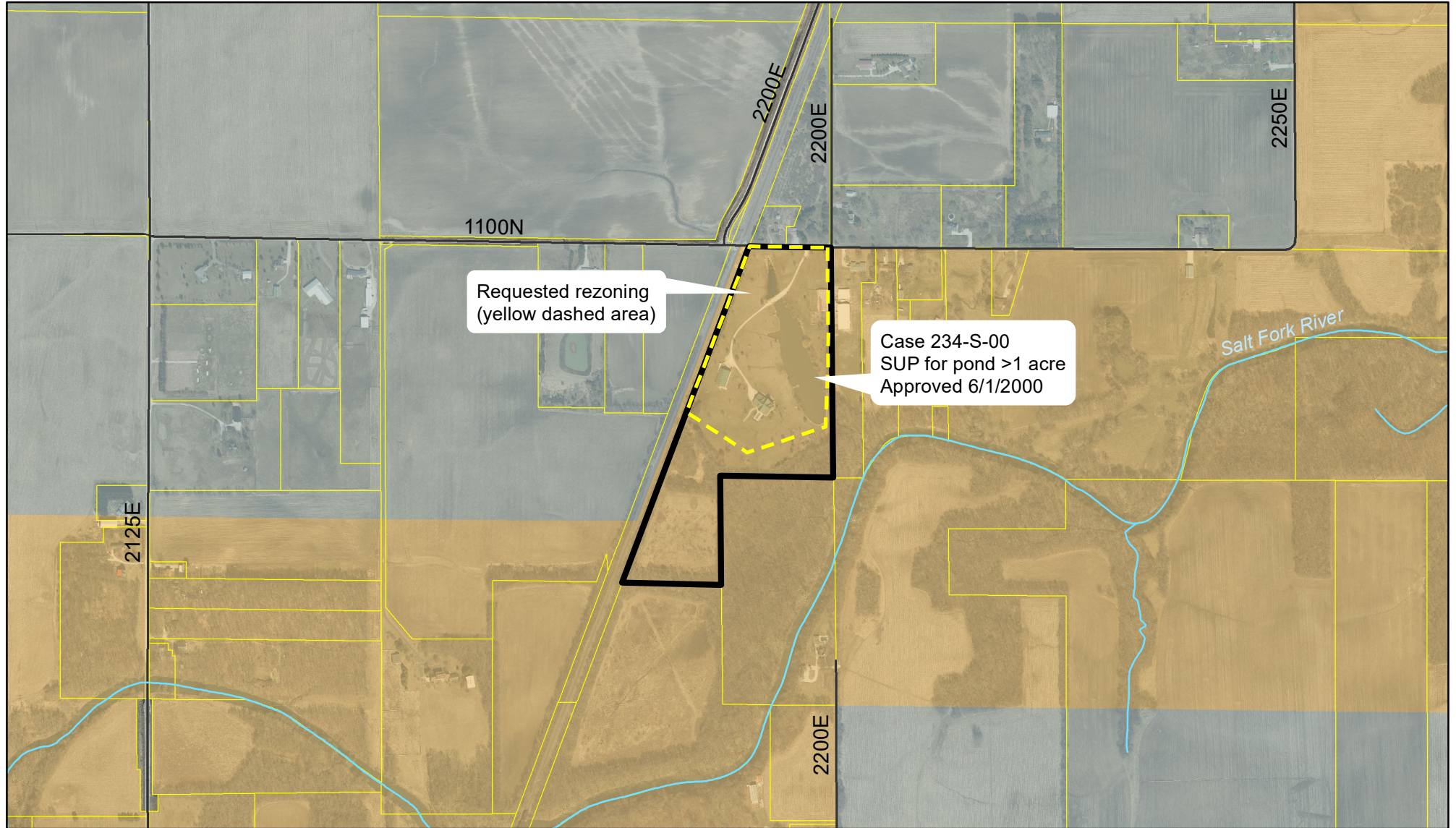
- Subject Property
- Parcels
- Streams
- Agriculture
- Ag/Residential
- Residential

0 200 400 800 Feet

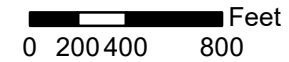
Champaign County  
Department of  
PLANNING &  
ZONING

# Zoning Map

Cases 087-AM-23 & 088-V-23  
March 16, 2023

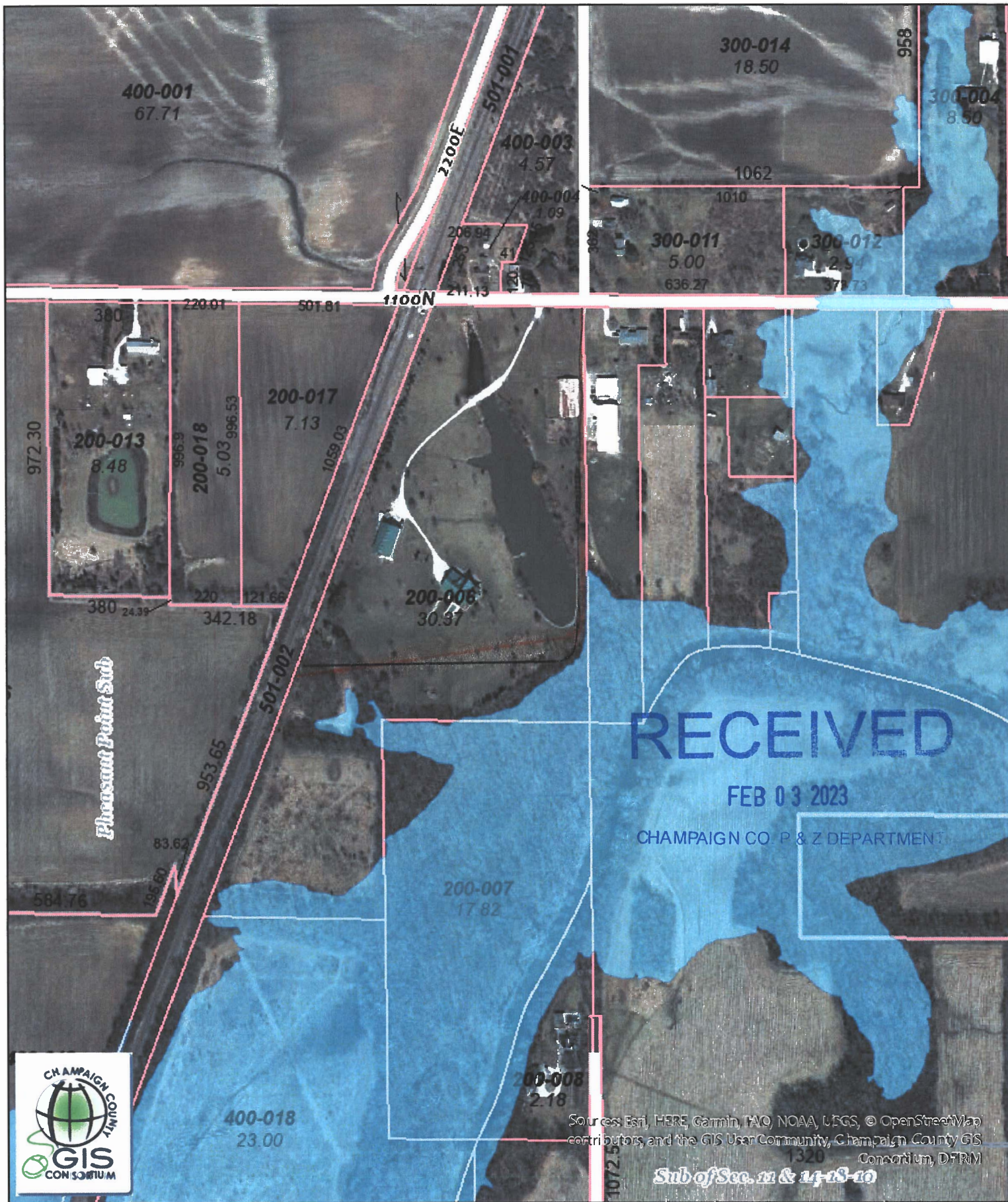


- Subject Property
- CR Conservation Recreation
- Parcels
- AG-1 Agriculture



Champaign County  
Department of  
PLANNING &  
ZONING

# 24-28-10-200-006 2020 aerial with floodplain 1:400



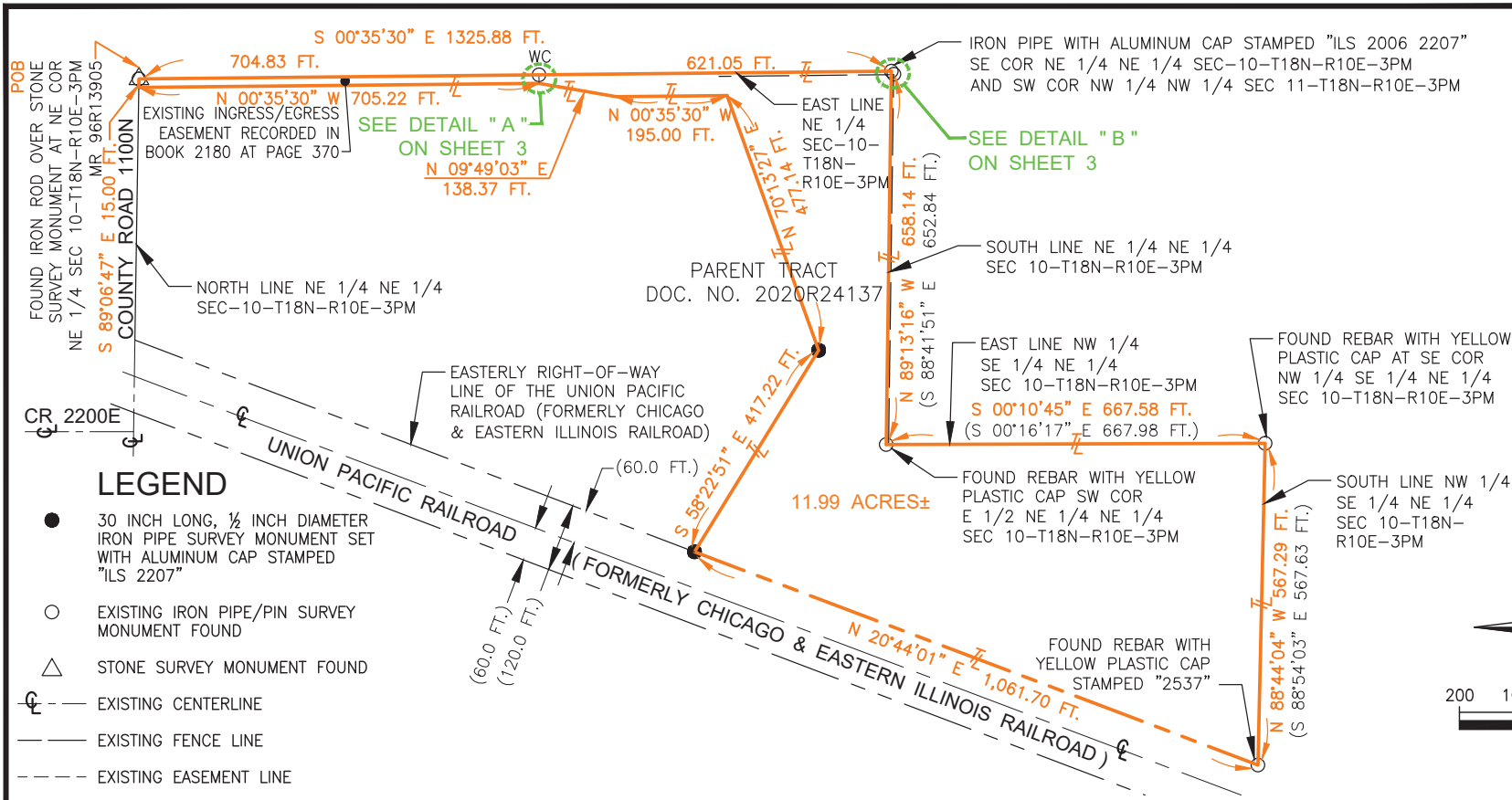
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community, Champaign County GIS Consortium, DFRM

Sub of Sec. 11 & 14-18-10

This map application was prepared with geographic information system (GIS) data created by the Champaign County GIS Consortium (CCGIS), or other CCGIS member agency. These entities do not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this application is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this application and information contained herein. The use of this application constitutes acknowledgement of this disclaimer.

0.06



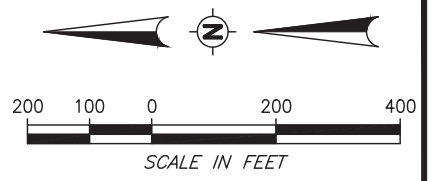


**LEGEND**

- 30 INCH LONG, 1/2 INCH DIAMETER IRON PIPE SURVEY MONUMENT SET WITH ALUMINUM CAP STAMPED "ILS 2207"
- EXISTING IRON PIPE/PIN SURVEY MONUMENT FOUND
- △ STONE SURVEY MONUMENT FOUND
- EXISTING CENTERLINE
- EXISTING FENCE LINE
- - - EXISTING EASEMENT LINE
- - - EXISTING RIGHT-OF-WAY LINE
- TITLE LINE
- POC POINT-OF-COMMENCEMENT
- POB POINT-OF-BEGINNING
- WC WITNESS CORNER
- MR MONUMENT RECORD
- ( ) RECORD MEASUREMENT AND/OR DATA

**J. U. L. I. E.**  
 NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL: J.U.L.I.E. (800) 892-0123  
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 BERNIS, CLANCY AND ASSOCIATES, P.C.

**RECEIVED**  
 MAR 7, 2023  
 CHAMPAIGN COUNTY  
 PLANNING & ZONING



SIGNED AND SEALED MARCH 7, 2023  
*Edward L. Clancy*  
 EDWARD L. CLANCY, L.S., PRESIDENT  
 BERNIS, CLANCY AND ASSOCIATES, P.C.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR 2207  
 LICENSE EXPIRATION: NOVEMBER 30, 2024  
 URBANA, CHAMPAIGN COUNTY, ILLINOIS  
 ILLINOIS PROFESSIONAL DESIGN FIRM 2999  
 LICENSE EXPIRATION: APRIL 30, 2023



BOUNDARY SURVEY OF PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 18 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SIDNEY TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS

**BCA** BERNIS, CLANCY AND ASSOCIATES  
 ENGINEERS • SURVEYORS • PLANNERS  
 405 EAST MAIN STREET - POST OFFICE BOX 755  
 URBANA, ILLINOIS 61803-0755  
 PHONE: (217) 384-1144 - FAX: (217) 384-3355

8307 BOUREVISED	DATE: 030723	SHEET 1 OF 3
JOB: 8307		

**SURVEYOR'S REPORT**

I, EDWARD L. CLANCY, ILLINOIS PROFESSIONAL LAND SURVEYOR 2207 AND PRESIDENT OF BERNS, CLANCY AND ASSOCIATES, P.C. DO HEREBY STATE THAT AT THE REQUEST OF AND FOR THE EXCLUSIVE BENEFIT OF **BRIAN KRUTSINGER**, I PREPARED A BOUNDARY SURVEY AND ACCOMPANYING DESCRIPTION ON THE GROUND TO THE NORMAL STANDARD OF CARE OF PROFESSIONAL LAND SURVEYORS PRACTICING IN CHAMPAIGN COUNTY, ILLINOIS OF A PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 18 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SIDNEY TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARENT TRACT (DOCUMENT NUMBER 2020R24137)

THAT PORTION OF THE FOLLOWING DESCRIBED PREMISES LYING EAST OF THE EASTERLY LINE OF THE RIGHT OF WAY OF THE CHICAGO AND EASTERN ILLINOIS RAILROAD:

THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER ALL IN SECTION 10, TOWNSHIP 18 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

11.99 ACRE TRACT

COMMENCING AT AN IRON ROD OVER A STONE SURVEY MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 18 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN PER MONUMENT RECORD 96R13905 ON FILE IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER, ALSO BEING THE NORTHEAST CORNER OF AN EXISTING INGRESS AND EGRESS EASEMENT RECORDED IN BOOK 2180 AT PAGE 370 ON FILE IN THE OFFICE OF THE CHAMPAIGN COUNTY RECORDER; THENCE SOUTH 00 DEGREES 35 MINUTES 30 SECONDS EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 1325.88 FEET TO AN IRON PIPE SURVEY MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 89 DEGREES 13 MINUTES 16 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 658.14 FEET TO AN IRON REBAR SURVEY MONUMENT FOUND AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 00 DEGREES 10 MINUTES 45 SECONDS EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 667.58 FEET TO AN IRON REBAR SURVEY MONUMENT FOUND AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE NORTH 88 DEGREES 44 MINUTES 04 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 567.29 FEET TO AN IRON REBAR SURVEY MONUMENT FOUND ON THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE CHICAGO AND EASTERN ILLINOIS RAILROAD); THENCE NORTH 20 DEGREES 44 MINUTES 01 SECONDS EAST ALONG THE EASTERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD (FORMERLY THE CHICAGO AND EASTERN ILLINOIS RAILROAD), A DISTANCE OF 1061.70 FEET TO AN IRON PIPE SURVEY MONUMENT SET; THENCE SOUTH 58 DEGREES 22 MINUTES 51 SECONDS EAST, A

DISTANCE OF 417.22 FEET TO AN IRON PIPE SURVEY MONUMENT SET; THENCE NORTH 70 DEGREES 13 MINUTES 27 SECONDS EAST, A DISTANCE OF 477.14 FEET; THENCE NORTH 00 DEGREES 35 MINUTES 30 SECONDS WEST, A DISTANCE OF 195.00 FEET; THENCE NORTH 09 DEGREES 49 MINUTES 03 SECONDS EAST, A DISTANCE OF 138.37 FEET TO THE SOUTHWEST CORNER OF SAID INGRESS/EGRESS EASEMENT RECORDED IN BOOK 2180 AT PAGE 370; THENCE NORTH 00 DEGREES 35 MINUTES 30 SECONDS WEST, A DISTANCE OF 705.22 FEET TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10; THENCE SOUTH 89 DEGREES 06 MINUTES 47 SECONDS EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING, ENCOMPASSING AN AREA OF 11.99 ACRES, MORE OR LESS, ALL SITUATED IN CHAMPAIGN COUNTY, ILLINOIS.

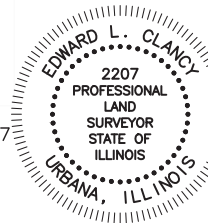
I FURTHER STATE THAT BASED UPON MY REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 17019C0475D WITH AN EFFECTIVE DATE OF OCTOBER 2, 2013 THE PROPERTY SURVEYED IS REPORTEDLY LOCATED WITHIN ZONE X (AREA OF MINIMAL FLOOD HAZARD) AND ZONE A (SPECIAL FLOOD HAZARD AREA).

I FURTHER STATE THAT NO INVESTIGATION CONCERNING ENVIRONMENTAL AND SUBSURFACE CONDITIONS, OR TO DETERMINE THE EXISTENCE OF UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS PROPERTY WAS MADE AS A PART OF THIS SURVEY.

SIGNED AND SEALED MARCH 7, 2023

*Edward L. Clancy*

EDWARD L. CLANCY, L.S., PRESIDENT  
 BERNS, CLANCY AND ASSOCIATES, P.C.  
 ILLINOIS PROFESSIONAL LAND SURVEYOR 2207  
 LICENSE EXPIRATION: NOVEMBER 30, 2024  
 URBANA, CHAMPAIGN COUNTY, ILLINOIS  
 ILLINOIS PROFESSIONAL DESIGN FIRM 2999  
 LICENSE EXPIRATION: APRIL 30, 2023



BOUNDARY SURVEY OF PART OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 18 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, SIDNEY TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS

**BERNS, CLANCY AND ASSOCIATES**  
 ENGINEERS • SURVEYORS • PLANNERS  
 405 EAST MAIN STREET - POST OFFICE BOX 755  
 URBANA, ILLINOIS 61803-0755  
 PHONE: (217) 384-1144 - FAX: (217) 384-3355

807 BOUREVISED.DWG	DATE:	SHEET 2 OF 3
JOB: 8307	030723	

**J. U. L. I. E.**  
 NOTE: THE EXACT LOCATION OF ALL UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS CALL: J.U.L.I.E. (800) 892-0123  
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 BERNS, CLANCY AND ASSOCIATES, P.C.



**SURVEYOR'S REPORT CONTINUED**

I FURTHER STATE THAT NO INDEPENDENT INVESTIGATION CONCERNING ZONING OR LAND USE, OR INDEPENDENT SEARCH OF THE RECORDS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, OWNERSHIP, TITLE EVIDENCE OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE FOR SUBJECT PROPERTY OR FOR ADJOINING PARCELS WAS MADE AS A PART OF THIS SURVEY. THE SURVEYOR HAS RELIED UPON THE MATERIALS AND REPRESENTATIONS SUPPLIED BY THE CLIENT

I FURTHER STATE THAT NO ATTEMPT HAS BEEN MADE AS A PART OF THIS BOUNDARY SURVEY TO OBTAIN DATA CONCERNING THE EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY MUNICIPAL OR PUBLIC SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES, PLEASE CONTACT THE APPROPRIATE AGENCIES.

I FURTHER STATE THAT I FOUND AND/OR SET THE SURVEY MONUMENTS AS SHOWN ON THE ACCOMPANYING PLAT OF SURVEY AND THERE ARE NO APPARENT ABOVE GROUND ENCROACHMENTS EXCEPT AS SHOWN ON THE ACCOMPANYING PLAT OF SURVEY.

I FURTHER STATE THAT THE ACCOMPANYING PLAT OF SURVEY IS A SCALED REPRESENTATION OF THE PHYSICAL SITUATION WHICH I FOUND IN THE FIELD AND SHOWS THE LOCATION OF VARIOUS ABOVE-GROUND FACILITIES WHICH I FOUND IN THE FIELD AT THE TIME OF MY FIELD SURVEY OF THESE PREMISES FEBRUARY 28, 2023.

I FURTHER STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

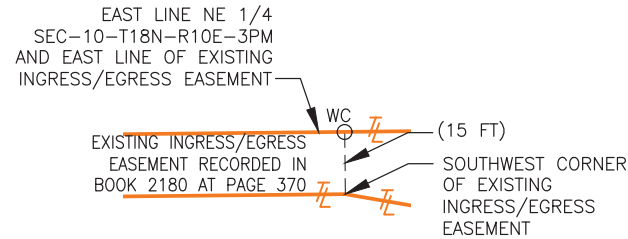
**GENERAL NOTES**

ALL MEASUREMENTS ARE IN FEET AND DECIMAL PARTS THEREOF, UNLESS NOTED OTHERWISE.

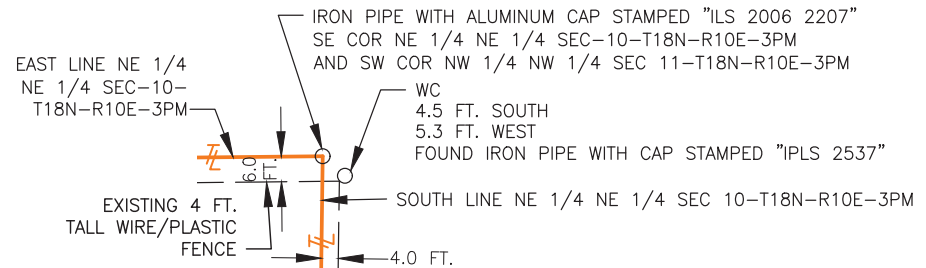
SEE MUNICIPAL/COUNTY ORDINANCES AND REGULATIONS FOR ZONING, SETBACK AND BUILDING STANDARD REQUIREMENTS.

COORDINATES AND BEARINGS SHOWN ARE BASED UPON THE ILLINOIS STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD 83 (2011).

SEE MONUMENT RECORDS ON FILE WITH THE COUNTY RECORDER'S OFFICE FOR DETAILS OF SECTION CORNERS USED IN THIS SURVEY.



**DETAIL "A"**  
NO SCALE

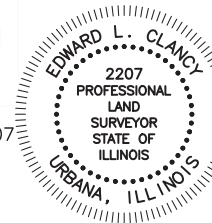


**DETAIL "B"**  
NO SCALE

SIGNED AND SEALED MARCH 7, 2023

*Edward L. Clancy*

EDWARD L. CLANCY, L.S., PRESIDENT  
**BERNS, CLANCY AND ASSOCIATES, P.C.**  
 ILLINOIS PROFESSIONAL LAND SURVEYOR 2207  
 LICENSE EXPIRATION: NOVEMBER 30, 2024  
 URBANA, CHAMPAIGN COUNTY, ILLINOIS  
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BOUNDARY SURVEY OF PART OF THE  
 NORTHEAST QUARTER OF SECTION 10,  
 TOWNSHIP 18 NORTH, RANGE 10 EAST  
 OF THE THIRD PRINCIPAL MERIDIAN,  
 SIDNEY TOWNSHIP, CHAMPAIGN COUNTY, ILLINOIS



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 405 EAST MAIN STREET - POST OFFICE BOX 755  
 URBANA, ILLINOIS 61803-0755  
 PHONE: (217) 384-1144 - FAX: (217) 384-3355

DETAILS NOT DRAWN TO SCALE.  
 NOTE: THE EXACT LOCATION OF ALL UTILITIES  
 SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO  
 CONSTRUCTION ACTIVITIES. FOR UTILITY LOCATIONS  
 CALL: J.U.L.I.E. (800) 892-0123  
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8307 BOUREVISED.DWG	DATE: 030723	SHEET 3 OF 3
JOB: 8307		

**RESOLUTION NO. 3425**

**A RESOLUTION PERTAINING TO THE  
RIGHT TO FARM IN CHAMPAIGN COUNTY**

**WHEREAS, the Chairman and the Board of Champaign County have determined that it is in the best interest of the residents of Champaign County to enact a Right to Farm Resolution which reflects the essence of the Farm Nuisance Suit Act as provided for in the Illinois Compiled Statutes, 740 ILCS 70 (1992); and**

**WHEREAS, the County wishes to conserve, protect, and encourage development and improvement of its agricultural land for the production of food and other agricultural products; and**

**WHEREAS, when nonagricultural land uses extend into agricultural areas, farms often become the subject of nuisance suits. As a result, farms are sometimes forced to cease operations. Others are discouraged from making investments in farm improvements.**

**NOW, THEREFORE, BE IT HEREBY RESOLVED by the Chairman and the Board of Champaign County as follows:**

**1. That the purpose of this resolution is to reduce the loss to the county of its agricultural resources by limiting the circumstances under which farming operations are deemed a nuisance.**

**2. That the term "farm" as used in this resolution means that part of any parcel of land used for the growing and harvesting of crops, for the feeding, breeding, and management of livestock; for dairying or other agricultural or horticultural use or combination thereof.**

**3. That no farm or any of its appurtenances should be or become a private or public nuisance because of any changed conditions in the surrounding area occurring after the farm has been in operation for more than one year, when such farm was not a nuisance at the time it began operation.**

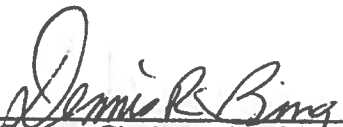
RESOLUTION NO. 3425

Page 2

4. That these provisions shall not apply whenever a nuisance results from the negligent or improper operation of any farm or its appurtenances.

PRESENTED, ADOPTED, APPROVED AND RECORDED this 24<sup>th</sup> day of May, A.D., 1994.

  
\_\_\_\_\_  
Chairman, County Board of the  
County of Champaign, Illinois

ATTEST:   
\_\_\_\_\_  
County Clerk and Ex-Officio  
Clerk of the County Board

**SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 087-AM-23***As approved by the ZBA on March 16, 2023***SUMMARY FINDING OF FACT**

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 16, 2023**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the Land Resource Management Plan because:
  - A. Regarding Goal 3:
    - (1) Although the proposed rezoning is **NOT DIRECTLY RELEVANT** to any of the Goal 3 objectives, the proposed rezoning will allow potential buyers to utilize the property somewhat more intensively.
    - (2) Based on achievement of the above and because it will either not impede or is not relevant to the other Objectives and Policies under this goal, the proposed map amendment will **HELP ACHIEVE** Goal 3 Prosperity.
  - B. Regarding Goal 8:
    - (1) The proposed amendment will **HELP ACHIEVE** Goal 8 because it will **HELP ACHIEVE** the following:
      - a. Policy 8.4.3 requiring the implementation of agricultural practices and land management that promote good drainage while maximizing stormwater infiltration and aquifer recharge (see Item 17.A.(1)).
  - C. The proposed amendment will **NOT IMPEDE** the following LRMP goal(s):
    - Goal 1 Planning and Public Involvement
    - Goal 2 Governmental Coordination
    - Goal 4 Agriculture
    - Goal 5 Urban Land Use
    - Goal 6 Public Health and Safety
    - Goal 7 Transportation
    - Goal 9 Energy Conservation
    - Goal 10 Cultural Amenities
  - D. Overall, the proposed map amendment will **HELP ACHIEVE** the Land Resource Management Plan.
2. The proposed Zoning Ordinance map amendment **IS** consistent with the LaSalle and Sinclair factors because of the following:
  - A. It is impossible to establish values without a formal real estate appraisal, which has not been requested nor provided, and so any discussion of values is necessarily general.
  - B. In regards to the value of nearby residential properties, the requested map amendment should not have any effect. Regarding the effect on nearby properties:
    - (1) The rezoning will be to an agricultural zoning district, and therefore is not expected to affect the value of nearby properties.

**SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 087-AM-23**

*As approved by the ZBA on March 16, 2023*

- C. The gain to the public of the proposed rezoning could be positive because the proposed amendment would allow more development opportunities for interested buyers of the subject property.
  - D. The ZBA has recommended that the proposed rezoning will **HELP ACHIEVE** the Champaign County Land Resource Management Plan.
  - E. Overall, the proposed map amendment **IS** consistent with the LaSalle and Sinclair factors.
3. The proposed Zoning Ordinance map amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance because:
- A. The proposed rezoning **WILL** lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters (Purpose 2.0 (d) Item 21.D.).
  - B. The proposed rezoning **WILL** promote the public health, safety, comfort, morals, and general welfare (Purpose 2.0 E. Item 21.E.)
  - C. Establishing the AG-2 District at this location will maintain the rural character of the site (Purpose 2.0 (q) Item 21.L).
  - D. The proposed rezoning will not hinder the development of renewable energy sources (Purpose 2.0(r) Item 21.M).

**SUMMARY FINDING OF FACT AND FINAL DETERMINATION FOR CASE 087-AM-23**

*As approved by the ZBA on March 16, 2023*

**FINAL DETERMINATION**

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

The Zoning Ordinance Amendment requested in **Case 087-AM-23** should **BE ENACTED** by the County Board in the form attached hereto.

**SUBJECT TO THE FOLLOWING SPECIAL CONDITION:**

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

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

SIGNED:

ATTEST:

Ryan Elwell, Chair  
Champaign County Zoning Board of Appeals

Secretary to the Zoning Board of Appeals

Date

# MONTHLY REPORT for JANUARY 2023<sup>1</sup>

Champaign County  
Department of

**PLANNING &  
ZONING**

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

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

## Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Two zoning cases were filed in January and four were filed in January 2022. The average number of cases filed in January in the preceding five years was 3.8.

One Zoning Board of Appeals (ZBA) meeting was held in January and three cases were completed and one case was withdrawn. Two ZBA meetings were held in January 2022 and four cases were completed. The average number of cases completed in January in the preceding five years was 3.6.

By the end of January there were 10 cases pending. By the end of January 2022 there were 9 cases pending.

**Table 1. Zoning Case Activity in January 2023 & January 2022**

Type of Case	January 2023 1 ZBA meeting		January 2022 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	1	0	4
SFHA Variance	0	0	0	0
Special Use	0	2	0	0
Map Amendment	0	0	0	0
Text Amendment	1	1**	2	0
Change of Nonconforming Use	0	0	0	0
Administrative Variance	0	0	2	0
Interpretation / Appeal	0	0	0	0
<b>TOTALS</b>	<b>2</b>	<b>4</b>	<b>4</b>	<b>4</b>
Total cases filed (fiscal year)	2 cases		4 cases	
Total cases completed (fiscal year)	4 cases**		4 cases	
Cases pending*	10 cases		9 cases	
* Cases pending includes all cases continued and new cases filed				
** A text amendment case was withdrawn in January				

<sup>1</sup> Note that approved absences and sick days resulted in an average staffing level of 65.0% or the equivalent of 5.2 full time staff members (of the 8 authorized) present on average for each of the 20 workdays in January.

## **Subdivisions**

No County subdivision was approved in January. No municipal subdivision plat was reviewed for compliance with County zoning in January.

## **Zoning Use Permits**

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in January can be summarized as follows:

- 6 permits for 7 structures were approved in January compared to 5 permits for 5 structures in January 2022. The five-year average for permits in January in the preceding five years was 7.
- 22 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including July 2022, May 2022, December 2021, November 2021, March 2021, December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, March 2020, January 2020, December 2019, November 2019, October 2019, September 2019, August 2019, July 2019, April 2019, January 2019, and February 2018).
- 3.7 days was the average turnaround (review) time for complete initial residential permit applications in January.
- \$631,879 was the reported value for the permits in January compared to a total of \$320,950 in January 2022. The five-year average reported value for authorized construction in January was \$646,472.
- 23 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including August 2022, July 2022, June 2022, May 2022, February 2022, December 2021, September 2021, July 2021, April 2021, March 2021, December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, December 2019, October 2019, July 2019, April 2019, January 2019, March 2018, and February 2018).
- \$285 in fees were collected in January compared to a total of \$1,437 in January 2022. The five-year average for fees collected in January was \$1,494.
- 21 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including September 2022, July 2022, June 2022, May 2022, February 2022, September 2021, March 2021, December 2020, November 2020, October 2020, August 2020, July 2020, June 2020, March 2020, January 2019, November 2019, October 2019, April 2019, December 2018, November 2018, October 2018, March 2018, and February 2018).



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**Table 2. Zoning Use Permits Approved in January 2023**

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential						
Other	3	0	389,079	3	0	389,079
SINGLE FAMILY Resid.: New - Site Built	1	153	125,000	1	153	125,000
Manufactured						
Additions						
Accessory to Resid.	2	132	117,800	2	132	117,800
TWO-FAMILY Residential						
<b>Average turn-around approval time for the above permit categories</b>	3.67 days					
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural						
Neighborhood						
COMMERCIAL: New						
Other						
INDUSTRIAL: New						
Other						
OTHER USES: New						
Other						
SIGNS						
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS						
<b>TOTAL APPROVED</b>	<b>6/7</b>	<b>285</b>	<b>631,879</b>	<b>6/7</b>	<b>285</b>	<b>631,879</b>

\* 6 permits were issued for 7 structures in Jan. 2023; 6 permits require inspection and Compl. Certif.

◇ 6 permits have been issued for 7 structures since 1/1/23.

**NOTE:** Home occupations and Other permits (change of use, temporary use) total 0 since 1/1/23, (this number is not included in the total number of structures).

5 Zoning Use Permit App. were *received* in January 2023 and 6 were *approved*.

1 Zoning Use Permit App. *approved* in January 2023 had been *received* in prior months.

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- There were 18 lot split inquiries and 93 other zoning inquiries in January.
- Two sets of ZBA minutes were transcribed in January.

**Conversion of Best Prime Farmland**

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in 2020.

**Table 3. Best Prime Farmland Conversion in 2023**

	January 2023	2023 to date
<b>Zoning Cases.</b> Approved by the ZBA, a Zoning Case can authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres	0.00 acres
<b>Subdivision Plat Approvals.</b> Approved by the County Board outside of ETJ areas, a subdivision approval can authorize the creation of new Best Prime Farmland lots smaller than 35 acres: Outside of Municipal ETJ areas <sup>1</sup>	0.00 acres	0.0 acres
Within Municipal ETJ areas <sup>2</sup>	0.00 acre	0.00 acre
<b>Zoning Use Permits.</b> Approved by the Zoning Administrator, a Permit can authorize a new non-agriculture use on a lot that did not previously exist or was not previously authorized in either a zoning case or a subdivision plat approval.	0.00 acres	0.00 acres
Agricultural Courtesy Permits	0.00 acres	0.00 acres
<b>TOTAL</b>	0.00 acres	0.00 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

**Zoning Compliance Inspections**

- 38 Zoning Compliance Inspections were made in January.
- 12 Zoning Compliance Certificate were issued in January. Some were based on aerial photography. The 2023 budget anticipated a total of 166 compliance certificates for an average of 2.7 certificates per week.

**Zoning and Nuisance Enforcement**

Table 4 contains the detailed breakdown of enforcement activity for January and can be summarized as follows:

**Planning & Zoning Monthly Report**  
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- 5 new complaints were received in January compared to 7 new complaints received in January 2022. No complaint was referred to another agency in January and no complaint was referred to another agency in January 2022.
- 14 enforcement inspections were conducted in January compared to 34 inspections in January 2022.
- Two contacts were made prior to written notification in January and none was made in January 2022.
- 14 investigation inquiries were made in January. The 2023 budget anticipates an average of 7.0 initial investigation inquiries per week.
- Seven complaints were resolved in January and five complaints were resolved in January 2022.
- 94 complaints were left open (unresolved) at the end of January.
- No new violation was added in January and no First Notice and no Final Notice were issued. In January 2022, one new violation was added and one First Notice and no Final Notice was issued. The budget anticipated a total of 10 First Notices for 2023.
- No case was referred to the State’s Attorney’s Office in January and no case was referred in January 2022. The budget anticipated a total of five cases to be forwarded to the State’s Attorney’s Office in 2023.
- One violation and seven complaints were resolved in January compared to one violation and five complaints that were resolved in January 2022. The budget anticipated a total of 110 resolved complaints and/or violations in 2023.
- 365 complaints and violations remain open at the end of January compared to 414 open complaints and violations at the end of January 2022.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in January included the following:
  1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
  2. Coordinated with landowners, complainants, and the State’s Attorney’s Office regarding enforcement cases that have been referred to the State’s Attorney’s Office and particularly those cases that involve dangerous structures.
  3. The Zoning Officer assisted with training an intern on Compliance inspections that contributed to achieving the 41 Zoning Compliance Certificates issued in January.

**APPENDICES**

**A Zoning Use Permit Activity In January 2023**

**B Active Land Disturbance Erosion Control Permits In The Champaign County MS4 Jurisdictional Area**

**C Zoning Compliance Certificates Issued in January 2023**

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**Table 4. Enforcement Activity During January 2023**

	FY2022 TOTALS <sup>1</sup>	Jan. 2023	Feb. 2023	March 2023	April 2023	May 2023	June 2023	July 2023	Aug. 2023	Sep. 2023	Oct. 2023	Nov. 2023	Dec. 2023	TOTALS FY2023 <sup>1</sup>
Complaints Received	70	5												5
Initial Complaints Referred to Others <sup>2</sup>	2	0												0
Inspections	314	14 <sup>7</sup>												14 <sup>8</sup>
Phone Contact Prior to Notice	18	2												2
Complaints Resolved	60	7 <sup>9</sup>												7 <sup>10</sup>
<b>Open Complaints<sup>3</sup></b>	<b>96</b>	<b>94</b>												<b>94</b>
New violations	16	0												0
First Notices Issued	16	0												0
Final Notices Issued	1	0												0
Referrals to SAO <sup>4</sup>	2	0												0
Violations Resolved <sup>5</sup>	69	1 <sup>11</sup>												1 <sup>12</sup>
<b>Open Violations<sup>6</sup></b>	<b>272</b>	<b>271</b>												<b>271<sup>13</sup></b>
<b>TOTAL Open Complaints &amp; Violations</b>	<b>368</b>	<b>365</b>												<b>365</b>


Notes

1. Total in bold face includes complaints and/ or violations from previous years.
2. Initial Complaints Referred to Others is included in the number of Complaints Resolved.
3. Open Complaints are complaints that have not been resolved and have not had a Case number assigned.
4. Referrals to SAO (State's Attorney's Office) are not included in Open Violations unless actually resolved.
5. Resolved violations are violation cases that have been inspected, notice given, and violation is gone, or inspection has occurred, and no violation has been found to occur on the property.,
6. Open Violations are unresolved violation cases and include any case referred to the State's Attorney.
7. 5 of the 14 inspections performed were for the new complaints received in January 2022.
8. 5 of the 14 inspections performed in 2022 have been for complaints received in 2022.
9. 1 of the complaints resolved in January 2022 was received in January 2022.
10. 1 of the complaints resolved in 2022 was received in 2022.
11. None of the violations resolved in January were for complaints that had been received in January 2022.
12. None of the violations resolved in 2022 were for complaints that were also received in 2022.
13. Total open violations include 23 cases that have been referred to the State's Attorney, one of which was referred as early as 2009. 4 of the 23 cases are currently active cases in Champaign County Circuit Court. At the end of 2004 there were 312 Open Violations.

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**APPENDIX A. ZONING USE PERMIT ACTIVITY IN JANUARY 2023**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
003-23-01 R-1	A 5-acre tract of land located in the West 269.72 feet of the East 377.61 feet of Lots 1, 2, 3, and 4 of the Subdivision of the Estates of James W. Boyd, Deceased, of Section 03, Urbana Township; 3104 East Perkins Road, Urbana, Illinois.  PIN: 30-21-03-477-020	Alexander Lake and Megan James	12/29/2022 01/05/2023	Install a ground-mounted Solar Array  381-V-20
009-23-01 AG-1	Two tracts of land located in the SE corner of the SE ¼ of Section 07, East Bend Township; 3415 County Road 700 East, Foosland, Illinois.  PIN: 10-02-07-400-011 & 012	Mark and Jennifer Aardsma	01/09/2023 01/12/2023	Construct a single-family home with a detached garage ( <u>2 structures</u> ).
009-23-02 AG-1	A 40-acre tract of land in the N ½ of the NW ¼ of Section 14, Stanton Township; 2223 County Road 2200 North, St. Joseph, Illinois.  PIN: 27-16-14-100-005	Dirk Harms	01/09/2023 01/12/2023	Install a ground-mounted Solar Array.
020-23-01 AG-1	A 2-acre tract of land located in the NW corner of the E ½ of the NW ¼ of Section 28, East Bend Township; 815 County Road 3150 North, Dewey, Illinois.  PIN: 10-02-28-300-004	Bryan and Mary Ideus	01/20/2023 01/23/2023	Install a ground-mounted Solar Array.

 Land Disturbance Erosion Control Permit also required  
 \*received and reviewed, however, not approved during reporting month

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**JANUARY 2023**

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**APPENDIX A. ZONING USE PERMIT ACTIVITY IN JANUARY 2023**

<b>Permit Number</b>	<b>Zoning District; Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
024-23-01  AG-1	Lot 6 of Linbry Estates Subdivision of Section 03, St. Joseph Township; 1777B County Road 2200 East, St. Joseph, Illinois.  PIN: 28-22-03-283-006	Marvin Johnson	01/23/2023 01/26/2023	Construct an addition to an existing detached garage.
027-23-01  AG-1 & AG-2	A 47-acre tract of land located in the S ½ of the NE ¼ of Section 03, Philo Township; 155 North Cleveland Street, Philo, Illinois.  PIN: 19-27-23-200-016	Theodore Rund	01/27/2023 01/31/2023	Construct a machine shed for agricultural use.

Land Disturbance Erosion Control Permit also required  
 \*received and reviewed, however, not approved during reporting month

**Planning & Zoning Monthly Report**  
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**APPENDIX B. ACTIVE LAND DISTURBANCE EROSION CONTROL PERMITS**

<b>Permit Number; Zoning;</b>	<b>Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied Date Approved Date of Final Stabilization</b>	<b>Project (Related Zoning Case)</b>
155-16-02  CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	06/03/16 08/10/16	Construct a parking lot and bus shelter
195-16-01  CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	07/13/16 08/02/16	Construct a detached storage shed
265-22-01  R-1	Lot 62 of Lincolnshire Fields SE Subdivision of Section 21, Champaign Township; 3210 Valley Brook Drive, Champaign, Illinois PIN: 03-20-21-452-001	Scott and Sara Garth	09/22/2022 10/07/2022	Construct a new single-family home with attached garage  265-22-01 LDEC

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**APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN JANUARY 2023**

<b>Date</b>	<b>Permit Number</b>	<b>Property Description; Address; PIN</b>	<b>Project (Related Zoning Case)</b>
01/03/2023	97-17-01	Lot 12, Lincolnshire Fields West 1 Subdivision, Section 21, Champaign Township. 3912 Clubhouse Drive, Champaign, Illinois. PIN: 03-20-21-301-012	Single-family home with attached garage and detached pool house (does not include swimming pool)
01/11/2023	361-22-01	Lot 3 of Burnett-Gordan Minor Subdivision, Section 24, Urbana Township. 1485 CR 1800E, Urbana, Illinois PIN: 30-21-24-202-003	A ground-mounted solar array
01/18/2023	285-22-02	The South Half of Tract 49 in Fred C. Carroll's Subdivision, Section 9, Urbana Township 1401 Carroll Avenue, Urbana, Illinois. PIN: 30-21-09-126-012	A pre-existing storage shed
*01/26/2023	238-20-01	Lot 6 of Linbry Estates, Section 3, St. Joseph Township. 1777B CR 2200E, St. Joseph, Illinois PIN: 28-22-03-283-006	A detached storage shed
*01/27/2023	222-17-01	A 1.55-acre tract of land located in the NW Quarter of Section 32, Brown Township. 6 CR 3050N, Foosland, Illinois PIN: 02-01-31-151-003	A detached storage
01/27/2023	066-22-01	A 7.58-acre tract of land located in the SE corner of the NE Quarter of Section 4, Philo Township. 1149 CR 1500E, Urbana, Illinois PIN: 19-27-04-400-008	An accessory storage shed with a bathroom and office
01/27/2023	332-22-01	Lot 1 of T&M Subdivision of Section 33, Philo Township 613 CR 1500E, Tolono, Illinois PIN: 19-27-33-476-001	An addition to an existing single-family home with attached garage
*01/30/2023	259-19-02	A tract of land located in the West Half of the SW Quarter of Section 20, Newcomb Township. 2622 CR 100E, Mahomet, Illinois PIN: 16-07-20-300-003	A detached storage shed for personal storage
*Zoning Compliance Inspection based on the current aerial photography			



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**APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN JANUARY 2023**

<b>Date</b>	<b>Permit Number</b>	<b>Property Description; Address; PIN</b>	<b>Project (Related Zoning Case)</b>
*01/30/2023	326-21-01	A tract of land located in the West Half of the SW Quarter of Section 20, Newcomb Township. 2622 CR 100E, Mahomet, Illinois PIN: 16-07-20-300-003	A detached storage shed and to authorize a previously constructed detached storage shed.
*01/31/2023	305-06-01	Lot 1 of Lee Industrial Subdivision of Section 33, Somer Township. 3615 N Country view Rd, Urbana, Illinois PIN: 25-15-33-251-006	A detached storage building for GS Service Co LLC
*01/31/2023	312-05-01	Part of Lot 5 and Lot 6 of Illinois Central Railroad Company Survey of Part of the East Half of Section 31 and West Half of the SW Quarter of Section 32, Somer Township. 2809 N Lincoln Ave, Urbana, Illinois PIN: 25-15-31-400-018	Addition to an existing warehouse/distribution enter
*01/31/2023	336-02-01	A one-acre tract adjacent E of Lot 1, Barr Farms First Subdivision, Section 27, Somer Township. 4808 N Cunningham Ave, Urbana, Illinois PIN: 25-15-27-100-011	An 80-foot tower to be used for internet access for Treat Brothers Co
*Zoning Compliance Inspection based on the current aerial photography			

# MONTHLY REPORT for FEBRUARY 2023<sup>1</sup>

Champaign County  
Department of



## Zoning Cases

The distribution of cases filed, completed, and pending is detailed in Table 1. Three zoning cases were filed in February and two were filed in February 2022. The average number of cases filed in February in the preceding five years was 2.0.

One Zoning Board of Appeals (ZBA) meeting was held in February and no cases were completed. No ZBA meetings were held in February 2022 and two cases were completed. The average number of cases completed in February in the preceding five years was 1.6.

By the end of February there were 13 cases pending. By the end of February 2022 there were 9 cases pending.

Brookens Administrative  
Center  
1776 E. Washington Street  
Urbana, Illinois 61802  
  
(217) 384-3708  
zoningdept@co.champaign.il.us  
www.co.champaign.il.us/zoning

**Table 1. Zoning Case Activity in February 2023 & February 2022**

Type of Case	February 2023 1 ZBA meeting		February 2022 No ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	1	0	2	0
SFHA Variance	0	0	0	0
Special Use	0	0	0	0
Map Amendment	1	0	0	0
Text Amendment	0	0	0	0
Change of Nonconforming Use	0	0	0	0
Administrative Variance	1	0	0	2
Interpretation / Appeal	0	0	0	0
<b>TOTALS</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>2</b>
Total cases filed (fiscal year)	5 cases		6 cases	
Total cases completed (fiscal year)	4 cases		6 cases	
Cases pending*	13 cases		9 cases	
* Cases pending includes all cases continued and new cases filed				

<sup>1</sup> Note that approved absences and sick days resulted in an average staffing level of 60.6% or the equivalent of 4.8 full time staff members (of the 8 authorized) present on average for each of the 19 workdays in February.

## **Subdivisions**

No County subdivision was approved in February. One Draft Plat was reviewed. No municipal subdivision plat was reviewed for compliance with County zoning in February.

## **Zoning Use Permits**

A detailed breakdown of permitting activity appears in Table 2. A list of all Zoning Use Permits issued for the month is at Appendix A. Permitting activity in February can be summarized as follows:

- 4 permits for 5 structures were approved in February compared to 4 permits for 4 structures in February 2022. The five-year average for permits in February in the preceding five years was 6.
- 21 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including July 2022, May 2022, December 2021, November 2021, March 2021, December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, March 2020, January 2020, December 2019, November 2019, October 2019, September 2019, August 2019, July 2019, April 2019, and January 2019).
- 4.5 days was the average turnaround (review) time for complete initial residential permit applications in February.
- \$340,900 was the reported value for the permits in February compared to a total of \$901,384 in February 2022. The five-year average reported value for authorized construction in February was \$935,846.
- 22 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including August 2022, July 2022, June 2022, May 2022, February 2022, December 2021, September 2021, July 2021, April 2021, March 2021, December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, December 2019, October 2019, July 2019, April 2019, January 2019, and March 2018).
- \$2,099 in fees were collected in February compared to a total of \$4,420 in February 2022. The five-year average for fees collected in February was \$2,451.
- 22 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including September 2022, July 2022, June 2022, May 2022, February 2022, September 2021, March 2021, December 2020, November 2020, October 2020, August 2020, July 2020, June 2020, March 2020, January 2019, November 2019, October 2019, April 2019, December 2018, November 2018, October 2018, and March 2018).

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**Table 2. Zoning Use Permits Approved in February 2023**

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential						
Other	1	0	55,900	4	0	444,979
SINGLE FAMILY Resid.: New - Site Built				1	153	125,000
Manufactured						
Additions						
Accessory to Resid.	2	1,266	85,000	4	1,398	202,800
TWO-FAMILY Residential						
<b>Average turn-around approval time for the above permit categories</b>	4.5 days					
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural Neighborhood						
COMMERCIAL: New	1	833	200,000	1	833	200,000
Other						
INDUSTRIAL: New						
Other						
OTHER USES: New						
Other						
SIGNS						
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS						
<b>TOTAL APPROVED</b>	4/5	\$2,099	\$340,900	10/12	2,384	972,779

\* 4 permits were issued for 5 structures in Feb. 2023; 4 permits require inspection and Compl. Certif.

◇ 10 permits have been issued for 12 structures since 1/1/23.

**NOTE:** Home occupations and Other permits (change of use, temporary use) total 0 since 1/1/23, (this number is not included in the total number of structures).

4 Zoning Use Permit App. were *received* in February 2023 and 6 were *approved*.

No Zoning Use Permit App. *approved* in February 2023 had been *received* in prior months.

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- There were 18 lot split inquiries and 125 other zoning inquiries in February.
- One set of ZBA minutes were transcribed in February.

**Conversion of Best Prime Farmland**

Table 3 summarizes conversion of Best Prime Farmland as a result of any County zoning approval so far in 2020.

**Table 3. Best Prime Farmland Conversion in 2023**

	February 2023	2023 to date
<b>Zoning Cases.</b> Approved by the ZBA, a Zoning Case can authorize a new principal use on Best Prime Farmland that was previously used for agriculture.	0.0 acres	0.00 acres
<b>Subdivision Plat Approvals.</b> Approved by the County Board outside of ETJ areas, a subdivision approval can authorize the creation of new Best Prime Farmland lots smaller than 35 acres: Outside of Municipal ETJ areas <sup>1</sup>	0.00 acres	0.0 acres
Within Municipal ETJ areas <sup>2</sup>	0.00 acre	0.00 acre
<b>Zoning Use Permits.</b> Approved by the Zoning Administrator, a Permit can authorize a new non-agriculture use on a lot that did not previously exist or was not previously authorized in either a zoning case or a subdivision plat approval.	0.00 acres	0.00 acres
Agricultural Courtesy Permits	0.00 acres	0.00 acres
<b>TOTAL</b>	0.00 acres	0.00 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

**Zoning Compliance Inspections**

- 38 Zoning Compliance Inspections were made in February for a total of 96 Zoning Compliance Inspections so far in 2023.
- 9 Zoning Compliance Certificates were issued in February for a total 21 Certificates so far in 2023. Some were based on aerial photography. The 2023 budget anticipated a total of 166 compliance certificates for an average of 2.7 certificates per week.

**Zoning and Nuisance Enforcement**

Table 4 contains the detailed breakdown of enforcement activity for February and can be summarized as follows:

**Planning & Zoning Monthly Report**  
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- 4 new complaints were received in February compared to 1 new complaint received in February 2022. No complaint was referred to another agency in February and no complaint was referred to another agency in February 2022.
- 37 enforcement inspections were conducted in February compared to 24 inspections in February 2022.
- No contacts were made prior to written notification in February and one contact was made in February 2022.
- 37 investigation inquiries were made in February. The 2023 budget anticipates an average of 7.0 initial investigation inquiries per week.
- One complaint was resolved in February and one complaint was resolved in February 2022.
- 97 complaints were left open (unresolved) at the end of February.
- No new violation was added in February and no First Notice and no Final Notice were issued. In February 2022, no new violation was added and no First Notice and no Final Notice was issued. The budget anticipated a total of 10 First Notices for 2023.
- No case was referred to the State’s Attorney’s Office in February and no case was referred in February 2022. The budget anticipated a total of five cases to be forwarded to the State’s Attorney’s Office in 2023.
- One violation and one complaint were resolved in February compared to three violations and one complaint that were resolved in February 2022. The budget anticipated a total of 110 resolved complaints and/or violations in 2023.
- 367 complaints and violations remain open at the end of February compared to 409 open complaints and violations at the end of February 2022.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in February included the following:
  1. Answering phones and helping customers when needed due to unavailability or absence of Zoning Technicians.
  2. Coordinated with landowners, complainants, and the State’s Attorney’s Office regarding enforcement cases that have been referred to the State’s Attorney’s Office and particularly those cases that involve dangerous structures.
  3. The Zoning Officer assisted with training an intern on Compliance inspections that contributed to achieving the 41 Zoning Compliance Certificates issued in February.

**APPENDICES**

**A Zoning Use Permit Activity In February 2023**

**B Active Land Disturbance Erosion Control Permits In The Champaign County MS4 Jurisdictional Area**

**C Zoning Compliance Certificates Issued in February 2023**

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**Table 4. Enforcement Activity During February 2023**

	FY2022 TOTALS <sup>1</sup>	Jan. 2023	Feb. 2023	March 2023	April 2023	May 2023	June 2023	July 2023	Aug. 2023	Sep. 2023	Oct. 2023	Nov. 2023	Dec. 2023	TOTALS FY2023 <sup>1</sup>
Complaints Received	70	5	4											9
Initial Complaints Referred to Others <sup>2</sup>	2	0	0											0
Inspections	314	14	37 <sup>7</sup>											51 <sup>8</sup>
Phone Contact Prior to Notice	18	2	0											2
Complaints Resolved	60	7	1 <sup>9</sup>											8 <sup>10</sup>
<b>Open Complaints<sup>3</sup></b>	<b>96</b>	<b>94</b>	<b>97</b>											<b>97</b>
New violations	16	0	0											0
First Notices Issued	16	0	0											0
Final Notices Issued	1	0	0											0
Referrals to SAO <sup>4</sup>	2	0	0											0
Violations Resolved <sup>5</sup>	69	1	1 <sup>11</sup>											2 <sup>12</sup>
<b>Open Violations<sup>6</sup></b>	<b>272</b>	<b>271</b>	<b>270</b>											<b>270<sup>13</sup></b>
<b>TOTAL Open Complaints &amp; Violations</b>	<b>368</b>	<b>365</b>	<b>367</b>											<b>367</b>


Notes

1. Total in bold face includes complaints and/ or violations from previous years.
2. Initial Complaints Referred to Others is included in the number of Complaints Resolved.
3. Open Complaints are complaints that have not been resolved and have not had a Case number assigned.
4. Referrals to SAO (State's Attorney's Office) are not included in Open Violations unless actually resolved.
5. Resolved violations are violation cases that have been inspected, notice given, and violation is gone, or inspection has occurred, and no violation has been found to occur on the property.,
6. Open Violations are unresolved violation cases and include any case referred to the State's Attorney.
7. 1 of the 37 inspections performed were for the new complaints received in February 2022.
8. 7 of the 51 inspections performed in 2022 have been for complaints received in 2022.
9. None of the complaints resolved in February 2022 were received in February 2022.
10. 1 of the complaints resolved in 2022 was received in 2022.
11. None of the violations resolved in February were for complaints that had been received in February 2022.
12. None of the violations resolved in 2022 were for complaints that were also received in 2022.
13. Total open violations include 23 cases that have been referred to the State's Attorney, one of which was referred as early as 2009. 4 of the 23 cases are currently active cases in Champaign County Circuit Court. At the end of 2004 there were 312 Open Violations.

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**APPENDIX A. ZONING USE PERMIT ACTIVITY IN FEBRUARY 2023**

<b>Permit Number; Zoning District</b>	<b>Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied, Date Approved</b>	<b>Project (Related Zoning Case)</b>
034-23-01  I-2	A tract of land located in the SW ¼ of the SW ¼ of Section 32, Somer Township; 2808 North Lincoln Avenue, Urbana, Illinois.  PIN: 25-15-32-300-016 & 017	Ken Mathis d.b.a. Saline Branch, LLC	02/03/2023 02/09/2023	Construct a detached storage building for the use of <i>Mack's Twin City Recycling</i> .
034-23-02  AG-1	The West 1/3 of the E 1/3 of the S ½ of the SW ¼ of Section 01, Crittenden Township; 502 County Road 1700 East, Philo, Illinois.  PIN: 08-33-01-300-010	Tim Kraft	02/03/2023 02/06/2023	Install a ground-mounted solar array.
039-23-01  CR	A tract of land part of the NW ¼ of the NW ¼ of Section 11, Brown Township; 3475B County Road 450 East, Foosland, Illinois.  PIN: 02-01-11-100-009	Douglas and Angela Poe	02/08/2023 02/09/2023	Construct a detached storage shed.
045-23-03  CR	A tract of land part of the NW ¼ of the NW ¼ of Section 24, Sadorus Township; 523 County Road 300 North, Sadorus, Illinois.  PIN: 22-31-24-100-005	Lucas and Staci Deedrick	02/15/2023 02/27/2023	Construct a detached garage and garage addition to an existing single-family home ( <b><u>2 structures</u></b> ).

 Land Disturbance Erosion Control Permit also required  
 \*received and reviewed, however, not approved during reporting month



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**APPENDIX B. ACTIVE LAND DISTURBANCE EROSION CONTROL PERMITS**

<b>Permit Number; Zoning;</b>	<b>Property Description; Address; PIN</b>	<b>Owner Name</b>	<b>Date Applied Date Approved Date of Final Stabilization</b>	<b>Project (Related Zoning Case)</b>
155-16-02  CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	06/03/16 08/10/16	Construct a parking lot and bus shelter
195-16-01  CR	A 53.79 acre tract of land located in the NW ¼ of Section 8, Urbana Township; 1206 N. Coler Avenue, Urbana, Illinois PIN: 30-21-08-176-001	Champaign County Fair Association	07/13/16 08/02/16	Construct a detached storage shed
265-22-01  R-1	Lot 62 of Lincolnshire Fields SE Subdivision of Section 21, Champaign Township; 3210 Valley Brook Drive, Champaign, Illinois PIN: 03-20-21-452-001	Scott and Sara Garth	09/22/2022 10/07/2022	Construct a new single-family home with attached garage  265-22-01 LDEC

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**APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN FEBRUARY 2023**

<b>Date</b>	<b>Permit Number</b>	<b>Property Description; Address; PIN</b>	<b>Project (Related Zoning Case)</b>
*02/01/2023	123-17-01	A tract of land located in the NE Corner of the South Half of the NE Quarter of Section 21, Hensley Township. 5111 N Duncan Rd, Champaign, Illinois PIN: 12-14-21-200-003	A detached storage shed for agricultural equipment.
*02/02/2023	210-16-01	Lot 2 of Woodfield West Subdivision, Section 22, Mahomet Township. 1607 Buckthorn Ln, Mahomet, Illinois PIN: 15-13-22-254-010	A single-family home with attached garage.
02/03/2023	278-22-01	A tract of land located in the West Half of the SE Quarter of Section 4, Mahomet, Township. 2364 CR 250E, Mahomet, Illinois PIN: 13-15-04-400-003	A ground-mounted solar array.
02/07/2023	242-22-04	A tract of land located in the NE Corner of Section 5, Ogden Township. 1799 CR 2700E, Ogden, Illinois PIN: 17-24-05-200-004	A detached garage.
02/07/2023	188-22-01	Lot 3 of M. Castle Subdivision of Section 34, St. Joseph Township 1285 CR 2125E, St. Joseph, Illinois. PIN: 28-22-34-101-004	An addition to an existing storage shed and to authorize an existing pool.
02/07/2023	140-22-01	A tract of land located in the NE Quarter of the SE Quarter of Section 25, St. Joseph Township 1329 CR 2400E, St. Joseph, Illinois. PIN: 28-22-25-400-008, 013 & 014	An accessory storage shed.
02/07/2023	227-22-01	A tract of land located in the NW Quarter of the NW Quarter of Section 23, St. Joseph Township 1486 CR 2200E, St. Joseph, Illinois. PIN: 28-22-23-100-007	An above-ground swimming pool.
02/07/2023	206-22-03	Lot 24 in Deer Ridge Ingram's Third Subdivision, Section 30, Ogden Township. 1377 CR 2545E, Ogden, Illinois PIN: 17-24-30-178-008	A detached garage and to authorize an existing pergola and yard shed.
*Zoning Compliance Inspection based on the current aerial photography			

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**APPENDIX C. ZONING COMPLIANCE CERTIFICATES ISSUED IN FEBRUARY 2023**

<b>Date</b>	<b>Permit Number</b>	<b>Property Description; Address; PIN</b>	<b>Project (Related Zoning Case)</b>
02/15/2023	249-22-01	A tract of land located at the SW Corner of the NE Quarter of the SW Quarter of Section 16, Somer Township. 2304 E Leverett Rd, Champaign, Illinois PIN: 25-15-16-326-002	A detached garage and to authorize a home addition with an attached garage.
*Zoning Compliance Inspection based on the current aerial photography			