



CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE AGENDA

County of Champaign, Urbana, Illinois

Thursday, October 5, 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

Kyle Patterson

Emily Rodriguez

Jilmala Rogers

Chris Stohr

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B. Online Registration Open for October 24, 2023, Illinois Green Infrastructure & Erosion Control Conference 2023 (register at www.ccstormwater.org)	
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A. Zoning Case 086-AT-23. Amend the Champaign County Zoning Ordinance as follows in order to ensure compliance with Public Act 102-1123:	10-71
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2. Revise Section 6.1.4 WIND FARM SPECIAL USE PERMIT to establish an effective date for regulating previously authorized WIND FARMS, as described in Part 3 of the legal advertisement.	

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.

**CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE (ELUC)
October 5, 2023 Agenda**

3. Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT to establish regulations applicable after an effective date for proposed WIND FARMS consistent with Public Act 102-1123, as described in Part 4 of the legal advertisement.
4. Renumber existing Section 6.1.5 to new Section 6.1.6 PHOTOVOLTAIC (PV) SOLARFARM and establish an effective date for regulating previously Authorized PHOTOVOLTAIC (PV) SOLAR FARMS, as described in Part 5 of the legal advertisement.
5. Add new Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM to establish regulations applicable after an effective date for proposed PHOTOVOLTAIC (PV) SOLAR FARMS consistent with Public Act 102-1123, as described in Part 6 of the legal advertisement.

X. Other Business

- A. August 2023 Monthly Report

72-88

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 – Pending Approval

DATE: Thursday, September 7, 2023
TIME: 6:30 p.m.
PLACE: Shields-Carter Meeting Room
Brookens Administrative Center
1776 E Washington, Urbana, IL 61802

Committee Members

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

County Staff: Steve Summers (County Executive), John Hall (Zoning Administrator), Mary Ward (Facilities Recording Secretary), and Liz Dillingham (Recording Secretary)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:32 p.m.

II. Roll Call

Roll call was taken and a quorum was declared present.

III. Approval of Agenda/Addendum

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

IV. Approval of Minutes

A. August 10, 2023 – Regular Meeting

MOTION by Mr. Esry to approve the minutes of the August 10, 2023, regular meeting, seconded by Ms. Rodriguez. Upon voice vote, the **MOTION CARRIED** unanimously to approve the minutes.

34 **V. Public Participation**

35
36 None

37
38 **VI. Communications**

39
40 Mr. Patterson read an email that he received from County Board Member Samantha Carter regarding Kraft
41 Heinz air quality concerns.

42
43 **VII. New Business: Items for Information Only**

44
45 **A. Ted Hartke email and slide regarding wind farms and taking of land without**
46 **Compensation**

47
48 Ted Hartke was not present for discussion regarding his e-mail regarding taking of land without
49 compensation of land without compensation.

50
51 **B. Illinois Environmental Protection Agency Notice of application for Renewal of Federally Enforceable State**
52 **Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign.**

53
54 Mr. Stohr suggested sending a letter soon to IEPA regarding the concerns. Discussion by the board to
55 move forward with the letter. Mr. Hall stated he would check with the IEPA to draft a letter to be placed
56 on the October Agenda. He will update the committee with his findings.

57
58 **VIII. New business: Items to Receive and Place on file by ELUC to Allow a 30-day Review Period**

59 **A. Zoning Case 086-AT-23.** Amend the Champaign County Zoning Ordinance as follows,
60 In order to ensure compliance with Public Act 102-1123:

- 61 1. Add and/or amend definitions to be consistent with Public Act 102-1123:
62 as described in Parts 1 and 2 of the legal advertisement.
- 63 2. Revise Section 6.1.4 WIND FARM SPECIAL USE PERMIT to establish an effective
64 date for regulating previously authorized WIND FARMS, as described in Part 3 of the legal
65 advertisement.
- 66 3. Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT to establish
67 regulations applicable after an effective date for proposed WIND FARMS consistent with
68 Public Act 102-1123, as described in Part 4 of the legal advertisement.
- 69 4. Renumber existing Section 6.1.5 to new Section 6.1.6 PHOTOVOLTAIC (PV) SOLAR
70 FARM and establish an effective date for regulating previously authorized PHOTOVOLTAIC (PV)
71 SOLAR FARMS, as described in Part 5 of the legal advertisement.
- 72 5. Add new Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM to establish regulations
73 applicable after an effective date for proposed PHOTOVOLTAIC (PV) SOLAR FARMS consistent
74 with Public Act 102-1123, as described in Part 6 of the legal advertisement.

80 Handouts were provided by Mr. Hall comparing the current zoning ordinance vs. the proposed Amendment
81 dated 08-17-2023.

82
83 Mr. Hall explained the differences between the less restrictive version and the Public Act. Mr. Hall and
84 Mr. Thorsland sought advice from the State's Attorneys Office regarding the ZBA's recommendation on the
85 Wind/Solar Farm Ordinance. According to the State's Attorney, the County Board does not have to accept
86 the ZBA recommendation. There is a 30-day review. Mr. Hall requested the ELUC committee to make a
87 preliminary decision to either support the ZBA's recommendation to deny the less restrictive version or
88 recommend approval. This would allow municipalities to be informed as to what is being discussed and
89 to determine if the three municipalities that are protesting wish to stand by or rescind their protest.
90 Discussion ensued to forward the decision to the County Board on how to proceed.

91
92 Ms. Rogers asked what happens to the current wind farms being built if the ELUC committee does not
93 approve the ordinance. Mr. Hall advised there are no current wind farms being proposed, however, he
94 does expect future wind farm proposals. Mr. Hall indicated if the existing ordinance stands and if the
95 County Board direction is to not impose illegal requirements, then it is a possibility every wind farm that
96 goes to the County Board would include waivers from those parts of the ordinance that are not consistent
97 with state law. Mr. Hall explained that wind farms could still be approved, and the County wouldn't be in
98 the position of imposing illegal requirements and could still impose conditions on other parts of the wind
99 farm.

100
101 Mr. Stohr asked if the ELUC committee was supposed to comply with the state statute for wind farm
102 compliance as the deadline was the end of May. Mr. Thorsland stated he asked the State's Attorney
103 about not completing the ordinance within the timeline. He was advised we are at minimal risk for a
104 lawsuit unless a petitioner was moving forward. There are no current petitioners moving forward.

105
106 Mr. Esry discussed the ZBA updating the Wind/Solar ordinance prior to the State taking away the county's
107 rights to approve their own zoning regarding the bigger issues of distances & heights. He spoke in
108 opposition to the legislation from the State. He does not fault the ZBA, although it places the county in a
109 bind. He does not support moving the ordinance forward since it affects the people in his rural district.

110
111 Mr. Goss stated he is opposed to the legislation with lack of maximum height for the Wind Farms as there
112 is not enough set back. Mr. Goss stated he can see the large wind farms from 25 miles away. He said it
113 destroys the quality of life if you live in the country. He related the larger farms are not safe and noisy.
114 Mr. Goss touched on the revenue from the solar farms which are life changing. Mr. Goss supports the ZBA
115 and will not support to amend the ordinance as the people in his district do not want the farms.

116
117 Mr. Patterson discussed the fact that he wants to ensure we comply with the law. He related the guidance
118 of the State's Attorney's Office is very clear and the consequences are certain if we are challenged. We
119 should not be doing things that are not in compliance with the law. He does support the new ordinance.

120
121 Mr. Thorsland was pleased with the previous efforts to modernize the ordinance that was and still is out of
122 date. Those efforts were successful with height & noise revisions. Those revisions were set aside by the
123 state. He noted it is easier if all the counties in the state have the same ordinance. He stated there are
124 two options moving forward by either following the ZBA and not send it to the board or to forward the
125 ordinance to the full board. There are four more representatives of the rural districts he would like to hear
126 from. Mr. Thorsland related he would like to be fair and move the ordinance from the ELUC committee to
127 the full board. Mr. Thorsland closed by advising the ELUC committee to convey to the board if they hear
128 anything from the public and to notify the municipalities of the ordinance changes.

129 Mr. Hall stated there is usually a vote to receive and place an ordinance change on file. He stated an
130 official vote to move the ordinance forward to the full board will take place in October.

131
132 Upon a straw poll recommending approval of the amendment, the motion to recommend approval
133 passed on a 5 to 2 vote.

134
135 **Motion** to receive and place Zoning Case 086-AT-23 on file for 30 days made by Mr. Goss; seconded
136 by Mr. Patterson. Upon voice vote, the **MOTION CARRIED** unanimously.

137
138 **IX. Other Business**

139 A. Semi-Annual Review of CLOSED Session Minutes

140 **Motioned** by Mr. Esry to keep all closed session minutes closed as recommended by the States Attorney;
141 seconded by Mr. Thorsland. Upon voice vote, the **MOTION CARRIED** unanimously.

142
143 B. Monthly Reports

144 i. July 2023

145
146 **X. Chair's Report**

147
148 The States Attorney office advised if the ELUC committee had questions for the State Attorney regarding the
149 wind farm risk, it would have to be in a closed session. This can be placed on the October meeting agenda if
150 requested. Mr. Thorsland also advised they can call Andrew at the State Attorney's office if they have
151 questions for him.

152
153 Mr. Thorsland thanked Mr. Goss for his committee service and his personal farming knowledge he brought to
154 the ELUC committee. He indicated he hopes whoever replaces Mr. Goss, that they do as good of a job as Mr.
155 Goss has.

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

158
159 None

160
161 **XII. Adjournment**

162
163 Chair Thorsland adjourned the meeting at 7:24 p.m.

John Hall

From: Charles W. Campo
Sent: Wednesday, September 20, 2023 10:36 AM
To: John Hall
Subject: FW: Nuisance Code Changes

FYI

-----Original Message-----

From: Champaign Township Supervisor <supervisor@champaigntownship.com>
Sent: Wednesday, September 20, 2023 10:19 AM
To: Aaron Esry <ale7496@yahoo.com>; Jim Goss <jegoss64@gmail.com>; Kyle Patterson <kylepatterson@co.champaign.il.us>; Emily Rodriguez <erodriguez@co.champaign.il.us>; Jilmala Rogers <jilmalarogerscuforcountyboard@gmail.com>; Chris Stohr <cstohr.ccbd10@gmail.com>; Eric Thorsland <ericfor1@yahoo.com>
Cc: Albert W. York <al.york@comcast.net>; Charles W. Campo <cwc43700@co.champaign.il.us>
Subject: Nuisance Code Changes

CAUTION: External email, be careful when opening.

September 20, 2023

To: The Champaign County Environment and Land Use Committee

From: Norman Davis, Champaign Township Supervisor

Ladies and Gentlemen:

I am writing to you today in my capacity as the Supervisor for Champaign Township. I would like to ask for and recommend a couple of amendments or additions (or refinements, if you will) to the existing ordinances pertaining to nuisance properties.

As the supervisor for the township, one of the main roles I have is to take constituent (resident) complaints and try to resolve them.

Recently, I have been receiving a plethora of complaints regarding the house at 2603 S. Mattis Ave, Champaign. It is, technically, within the unincorporated limits of Champaign County, being in Champaign Township. However, there seems to be some on-going problems with the property.

The owner does not seem to care if he leaves furniture, non-working vehicles, downed trees, etc., scattered around the yard. He also has domestic fowl on the property, including ducks and chickens and, especially, roosters. That is the reason behind the most recent spate of complaints: roosters crowing early in the morning when people are trying to sleep so that they can go to their jobs. I've had complaints about the bird crowing as early as 3:00 AM!

This property is not located a mile outside the city limits. It is, indeed, nearly next-door to properties within the city proper. It is a residential neighborhood, not an agricultural area.

What I would like to propose is an amendment to the nuisance code that would prohibit rooster within a residential zoning area. The City of Champaign does not allow rooster because of the noise they make, and I would like to see a

similar addition to the codes for the county. Such a code addition would also need some teeth to the violations, such as a progressive fine system for successive violations.

This is a problem, and with the codes being as they are, the Zoning and Planning Department have their hands tied as there is no violation for having noise-making animals in the code. They can ask, but they can't prohibit such animals. I have asked the Humane Society to look into the matter, but they told me that, in this area, they do not have people competent in farm animal violations. I believe my only recourse is your committee, for you to put together and recommend an amendment to the existing codes to prohibit noise-making animals, both barnyard and other domestic animals, such as barking dogs.

There is precedent for this action: in 2016 or 2017, an amendment to the nuisance code was created to prohibit burning of leaves and limbs within a 1,000 feet of the City of Champaign and City of Urbana city limits.

This was a very good addition to the code, as it provides for much cleaner air and less distress for people with breathing issues. I urge you to consider this (and perhaps some other) additions or amendments to the existing code.

I would be available for talks about this issue at your convenience.

Sincerely,

Norman E. Davis, Supervisor
Champaign Township

Norman E. Davis
Champaign Township Supervisor
P.O. Box 3428
Champaign, IL 61826
217-352-9433

Champaign County
Department of

**PLANNING &
ZONING**

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **September 25, 2023**

RE: **Draft letter to IEPA Regarding Notice of Application for Renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign.**

BACKGROUND

**Brookens Administrative
Center**

1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708

zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

At the September 7 meeting the Committee requested a Draft Letter to the IEPA regarding the recent odor problem at the Kraft-Heinz facility in Champaign and the recent notice of upcoming renewal of the federally enforceable State Operating Permit for the same.

Chris Presnall, the IEPA Environmental Justice Coordinator who sent the letter, says that the letter that was included in the September Agenda is a type of "early warning" and gives notice about an upcoming official public comment period but that period has not yet begun.

Mr. Presnall says the IEPA has an internal deadline of November 5, 2023, to decide when the official public comment period will open, so there is plenty of time for ELUC to review a Draft letter that could be sent prior to November 5.

When the official public comment period does open, there will be a fact sheet and draft permit posted on the IEPA website and the Committee will have more information at that time and may choose to send a follow-up letter.

ATTACHMENTS

A Illinois Environmental Protection Agency Notice of Application for Renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign

B Draft Letter

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR



August 31, 2023

Re: Kraft Heinz Co (Illinois EPA BOA ID# 019802AAF)
Federally Enforceable State Operating Permit (73020205)

To Distribution List:

In accordance with the Illinois EPA's Environmental Justice Policy, the Office of Environmental Justice wants to provide you with information about a potential action. The Illinois EPA is sending this letter to notify you of an application received by the Bureau of Air (BOA).

The Illinois EPA has received an application for a renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co located at 1701 West Bradley Avenue in Champaign. This facility manufactures food products.

The application is currently under review by the BOA. Once ready for review, the Illinois EPA will post a public notice/fact sheet and draft permit on its website (<https://epa.illinois.gov/public-notices/boa-notices.htm>) and will accept comments during the public notice period.

If you would like to sign up to receive notifications by email, please visit the Illinois EPA Environmental Justice webpage: <https://epa.illinois.gov/topics/environmental-justice.html>

If you have questions about the application, please contact Chris Pressnall, Environmental Justice Coordinator at (217) 524-1284, chris.pressnall@illinois.gov.

Sincerely,

C: 

Chris Pressnall
Environmental Justice Coordinator

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000
595 S. State Street, Elgin, IL 60123 (847) 608-3131

2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

October 6, 2023

Chris Pressnall, Environmental Justice Coordinator
Illinois Environmental Protection Agency
POB 19276
Springfield IL 62794-9276

RE: Application for renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign IL

Dear Chris Pressnall:

The Champaign County Board's Environment and Land Use Committee (ELUC) requests that Illinois EPA be especially diligent in the upcoming review of the renewal of Federally Enforceable State Operating Permit [73020205] for Kraft Heinz Co. located at 1701 West Bradley Avenue, Champaign IL.

The Kraft Heinz plant has been the source of some especially bad odors for the past few months that has disturbed the surrounding neighborhoods. I have attached an article about the odors from *The News-Gazette* of August 24, 2023.

We encourage IEPA to investigate the source of those odors and work with Kraft Heinz to remedy the odors.

We would also appreciate receiving a notice when the draft permit is officially ready for public review.

Sincerely,

Eric Thorsland, Chair
Champaign County Board Environment and Land Use Committee

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: **Environment and Land Use Committee**

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

Date: **September 25, 2023**

RE: **Zoning Ordinance Text Amendment Case 086-AT-23**

Request: **Amend the Champaign County Zoning Ordinance as follows in order to ensure compliance with Public Act 102-1123:**

1. **Add the following definitions to Section 3.0 Definitions:
FACILITY OWNER, NON-PARTICIPATING PROPERTY,
OCCUPIED COMMUNITY BUILDING, PARTICIPATING
PROPERTY.**
2. **Revise the following definitions in Section 3.0 Definitions:
PARTICIPATING DWELLING, NON-PARTICIPATING
DWELLING, COMMUNITY PV SOLAR FARM**
3. **Revise Section 6.1.4 WIND FARM SPECIAL USE PERMIT to establish an effective date for regulating previously authorized WIND FARMS.**
4. **Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT to establish regulations applicable after an effective date for proposed WIND FARMS, including but not limited to:**
 - a. **Establish a separation from each WIND FARM TOWER of 1.1 times the maximum blade tip height to the nearest PARTICIPATING DWELLING, to the center point of a public street right-of-way, to the nearest non-participating property line, and to third-party transmission lines.**
 - b. **Establish a separation from each WIND FARM TOWER of 2.1 times the maximum blade tip height to the nearest NON-PARTICIPATING DWELLING or OCCUPIED COMMUNITY BUILDING, and to the nearest point on the property line of fish and wildlife areas and Illinois Nature Preserve Commission protected lands.**
 - c. **Establish that the total WIND FARM TOWER HEIGHT (measured to the tip of the highest rotor blade) must receive a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR Part 77.**
 - d. **Establish that the financial assurance for WIND FARMS will be based on the requirements in the Agricultural Impact Mitigation Agreement but will be required to be an Escrow Account.**
 - e. **Add other new standard conditions consistent with Public Act 102-1123.**

5. **Re-number existing Section 6.1.5 to new Section 6.1.6 PHOTOVOLTAIC (PV) SOLAR FARM and establish an effective date for regulating previously authorized PHOTOVOLTAIC (PV) SOLAR FARMS.**

6. **Add new Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM to establish regulations applicable after an effective date for proposed PHOTOVOLTAIC (PV) SOLAR FARMS, including but not limited to:**
 - a. **Establish a separation of 50 feet between the PV SOLAR FARM fencing and the street centerline.**
 - b. **Establish a separation of 50 feet between the nearest edge of any component of the PV SOLAR FARM and the nearest point on the property line of the non-participating property.**
 - c. **Establish a separation of 150 feet from the nearest edge of any component of the PV SOLAR FARM and the nearest point on the outside wall of an OCCUPIED COMMUNITY BUILDING or NON-PARTICIPATING DWELLING.**
 - d. **Establish that the financial assurance for PV SOLAR FARMS will be based on the requirements in the Agricultural Impact Mitigation Agreement.**
 - e. **Add other new standard conditions consistent with Public Act 102-1123.**

Petitioner: **Zoning Administrator**

STATUS

At the August 17, 2023 public hearing, the Zoning Board of Appeals voted 7 to 0 to RECOMMEND DENIAL of this amendment.

At the September 7, 2023 ELUC meeting, this case was continued to the October 5, 2023 ELUC meeting in order to provide time for review and comment by municipalities.

On September 11, 2023, John Hall, Zoning Administrator, sent letters to the three municipalities that had protested the proposed amendment back in March. He explained that the revised amendment does not change the current requirement for solar farms within one-and-one-half miles of a municipality and asked if they would like to reconsider their protests. No comments have been received since the September ELUC meeting.

ATTACHMENTS

- A Legal advertisement
- B Amendment as recommended for denial by the ZBA for Case 086-AT-23

LEGAL PUBLICATION: WEDNESDAY, MARCH 15, 2023

CASE: 086-AT-23

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

CASE 086-AT-23

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

A public hearing will be held **Thursday, March 30, 2023 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows in order to ensure compliance with Public Act 102-1123:

1. Add the following definitions to Section 3.0 Definitions: FACILITY OWNER, NON-PARTICIPATING PROPERTY, OCCUPIED COMMUNITY BUILDING, PARTICIPATING PROPERTY.
2. Revise the following definitions in Section 3.0 Definitions: PARTICIPATING DWELLING, NON-PARTICIPATING DWELLING, COMMUNITY PV SOLAR FARM
3. Revise Section 6.1.4 WIND FARM SPECIAL USE PERMIT to establish an effective date for regulating previously authorized WIND FARMS.
4. Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT to establish regulations applicable after an effective date for proposed WIND FARMS, including but not limited to:
 - a. Establish a separation from each WIND FARM TOWER of 1.1 times the maximum blade tip height to the nearest PARTICIPATING DWELLING, to the center point of a public street right-of-way, to the nearest non-participating property line, and to third-party transmission lines.
 - b. Establish a separation from each WIND FARM TOWER of 2.1 times the maximum blade tip height to the nearest NON-PARTICIPATING DWELLING or OCCUPIED COMMUNITY BUILDING, and to the nearest point on the property line of fish and wildlife areas and Illinois Nature Preserve Commission protected lands.
 - c. Establish that the total WIND FARM TOWER HEIGHT (measured to the tip of the highest rotor blade) must receive a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR Part 77.
 - d. Establish that the financial assurance for WIND FARMS will be based on the requirements in the Agricultural Impact Mitigation Agreement but will be required to be an Escrow Account.
 - e. Add other new standard conditions consistent with Public Act 102-1123.

5. Renumber existing Section 6.1.5 to new Section 6.1.6 PHOTOVOLTAIC (PV) SOLAR FARM and establish an effective date for regulating previously authorized PHOTOVOLTAIC (PV) SOLAR FARMS.
6. Add new Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM to establish regulations applicable after an effective date for proposed PHOTOVOLTAIC (PV) SOLAR FARMS, including but not limited to:
 - a. Establish a separation of 50 feet between the PV SOLAR FARM fencing and the street centerline.
 - b. Establish a separation of 50 feet between the nearest edge of any component of the PV SOLAR FARM and the nearest point on the property line of the non-participating property.
 - c. Establish a separation of 150 feet from the nearest edge of any component of the PV SOLAR FARM and the nearest point on the outside wall of an OCCUPIED COMMUNITY BUILDING or NON-PARTICIPATING DWELLING.
 - d. Establish that the financial assurance for PV SOLAR FARMS will be based on the requirements in the Agricultural Impact Mitigation Agreement.
 - e. Add other new standard conditions consistent with Public Act 102-1123.

All persons interested are invited to attend said hearing and be heard. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting. The hearing may be continued and reconvened at a later time.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, MARCH 15, 2023, ONLY

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

Our News Gazette account number is 99225860.

EXHIBIT A: PROPOSED AMENDMENT DATED 08/17/23 – LESS STRICT INTERPRETATION

1. Add definitions in Section 3. Definitions:

FACILITY OWNER: (i) a person with a direct ownership interest in a WIND FARM or a PV SOLAR FARM, or both, regardless of whether the person is involved in acquiring the necessary rights, permits, and approvals or otherwise planning for the construction and operation of the facility, and (ii) at the time the facility is being developed, a person who is acting as a developer of the facility by acquiring the necessary rights, permits, and approvals or by planning for the construction and operation of the facility, regardless of whether the person will own or operate the facility.

NON-PARTICIPATING PROPERTY: real property that is not a PARTICIPATING PROPERTY.

OCCUPIED COMMUNITY BUILDING: any one or more of the following buildings that is existing and occupied on the date that the application for a permit to develop the commercial wind energy facility or the commercial solar energy facility is filed with the county: a school, place of worship, day care facility, public library, or community center.

PARTICIPATING PROPERTY: real property that is the subject of a written agreement between a facility owner and the owner of the real property that provides the facility owner an easement, option, lease, or license to use the real property for the purpose of constructing a commercial wind energy facility, a commercial solar energy facility, or supporting facilities. "Participating property" also includes real property that is owned by a facility owner for the purpose of constructing a commercial wind energy facility, a commercial solar energy facility, or supporting facilities.

2. Revise definitions in Section 3. Definitions:

DWELLING, PARTICIPATING: A DWELLING on land that is leased to a WIND FARM or PV SOLAR FARM.

DWELLING, NON-PARTICIPATING: A DWELLING on land that is not leased to a WIND FARM or PV SOLAR FARM.

PV SOLAR FARM, COMMUNITY: A PV SOLAR FARM of not more than 5,000 kilowatt nameplate capacity that meets the requirements of 20 ILCS 3855/1-10 for a “community renewable generation project” and provided that two COMMUNITY PV SOLAR FARMS may be co-located on the same or contiguous parcels totaling 5 MW.

3. Add new Section 5.3 Footnote 16 for all Zoning Districts:

16. The Zoning Administrator shall notify applicants for Zoning Use Permits proposing development within a distance from a WIND FARM TOWER equal to 1.5 times the height of the WIND FARM TOWER that there is a risk of ice throw and other incompatibilities with the WIND FARM TOWER and that the WIND FARM developer is required to mitigate the risks of ice throw for that structure and the immediately surrounding area within 100 feet of the structure. The Department of Planning & Zoning shall also notify applicants for Zoning Use Permits proposing development within a

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distance from a WIND FARM TOWER of between 1.5 and 2.1 times the height of the WIND FARM TOWER that there is a risk of incompatibilities with the WIND TURBINE.

4. Revise Section 6.1.1 A.5.a. and b. as follows:

5. No Zoning Use permit for such SPECIAL USE will be issued until the applicant provides the COUNTY with an irrevocable letter of credit to be drawn upon a federally insured financial institution within 200 miles of Urbana, Illinois, or reasonable anticipated travel costs shall be added to the amount of the letter of credit.
 - a. Unless specified elsewhere in this Ordinance, the irrevocable letter of credit shall be in the amount of one hundred fifty percent (150%) of an independent engineer's cost estimate to complete the work described in Section 6.1.1A.4.a., Section 6.1.1A.4.b., and Section 6.1.1A.4.c. This requirement shall not apply to any WIND FARM or SOLAR FARM approved after {effective date}.
 - b. The provisions of this subparagraph notwithstanding, a different amount may be required as a special condition. This requirement shall not apply to any WIND FARM or SOLAR FARM approved after {effective date}.

5. Add new Section 6.1.1 A.7.f. as follows:

- f. For any WIND FARM or SOLAR FARM approved after {effective date}, abandonment shall be limited to only when the decommissioning and site reclamation plan has not been completed with 12 months after a SOLAR FARM reaches the end of its useful life or when the decommissioning and site reclamation plan has not been completed within 18 months after a WIND FARM reaches the end of its useful life. A WIND FARM or SOLAR FARM shall be presumed to have reached the end of its useful life if the owner of the WIND FARM or SOLAR FARM fails for a period of six consecutive months to pay the landowner amounts owed in accordance with the underlying agreement and additionally, a WIND FARM shall be presumed to have reached the end of its useful life if no electricity shall have been generated for a continuous period of 12 months.

6. Add new Section 6.1.1 A.9.h. as follows:

- h. For any WIND FARM or SOLAR FARM approved after {effective date}, the Zoning Administrator may only draw on the funds only when the decommissioning and site reclamation plan has not been completed with 12 months after a SOLAR FARM reaches the end of its useful life or when the decommissioning and site reclamation plan has not been completed with 18 months after a WIND FARM reaches the end of its useful life. A WIND FARM or SOLAR FARM shall be presumed to have reached the end of its useful life if the if the owner of the WIND FARM or SOLAR FARM fails for a period of six consecutive months to pay the landowner amounts owed in accordance with the underlying agreement and additionally, a WIND FARM shall be presumed to have reached the end of its useful life if no electricity shall have been generated for a continuous period of 12 months.

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7. Revise Section 6.1.1 A.11.b. as follows:

11. The proceeds of the letter of credit may only be used by the COUNTY to:
 - a. remove the NON-ADAPTABLE STRUCTURE and return the site to its condition prior to placement of the NON-ADAPTABLE STRUCTURE, in accordance with the most recent decommissioning and site reclamation plan submitted and accepted in relation to the NON-ADAPTABLE STRUCTURE;
 - b. for other than any WIND FARM or SOLAR FARM approved after {effective date}, pay all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work, which shall include, but not be limited to, attorney’s fees; construction management and other professional service fees; and the costs of preparing request for proposal and bidding documents required to comply with State law or Champaign County purchasing policies; and
 - c. remove any covenants placed on the title in conjunction with Section 6.1.1A.2.

The balance of any proceeds remaining after the site has been reclaimed shall be returned to the issuer of the letter of credit.

8. Revise the statement at the beginning of Section 6.1.4 as follows:

Prior to <effective date>, a WIND FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1, Agriculture Zoning DISTRICT subject to the following conditions:

9. Add new Section 6.1.5 PROPOSED WIND FARM SPECIAL USE PERMIT as follows:

As of <effective date>, a WIND FARM SPECIAL USE Permit may only be authorized in the AG-1, AG-2, I-1, and I-2 Zoning DISTRICTS subject to the following conditions:

- A. General Standard Conditions
 1. The area of the WIND FARM County Board SPECIAL USE Permit must include the following minimum areas:
 - a. All land that is a distance equal to 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of that WIND FARM TOWER.
 - b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area.
 - c. All necessary WIND FARM ACCESSORY STRUCTURES including electrical distribution lines, transformers, common

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switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area.

- d. All land that is within 1.50 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the base of each WIND FARM TOWER except any such land that is more than 1,320 feet from any existing public STREET right of way.
 - e. All land area within 1,320 feet of a public STREET RIGHT OF WAY that is also within 1,000 feet from the base of each WIND FARM TOWER except that in the case of WIND FARM TOWERS in compliance with the minimum STREET separation required by paragraph 6.1.5 C.4. in which case land on the other side of the public STREET right of way does not have to be included in the SPECIAL USE Permit.
2. The WIND FARM County Board SPECIAL USE Permit shall not be located in the following areas:
- a. Less than one-and-one-half miles from an incorporated municipality that has a zoning ordinance.
 - b. Less than one mile from the CR, Conservation-Recreation Zoning DISTRICT.
 - c. In any area leased for underground gas storage or under easement for same, unless the lease or easement requires that gas injection wells and other above-ground appurtenances be located in conformance with paragraph 6.1.5 C.9.
3. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.
4. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

B. Minimum Lot Standards

- 1. There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a

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WIND FARM or for LOTS for WIND FARM TOWERS, substations, and WIND FARM maintenance and management facilities.

C. Minimum Standard Conditions for Separations for WIND FARM TOWERS from adjacent USES and STRUCTURES.

The location of each WIND FARM TOWER shall provide the following required separations:

1. At least 1.1 times the maximum blade tip height of the wind tower from the center of the base of a WIND FARM TOWER to the nearest point on the outside wall of any PARTICIPATING DWELLING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.
2. At least 2.1 times the maximum blade tip height of the wind tower from the center of the base of a WIND FARM TOWER to the nearest point on the outside wall of any existing NON-PARTICIPATING DWELLING or OCCUPIED COMMUNITY BUILDING provided that the noise level caused by the WIND FARM at the particular building complies with the applicable Illinois Pollution Control Board regulations. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.
3. The above separations may be reduced to a distance no less than 1.10 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) upon submission of a PRIVATE WAIVER signed by the owner of said NON-PARTICIPATING DWELLING or OCCUPIED COMMUNITY BUILDING or adjacent property. The PRIVATE WAIVER must specify the agreed minimum separation and specifically acknowledge that the grantor accepts the resulting noise level caused by the WIND FARM.
4. A separation distance equal to 1.1 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the center of the base of a WIND FARM TOWER to the center point of the public STREET RIGHT OF WAY. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.
5. A separation distance equal to 1.1 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the center of the base of a WIND FARM TOWER to the nearest non-participating property line. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said non-participating

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property. The PRIVATE WAIVER must specify the agreed minimum separation. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.

6. A separation distance equal to 1.1 times the total WIND FARM TOWER height (measured to the tip of the highest rotor blade) from the center of the base of a WIND FARM TOWER to the nearest easement for a third-party electrical transmission lines. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said electrical transmission line. The PRIVATE WAIVER must specify the agreed minimum separation. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.
7. Any PRIVATE WAIVER establishing an agreement for a lesser minimum separation as authorized above shall be submitted prior to the final determination by the Board and must be recorded as part of the chain of title in the deed to any relevant tract of land prior to authorization of any relevant ZONING USE PERMIT. No waiver of a standard condition shall be required in the event of a duly agreed and signed PRIVATE WAIVER.
8. At least 2.1 times the maximum blade tip height of the WIND TOWER to the nearest point on the property line of fish and wildlife areas and Illinois Nature Preserve Commission protected lands. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.
9. At least 1,200 feet separation from the center of the base of a WIND FARM TOWER to any wellhead or other above ground fixture that is accessory to a GAS PIPELINE or to any valve or other above ground fixture for any HAZARDOUS LIQUID PIPELINE, provided however, that if the relevant PIPELINE IMPACT RADIUS required by paragraph 4.3.4H. is greater than 1,200 feet then that PIPELINE IMPACT RADIUS shall be the minimum separation of any of the above. This separation may be reduced upon submission of a PRIVATE WAIVER signed by the owner of said pipeline. The PRIVATE WAIVER must specify the agreed minimum separation.
10. At least 1,600 feet separation from the center of the base of a WIND FARM TOWER to any Liquefied Natural Gas Storage; or Liquefied Petroleum Gas Storage; or Gasoline and Volatile Oils Storage exceeding 10,000 gallons capacity in the aggregate.
11. For any legal RESTRICTED LANDING AREA that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
 - a. The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.

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- b. An additional separation from the end of the runway shall be 15 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that is the width of the runway approach zone based on the requirements of 92 *Ill. Admin Code* 14.520, except as follows:
 - (1) that part of the separation that is more than 3,000 feet from the end of the runway may be a consistent width based on the widest point of the runway approach zone.
12. For any legal RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010 there shall be a separation from the runway to the nearest tip of a blade of the nearest WIND FARM TOWER as follows:
- a. The separation from the sides and ends of the runway shall be seven horizontal feet for each one foot of overall WIND FARM TOWER HEIGHT.
 - b. An additional separation from the end of the runway and for a distance of 50 feet on either side of an end of the runway, shall be 20 feet for each one foot of overall WIND FARM TOWER HEIGHT in a trapezoidal shape that is the width of the runway approach zone based on the requirements of 92 *Ill. Admin Code* 14.520, except as follows:
 - (1) that part of the required separation that is more than 3,000 feet from the end of the runway may be consistent width based on the widest part of the runway approach zone.
- D. Standard Conditions for Design and Installation of WIND FARM TOWERS.
- 1. Design Safety Certification
 - a. WIND FARM TOWERS, turbines, and all related construction shall conform to applicable industry standards, including those of the American National Standards Institute (“ANSI”). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (“UL”), Det Norske Veritas (“DNV”), Germanischer Lloyd Wind Energy (“GL”), or equivalent third party. Documentation of compliance must be submitted prior to receiving a Zoning Compliance Certificate for either the WIND FARM or for any single WIND FARM TOWER.
 - b. Each Zoning Use Permit Application for a WIND FARM TOWER shall include a certification by an Illinois Professional Engineer of Illinois Licensed Structural Engineer that the foundation and tower design of the WIND FARM TOWER is within accepted professional standards, given local soil and climate conditions.

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2. Controls and Brakes
 - a. All WIND FARM TOWER turbines shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems) and mechanical brakes.
 - b. Mechanical brakes shall be operated in fail-safe mode.
 - c. Stall regulation shall not be considered a sufficient braking system for over speed protection.
3. Electrical Components. All electrical components of the WIND FARM shall conform to applicable state and national codes including, any relevant national and international standards (e.g. ANSI and International Electrical Commission).
4. The WIND FARM TOWER must be a monopole construction.
5. The total WIND FARM TOWER height (measured to the tip of the highest rotor blade) must receive a Determination of No Hazard to Air Navigation by the Federal Aviation Administration under 14 CFR Part 77.
6. WIND FARM TOWERS, turbine nacelles, and blades shall be painted white or gray or another non-reflective, unobtrusive color as specified in the application and authorized by the Board.
7. WIND FARMS shall utilize minimal lighting that is compliant with the applicable FAA regulations, as amended by the FAA. To the extent that such tower lighting is available, and is approved by the FAA for a WIND FARM project, the facility owner shall install Aircraft Detection Lighting Systems (ADLS) or other similar technology to reduce light pollution and visual impacts caused by the WIND FARMS.
8. Warnings
 - a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations.
 - b. Visible, reflective, colored objects, such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of 15 feet from the ground.
9. All WIND FARM TOWERS must be protected from unauthorized climbing by devices such as fences at least six feet high with locking portals or anti-climbing devices 12 feet vertically from the base of the WIND FARM TOWER.

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- E. Standard Conditions to Mitigate Damage to Farmland
1. All underground wiring or cabling for the WIND FARM shall be at a minimum depth as established by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.
 2. Protection of agricultural drainage tile
 - a. Protection of agricultural drainage tile shall comply with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture as required by Section 6.1.5 S.
 - b. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary WIND FARM TOWER access lanes or driveways, construction of any WIND FARM TOWERS, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants for their knowledge of the tile line locations prior to the proposed construction. A drainage district shall be notified at least two weeks prior to any likely disruption of a drainage district tile.
 - c. All identified drainage district tile lines shall be staked or flagged prior to construction to alert construction crews of the possible need for tile line repairs unless this requirement is waived in writing by the drainage district.
 - d. Overland crane crossings shall avoid crossing over drainage district tile as much as possible.
 - e. Any agricultural drainage tile located underneath construction stage areas, access lanes, overland crane crossings, driveways, any common switching stations, and substations shall be replaced as required in paragraph 6.3 of the Champaign County Stormwater Management and Erosion Control Ordinance.
 - f. Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Stormwater Management and Erosion Control Ordinance and consistent with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - g. Any underground WIND FARM wiring to be installed in the vicinity of likely drainage district tiles shall be installed in an open trench rather than installed via plowing or knifed into the ground.

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- h. The applicant shall coordinate with the drainage district and provide a drainage district 48 hours to inspect all trenches and/or excavations in the vicinity of suspected drainage district tile locations in order to verify any damage or disturbance to drainage district tile.
 - i. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed. In addition, the location of damaged drain tile lines shall be recorded using Global Positioning Systems (GPS) technology.
 - j. Conformance of any relocation and/ or repair of drainage district tile with the Champaign County Stormwater Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated and/or repaired drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings of any relocated and/ or repaired district tile shall be provided to both the relevant drainage district and the Zoning Administrator.
 - k. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - l. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.
 - m. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
 - n. Following completion of the WIND FARM construction the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the applicant.
3. All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by WIND FARM construction and/or decommissioning

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shall be restored by the applicant to the pre-WIND FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.

4. Topsoil replacement
 - a. All topsoil shall be placed in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.

5. Mitigation of soil compaction and rutting
 - a. All mitigation of soil compaction and rutting shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.

6. Land leveling
 - a. The applicant shall not be responsible for leveling of disturbed land if exempted by the WIND FARM lease.
 - b. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S.

7. Permanent Erosion and Sedimentation Control Plan
 - a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for all WIND FARM TOWER sites and access roads that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
 - b. As-built documentation of all permanent soil erosion and sedimentation improvements for all WIND FARM TOWER sites and access roads prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

F. Standard Conditions for Use of Public STREETS

Any WIND FARM applicant proposing to use any County Highway or township or municipal STREET for the purpose of transporting WIND FARM TOWERS or Substation parts and/or equipment for construction, operation, or maintenance of the WIND FARM TOWERS or Substation(s), shall identify all such public

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STREETS and pay the costs of any necessary permits and costs to repair any damage to the STREETS specifically and uniquely attributable to the WIND FARM construction, as follows:

1. The Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer; or Township Highway Commissioner; or municipality where relevant. Agreements with the County Engineer shall not be forwarded to the County Board before the WIND FARM SPECIAL USE permit is forwarded. All other agreements shall be executed prior to the close of the public hearing before the BOARD. The signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:
 - a. The applicant shall agree to conduct a pre-WIND FARM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (1) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (2) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction.
 - (3) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
 - b. The applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the WIND FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the WIND FARM construction.
 - c. The applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
 - d. The applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
 - e. The applicant shall obtain any necessary Access Permits including any required plans.

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- f. The applicant shall erect permanent markers indicating the presence of underground cables.
- g. The applicant shall install marker tape in any cable trench.
- h. The applicant shall become a member of the Illinois statewide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or “JULIE”) and provide JULIE with all of the information necessary to update its record with respect to the WIND FARM.
- i. The applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection systems.
- j. The applicant shall provide plans for the widening of any corner radius that is necessary to facilitate the turning movements of the transport trucks used by the applicant.
- k. The applicant shall pay for the necessary temporary STREET improvements for the widened corner radii and pay for the cost to return the widened radii to their original lines and grades when no longer needed for the WIND FARM construction unless the STREET maintenance authority requests that the widened radii remain as improved.
- l. The applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.
- m. The applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for WIND FARM construction.
- n. The applicant shall transport the WIND FARM TOWER segments and other oversize loads so as to minimize adverse impact on the local traffic including farm traffic.
- o. The applicant shall schedule WIND FARM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.
- p. The applicant shall provide as much advance notice as is commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the applicant will provide 48 hours notice to the extent reasonably practicable.

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- q. The applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.
- r. The applicant shall establish a single escrow account and a single Irrevocable Letter of Credit for the cost of all STREET upgrades and repairs pursuant to the WIND FARM construction.
- s. The applicant shall notify all relevant parties of any temporary STREET closures.
- t. The applicant shall obtain easements and other land rights needed to fulfill the applicant's obligations under this agreement.
- u. The applicant shall provide written Notice to Proceed to the relevant STREET maintenance authority by December 31 of each year that identifies the STREETS to be upgraded during the following year.
- v. The applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.
- w. The applicant shall conduct a post-WIND FARM construction baseline survey similar to the pre-WIND FARM construction baseline survey to identify the extent of repairs necessary to return the STREET to the pre-WIND FARM construction condition.
- x. The applicant shall pay for the cost of all repairs to all STREETS that are damaged by the applicant during the construction of the WIND FARM and restore such STREETS to the condition they were in at the time of the pre-WIND FARM construction inventory.
- y. All WIND FARM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.
- z. The applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.
- aa. The applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.
- bb. Provisions for expiration date on the agreement.

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- cc. Other conditions that may be required.

- 2. A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the WIND FARM until the County Engineer and State’s Attorney; or Township Highway Commissioner; or municipality where relevant, has approved a Transportation Impact Analysis provided by the applicant and prepared by an independent engineer that is mutually acceptable to the applicant and the County Engineer and State’s Attorney; or Township Highway Commissioner; or municipality where relevant, that includes the following:
 - a. Identify all such public STREETS or portions thereof that are intended to be used by the applicant during construction of the WIND FARM as well as the number of loads, per axle weight of each load; and type of equipment that will be used to transport each load.
 - b. A schedule of the access road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the WIND FARM construction and following construction of the WIND FARM.
 - d. The applicant shall reimburse the County Engineer; or Township Highway Commissioner; or municipality where relevant, for all reasonable engineering fees including the costs of a third party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.

- 3. At such time as decommissioning takes place the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.

- G. Standard Conditions for Coordination with Local Fire Protection District
 - 1. The applicant shall submit to the local fire protection district a copy of the site plan.
 - 2. Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district’s emergency response plan.
 - 3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

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H. Standard Conditions to Mitigate Electromagnetic Interference

1. The applicant shall provide the applicable microwave transmission providers and local emergency service provider(s) (911 operators) copies of the project summary and site plan.
2. To the extent that any relevant microwave transmission provider and local emergency service provider demonstrates a likelihood of interference with its communications resulting from the WIND FARM, the applicant shall take reasonable measures to mitigate such anticipated interference.
3. If, after construction of the WIND FARM, the Owner or Operator receives a written complaint related to the above-mentioned interference, the Owner or Operator shall take reasonable steps to respond to the complaint.
4. If, after construction of the WIND FARM, the Owner or Operator receives a written complaint related to interference with local broadcast residential television, the Owner or Operator shall take reasonable steps to respond to the complaint.

I. Standard Conditions for Allowable Noise Level

1. Noise levels from each WIND FARM TOWER or WIND FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910). This is a statutory requirement by 55 ILCS 5/5-12020 shall not be changed.
2. The applicant shall submit manufacturer's wind turbine sound power level characteristics and other relevant data regarding wind turbine noise characteristics necessary for a competent noise analysis.
3. The applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements.
4. The applicant shall submit a map of the relevant noise contours for the proposed WIND FARM and indicate the proposed WIND FARM TOWERS and all existing PRINCIPAL BUILDINGS within at least 1,500 feet of any WIND FARM TOWER or within the coverage of the relevant noise contours.
5. If a computer model is used to generate the required noise contours the applicant shall clearly state the assumptions of the model's construction and algorithms so that a competent and objective third party can as simply as possible verify the noise contours and noise data.

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6. After construction of the WIND FARM the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
 - a. The Zoning Administrator may seek authorization from the County Board to hire a noise consultant to determine the noise produced by the WIND FARM in a manner consistent with the Illinois Pollution Control Board (IPCB) regulations (*35 Illinois Administrative Code* Subtitle H: Noise Parts 900, 901, 910).
 - b. The Zoning Administrator may require the WIND FARM owner to cooperate fully with the noise consultant in the enforcement action including shutting down all wind turbines to allow documentation of ambient noise levels.
 - c. In the event that a violation of the IPCB noise regulations is identified the Zoning Administrator may require the WIND FARM owner to take whatever actions are necessary to stop the violation and comply with the noise regulations. The Zoning Administrator may seek direction from the Environment and Land Use Committee regarding the actions necessary to stop the violation.
 - d. Further, in the event that a violation of IPCB noise regulations is identified the WIND FARM owner shall reimburse to the County the cost of the noise consultant.

J. Standard Conditions for Endangered Species Consultation

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

K. Standard Conditions for Historic and Archaeological Resources Review

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

L. Standard Conditions for Fish and Wildlife Impacts

The applicant shall apply for consultation with the United States Fish and Wildlife Service’s Information for Planning and Consulting environmental review or a

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comparable successor tool that is consistent with the “U.S. Fish and Wildlife Service’s Land-Based Wind Energy Guidelines.” The application shall include a copy of the consultation review from the U.S. Fish and Wildlife Service.

M. Standard Conditions for Shadow Flicker

1. The applicant shall submit the results of a study on potential shadow flicker. The shadow flicker study shall identify the locations of both summer and winter shadow flicker that may be caused by the project.
2. No OCCUPIED COMMUNITY BUILDING or NON-PARTICIPATING DWELLING shall experience more than 30 hours per year of shadow flicker under planned operating conditions. This duration is a statutory requirement by 55 ILCS 5/5-12020 and shall not be decreased.

N. Ice Throw

1. As part of the Special Use Permit Application, the Applicant shall provide a current risk level assessment of ice fall and ice throw for the current turbine model to be used and includes public roads and parts of non-participating properties used for residential purposes and for other structures. The methodology shall be equivalent to that in the International Energy Agency (IEA) Wind Technology Collaboration Programme (TCP) Task 19 Technical Report *International Recommendations for Ice Fall and Ice Throw Risk Assessments* dated April 2022.
2. If the risk of ice fall and ice throw is above 10^{-5} (1/100,000) it shall be considered unacceptable and extensive risk reduction measures (e.g., relocation or change of turbine specifications or temporarily shutting down the turbine) shall be taken by the WIND FARM developer. The property owner can waive this requirement. Signed written waivers must be presented with the application for a Zoning Use Permit.
3. If a non-participating structure is built within a distance from a WIND FARM TOWER of 1.5 times the height of the WIND FARM TOWER after the Special Use PERMIT approval, the WIND FARM developer shall mitigate ice fall and/or ice throw that could potentially impact the structure and the immediate surrounding area within 100 feet of the structure.

O. Standard Condition for Liability Insurance

1. The Owner or Operator of the WIND FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$520 million in the aggregate. The amount of the limit shall be increased annually to account for the effects of inflation.

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2. The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.

P. Operational Standard Conditions

1. Maintenance

- a. The Owner or Operator of the WIND FARM must submit, on an annual basis, a summary of the operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.
- b. Any physical modification to the WIND FARM that alters the mechanical load, mechanical load path, or major electrical components shall require a new County Board SPECIAL USE Permit. Like-kind replacements shall not require re-certification nor will replacement of transformers, cabling, etc. provided replacement is done in a fashion similar to the original installation. Prior to making any physical modification (other than a like-kind replacement), the Owner or Operator shall confer with a relevant third-party certifying entity identified in subparagraph 6.1.5 D.1.(a) to determine whether the physical modification requires re-certification.

2. Materials Handling, Storage and Disposal

- a. All solid wastes related to the construction, operation and maintenance of the WIND FARM shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
- b. All hazardous materials related to the construction, operation and maintenance of the WIND FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

Q. Standard Condition for Decommissioning Plan and Site Reclamation Plan

1. The applicant shall submit a signed site reclamation plan conforming to the requirements of paragraph 6.1.1 A. and matching the overall deconstruction and land restoration requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. The decommissioning and deconstruction requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture are a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.
2. In addition to the purposes listed in subparagraph 6.1.1 A.4. the reclamation agreement shall also include provisions for anticipated repairs

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for any public STREET used for the purpose of reclamation of the WIND FARM and all costs related to removal of access driveways.

3. The Site Reclamation Plan required in paragraph 6.1.1 A. shall also include the following:
 - a. A stipulation that the applicant shall notify the GOVERNING BODY by certified mail of the commencement of a voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of the proceeding.
 - b. A stipulation that the applicant shall agree that the sale, assignment in fact or at law, or such other transfer of applicant's financial interest in the WIND FARM shall in no way affect or change applicant's obligation to continue to comply with the terms of this agreement. Any successor or assignee shall assume the terms, covenants and obligations of this Agreement and agrees to assume all reclamation liability and responsibility for the WIND FARM.
 - c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the WIND 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 or it's successors in interest are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
 - e. A stipulation that the Applicant 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 shall be obliged to perform the work in the site reclamation plan before abandoning the WIND FARM or prior to ceasing production of electricity from the WIND 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 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

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- reclamation work and shall include but not be limited to attorney’s fees; construction management and other professional service fees; and the costs of preparing request 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 as required in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. 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. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as required in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - j. A stipulation that should the site reclamation plan be deemed invalid by a court of competent jurisdiction the WIND FARM SPECIAL USE Permit shall be deemed void.
 - k. A stipulation that the Applicant’s obligation to complete the site reclamation plan and to pay all associated costs shall be independent of the Applicant’s obligation to provide financial assurance.
 - l. A stipulation that the liability of the Applicant’s failure to complete the site reclamation plan or any breach of the site reclamation plan requirement shall not be capped by the amount of the financial assurance.
 - m. 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 WIND 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.
4. To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an escrow account as follows:

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- a. No Zoning Use Permit to authorize construction of the WIND FARM shall be authorized by the Zoning Administrator until the WIND FARM owner shall provide the COUNTY with financial assurance to cover 10% of the decommissioning and site reclamation cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
- b. On or before the sixth anniversary of the Commercial Operation Date, the WIND FARM Owner shall provide the COUNTY with Financial Assurance to cover 50% of the decommissioning cost and site reclamation cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
- c. On or before the eleventh anniversary of the Commercial Operation Date, the WIND FARM Owner shall provide the COUNTY with Financial Assurance to cover 100% of the decommissioning and site reclamation cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5. and as determined in the updated decommissioning and site reclamation plan filed with the County on or before the end of the tenth year of commercial operation.
- d. Net salvage value may be deducted from decommissioning costs as follows:
 - (1) One of the following standards shall be met:
 - i. The Applicant shall maintain the WIND FARM TOWERS free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant shall deduct from the salvage value credit the amount of any lien or encumbrance on each WIND FARM TOWER; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant shall expressly provide that the agreements are subject to

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the covenant required by Section 6.1.1 A.2 that the reclamation work be done.

- (2) The applicant shall provide proof of compliance with paragraph 6.1.5 P.4.d.(1) prior to issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.
 - (3) The Applicant shall provide in the 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.
 - (4) 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 tower, the hub assembly, the bed plate, the nacelle, the turbine, the blades, the tower cabling and internal wiring, the transformers, the foundation, the access roads.
 - (5) 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.
- e. The GOVERNING BODY has the right to require multiple escrow accounts based on the regulations governing federal insurance for deposits.
- f. The Applicant and its successors in interest shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
- (1) The Applicant or its successors in interest shall file an updated decommissioning and site reclamation plan with the County on or before the end of the tenth year of commercial operation.
 - (2) The County shall reevaluate the estimated costs of decommissioning and site reclamation every five years after the tenth anniversary of the commercial operation date. The solar farm owner shall provide an updated

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estimated cost of decommissioning and site reclamation that is provided by an independent Illinois licensed professional engineer.

- (3) At all times after the tenth anniversary of the commercial operation date, the escrow account shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the WIND FARM was approved.

g. The applicant or WIND FARM owner shall provide an escrow account as follows:

- (1) The applicant or WIND FARM owner and the GOVERNING BODY shall agree on a mutually acceptable financial institution at which an escrow account shall be established.
- (2) The GOVERNING BODY shall be the beneficiary of the escrow account for the purpose of the reclamation of the WIND FARM in the event that the WIND FARM owner is incapable of decommissioning the WIND FARM.
- (3) The applicant or WIND FARM owner shall grant perfected security in the escrow account by use of a control agreement establishing the County as an owner of record, pursuant to the Secured Transit Article of the Uniform Commercial Code, 810 *ILCS* 9/101 *et seq.*
- (4) Any interest accrued on the escrow account that is over and above the total value required by subparagraph 6.1.5 P.4 shall go to the WIND FARM owner.
- (5) In order to provide funding for decommissioning at the time of decommissioning, the WIND FARM applicant or WIND FARM owner may exchange a new irrevocable letter of credit in an amount equal to the amount in the escrow account in exchange for the GOVERNING BODY agreeing to a release of the full amount of the escrow account.

h. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5 P.4.(f), the amount to be placed in the escrow account pursuant to this paragraph 6.1.5 P.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.

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- i. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 S. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.
 5. The Zoning Administrator may, but is not required to, deem the WIND FARM abandoned with respect to some, but not all, of the WIND FARM TURBINES in the WIND FARM. In that event the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to those WIND FARM TURBINES only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining WIND FARM TURBINES in the WIND FARM.
 6. The Site Reclamation Plan shall be included as a condition of approval by the BOARD and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.
- R. Complaint Hotline
1. Prior to the commencement of construction on the WIND FARM and during the entire term of the County Board SPECIAL USE permit and any extension, the applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
 2. The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
 3. The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.
 4. Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
 5. All calls shall be recorded and the recording shall be saved for transcription for a minimum of two years.
- S. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture
1. The Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 2. The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure

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compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

3. All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the COUNTY Board SPECIAL USE Permit.
4. Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.

T. Standard Condition for Expiration of WIND FARM County Board SPECIAL USE Permit

A WIND FARM County Board SPECIAL USE Permit designation shall expire pursuant to any time limit included in the Roadway Upgrade and Maintenance agreement required by paragraph 6.1.5 F. or in 10 years if no Zoning Use Permit is granted.

U. Application Requirements

1. In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.1 A.2. the application shall contain or be accompanied by the following information:
 - a. A WIND FARM Project Summary, including, to the extent available:
 - (1) A general description of the project, including its approximate name plate generating capacity; the potential equipment manufacturer(s), type(s) of wind turbines, number of wind turbines, and name plate generating capacity of each wind turbine; the maximum height of the WIND FARM TOWER(S); and the maximum diameter of the WIND FARM TOWER rotor(s).
 - (2) The specific proposed location of the WIND FARM including all tax parcels on which the WIND FARM will be constructed.
 - (3) The specific proposed location of all tax parcels required to be included in the WIND FARM County Board SPECIAL USE Permit.
 - (4) A description of the applicant; Owner and Operator, including their respective business structures.

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- b. The name(s), address(es), and phone number(s) of the applicant(s), Owner and Operator, and all property owner(s) for the WIND FARM County Board SPECIAL USE Permit.
 - c. A site plan for the installation of all WIND FARM TOWERS indicating the following:
 - (1) The approximate planned location of each WIND FARM TOWER, other PRINCIPAL STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, substation(s), electrical cabling from the WIND FARM TOWER to the Substation(s), ancillary equipment, third party transmission lines, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (2) The site plan shall clearly indicate the area of the proposed WIND FARM County Board SPECIAL USE Permit as required by subparagraph 6.1.5 A.1.
 - (3) The separation of all WIND FARM structures from adjacent NON-PARTICIPATING DWELLINGS OR COMMUNITY BUILDINGS or uses shall be shown or dimensioned on the approved site plan for the SPECIAL USE Permit unless the Board authorizes a lesser separation in a special condition of approval or any required and duly authorized waivers of paragraph 6.1.5 C. Authorization of a separation of less than 90% of that indicated on the approved site plan for the SPECIAL USE Permit shall require an updated noise study meeting the requirements of paragraph 6.1.5 G. to be submitted with the Zoning Use Permit application. WIND FARM structures include WIND FARM TOWERS, substations, third party transmission lines, maintenance and management facilities, or other significant structures.
 - d. The Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Special Use Permit Application to authorize construction.
 - e. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
2. The applicant shall notify the COUNTY of any changes to the information provided above that occurs while the SPECIAL USE Permit application is pending.

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- V. The approval of a WIND FARM shall not be conditioned on a property value guarantee and shall not require a facility owner to pay into a neighboring property devaluation escrow account. This is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.

- W. Deadlines for Start of Public Hearing and Governing Body Determination
 - 1. A public hearing for a WIND FARM shall begin within 45 days of filing a complete SPECIAL USE Permit application. This requirement is imposed by Public Act 102-1123 and the number of days shall not be increased or eliminated unless waived by the developer.

 - 2. A decision on the SPECIAL USE Permit shall be made within 30 days after the conclusion of the public hearing. This requirement is imposed by Public Act 102-1123 and the number of days shall not be increased or eliminated unless waived by the developer.

- X. Should the Illinois Supreme Court find P.A. 102-1123 invalid or should an Illinois Appellate Court find P.A. 102-1123 invalid, and that declaration is not appealed to the Illinois Supreme Court or the Illinois Supreme Court declines to hear an appeal of the Appellate Court’s finding and no public hearing for a proposed WIND FARM has begun, the text of this amendment shall be stricken and the text adopted by the Champaign County Board on August 18, 2022 shall be reinstated and shall govern WIND FARMS in Champaign County.

- 10. Renumber all references to Section **6.1.5 PHOTOVOLTAIC (PV) SOLAR FARM County BOARD SPECIAL USE Permit** to new **Section 6.1.6** and add the following statement to the beginning of new Section 6.1.6:

Prior to <effective date>, a PHOTOVOLTAIC (PV) SOLAR FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1, Agriculture, Zoning DISTRICT or the AG-2, Agriculture, Zoning DISTRICT subject to the following standard conditions:

- 11. Add new **Section 6.1.7 PROPOSED PHOTOVOLTAIC (PV) SOLAR FARM SPECIAL USE Permit as follows:**

As of <effective date>, a PHOTOVOLTAIC (PV) SOLAR FARM SPECIAL USE Permit may only be authorized in the AG-1, AG-2, I-1, and I-2 Zoning DISTRICTS subject to the following conditions:

- A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.

- B. General Standard Conditions

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- (1) The area of the PV SOLAR FARM County BOARD SPECIAL USE Permit must include the following minimum areas:
- a. All land that will be exposed to a noise level greater than that authorized to Class A land as established by *35 Ill. Admin. Code Parts 900, 901 and 910* under paragraph 6.1.5I.
 - b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area.
 - c. All necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area.
 - d. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (2) The PV SOLAR FARM County BOARD SPECIAL USE Permit shall not be located in the following areas:
- a. Less than one and one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include the following:
 - (a) No part of a PV SOLAR FARM shall be located within a contiguous growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit.
 - (b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one and one-half miles from any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL

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USE permit application in addition to any notice otherwise required.

- (c) The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one and one-half miles of the proposed PV SOLAR FARM.
- (d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.
- (e) The public hearing for any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28 day comment period is waived in writing by any relevant municipality.
- (f) For any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.
- (g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE Permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE Permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to allow comments regarding the PV SOLAR FARM SPECIAL USE Permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the COUNTY BOARD, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one and one-half miles of a municipality the Environment and Land Use Committee

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recommendation can be referred to the COUNTY BOARD without a comment period.

- (h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one and one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY BOARD, the ZONING ADMINISTRATOR shall provide documentation to the COUNTY BOARD that any municipality within one and one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY BOARD.

(3) Interconnection to the power grid

- a. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.
- b. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.

(4) Right to farm

- a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

C. Minimum LOT Standards

- (1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/or for PV SOLAR FARM maintenance and management facilities.
- (2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.

D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES

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The location of each PV SOLAR FARM shall provide the following required separations as measured from the exterior of the above ground portion of the PV SOLAR FARM STRUCTURES and equipment including fencing:

- (1) PV SOLAR FARM fencing shall be set back from the street centerline a minimum of 50 feet. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.
- (2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.
- (3) For properties not participating in the solar farm:
 - a. A separation of 50 feet between the nearest edge of any component of the PV SOLAR FARM and the nearest point on the property line of the non-participating property. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.
 - b. A separation of 150 feet from the nearest edge of any component of the PV SOLAR FARM and the nearest point on the outside wall of an OCCUPIED COMMUNITY BUILDING or NON-PARTICIPATING DWELLING. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.
 - c. Additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded.
- (4) A separation of at least 500 feet from any of the following unless the SPECIAL USE Permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:
 - a. any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or

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- b. any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE Permit and that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or
 - c. any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT.
- (5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.
- (6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.
- E. Standard Conditions for Design and Installation of any PV SOLAR FARM.
 - (1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.
 - (2) Electrical Components
 - a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.
 - b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV SOLAR FARM construction and minimizing impacts on agricultural drainage tile.
 - (3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit. No component of a solar panel shall have a height of more than 20 feet above ground when the solar

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arrays are at full tilt. This height limit is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.

- (4) Warnings
 - a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.
- (5) No construction may intrude on any easement or right-of-way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.

F. Standard Conditions to Mitigate Damage to Farmland

- (1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth as established by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (2) Protection of agricultural drainage tile
 - a. Protection of agricultural drainage tile shall comply with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture as required by Section 6.1.7 R.
 - b. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to any likely disruption of a drainage district tile.
 - c. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:
 - (a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of

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the presence of drainage district tile and the related easement.

- (b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the PV SOLAR FARM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the PV SOLAR FARM SPECIAL USE Permit.
- (c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.
- d. Any agricultural drainage tile located underneath construction staging areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.
- e. Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance and consistent with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture.
- f. The applicant shall coordinate with the drainage district and provide a drainage district 48 hours to inspect all trenches and/or excavations in the vicinity of suspected drainage district tile locations in order to verify any damage or disturbance to drainage district tile.
- g. Conformance of any relocation and/or repair of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated and/or repaired drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings of any relocated

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and/or repaired district tile shall be provided to both the relevant drainage district and the Zoning Administrator.

- h. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed. In addition, the location of damaged drain tile lines shall be recorded using Global Positioning Systems (GPS) technology.
 - i. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - j. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.
 - k. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
- (3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by PV SOLAR FARM construction and/or decommissioning shall be restored by the applicant to the pre-PV SOLAR FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (4) Topsoil replacement
- All topsoil shall be placed in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (5) Mitigation of soil compacting and rutting
- a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the PV SOLAR FARM lease.

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- b. All mitigation of soil compaction and rutting shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (6) Land leveling
- a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.
 - b. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R.
- (7) Permanent Erosion and Sedimentation Control Plan
- a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the 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.
 - b. As-built documentation of all permanent soil erosion and sedimentation improvements for the PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.
- (8) Retention of all topsoil
- No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the PV SOLAR FARM.
- (9) Minimize disturbance to BEST PRIME FARMLAND
- a. Any PV SOLAR FARM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:
 - (a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the PV SOLAR FARM shall be minimized at all times consistent with good engineering practice.

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- (b) Disturbance to BEST PRIME FARMLAND shall be offset by establishment of a vegetative ground cover within the PV SOLAR FARM that includes the following:
 - i. The vegetative ground cover shall use native plant species as much as possible and shall be based on a site assessment of the site geography and soil conditions.
 - ii. The species selected shall serve a secondary habitat purpose as much as possible.
 - iii. Maintenance of the vegetative ground cover shall use a combination of management approaches to ensure safe, cost-effective, reliable maintenance while minimizing environmental risks.
 - iv. The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE Permit application. The landscape plan shall include the weed control plan required by Section 6.1.7 P.3.

G. Standard Conditions for Use of Public Streets

Any PV SOLAR FARM Applicant proposing to use any County Highway or a township or municipal STREET for the purpose of transporting PV SOLAR FARM or Substation parts and/or equipment for construction, operation, or maintenance of the PV SOLAR FARM or Substation(s), shall identify all such public STREETS and pay the costs of any necessary permits and the costs to repair any damage to the STREETS specifically and uniquely attributable to the PV SOLAR FARM construction, as follows:

- (1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State’s Attorney; or Township Highway Commissioner; or municipality where relevant, except for any COMMUNITY PV SOLAR FARM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.7 G.1, 6.1.7 G.2, and 6.1.7 G.3, and the signed and executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:
 - a. The applicant shall agree to conduct a pre-PV SOLAR FARM construction baseline survey to determine existing STREET

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conditions for assessing potential future damage including the following:

- (a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction.
 - (c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.
- b. The Applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the PV SOLAR FARM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the PV SOLAR FARM construction.
 - c. The Applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
 - d. The Applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
 - e. The Applicant shall obtain any necessary Access Permits including any required plans.
 - f. The Applicant shall erect permanent markers indicating the presence of underground cables.
 - g. The Applicant shall install marker tape in any cable trench.
 - h. The Applicant shall become a member of the Illinois state wide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or “JULIE”) and provide JULIE with all of the information necessary to update its record with respect to the PV SOLAR FARM.
 - i. The Applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection system.

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

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- u. The Applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.
 - v. The Applicant shall conduct a post-PV SOLAR FARM construction baseline survey similar to the pre-PV SOLAR FARM construction baseline survey to identify the extent of repairs necessary to return the STREETS to the pre-PV SOLAR FARM construction condition.
 - w. The Applicant shall pay for the cost of all repairs to all STREETS that are damaged by the Applicant during the construction of the PV SOLAR FARM and restore such STREETS to the condition they were in at the time of the pre-PV SOLAR FARM construction inventory.
 - x. All PV SOLAR FARM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.
 - y. The Applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.
 - z. The Applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.
 - aa. Provisions for expiration date on the agreement.
 - bb. Other conditions that may be required.
- (2) A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the PV SOLAR FARM until the County Engineer and State’s Attorney, or Township Highway Commissioner, or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State’s Attorney, or Township Highway Commissioner, or municipality where relevant, that includes the following:
- a. Identify all such public STREETS or portions thereof that are intended to be used by the Applicant during construction of the PV SOLAR FARM as well as the number of loads, per axle weight of each load, and type of equipment that will be used to transport each load.

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- b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the PV SOLAR FARM construction and following construction of the PV SOLAR FARM.
 - d. The Applicant shall reimburse the County Engineer, or Township Highway Commissioner, or municipality where relevant, for all reasonable engineering fees including the cost of a third-party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
- (3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.
- H. Standard Conditions for Coordination with Local Fire Protection District
- (1) The Applicant shall submit to the local fire protection district a copy of the site plan.
 - (2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan.
 - (3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.
- I. Standard Conditions for Allowable Noise Level
- (1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (*35 Illinois Administrative Code*, Subtitle H: Noise, Parts 900, 901, 910). This is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.
 - (2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed PV SOLAR FARM equipment necessary for a competent noise analysis.
 - (3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:

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- a. The SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:
 - (a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.
 - (b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.
 - (c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.
 - (d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.
 - b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.7 G.(3)a.
- (4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
- a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.
 - b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.
- J. Standard Conditions for Endangered Species Consultation

The Applicant shall apply for consultation with the Endangered Species Program of the Illinois Department of Natural Resources. The application shall include a copy of the Agency Action Report from the Endangered Species Program of the

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Illinois Department of Natural Resources or, if applicable, a copy of the Detailed Action Plan Report submitted to the Endangered Species Program of the Illinois Department of Natural Resources and a copy of the response from the Illinois Department of Natural Resources.

K. Standard Conditions for Historic and Archaeological Resources Review

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

L. Standard Conditions for Acceptable Fish and Wildlife Impacts

The applicant shall apply for consultation with the United States Fish and Wildlife Service's Information for Planning and Consulting environmental review or a comparable successor tool that is consistent with any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review. The application shall include a copy of the consultation review by the U.S. Fish and Wildlife Service.

M. Screening and Fencing

(1) Perimeter fencing

- a. PV SOLAR FARM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 6 feet and no more than 25 feet. This limit on fence height is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.
- b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS are controlled or eradicated consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 *et. seq.*). Management of the vegetation shall be explained in the application.

(2) Screening

- a. A visual screen shall be provided around the perimeter of the PV SOLAR FARM as follows:
 - (a) The visual screen shall be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the

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full 1,000 feet of an existing DWELLING or residential DISTRICT provided the Applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the PV SOLAR FARM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.

- (b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.
- (c) The visual screen shall be a vegetated buffer as follows:
 - i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native grasses and other native flowering plants and/or an area of agricultural crop production that will conceal the PV SOLAR FARM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.
 - ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the PV SOLAR FARM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.
 - iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.
 - iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than

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8 feet tall provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the PV SOLAR FARM perimeter fence is opaque.

- v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.
- vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE Permit application.

N. Standard Conditions to Minimize Glare

- (1) The design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties and the application shall include an explanation of how glare will be minimized.
- (2) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate complaints of glare in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any significant glare that is occurring, including but not limited to the following:
 - a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about glare that have been received by the Complaint Hotline.
 - b. If the Environment and Land Use Committee determines that the glare is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive glare such as the installation of additional screening.

O. Standard Condition for Liability Insurance

- (1) The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with

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minimum limits of at least \$5 million per occurrence and \$520 million in the aggregate.

- (2) The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.

P. Operational Standard Conditions

(1) Maintenance

- a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests.
- b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County BOARD SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of transformers, cabling, etc. provided replacement is done in fashion similar to the original installation.
- c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.

(2) Materials Handling, Storage and Disposal

- a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.
- b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.

(3) Vegetation management

- a. The PV SOLAR FARM SPECIAL USE Permit application shall include a weed control plan for the total area of the SPECIAL USE

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Permit including areas both inside of and outside of the perimeter fencing.

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

Q. Standard Conditions for Decommissioning and Site Reclamation Plan

- (1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A. and matching the overall deconstruction and land restoration requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. The decommissioning and deconstruction requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.
- (2) In addition to the purposes listed in subparagraph 6.1.1A.4., the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.
- (3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:
 - a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of 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.

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- 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 as required in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. 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 required in the Agricultural

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Impact Mitigation Agreement with the Illinois Department of Agriculture.

- 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.
- (4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:
- a. No Zoning Use Permit to authorize construction of the PV SOLAR FARM shall be authorized by the Zoning Administrator until the PV SOLAR FARM owner shall provide the COUNTY with financial assurance to cover 10% of the decommissioning and site reclamation cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
 - b. On or before the sixth anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 50% of the decommissioning and site reclamation cost as determined in the independent

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engineer’s cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.

- c. On or before the eleventh anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 100% of the decommissioning and site reclamation cost as determined in the independent engineer’s cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5. and as determined in the updated decommissioning and site reclamation plan filed with the County on or before the end of the tenth year of commercial operation.
- d. Net salvage value may be deducted for decommissioning costs as follows:
 - (a) One of the following standards shall be met:
 - i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the PV SOLAR FARM; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.
 - (b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.7 M.4.b.(1). prior to the issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.

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- (c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
- (d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.
- (e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
- e. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- f. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (a) The Applicant or its successors in interest shall file an updated decommissioning and site reclamation plan with the County on or before the end of the tenth year of commercial operation.
 - (b) The County shall reevaluate the estimated costs of decommissioning and site reclamation every five years after the tenth anniversary of the commercial operation date. The solar farm owner shall provide an updated estimated cost of decommissioning and site reclamation that is provided by an independent Illinois licensed professional engineer.
 - (c) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent

EXHIBIT A: PROPOSED AMENDMENT DATED 08/17/23 – LESS STRICT INTERPRETATION

engineer’s cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the PV SOLAR FARM was approved.

- g. 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 Standard and Poor’s Financial Services LLC (S&P) and/or Moody’s Investors Service (Moody’s) and/or the Kroll Bond Rating Agency.
 - (b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A-” by S&P or a rating of “A3” by Moody’s, or a rating of “A-” by Kroll Bond Rating Agency.
 - (c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody’s, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody’s, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.
- h. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.7 Q.4.d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.7 Q.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
- i. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.
- j. 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.

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- (6) The Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.
 - (7) The decommissioning and site reclamation plan shall be included as a condition of approval by the Board and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.
- R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- (1) The Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
 - (3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall become requirements of the SPECIAL USE Permit.
 - (4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.
- S. Complaint Hotline
- (1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.
 - (2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
 - (3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.

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- (4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
- (5) All calls shall be recorded and the recordings shall be saved for transcription for a minimum of two years.
- (6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.
- (7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.

T. Standard Conditions for Expiration of PV SOLAR FARM COUNTY Board SPECIAL USE Permit

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

U. Application Requirements

- (1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11 A.2., the application shall contain or be accompanied by the following information:
 - a. A PV SOLAR FARM Project Summary, including, to the extent available:
 - (a) A general description of the project, including its approximate DC and AC generating capacity; the maximum number and type of solar devices, and the potential equipment manufacturer(s).
 - (b) The specific proposed location of the PV SOLAR FARM including all tax parcels on which the PV SOLAR FARM will be constructed.
 - (c) The specific proposed location of all tax parcels required to be included in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit.
 - (d) A description of the Applicant, Owner and Operator, including their respective business structures.
 - b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM SPECIAL USE Permit.
 - c. A site plan for the PV SOLAR FARM indicating the following:

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- (a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substation(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM SPECIAL USE Permit.
 - (c) The location of all below-ground wiring.
 - (d) The location, height, and appearance of all above-ground wiring and wiring structures.
 - (e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM SPECIAL USE Permit. PV SOLAR FARM structures include substations, third party transmission lines, maintenance and management facilities, or other significant structures.
- d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
 - e. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.7 B.(2)a.(b).
 - f. A municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the Zoning Administrator prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY Board or, in the absence

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12. Add new Section 9.1.11. C.5. as follows:

5. Statutory requirements in Section 6.1.5 or Section 6.1.7. shall not be construed to be inadequate in any way and shall not be the basis for negative Findings of Fact for any WIND FARM or PV SOLAR FARM.

13. Add new Section 9.1.11 D.9. as follows:

9. No WIND FARM or PV SOLAR FARM approval shall include any special condition or waiver that changes any statutory requirement in Section 6.1.5 or Section 6.1.7.

MONTHLY REPORT for AUGUST 2023¹

Champaign County
Department of



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. Three zoning cases were filed in August and five were filed in August 2022. The average number of cases filed in August in the preceding five years was 2.6.

Two Zoning Board of Appeals (ZBA) meetings were held in August and four cases were completed. Two ZBA meetings were held in August 2022 and three cases were completed. The average number of cases completed in August in the preceding five years was 3.4.

By the end of August there were 15 cases pending. By the end of August 2022 there were 14 cases pending.

Table 1. Zoning Case Activity in August 2023 & August 2022

Type of Case	August 2023 2 ZBA meetings		August 2022 2 ZBA meetings	
	Cases Filed	Cases Completed	Cases Filed	Cases Completed
Variance	2	3	1	1
SFHA Variance	0	0	0	0
Special Use	1	0	2	2
Map Amendment	0	0	1	0
Text Amendment	0	1	0	0
Change of Nonconforming Use	0	0	0	0
Administrative Variance	0	0	1	0
Interpretation / Appeal	0	0	0	0
TOTALS	3	4	5	3
Total cases filed (fiscal year)	31 cases		32 cases	
Total cases completed (fiscal year)	29 cases		26 cases	
Cases pending*	15 cases		14 cases	
* Cases pending includes all cases continued and new cases filed				

¹ Note that approved absences and sick days resulted in an average staffing level of 55.0% or the equivalent of 4.4 full time staff members (of the 8 authorized) present on average for each of the 23 workdays in August.

Subdivisions

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

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 August can be summarized as follows:

- 34 permits for 34 structures were approved in August compared to 14 permits for 21 structures in August 2022. The five-year average for permits in August in the preceding five years was 16.
- 25 months out of the last 60 months have equaled or exceeded the five-year average for number of permits (including August 2023, June 2023, May 2023, April 2023, 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).
- 10.1 days was the average turnaround (review) time for complete initial residential permit applications in August.
- \$13,318,975 was the reported value for the permits in August compared to a total of \$1,420,652 in August 2022. The five-year average reported value for authorized construction in August was \$1,991,081.
- 23 months in the last 60 months have equaled or exceeded the five-year average for reported value of construction (including August 2023, March 2023, August 2022, July 2022, June 2022, May 2022, February 2022, December 2021, September 2021, July 2021, May 2021, March 2021, December 2020, November 2020, September 2020, August 2020, July 2020, June 2020, December 2019, October 2019, July 2019, April 2019, and January 2019).
- \$25,402 in fees were collected in August compared to a total of \$3,292 in August 2022. The five-year average for fees collected in August was \$4,754.
- 24 months in the last 60 months have equaled or exceeded the five-year average for collected permit fees (including August 2023, May 2023, March 2023, 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, and October 2018).

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Table 2. Zoning Use Permits Approved in August 2023

PERMITS	CURRENT MONTH			FISCAL YEAR TO DATE		
	#	Total Fee	\$ Value	#	Total Fee	\$ Value
AGRICULTURAL: Residential	1	0	684,000	4	0	2,059,000
Other	11	0	798,798	28	0	2,334,584
SINGLE FAMILY Resid.: New - Site Built	4	3,072	2,880,000	11	7,148	4,381,000
Manufactured						
Additions	1	129	100,000	10	1,986	1,180,724
Accessory to Resid.	11	2,004	579,177	47	9,333	2,364,944
TWO-FAMILY Residential						
Average turn-around approval time for the above permit categories	10.14 days					
MULTI - FAMILY Residential						
HOME OCCUPATION: Rural						
Neighborhood						
COMMERCIAL: New	2	19,136	8,089,000	5	29,338	14,336,780
Other	2	898	185,000	3	2,431	320,000
INDUSTRIAL: New						
Other						
OTHER USES: New						
Other						
SIGNS						
TOWERS (Incl. Acc. Bldg.)						
OTHER PERMITS	2	163	3,000	11	685	97,924
TOTAL APPROVED	34/34	25,402	13,318,975	119/129	50,921	27,074,956

* 34 permits were issued for 34 structures in August 2023; 32 permits require inspect. and Compl. Certif.

◇ 119 permits have been issued for 129 structures since 1/1/23.

NOTE: Home occupations and Other permits (change of use, temporary use) total 11 since 1/1/23, (this number is not included in the total number of structures).

18 Zoning Use Permit App. were *received* and *approved* in August 2023.

16 Zoning Use Permit App. *approved* in August 2023 had been *received* in prior months.

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- There were 6 lot split inquiries and 305 other zoning inquiries in August.
- Two sets of ZBA minutes were transcribed in August.

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

	August 2023	2023 to date
Zoning Cases. 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
Subdivision Plat Approvals. 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 ¹	0.00 acres	0.0 acres
Within Municipal ETJ areas ²	0.00 acre	0.00 acre
Zoning Use Permits. 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
TOTAL	0.00 acres	0.00 acres
NOTES 1. Plat approvals by the County Board. 2. Municipal plat approvals.		

Zoning Compliance Inspections

- 30 Zoning Compliance Inspections were made in August for a total of 242 Zoning Compliance Inspections so far in 2023.
- 8 Zoning Compliance Certificates were issued in August for a total of 66 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 August and can be summarized as follows:

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- 10 new complaints were received in August compared to six new complaints received in August 2022. No complaint was referred to another agency in August and no complaint was referred to another agency in August 2022.
- 53 enforcement inspections were conducted in August compared to 41 inspections in August 2022.
- Three contacts were made prior to written notification in August and no contacts were made in August 2022.
- 56 investigation inquiries were made in August. The 2023 budget anticipates an average of 7.0 initial investigation inquiries per week.
- 11 complaints were resolved in August and 11 complaints were resolved in August 2022.
- 111 complaints were left open (unresolved) at the end of August.
- Four new violations were added in August and four First Notices and one Final Notice were issued. In August 2022, four new violation was added and four First Notices and one Final Notice were issued. The budget anticipated a total of 10 First Notices for 2023.
- No case was referred to the State’s Attorney’s Office in August and none were referred in August 2022. The budget anticipated a total of five cases to be forwarded to the State’s Attorney’s Office in 2023.
- No violation and 11 complaints were resolved in August compared to five violations and 11 complaints that were resolved in August 2022. The budget anticipated a total of 110 resolved complaints and/or violations in 2023.
- 366 complaints and violations remain open at the end of August compared to 397 open complaints and violations at the end of August 2022.
- In addition to the activities summarized in Table 4, other activities of Enforcement staff in August 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.

APPENDICES

A Zoning Use Permit Activity In August 2023

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

C Zoning Compliance Certificates Issued in August 2023

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Table 4. Enforcement Activity During August 2023

	FY2022 TOTALS ¹	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 ¹
Complaints Received	70	5	4	14	9	8	10	12	10					72
Initial Complaints Referred to Others ²	2	0	0	0	0	0	0	0	0					0
Inspections	314	14	37	61	20	39	42	39	53 ⁷					305 ⁸
Phone Contact Prior to Notice	18	2	0	1	2	1	1	2	3					12
Complaints Resolved	60	7	1	11	4	5 ⁹	14	4	11 ⁹					57 ¹⁰
Open Complaints³	96	94	97	100	105	108	104	112	111					111
New violations	16	0	0	3	1	1	2	0	4					11
First Notices Issued	16	0	0	3	1	1	2	0	4					11
Final Notices Issued	1	0	0	0	0	0	0	1	1					2
Referrals to SAO ⁴	2	0	0	0	0	0	0	0	0					0
Violations Resolved ⁵	69	1	1	3	2	1	14	3 ¹¹	0 ¹¹					25 ¹²
Open Violations⁶	272	271	270	270	269	269	254	251	255					255¹³
TOTAL Open Complaints & Violations	368	365	367	370	374	377	358	363	366					366

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. 17 of the 53 inspections performed were for the new complaints received in August 2023.
8. 69 of the 305 inspections performed in 2023 have been for complaints received in 2023.
9. Three of the complaints resolved in August 2023 were received in August 2023.
10. 16 of the complaints resolved in 2023 were received in 2023.
11. None of the violations resolved in August were for complaints that had been received in August 2023.
12. None of the violations resolved in 2023 were for complaints that were also received in 2023.
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 AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
083-23-02 CR	Lot 1 and Outlot 1A of the Minor Plat of CTZ Estates Subdivision of Section 26, Newcomb Township; 2561 County Road 450 East, Mahomet, Illinois. P.I.N.: 16-07-26-100-025 & 028	Premier Homes of Illinois / (John and Brandy Caywood; 10910 Properties, LLC)	03/24/2023 04/19/2023 *Amended 08/18/2023 08/24/2023	Construct a detached garage. *Amended to add structure.
192-23-01 B-3	A 6.80-acre tract of land being part of the NW ¼ of the SW ¼ and the SW ¼ of the NW ¼ of Section 12, Sidney Township; 2310 County Road 1050 North, Homer, Illinois. P.I.N.: 24-28-12-300-013	Owners, Alex Wilson and Kyle Britt of <i>Big Rig Diesel Service, LLC</i> , / Owner, Garrett Maxheimer of <i>Double M Repair, Inc.</i>	07/11/2023 08/03/2023	Establish a second Principal Use, <i>Double M Repair, Inc.</i> Case: 091-S-23
192-23-03 AG-1	A 5.00-acre tract of land being part of the N ½ of the NE ¼ of Section 01, St. Joseph Township; 1774 County Road 2350 East, St. Joseph, Illinois. P.I.N.: 28-22-01-200-003	Michael and Kami Rademacher	07/11/2023 08/03/2023	Construct a detached accessory storage shed.
193-23-01FP AG-2	A 13.62-acre tract of land being part of the SW ¼ of the NW ¼ of Section 32, Somer Township; 602 West Oaks Road, Urbana, Illinois. P.I.N.: 25-15-32-100-018	Donato Solar – Urbana 4, LLC	07/12/2023 08/07/2023	Construct a Data Center and ±4 MW PV Solar Array. Cases: 068-S-22, 069-V-22, & 070-S-22

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
195-23-01 AG-1	A 5.01-acre tract of land being part of the S ½ of the SE ¼ of Section 07, Compromise Township; 2478 County Road 2800 North, Penfield, Illinois. P.I.N.: 06-11-07-400-003	Daniel and Rhonda Gordon	07/14/2023 08/03/2023	Install a ground-mounted PV Solar Array.
198-23-01 AG-1	A 3.0-acre tract of land being part of the NW ¼ of Section 19, Ayers Township; 264 County Road 2500 East, Broadlands, Illinois. P.I.N.: 01-36-19-100-006	Jeffrey and Heather Riehle	07/17/2023 08/04/2023	Install a ground-mounted PV Solar Array and authorize an existing in-ground pool (<u>2 structures</u>).
198-23-02 AG-2	A 22.83-acre tract of land in the NE ¼ of Section 11, Urbana Township; 4001 East Anthony Drive, Urbana, Illinois. P.I.N.: 30-21-11-200-012 & 015	Gary and Jeri Cochran	07/17/2023 08/04/2023	Install a ground-mounted PV Solar Array.
199-23-01 AG-1	Lot 119 of Thor-O-Bred Acres Subdivision of Section 14, Hensley Township; 2104 Belmont Park Lane, Champaign, Illinois. P.I.N.: 12-14-14-376-004	Daniel and Julie Tappendorf	07/18/2023 08/11/2023	Install a ground-mounted PV Solar Array.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
200-23-01 AG-1	A joint development on a 1.04-acre and 26.41-acre tracts of land being part of the NE ¼ of Section 21, Compromise Township, 2775 County Road 2700 North, Penfield, Illinois. P.I.N.: 06-12-21-200-004 & 008	Charles and Marsh Hedrick	07/19/2023 08/07/2023	Install a ground-mounted PV Solar Array.
201-23-01 I-1	A 31.54-acre tract in the NE ¼ of the NW ¼ and the NW ¼ of the NE ¼ just lying North of the Old Police Park Road of Section 15, St. Joseph Township; 2150 Old Police Park Road, St. Joseph, Illinois. P.I.N.: 28-22-15-201-006	MF Ball Park, LLC; 551 Newcastle Drive, Lake Forest, Illinois 60045	07/20/2023 08/18/2023	Construct a detached accessory building. Case: 992-V-20
205-23-01 AG-1	Lot 1 of Silver Trio Subdivision of Section 03, Philo Township; 1592 County Road 1100 North, Urbana, Illinois. P.I.N.: 19-27-03-400-009 & 024	Charles and Danielle Routh	07/24/2023 08/11/2023	Install a ground-mounted PV Solar Array.
205-23-02 AG-1	An 8.97-acre tract of land being part of the NE ¼ of the NE ¼ of Section 09, Sidney Township; 2079 County Road 1100 North, Sidney, Illinois. P.I.N.: 24-28-09-300-030	Ross and Hannah Johnson	07/24/2023 08/14/2023	Construct a single-family home with an attached garage.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
207-23-01 AG-1 / AG-2	Lot 2 in the Elmore Subdivision and an adjacent 2.17-acre tract of land being part of the NE ¼ of the NW ¼ of the NE ¼ of Section 32, Rantoul Township; 1373 County Road 2500 North, Thomasboro, Illinois. P.I.N.: 20-09-32-200-007 & 010	Joseph and Linda Irle	07/26/2023 08/14/2023	Install a ground-mounted PV Solar Array.
207-23-02 AG-2	A .84-acre tract of land being part of the South ½ of the SE ¼ of the SW ¼ of Section 29, Somer Township also known as 510 Centennial Farm Road, Champaign, Illinois. P.I.N.: 25-15-29-300-005	Juan Cruz / A Plus Yard Services, Inc.	07/26/2023 08/14/2023	Install a detached accessory storage unit and a detached accessory carport. Case: 969-S-19
208-23-01	Under Review			
209-23-01 AG-1	A 2.62-acre tract of land being part of the SW ¼ of the SW ¼ of the NW ¼ of Section 32, Crittenden Township; 50 County Road 1300 East, Pesotum, Illinois. P.I.N.: 08-33-32-100-006 & 009	Garth and Lydia Osborne	07/28/2023 08/14/2023	Install a ground-mounted PV Solar Array.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
209-23-02 AG-1	A 5.00-acre tract of land being part of the SE ¼ of the SE ¼ of the SW ¼ of Section 08, Tolono Township; 726 County Road 1000 North, Tolono, Illinois. P.I.N.: 29-26-08-300-005	Lee Reifsteck	07/28/2023 08/14/2023	Install a ground-mounted PV Solar Array.
212-23-01 AG-1	A 2.75-acre tract of land being part of the NE ¼ of the SE ¼ of the NE ¼ of Section 26, Pesotum Township; 173 County Road 1100 East, Pesotum, Illinois. P.I.N.: 18-32-26-200-003	Lucas Osborne	07/31/2023 08/14/2023	Install a ground-mounted PV Solar Array and authorize an existing carport (2 structures).
213-23-01	Under Review			
214-23-01 AG-1	A 3.0-acre tract of land being part of the SE ¼ of the SE ¼ of Section 21, Pesotum Township; 221 County Road 900 East, Pesotum, Illinois. P.I.N.: 18-32-21-400-010	Lucas and Joella Meharry	08/02/2023 08/15/2023	Construct an in-ground swimming pool.
215-23-01 R-1	A 7.34-acre tract of land being part of the South 380 feet of the North 728 feet of the West 841.7 feet of the East 1,303 feet of the SE ¼ of Section 17, Scott Township; 211 West Carper Street, Seymour, Illinois. P.I.N.: 23-19-17-400-006	Eric and Alice Kinkelaar	08/03/2023 08/16/2023	Establish a Temporary Use for an Outdoor Commercial Recreational Enterprise for a 2-day craft/vendor fair and farmer's market, <i>Country Fest</i> , on September 16 & 17, 2023.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
216-23-01 AG-1 / CR	A 11.75-acre tract of land being part of the SE ¼ of the SE ¼ of Section 06, St. Joseph Township; 1888 County Road 1700 North, Urbana, Illinois. P.I.N.: 28-22-06-400-003	Philip Parker	08/04/2023 08/17/2023	Install a ground-mounted PV Solar Array.
216-23-02 AG-1	A Part of Tract 7 of Shiloh Farms of Section 22, Newcomb Township; 346 County Road 2650 North, Mahomet, Illinois. P.I.N.: 16-07-22-101-014	Billy Schuring	08/04/2023 08/23/2023	Construct a single-family home with an attached garage.
216-23-03 AG-1	A 20-acre tract of land being part of the N ½ of the W ½ of the East ¼ of Section 06, Hensley Township; 2397 County Road 675 East, Champaign, Illinois. P.I.N.: 12-14-06-400-006	Andy and Dana Busch	08/04/2023 08/16/2023	Install a ground-mounted PV Solar Array.
216-23-04 CR	A 60-acre tract of land being part of the S ½ of the SW ¼ of Section 31, Condit Township; 2397 County Road 675 East, Champaign, Illinois. P.I.N.: 07-08-31-300-003	Andy and Dana Busch	08/04/2023 08/17/2023	Install a ground-mounted PV Solar Array.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
220-23-01 AG-1	A 57.28-acre tract of land being part of the SW ¼ of Section 08, Harwood Township; 2146 County Road 3500 North, Ludlow, Illinois. P.I.N.: 11-04-08-300-009	Rod and Connie Loschen	08/08/2023 08/22/2023	Construct a detached accessory storage shed for agricultural use.
221-23-01 AG-2 / B-3	A 20.56-acre tract of land being part of the NE ¼ of the SE ¼ and the SE ¼ of the NE ¼ of Section 24, Hensley Township; 4911 North Market Street, Champaign, Illinois. P.I.N.: 12-14-24-426-001	Donato Solar – Champaign, LLC	08/09/2023 08/30/2023	Construct a Data Center and ±5 MW PV Solar Array. Cases: 082-S-22, 083-S-22, 084-S-22
223-23-01 AG-1	A 4.91-acre tract of land being part of the W ½ of the NW ¼ of the NE ¼ OF Section 26, Newcomb Township; 2586 County Road 450 East, Mahomet, Illinois. P.I.N.: 16-07-26-200-012	Jordan and Tiffany Harris	08/11/2023 08/18/2023	Construct a single-family home with an attached garage.
223-23-02 AG-1	A 160-acre tract of land located in the NE ¼ of Section 20, Ludlow Township; 1381 County Road 3200 North, Rantoul, Illinois. P.I.N.: 14-03-29-200-001	Parker Family Farm Trust	08/11/2023 08/22/2023	Construct a detached accessory storage shed for agricultural use.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
226-23-01 AG-1	Lot 1 of Stierwalt Subdivision of Section 22, Sadorus Township; 325 County Road 300 North, Sadorus, Illinois. P.I.N.: 22-31-22-10-014	David and Gail Rice	08/14/2023 08/17/2023	Install a ground-mounted PV Solar Array.
229-23-01 AG-1	A 1.94-acre tract of land being part of the SW ¼ of Section 02, Crittenden Township; 530 County Road 1600 East, Philo, Illinois. P.I.N: 08-33-02-300-003	Jason Bronas and Barbara Simmons	08/17/2023 08/22/2023	Construct a detached accessory garage.
230-23-01 R-1	Lot 18 of Woodfield West Subdivision of Section 22, Mahomet Township; 504 Deer Run Drive, Mahomet, Illinois. P.I.N.: 15-13-22-177-007	Paul Telthorst	08/18/2023 08/25/2023	Construct an addition to a single-family home.
233-23-01 CR	Lot 2 of Hobbs Subdivision of Section 32, East Bend Township; 3078 County Road 700 East, Fisher, Illinois. P.I.N.: 10-02-32-101-002	John Nickell	08/21/2023 08/24/2023	Install a ground-mounted PV Solar Array.
234-23-01 AG-1	A 2.10-acre tract of land being part of the SW ¼ of Section 11, Scott Township; 446 County Road 1600 North, Champaign, Illinois. P.I.N.: 23-19-11-100-004	Nicholas and Meghan Noel	08/22/2023 08/22/2023	Construct a single-family home with an attached garage.

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APPENDIX A. ZONING USE PERMIT ACTIVITY IN AUGUST 2023

Permit Number; Zoning District	Property Description; Address; PIN	Owner Name	Date Applied, Date Approved	Project (Related Zoning Case)
234-23-02 AG-1	A 4.36-acre tract of land located in the NW Corner of the N ½ of Section 32, Philo Township; 686 County Road 1300 East, Tolono, Illinois. P.I.N.: 19-27-32-100-003	Ted Meharry	08/22/2023 08/25/2023	Construct a detached accessory storage shed for agricultural use.
234-23-03	Under Review			
236-23-01 AG-1	A 3-acre tract of land located in the NE ¼ of Section 21, Somer Township; 5908 North West Arrowhead Drive, Urbana, Illinois. P.I.N.: 25-15-21-200-002	Stephen Grace	08/24/2023 08/25/2023	Construct a single-family home with an attached garage.

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APPENDIX B. ACTIVE LAND DISTURBANCE EROSION CONTROL PERMITS

Permit Number; Zoning;	Property Description; Address; PIN	Owner Name	Date Applied Date Approved Date of Final Stabilization	Project (Related Zoning Case)
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 AUGUST 2023

Date	Permit Number	Property Description; Address; PIN	Project (Related Zoning Case)
08/17/2023	145-23-02	A 2.5-acre tract of land in the NW Quarter of Section 32, Champaign Township. 4010 S Rising Road, Champaign, Illinois. PIN: 03-20-32-300-007	Second story deck addition to an existing detached accessory barn loft.
08/17/2023	198-23-02	A 22.83-acre tract of land in the NE Quarter of Section 11, Urbana Township. 4001 E Anthony Dr, Urbana, Illinois. PIN: 30-21-11-200-012 & 015	Ground-mounted PV solar array.
08/30/2023	235-22-01	A tract of land part of the NW ¼ of Section 36, Newcomb Township. 2471 CR 550 East, Dewey, Illinois 61822 PIN: 16-07-36-105-002	An addition to an existing single-family home.
08/30/2023	151-22-02	A tract of land part of the SE ¼ of the SW ¼ and the S 2/3 of the SE ¼ of the NW ¼ of Section 23, Newcomb Township. 456 CR 2600N Mahomet, IL 61853. PIN: 16-07-23-400-027	Construct a single-family home with an attached garage.
08/30/2023	136-22-01	Lot 2 of Hodge-Webb Subdivision of Section 30, Mahomet Township. 1924 CR 0E Mahomet, Illinois 61853. PIN: 15-13-30-301-002	A new single-family home with an attached garage and an accessory storage shed.
08/30/2023	073-23-02	A tract of land part of the NE ¼ of the NE ¼ of Section 3, Scott Township. 1775 CR 400E Champaign, IL 61822 PIN: 23-19-03-200-013	An installation of a ground-mounted Solar Array and to authorize the construction of two detached accessory structures.
08/30/2023	122-23-02	A tract of land in part of the NW Quarter of Section 22, Newcomb Township. 2707 CR 350E, Mahomet, Illinois PIN: 16-07-15-351-004	An in-ground pool and pool house with covered porch.
08/30/2023	164-23-01	A 5-acre tract of land located in the NE Corner of the NE Quarter of Section 03, Newcomb Township. 489 CR 2675N, Mahomet, Illinois PIN: 16-07-23-200-017	An in-ground pool and an existing yard shed.

*Zoning Compliance Inspection based on the current aerial photography