

## **CASE NO. 895-AT-18**

SUPPLEMENTAL MEMORANDUM #12

April 26, 2018

**Petitioner:** Zoning Administrator

**Request:** Amend the Champaign County Zoning Ordinance to add “Solar Farm” as a new principal use under the category “Industrial Uses: Electric Power Generating Facilities” and indicate that Solar Farm may be authorized by a County Board Special Use Permit in the AG-1 Zoning District and the AG-2 Zoning District; add requirements and fees for “Solar Farm”; add any required definitions; and make certain other revisions are made to the Ordinance as detailed in the full legal description in Attachment A.

**Location:** Unincorporated Champaign County

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

**Prepared by:** **Susan Burgstrom**  
Senior Planner

**John Hall**  
Zoning Administrator

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

(217) 384-3708

[zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us)

[www.co.champaign.il.us/zoning](http://www.co.champaign.il.us/zoning)

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### **STATUS**

Public comments received by P&Z Staff since April 20, 2018, can be found in the Attachments. Two articles about the text amendment process from the April 12th and April 19th *County Star* are in Attachments K and L.

In the proposed amendment, staff recommends revising section 6.1.5B.(2)a.(a) regarding distance of a solar farm from a municipality to reflect the concept of a “contiguous urban growth area,” which was introduced in the Champaign County Land Resource Management Plan approved in 2010. Please see the “Updated revised amendment” section below and Attachment I: LRMP Land Use Management Areas map.

In the Finding of Fact, staff recommends revising:

- Item 16.B.(2) regarding property value impact studies;
- Item 16.B.(5)i. regarding Decommissioning; see the “Revised Draft Finding of Fact” section below.

### **UPDATED REVISED AMENDMENT**

The following are revisions proposed after the distribution of Supplemental Memo #11 dated April 20, 2018.

#### **Regarding distance of solar farms from municipalities with a zoning ordinance**

A “contiguous urban growth area” is defined as unincorporated land within the County that meets one of the following criteria:

- land designated for urban land use on the future land use map of an adopted municipal comprehensive land use plan, intergovernmental plan or special area plan, and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so).
- land to be annexed by a municipality and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so); or
- land surrounded by incorporated land or other urban land within the County.

Revise 6.1.5B.(2)a.(a) as follows – yellow highlighted text is newest change:

- (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 unless the following is provided:
- (a) No part of a PV SOLAR FARM shall be located within a contiguous urban 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 the proposed PV SOLAR FARM, except for any power lines of 34.5 Kva or less, to any municipal boundary at the time of application for the SPECIAL USE Permit.

## REVISED DRAFT FINDING OF FACT

Staff recommends revising Item 16.B.(2) regarding property value impact studies as follows – yellow highlighted text is newest change:

- (2) The ZBA reviewed two property value impact studies for photovoltaic solar farms and both studies found no significant impact to home values due to adjacency to a photovoltaic solar farm although most of the solar farms in the studies were no larger than 3 megawatts and none of the studies included any adjacent properties that were bordered on more than two sides. The ZBA has concluded that, in general, a photovoltaic solar farm will not is not likely to harm the value of adjacent or nearby property but greater separations may be warranted when a PV SOLAR FARM borders a residential property on more than two sides. The studies are summarized as follows...

Regarding decommissioning, the Board needs to determine which requirements should be included in the final text amendment:

1. the original decommissioning requirements;
2. the proposed alternative introduced in Attachment K to Supplemental Memo #5 dated March 22, 2018 (provided again as Attachment J to the current memo); or
3. a different set of requirements.

Should the Board decide to use the Alternative Decommissioning standard, the following statement can be added to the Finding of Fact under Item 16.B.(5)i. Approval of this statement would remove the original Decommissioning Plan from the amendment.

- i. The Zoning Board of Appeals hereby **RECOMMENDS the Alternative Decommissioning standard** that was included as Attachment K to Supplemental Memorandum #5 dated March 22, 2018.

## **ATTACHMENTS**

- A Legal advertisement
- B Email from Kerrith Livengood received April 23, 2018
- C Letter from Vern Zehr received April 23, 2018
- D Email from Phillip Geil received April 24, 2018
- E Email from Jason Lindsey received April 24, 2018
- F Email from Ron Becker received April 24, 2018, with attachment: presentation by Kankakee County
- G Email 1 from Ted Hartke received April 25, 2018, with attachment: *On-Farm Solar Energy Generation* presentation by Susan Craft, New Jersey State Agriculture Development Committee
- H Email 2 from Ted Hartke received April 25, 2018
- I LRMP Contiguous Urban Growth Area map updated February 25, 2015
- J Draft Revised Decommissioning Standards, *same as Attachment K to Supplemental Memo #5 dated March 22, 2018*
- K Basi, Mindy. "Sidney residents to Champaign County ZBA: 'Have Compassion on Us'." *The County Star*, April 12, 2018
- L Basi, Mindy. "ZBA Amends Proposed Ordinance, Public Testimony Continues." *The County Star*, April 19, 2018

**LEGAL PUBLICATION: WEDNESDAY, FEBRUARY 14, 2018**

**CASE: 895-AT-18**

**NOTICE OF PUBLIC HEARING REGARDING A PROPOSED AMENDMENT TO THE  
CHAMPAIGN COUNTY ZONING ORDINANCE.**

CASE: 895-AT-18

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to change 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 1, 2018, at 6:30 p.m.** prevailing time in the Lyle Shields 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 to:

Amend the Champaign County Zoning Ordinance as follows:

Part A. Amend Section 3 by adding definitions including but not limited to “NOXIOUS WEEDS” and “SOLAR FARM”.

Part B. Add paragraph 4.2.1 C.5. to indicate that SOLAR FARM may be authorized by County Board SPECIAL USE permit as a second PRINCIPAL USE on a LOT in the AG-1 DISTRICT or the AG-2 DISTRICT.

Part C. Amend Section 4.3.1 to exempt SOLAR FARM from the height regulations except as height regulations are required as a standard condition in new Section 6.1.5.

Part D. Amend subsection 4.3.4 A. to exempt WIND FARM LOT and SOLAR FARM LOT from the minimum LOT requirements of Section 5.3 and paragraph 4.3.4 B. except as minimum LOT requirements are required as a standard condition in Section 6.1.4 and new Section 6.1.5.

Part E. Amend subsection 4.3.4 H.4. to exempt SOLAR FARM from the Pipeline Impact Radius regulations except as Pipeline Impact Radius regulations are required as a standard condition in new Section 6.1.5.

Part F. Amend Section 5.2 by adding “SOLAR FARM” as a new PRINCIPAL USE under the category “Industrial Uses: Electric Power Generating Facilities” and indicate that SOLAR FARM may be authorized by a County Board SPECIAL USE Permit in the AG-1 Zoning DISTRICT and the AG-2 Zoning DISTRICT and add new footnote 15. to exempt a SOLAR FARM LOT from the minimum LOT requirements of Section 5.3 and paragraph 4.3.4 B. except as minimum LOT requirements are required as a standard condition in new Section 6.1.5.



Part G. Add new paragraph 5.4.3 F. that prohibits the Rural Residential OVERLAY DISTRICT from being established inside a SOLAR FARM County Board SPECIAL USE Permit.

Part H. Amend Subsection 6.1.1 A. as follows:

1. Add SOLAR FARM as a NON-ADAPTABLE STRUCTURE and add references to the new Section 6.1.5 where there are existing references to existing Section 6.1.4.
2. Revise subparagraph 6.1.1 A.11.c. by deleting reference to Section 6.1.1A. and add reference to Section 6.1.1A.2.

Part I. Add new subsection 6.1.5 SOLAR FARM County Board SPECIAL USE Permit with new standard conditions for SOLAR FARM.

Part J. Add new subsection 9.3.1 J. to add application fees for a SOLAR FARM zoning use permit.

Part K. Add new subparagraph 9.3.3 B.8. to add application fees for a SOLAR FARM County Board SPECIAL USE permit.

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

Catherine Capel, Chair  
Champaign County Zoning Board of Appeals

**TO BE PUBLISHED: WEDNESDAY, FEBRUARY 14, 2018 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

**Susan Burgstrom**

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**From:** Lori Busboom  
**Sent:** Monday, April 23, 2018 11:41 AM  
**To:** Susan Burgstrom; John Hall  
**Subject:** FW: ZBA decisions on solar farm regulation

**RECEIVED**

APR 23 2018

CHAMPAIGN CO P & Z DEPARTMENT

**From:** Kerrith Livengood <daisystemper@gmail.com>  
**Sent:** Monday, April 23, 2018 11:40 AM  
**To:** zoningdept <zoningdept@co.champaign.il.us>  
**Cc:** pattsi2@gmail.com  
**Subject:** ZBA decisions on solar farm regulation

To the Zoning Board of Appeals,  
Champaign County should minimize restrictions, especially concerning setback, when zoning solar farms. Many people's fears about noise and obscured views are outsized, according to the data made available at the ZBA's prior meetings. It would be a shame for Champaign County to pass on the benefits of increased revenue for the county, a boost to local business, and clean renewable energy for the area, all to accommodate a small number of people whose fears are largely groundless.

If residents are concerned about excessive background noise, it would be wiser to include language specifying a decibel level at distance, than to increase the setback distance arbitrarily. Nor is it necessary to assume that Champaign County should have more stringent permissible noise levels than what is outlined by the Illinois EPA. From all available studies, it appears that the inverters from a solar farm would be no louder than many other agricultural noises, and distinctly quieter than some (grain dryers, for example).

In any case, it seems that a 500 ft setback is more than sufficient to ensure low decibel levels. Anything more seems excessively restrictive. Solar farms are not wind farms! Let's not conflate the two.

Kerrith Livengood

4/19/18

Connie Berry, Zoning Technician

Champaign County Planning and Zoning

Dear Connie,

Thank you for your information and help recently regarding the upcoming Zoning meeting by the Board regarding setbacks on solar farms.

I would encourage the Board to carefully look at the benefits of solar farms for Townships, School districts, for Champaign County and citizens of Illinois. There's no doubt we need a big increase in clean energy and what can be more efficient and clean than the wind and the sun? This is why I'm encouraging you to vote for fair setbacks for the solar units and not too restrictive.

Last Fall I was in negotiations with a solar company interested in a portion of land on one of my farms. They had to withdraw because of lack of room on the Main transmission line. I and my sons were disappointed. A big advantage for solar is the absence of noise by moving parts. The units are retractable and so they tilt for the best sun angle. Clean energy, wind and sun are fast growing industries. The creation of jobs will greatly increase the tax bases of Townships, Schools, plus the income taxes for State and Federal.

I'm an 80 year old who has farmed for 54 years in East Bend Township and South Dix Township in Ford County. I think clean energy is a win-win for both Counties.

Thank you for your consideration.

Sincerely,

*Vern Zehr*  
Vern Zehr

309 East Franklin

P.O. Box 626

Fisher, IL 61843

Phone—217-897-1597

RECEIVED

APR 23 2018

CHAMPAIGN CO. P & Z DEPARTMENT

**Susan Burgstrom**

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**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 9:09 AM  
**To:** Susan Burgstrom  
**Subject:** FW: Comments on Attachment R, Revised Proposal

**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 9:08 AM  
**To:** 'Phillip Geil' <[phgeil@gmail.com](mailto:phgeil@gmail.com)>  
**Subject:** RE: Comments on Attachment R, Revised Proposal

Thanks, Mr. Geil. Your comments 10, 15, 19, 26, and 27 are very helpful. We will forward your email to the ZBA but I don't think we need to provide them your mark-up and they do have the map from the LRMP.

Sincerely,

**John Hall**  
Director  
Zoning Administrator

***Champaign County Department of Planning and Zoning***

Brookens Administrative Center  
1776 East Washington Street  
Urbana IL 61802  
Tel (217) 384-3708  
Fax (217) (819-4021)

**RECEIVED**

APR 24 2018

CHAMPAIGN CO. P & Z DEPARTMENT

**From:** Phillip Geil [<mailto:phgeil@gmail.com>]  
**Sent:** Monday, April 23, 2018 9:05 PM  
**To:** John Hall <[jhall@co.champaign.il.us](mailto:jhall@co.champaign.il.us)>  
**Subject:** Comments on Attachment R, Revised Proposal

Dear Mr. Hall:

Attached and copied below are my comments on the recently received Attachment R, Revised Proposed Amendment, Annotated. Also attached is a scan of the Attachment with the handwritten comments that may be easier to see, and a copy of the map of Best Prime Farmland and Prime Farmland that I suggest would be of use to participants. I'm not sure of which, if any, of these comments need distribution prior to or at the next meeting but hope they would be of use to the committee.

Phil Geil

Comments and suggested rewordings for Attachment R, Revised Proposed Amendment – Annotated

Phil Geil

1. p7, (2) ".....shall not be issued for land located in the ...."
2. p7, (2) b. Above change needed; there and here, a permit is not "located".
3. p9, line 1 and (c). On what basis can a change "be deemed necessary"?
4. p9, (6). The statement would seem to mean the inverters have to be located in the center of the Farm. Better would be to just set a minimum distance since the center may not be suitable for connections to external power lines.
5. p10. (7). Same as #3.

6. p10. E (1). Does this mean the buildings have to be handicap accessible; if so, why?
7. p10, F.(1). Does this apply to in the solar farm or outside it; if in, it seems opposite E.(2)b above?
8. p11. F.(2)b.(b). Does this apply to the panel support posts; if so, seems excessive. 5 -10' would seem sufficient. Section (c) seems OK.
9. p11. F.(2) c. Why does the tile need to be replaced if it is and would be OK?
10. p12. F.(3). When does the restoration need to be done? What does this apply to; construction, operation or removal?
11. p14. F.(9) a. What should occur if not Best Prime Farmland? Why doesn't the same apply???
12. p17. G. (1) m. How does one schedule to not interfere with emergency response vehicles?
13. p17, G. (1) n. ".....will provide at least 48 hours notice....."
14. p17, G.(1) y. "acceptable amount" to who?
15. p20. I. (3) b. Should it refer to 6.1.5 I.3.a? with no (a) at end? 6.1.5 I.3.(a) is the pre-development noise level.
16. p20. I.(4) b. "excessive" based on what?
17. p20. J. "So what"? Even if the applicant does all requested, there seems to be no statement as to how it applies to the Solar Farm.
- 18.p21. K. Same as 17. Does the applicant have to do anything relative to the reports?
19. p21. M. (1) c. Section 6.1.5.D (1) says 55, 75 and 85 feet for the fencing. And 6.1.5.D says it includes fencing for all requirements.
20. p21 M. (1) e. (b). On last line "and" instead of "but"
21. p22. M. (2) (a). What defines a district; e.g., can it include a park for which the separation would not be needed?
22. p22. M.(2) (c) i. For the purpose of screening the native shrubs and/or trees means no screening in the winter??
23. p23. M.(2) (c) iv. Seems worthless for screening; native flowers may be only 1 -2' high, far less than the 7' opaque fence.
24. p23. p23. M.(2) (c) v. OK, but even less useful as a screen then items 22 and 23.
25. p24. P. (1) c. I have almost never had to clean my 96 panels, other than removal of snow.
26. p28. Q. (4) I can't find section 6.1.1.A.5.
27. p31. Q. (5)e. ".....component thereof that is otherwise....."

I'm also sending a scan of the document with the changes inserted by hand. Also attached is a copy of a map showing the "Best Prime Farmland and Prime Farmland distribution in the county that might be useful for all participants relative to my email of 4/13 and that of Suzanne Smith of 4/18.

--  
Phillip Geil  
2060B Cty. Rd. 125 E  
Mahomet, IL (61853)  
217-586-3895



**Susan Burgstrom**

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**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 9:31 AM  
**To:** Susan Burgstrom  
**Subject:** FW: Question on the Solar Ordinance

**RECEIVED**

APR 24 2018

CHAMPAIGN CO. P & Z DEPARTMENT

**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 9:30 AM  
**To:** 'Jason Lindsey' <[jason@jasonlindsey.com](mailto:jason@jasonlindsey.com)>  
**Subject:** RE: Question on the Solar Ordinance

In general the proposed amendment is more restrictive than the Kankakee County Ordinance. The last five pages of the document at the following link is a comparison table that includes the Kankakee County Ordinance:

[http://www.co.champaign.il.us/CountyBoard/ZBA/2018/180301\\_Special%20Meeting/180301\\_Case%20895-AT-18%20Supplemental%20Memo%202.pdf](http://www.co.champaign.il.us/CountyBoard/ZBA/2018/180301_Special%20Meeting/180301_Case%20895-AT-18%20Supplemental%20Memo%202.pdf)

Since that comparison table was prepared for the March 1, 2018, public hearing the proposed amendment has gotten even more restrictive than the Kankakee County Ordinance as follows:

- Minimum required separations to nearby municipalities have been added (see Sec. 6.1.5B.(2)).
- The minimum required separations to adjacent small lots and adjacent dwellings on larger tracts have been increased to 200 feet and 250 feet respectively, if bordered on two sides by the solar farm and a greater separation will be required if the property is bordered by the solar farm on more than two sides (see Sec. 6.1.5D.(3)).
- A minimum required separation of 500 feet from any solar farm substation and/or transmission line of greater than 34.5 kVA to any nearby dwelling and/or residential district (see Sec. 6.1.5D.(3)(5)).
- A minimum required separation of 275 feet for electrical inverters from the property boundary (see Sec. 6.1.5 D.(3)(6)).

Sincerely,

**John Hall**  
Director  
Zoning Administrator

***Champaign County Department of Planning and Zoning***

Brookens Administrative Center  
1776 East Washington Street  
Urbana IL 61802  
Tel (217) 384-3708  
Fax (217) (819-4021)

**From:** Jason Lindsey [<mailto:jason@jasonlindsey.com>]  
**Sent:** Tuesday, April 24, 2018 7:11 AM  
**To:** John Hall <[jhall@co.champaign.il.us](mailto:jhall@co.champaign.il.us)>  
**Subject:** Question on the Solar Ordinance

Hi John,

I am writing to see how the Solar ordinance in Champaign County differs from Kankakee County?

See article from the Chicago Tribune. <http://www.chicagotribune.com/business/ct-biz-solar-farms-chicago-area-projects-20180412-story.html>

I want to make sure our ordinance is not more restrictive than Kankakee County.

Let me know before Thursday please.

Sincerely,

Jason

Jason Lindsey  
606 Deer Run Dr  
Mahomet, IL 61853

OUR STUDIO IS 100% SOLAR POWERED

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[jasonLINDSEY.com](http://jasonLINDSEY.com) | [jasonLINDSEY.tv](http://jasonLINDSEY.tv)

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AGENT

Sherry Riad  
212.797.0009

**Susan Burgstrom**

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**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 12:01 PM  
**To:** Susan Burgstrom  
**Subject:** FW: Additional questions on the Solar Ordinance for the Record

**RECEIVED**

APR 24 2018

**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 12:01 PM  
**To:** 'Jason Lindsey' <[jason@jasonlindsey.com](mailto:jason@jasonlindsey.com)>  
**Subject:** RE: Additional questions on the Solar Ordinance for the Record

CHAMPAIGN CO. P & Z DEPARTMENT

Your points are generally correct, Jason, except that you have oversimplified the burying depth for underground wiring required in the proposed Champaign County amendment. Champaign County allows wiring to be buried at lesser depth if that is consistent with the Illinois Department of Agriculture's Agriculture Impact Mitigation Agreement. And the proposed amendment also provides that wire that is buried at a five-foot depth does not have to be removed as part of decommissioning- an important consideration if the land is ever to be farmed again.

Regarding the Kankakee County ordinance, in the beginning of this project I did use the Kankakee County ordinance as a model. The Kankakee County ordinance was discussed in the very first memorandum to the Environment and Land Use Committee that you can read at the following link:

[http://www.co.champaign.il.us/CountyBoard/ELUC/2018/180104\\_Meeting/180104agendafull.pdf](http://www.co.champaign.il.us/CountyBoard/ELUC/2018/180104_Meeting/180104agendafull.pdf)

Even in that initial proposal I identified that the Kankakee County ordinance did not provide any protection for agricultural drainage tile nor did it require an endangered species consultation or archaeological review w/ IDNR.

But after reviewing the preliminary plans for proposed solar farms that we have received since January it became clear that the Kankakee County ordinance does not provide adequate protection for rural residences that could be near a solar farm. The 100-foot separation required by the Kankakee County ordinance is not adequate for a small residential property that may be bordered on two, three, or four sides by a solar farm.

The Kankakee County Ordinance also does not require an escrow account for the financial assurance for the decommissioning of a defunct solar farm. That could result in Kankakee County having only a Letter of Credit that is not worth the paper it is written on and that could leave Kankakee County with no one to pay for site reclamation on a defunct solar farm. Based on comments from solar farm developers I have revised the decommissioning requirement to delay the requirement for an escrow account as long as possible based on the warranty of the photovoltaic modules but eventually an escrow account is the only reliable financial assurance.

My goal is an ordinance amendment that provides adequate protection to the citizens of Champaign County and after talking to the solar farm developers who have submitted applications so far, I believe those protections can be provided without making solar farm development unaffordable.

Thanks for your interest, Jason.

Sincerely,

**John Hall**  
Director  
Zoning Administrator



**Champaign County Department of Planning and Zoning**

Brookens Administrative Center  
1776 East Washington Street  
Urbana IL 61802  
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Fax (217) (819-4021)

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**From:** Jason Lindsey [<mailto:jason@jasonlindsey.com>]  
**Sent:** Tuesday, April 24, 2018 10:23 AM  
**To:** John Hall <[jhall@co.champaign.il.us](mailto:jhall@co.champaign.il.us)>  
**Subject:** Additional questions on the Solar Ordinance for the Record

Hi John,

I want to check to see that my points regarding Champaign County and Kankakee County ordinance comparisons are correct. I have listed them below. I want to make sure i am understanding this correctly and communicating accurately. I will send an official comment email for the record once I confirm this info is accurate.

Thanks very much for your time John!  
Jason

We now have at least 10 sections in the Champaign County ordinance that are more restrictive than Kankakee. The following items are more restrictive than Kankakee County.

- Minimum required separations to nearby municipalities have been added (see Sec. 6.1.5B.(2)).
- The minimum required separations to adjacent small lots and adjacent dwellings on larger tracts have been increased to 200 feet and 250 feet respectively, if bordered on two sides by the solar farm and a greater separation will be required if the property is bordered by the solar farm on more than two sides (see Sec. 6.1.5D.(3)). Kankakee County requires 100 feet front setback, and 50 feet from all other property lines except 100 feet from neighboring properties in residential use or district
- A minimum required separation of 500 feet from any solar farm substation and/or transmission line of greater than 34.5 kVA to any nearby dwelling and/or residential district (see Sec. 6.1.5D.(3)(5)). Kankakee County does not require this
- A minimum required separation of 275 feet for electrical inverters from the property boundary (see Sec. 6.1.5 D.(3)(6)).
- EcoCat requirement is Not required in Kankakee County.
- 5 feet below grade for wiring is more restrictive. Kankakee County only requires them to be underground.
- Minimizing Glare is not required in Kankakee County.
- Kankakee County requires a 50 decibel max noise at property line.
- Kankakee County does not mention drainage tiles in the Solar Ordinance.

If we make our ordinance too restrictive it will drive the business to other counties in Illinois. We will loose the tax base, positive economic impacts and the jobs. Solar developer's consider Kanakee's ordinance "forward thinking".

Larry Burke, a farmer in northern Illinois, signed a 20-year lease for 13 acres of his farm for \$800 an acre. The average cash rent in Champaign county for 2017 was \$271 an acre according to the National Agriculture Statistic Service at the USDA. Farmers should have the land rights to diversify income on the land they farm. To save our family farms it is very important they have options on how to run the business. Especially when an option like this can pay them almost 3 times as much per acre.

I feel the restrictions in the ordinance are too restrictive and we should use Kankakee County's ordinance as our model. See two quotes below from Chicago Tribune article titled: Solar farms set to sprout across Illinois. <http://www.chicagotribune.com/business/ct-biz-solar-farms-chicago-area-projects-20180412-story.html>

"Kankakee County happens to be very forward-thinking in terms of where they want to fit in to the renewable program in Illinois," said Scott Novack, senior developer for Cypress Creek in Illinois. "They were one of the first counties to have an ordinance that dictated the rules and regulations for developers to operate in the county, specifically for solar." Chicago Tribune Article

"Larry Burke, 73, a Chicago-area residential builder who owns the Heiland Road farm, struck a 20-year deal to lease out the parcel to Community Power for \$800 an acre per year. The rest of the property is leased out to farmers who pay about \$250 an acre to grow corn and soybeans." Chicago Tribune article

Jason Lindsey

OUR STUDIO IS 100% SOLAR POWERED

**Susan Burgstrom**

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**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 12:06 PM  
**To:** Susan Burgstrom; Connie Berry  
**Subject:** FW: [SPAM] Solar ordinance

**RECEIVED**

APR 24 2018

CHAMPAIGN CO. P & Z DEPARTMENT

**From:** John Hall  
**Sent:** Tuesday, April 24, 2018 12:05 PM  
**To:** 'rbecker@ibew601.org' <[rbecker@ibew601.org](mailto:rbecker@ibew601.org)>  
**Subject:** FW: [SPAM] Solar ordinance

Thanks, Mr. Becker. We have seen most of this Powerpoint before but the financial information is new and very useful. We will forward the entire Powerpoint to the ZBA members.

Sincerely,

**John Hall**  
Director  
Zoning Administrator

***Champaign County Department of Planning and Zoning***

Brookens Administrative Center  
1776 East Washington Street  
Urbana IL 61802  
Tel (217) 384-3708  
Fax (217) (819-4021)

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**From:** Ron Becker [<mailto:rbecker@ibew601.org>]  
**Sent:** Wednesday, April 18, 2018 3:15 PM  
**To:** zoningdept <[zoningdept@co.champaign.il.us](mailto:zoningdept@co.champaign.il.us)>  
**Subject:** [SPAM] Solar ordinance

<http://planning.k3county.net/pdf/SOLAR-FARMS-PZA.pdf>

**Ron Becker**

Asst. Bus. Manager  
I.B.E.W Local 601  
P.O. Box 751  
Streator, IL.  
Office: (815) 672-0339  
Cell: (815) 674-4239  
Email: [rbecker@ibew601.org](mailto:rbecker@ibew601.org)





# SOLAR FARM DEVELOPMENT INFORMATIONAL REPORT

Planning, Zoning, & Agriculture  
Committee

Kankakee County Supervisor of Assessments  
Erich Blair, CIAO  
Supervisor of Assessments



Kankakee County Planning Department  
Delbert Skimerhorn, Sr., AICP, GISP, CFM  
Planning Manager /GIS Manager



**WHY NOW?**

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APR 24 2018

CHAMPAIGN CO. P & Z DEPARTMENT

These 2 slides were part of Preliminary Memo Packet Att. F dated 03/01/18

## New Legislation

- The “Future Energy Job’s Act” was enacted in December 2016 and went into effect June 1, 2017.
  - Subsidize nuclear power through credits from zero emission facilities.
  - Fear of two nuclear plant closings; Clinton & Quad Cities. “Potential Nuclear Power Plant Closings in Illinois-2015”
  - Expand the states renewable portfolio;
    - Requires 3000 MW of new solar and 1300 MW of new wind power to be built in Illinois by 2030.
    - That sounds like a lot, but land consumption is estimated to be between 8000 and 15,000 acres state wide. That’s between 12.5 and 23.5 square miles or only about 78 to 147 acres per county.

(You can read the law at your leisure for full details, 500+ pages.)

## Credits by Facilities Type

- Utility Scale Solar Farms (40%)
  - Large scale facilities usually 20+ acres strictly for the production of electricity to be sold on the open market. These facilities must have or be near a sub-station.
- Community Solar Farms (50%)
  - Smaller scale facilities usually between 5 and 10 acres. May be used for commercial generation or for community use such as a university, municipality, or other large land use or land use group. These do not need a substation and can be constructed anywhere a three phase line exists.
- Brownfield (2%)
- Light Renewable Program (8%)
  - Private, individual installations.



## COMMERCIAL SOLAR FARMS IN ILLINOIS

### Grand Ridge Solar Farm (Operating)

- LaSalle County – NE of Streator
- 160 acres
- 20MW Facility
- Photovoltaic
- Owned by Invenergy





### Grand Ridge Solar Farm



### Unnamed



### Shelbyville Solar Farm (Under Construction)

- Shelby County – East of Shelbyville
- 20 acres
- 500kw Facility
- Owned by Prairie Power



## Spoon River Solar Farm (Under Construction)

- Mason County –  
Between Astoria and  
Havana
- 20 acres
- 500kw Facility
- Owned by Prairie  
Power



These 2 slides were part of Preliminary Memo Packet Att. F dated 03/01/18

## Additional Solar Farms

- There are two additional solar farms in Illinois.
  - The West Pullman Farm is 10MW on Chicago's south side. The largest urban solar farm in the country.
  - U of I built a 5.97MW Farm in Champaign to power the university.
- Neither of these are commercial farms.
- There may be others.





## **TYPES OF SOLAR TECHNOLOGY**

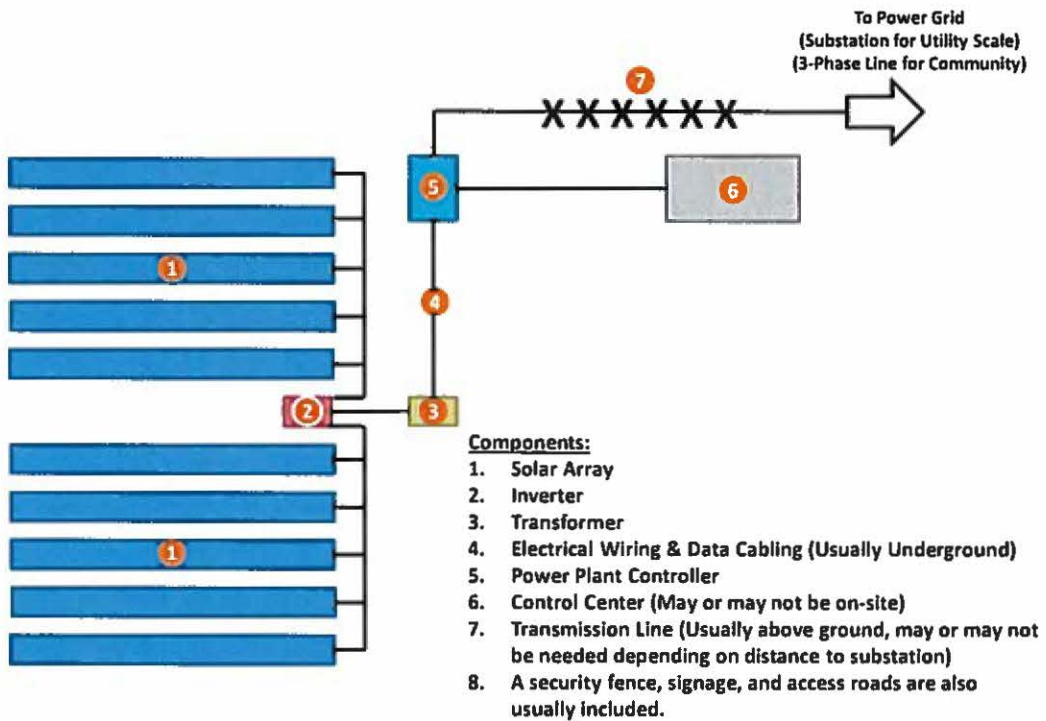
### Types of Solar Power Technology

- Basically there are two (2) types of facilities:
  - Photovoltaic which use solar panels to convert sunlight to energy.
  - Solar Thermal Power Plants which use parabolic devices to direct sunlight to central location to heat fluid which is then converted to energy.
- The photovoltaic type will be used in Illinois.



## COMPONENTS OF A SOLAR FARM

### Typical Components of a Solar Farm



These 2 slides were part of Preliminary Memo Packet Att. F dated 03/01/18

## Components Continued



1. Solar Array



1A. Solar Array Racking & 4. Wiring



2. Inverter



3. Transformer

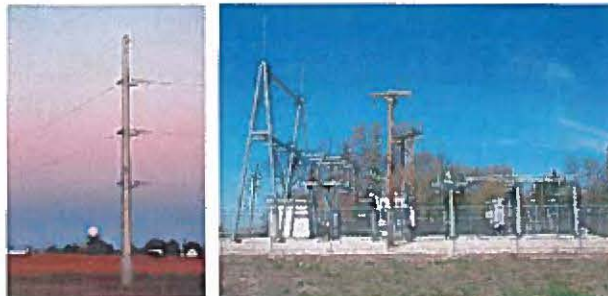
## Components Continued



5. Power Plant Controller



6. Control Center



7. Transmission Lines and/or substation

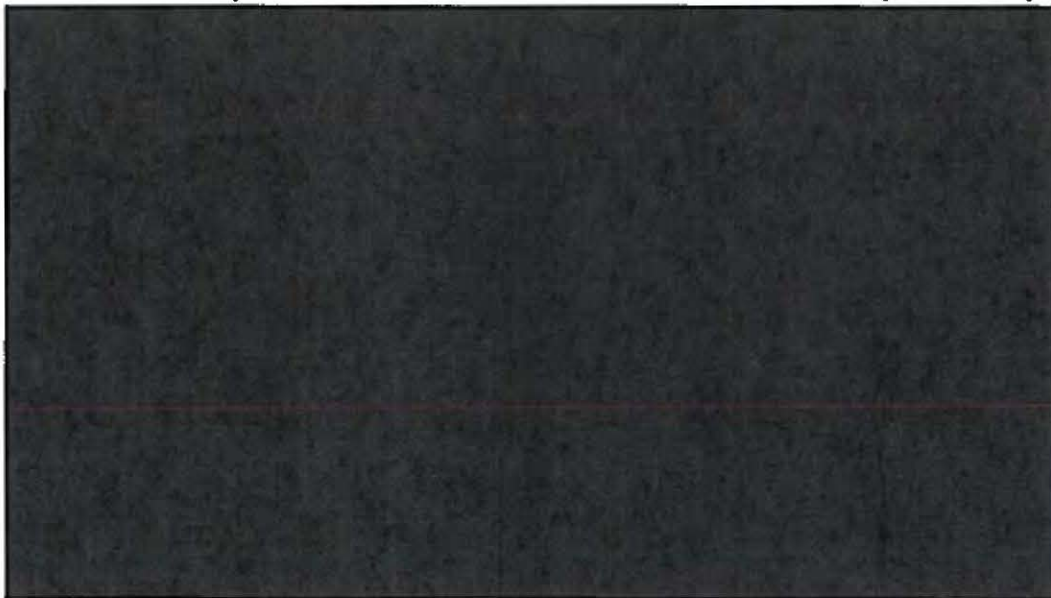


## Foundations

- Solar array foundations are usually pipes or tubular steel driven into the ground. Concrete is only used if soil conditions warrant it.
- Solar arrays in our area are usually stationary mounted and do not move or tilt. Those are generally only needed in western desert regions.



## Time Lapsed Construction Video (3min)



Published on Nov 23, 2015

This inspirational time-lapse film creatively presents the key stages in the construction of a Belectric solar farm. Shot over three months in Oxfordshire using a DJI Phantom 2 quadcopter, GoPro & conventional time-lapse techniques, it takes us on a frantic, techno-charged journey from empty fields to gleaming solar panels in under 3 minutes. Landmead delivers 46 Megawatts, powering 14,000 UK homes for 25 years. Welcome to the Clean Energy Revolution!



## ZONING

### Zoning Ordinances

- When we started this process a year ago, ordinances relating to solar farms were nearly non-existent in the State of Illinois.
- Many Counties are now in the process of adopting ordinances (Using our ordinance as the model).
- Kankakee, Livingston, & LaSalle now have ordinances in place.

## Our Ordinance

- Zoning District – Solar Farms are only permitted in the A1-Agriculture District when a special use permit is approved by the County Board.
- Minimum Lot Size – 5 acres.
- Maximum Height – The maximum allowable height is 30’ but in most cases these installation are between 8’ and 14’ in height.
- Setbacks – Front setbacks are 100’ and a setback of 50’ is required form all other property lines with the exception that the solar farm shall be setback 100’ from neighboring properties which contain an existing residence or are zoned for residential use. The security fence does not need to comply with this setback.
- Screening and Fencing – An 8’ security fence is required around the perimeter of the site and at the discretion of the County Board other screening techniques may be required. The requirement for screening will be considered on a case-by-case basis and is usually only required to mitigate issues with neighboring properties. Knox Boxes are also required at all entrances for use by emergency service personnel.
- Lighting – Solar farms do not operate at night. Lighting is usually only installed for security purposes and Kankakee County’s ordinance requires that it be shielded.
- Noise – Like all uses in Kankakee County, noise is limited to 50 decibels measured at the property line.
- Signage – Solar farms are limited to signage for safety and fro contact purposes.

## Approval Process

- No solar farm is permitted in unincorporated Kankakee County by right. **All** must be approved by the County Board through the issuance of a special use permit.
- The process is the same as any other special use permit; ZBA (hearing), PZA, County Board.
- The County Board can apply “conditions” to a special use permit.





## TAXATION AND ADDITIONAL FINANCIAL BENEFITS

### Taxation

- The first step in the taxation process is to develop a proper assessment for the solar farm.
- Currently, the Illinois Property Tax Code provides no specific guidelines for this unique development.
- In May, a subcommittee of county assessment professionals was formed to address the matter.
- A legislative initiative has been approved for the 2018 congressional session.
- The intent is to emulate the wind energy procedures as much as possible.
- The main differences are the value per MW, and the land value component.
- While the subcommittee has a supportable formula in our draft, the value components could likely change through the legislative process.
- Given that fact, any property tax estimates at this time are highly speculative.
- In the absence of new legislation, the cost approach to value will be utilized consistent with the methodology currently in use for the LaSalle County solar farm.

## Example

*Suppose a 10 Megawatt solar farm is constructed on an 80 acre parcel of farmland. As referenced above, each Megawatt requires five to six acres of land. For the purposes of the example, the project will use 60 of the 80 acres. The remaining 20 acres of the parcel would be eligible to retain its preferential farmland assessment provided those 20 acres continue to be farmed. I have selected a representative 80 acre farmland parcel within the unincorporated area of the county to illustrate the current assessed value and estimated tax bill prior to any construction on the site. The 2017 assessed value of this parcel is 9,821. The most recent applicable tax rate in this case is 7.8997%. The resulting estimated tax due for the parcel would be \$775.83. Upon construction of the above mentioned solar farm, the total estimate of assessed value for the project, including the 60 acres of land needed for the project would be 2,599,740. Combining this estimated assessed value with the representative tax rate of 7.8997% results in an estimated tax obligation of \$205,371.66 for the solar energy project itself. Adding in the 20 acres of farmland which remained in production agriculture in this example provides a complete evaluation of the estimated tax bill for the 80 acre parcel. By prorating the initial bill at 25% of the initial tax estimate for the 80 acres being entirely farmed ( $\$775.83 \times 0.25$ ), the result adds an additional \$193.96 to the estimated tax bill for the solar farm. Given these calculations, the total estimate of property tax owed on the 80 acre parcel after the construction of a solar farm would be \$205,565.62. In this example, the increase in overall taxation to the property amounts to \$204,789.79 ( $\$205,371.66 - \$775.83$ ).*

## Additional Financial Benefits

- Special Use Permit Fees
- Building Permit Fees
- Other Fees (Project Dependent)





## IMPACTS

### Impacts and Mitigation

#### Types of Impacts:

- Noise – Virtually none after construction.
- Interference and Electro-Magnetic Fields – Similar to household appliance and they pose no health risk to neighboring residents.
- Water Use – Very little water used.
- Odors – No odors.
- Glare – Very little, if any.
- Heat – Very little.
- Aesthetics – Personal opinion
- Property Values – No study available but studies for wind power have shown either no change or a positive change.
- Drainage – Very little site disturbance. Regulations in place to protect drainage.
- Roadways – No impact once constructed.



## WHATS NEXT

## POTENTIAL DEVELOPMENT

- There are currently 14 “proposed” solar farm projects in Kankakee County from 9 different companies.
  - 3 are within municipalities.
  - Capacities range from 2MW to 70MW
  - Sizes range from 20 acres to about 450 acres
- There are also 3 new possible wind farms being considered by developers as well.

**Susan Burgstrom**

---

**From:** Ted Hartke <tedhartke@hartke.pro>  
**Sent:** Wednesday, April 25, 2018 9:47 AM  
**To:** Susan Burgstrom; John Hall  
**Subject:** New Jersey state agriculture standards for solar projects list noise in top three major concerns  
**Attachments:** solarAMPforNJAPAconf110510.pdf

Dear Mr. Hall and Mrs. Burgstrom,

Please review the "Ag Management Plan" (AMP) requirements for projects in New Jersey attached. The TOP THREE MAJOR CONCERNS ARE

- 1.) Setbacks/screening
- 2.) Site disturbance
- 3.) Noise

They have setbacks based on max height of the panels.  
Their solar projects have noise limit of 40 dBA maximum at property lines OR no louder than ambient noise.

If solar does not make noise, then why would New Jersey state ag development committee presentation list "NOISE" as being in the TOP THREE MAJOR CONCERNS??

I think our county needs to stop minimizing/dismissing the fact that the noise problem is the most important health/safety/welfare part of our ordinance. To follow Dr. Schomer's advice, we need to put in 39 dBA maximum noise limit for all noise which lasts for long durations of time. Remember, adverse health effects begin at 40 dBA. The problem is that noise is a "dose response." I suppose smoking one cigarette per year has a different effect than smoking a pack-a-day.....same goes for too much soda, chocolate, or ice cream.

Please distribute this entire power point presentation to the full ZBA board for their consideration. This should be printed in full color as provided to you.

If the attachment fails, here is the link to the original source of the information:

<http://www.nj.gov/agriculture/sadc/news/hottopics/solarAMPforNJAPAconf110510.pdf>

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# On-Farm Solar Energy Generation



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APR 25 2018

CHAMPAIGN CO. P & Z DEPARTMENT

Susan E. Craft, Executive Director  
State Agriculture Development Committee

# P.L. 2009, c. 213

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Defines the extent of solar, wind and biomass energy generation that is considered “agricultural” in scale by:

- Establishing acceptable parameters for **farmland assessment** eligibility
- Providing **right-to-farm** protection to on-farm energy generation that meets farmland assessment criteria
- Identifying allowable limits and criteria for these activities on **preserved farms**



# Farmland Assessment



Land used for energy generation is considered to be in ag/hort use provided certain criteria are met, including:

- Energy Generation Limits
  - ✓ No more than **10 acres** in solar
  - ✓ **1:5 ratio** (solar to ag/hort operations)
  - ✓ No more than **2 megawatts (MW)** generated
  
- Land under the solar panels must be used to the greatest extent practicable for the farming of shade or other crops, or for pasture for grazing
  
- Owner or operator must have a conservation plan approved by the soil conservation district that addresses
  - ✓ aesthetics
  - ✓ impervious cover
  - ✓ environmental impacts, including water capture and filtration

# Right to Farm

---

Solar energy generation is eligible for Right-to-Farm protection if it meets basic RTF Act eligibility requirements and other provisions of P.L. 2009, c. 213.

## What is RTF Protection?

- Protection from onerous county and municipal ordinances
- Protection from nuisance complaints filed against the farm

## Basic Eligibility Requirements

- Must qualify as commercial farm
  - ✓ \$2,500 in ag/hort sales for 5 or more acres
  - ✓ \$50,000 in ag/hort sales for less than 5 acres
- Ag. permitted use under zoning
- Must comply with relevant state and federal statutes and rules
- Cannot pose a direct threat to public health and safety



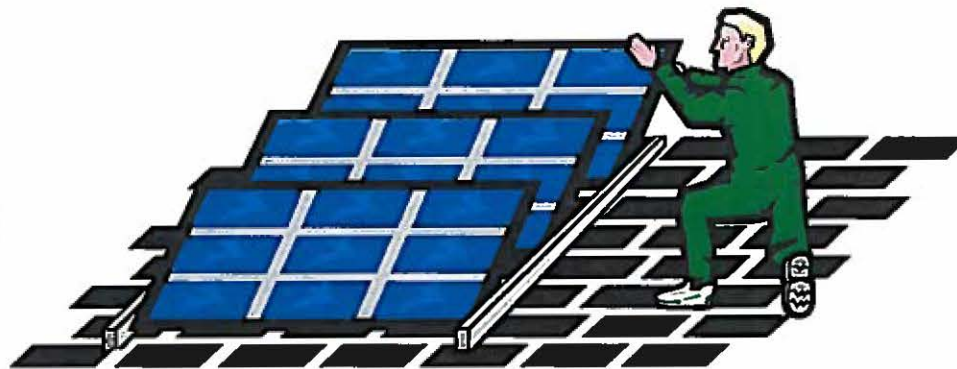


# Right to Farm

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## Provisions of P.L. 2009, c. 213

- Must meet requirements for farmland assessment, including 10 acre max., 1:5 ratio, and 2MW limit
- SADC must adopt agricultural management practice (AMP) before RTF protection is available



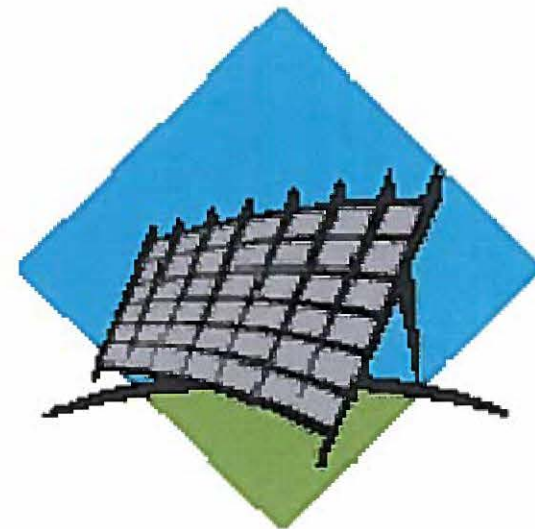


# Proposed Solar AMP

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## 3 Major concerns:

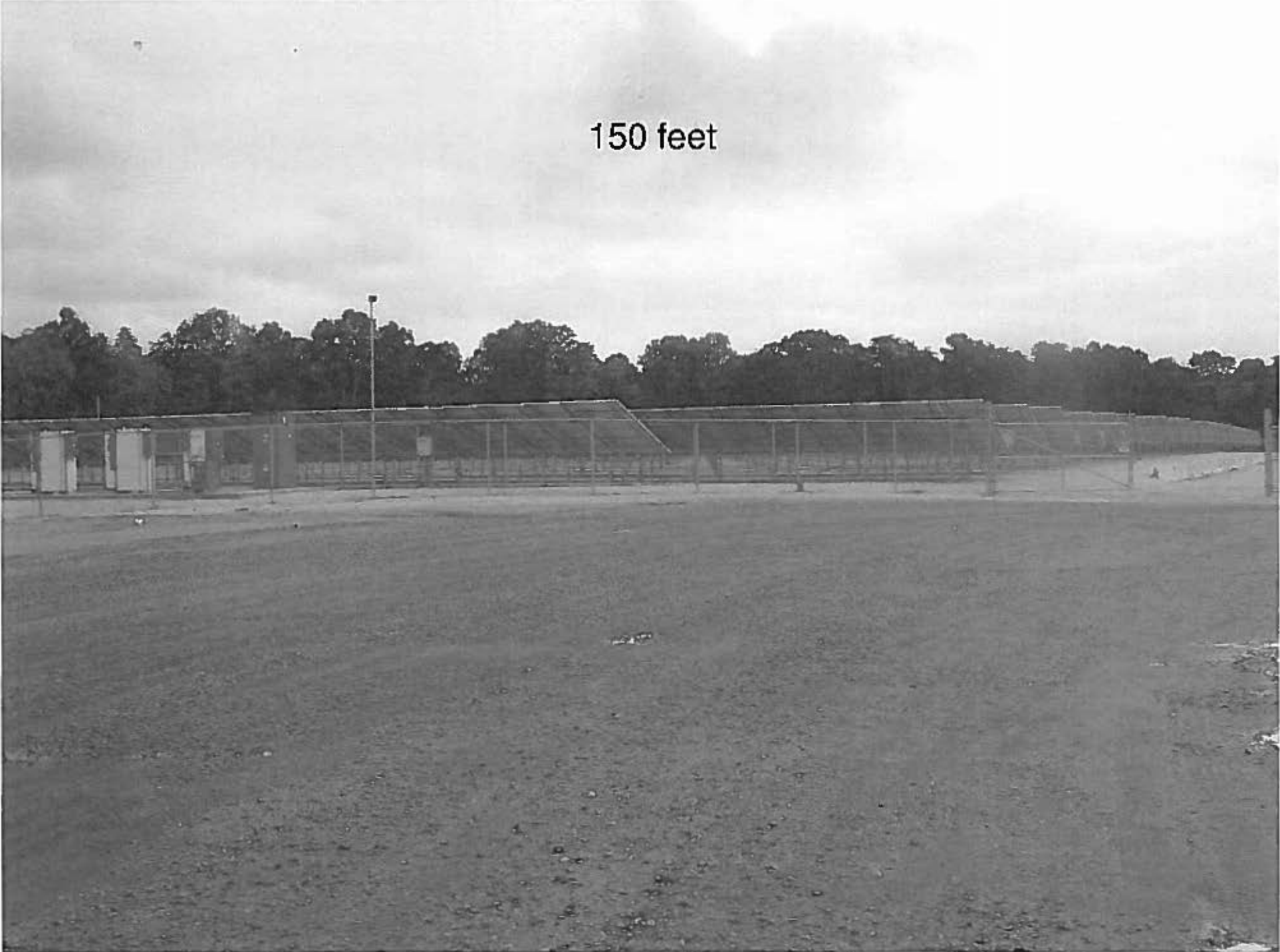
- Setbacks and Screening
- Site Disturbance
- Noise



75 feet

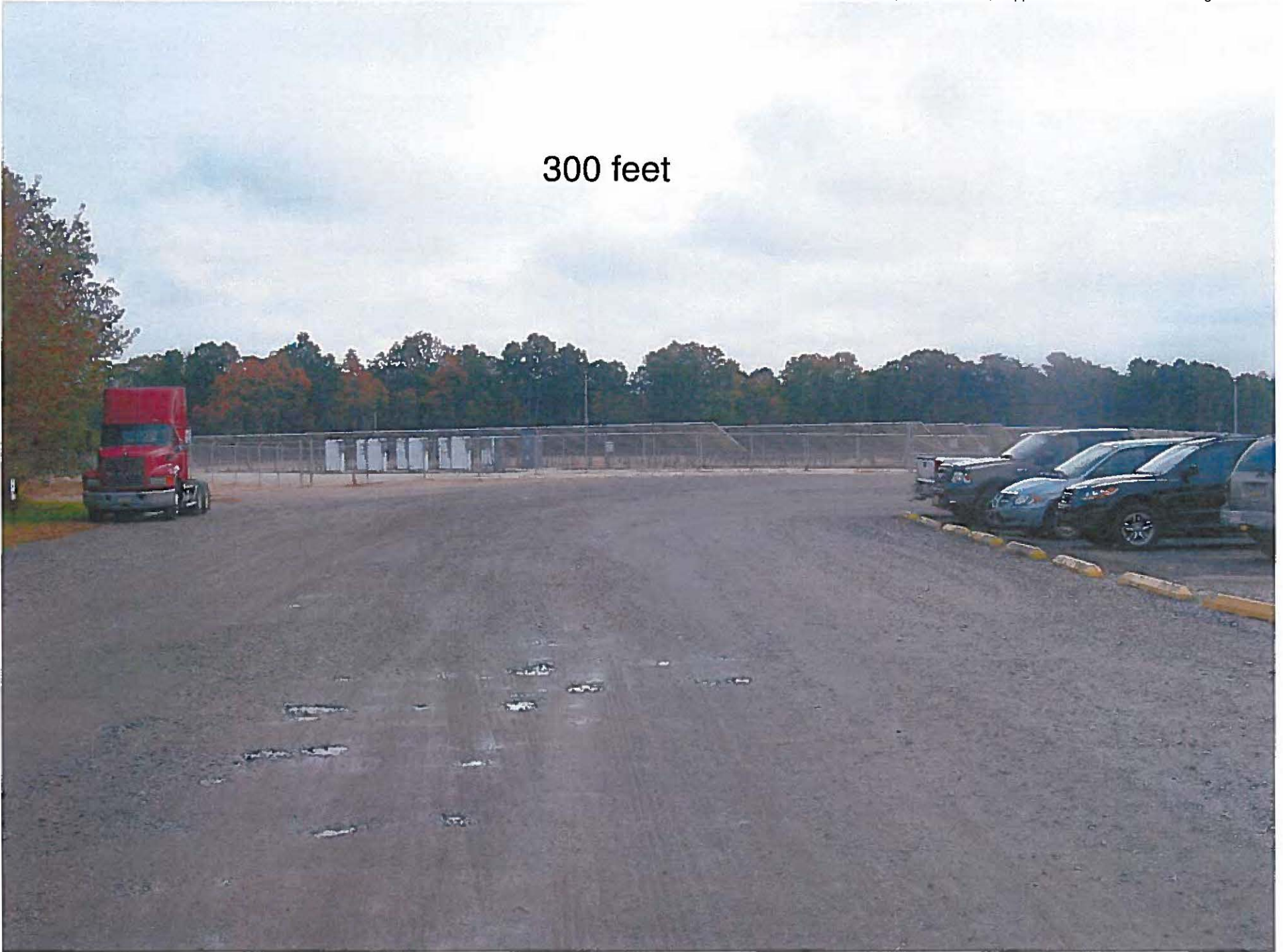


150 feet





300 feet





400 feet



# Proposed Setback, Screening Requirements



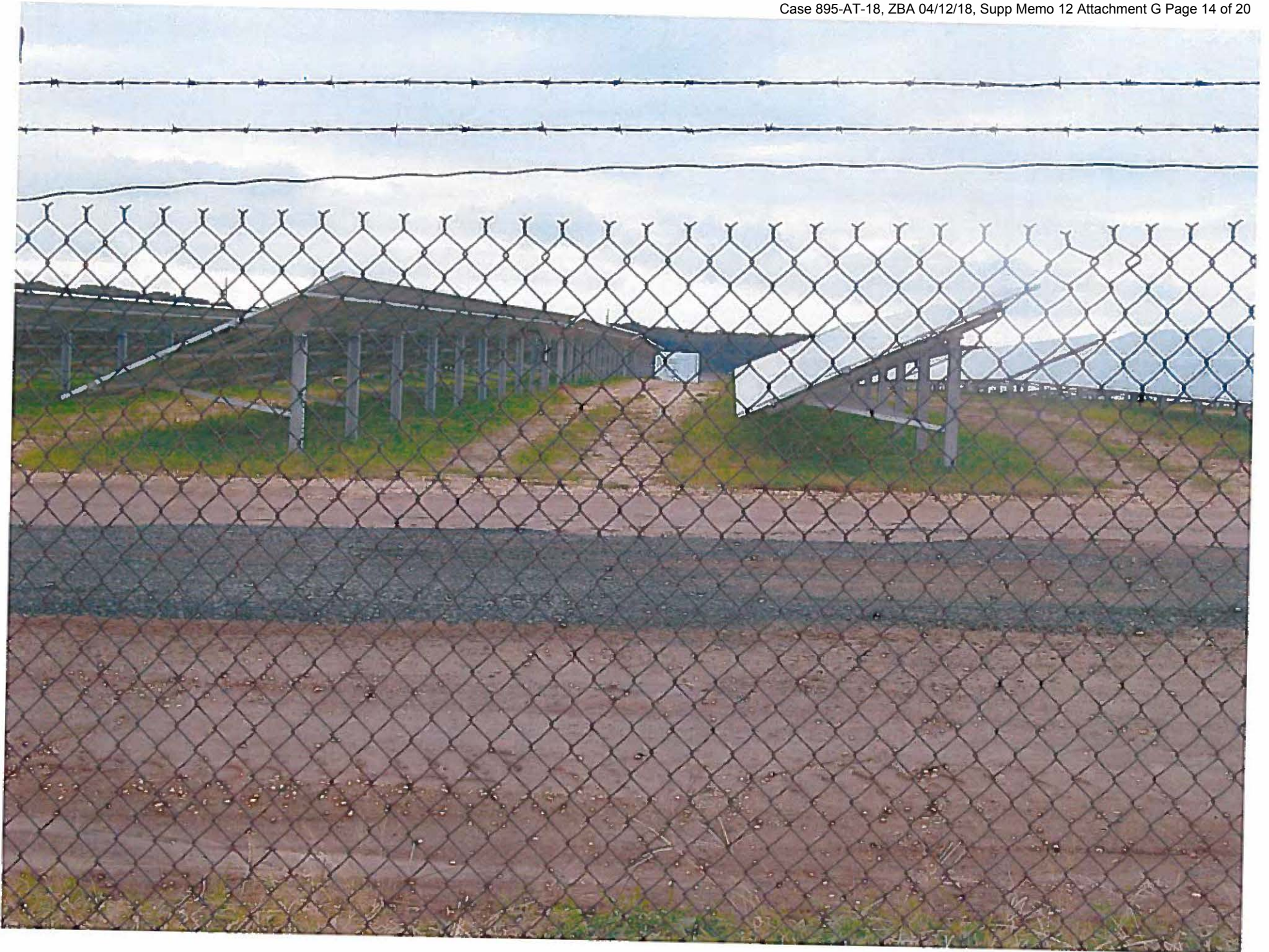
Mounting	System Height	Size Of Occupied Area	Minimum Setback To an Adjacent Residence Existing at the Time of System Installation and Not Located on the Commercial Farm	Minimum Setback To Property Line or Public Roadway Right of Way	Required Screening
Ground	Up to 2 feet	Up to 1 acre	200 feet	100 feet	Not Required
Ground	Greater than 2 feet up to 10 feet	Up to 1 acre	300 feet	150 feet	Not Required
Ground	Up to 10 feet	Greater than 1 acre up to 10 acres	300 feet ----- 400 feet	150 feet ----- 300 feet	Required ----- Not required
Ground	Greater than 10 feet up to 20 feet	Up to 10 acres	300 feet ----- 500 feet	300 feet ----- 400 feet	Required ----- Not required

Solar energy facilities cannot exceed a maximum height of 20 feet











# Soil Disturbance Requirements

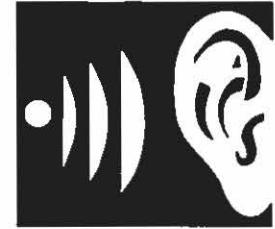
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Overall goal to ensure land can be returned to ag/hort production

- No more than 1 acre of site disturbance
  - Includes grading, soil removal, excavation, compaction
- Non-permanent mounting methods preferred
  - Exception with written justification from licensed professional engineer
- Concrete and asphalt prohibited, except for mounting inverters/system components or if deemed necessary by licensed professional engineer



# Noise



Solar energy generation systems must be designed to comply with either of the following standards for sound emissions:

- The sound level cannot exceed 40 dBA when measured at any point on the property line of the commercial farm;

**or**

- The sound level cannot exceed the ambient sound levels measured on the property line as measured in octave band sound level meter measurements (the Lmin or L90 broadband values)



# Preserved Farms

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Energy generation systems are allowed provided they meet certain criteria, including:

- Are limited in annual energy generation capacity to:
  - ✓ **110%** of the previous calendar year's energy demand, or
  - ✓ to occupying no more than **1 percent** of the area of the entire farm
  
- Must be owned by the landowner or will be owned by the landowner on conclusion of a purchase agreement
  
- Must be used to provide power or heat to the farm, either directly or indirectly, or to reduce energy costs on the farm through net metering or similar programs
  
- Cannot interfere significantly with use of land for agricultural or horticultural production





# Preserved Farms

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- Applications must also meet **Farmland Assessment** criteria (10 acre max., 1:5 ratio, 2 MW limit)
- SADC must adopt regulations prior to being able to approve facilities on preserved farmland (2011)
- Easement holder (county or nonprofit) has 30 day comment period on applications to construct energy generation facilities

State Agriculture Development Committee  
P.O. Box 330, Trenton, N.J. 08625-0330  
(609) 984-2504

[www.nj.gov/agriculture/sadc](http://www.nj.gov/agriculture/sadc)

[susan.craft@ag.state.nj.us](mailto:susan.craft@ag.state.nj.us)

**Susan Burgstrom**

---

**From:** Ted Hartke <tedhartke@hartke.pro>  
**Sent:** Wednesday, April 25, 2018 10:01 AM  
**To:** Connie Berry; John Hall; Susan Burgstrom  
**Subject:** "Need" for solar is inappropriate, and the inverter noise is still objectionable.

Dear John and Connie,

The most recent versions of the Champaign County solar farm ordinance is looking better each day. I am sure it is a very difficult task to make this ordinance into something citizens would remotely consider as being acceptable for being placed just across their property line.

Although I have been focusing on the noise issue, another question stands out: Is there proof of any "need" for solar energy?

In the United States, and especially in Champaign County, there is no and has been no electric energy shortage. The only predicted energy "shortage" for us is if wind and solar continue to be developed. Since wind and solar are both intermittent and unreliable, then we could have some serious issues, especially for those who survive on life support and other important things such as embryos and surgical operations. Survival for some folks relies on constant non-stop electric energy. Due to this, there will always be a need for constant reliable electricity.

Zero solar energy is created at night and less solar energy is created on cloudy days. Zero wind energy is created when there is no wind and zero wind energy is created when it is "too windy." I cannot fathom the amount of batteries and combination of transmission lines needed to provide consistent supply from combinations of wind and solar.

I think the drafting of silly laws "creating" a need to subsidize these things in exchange for giving up the use of our homes and properties for safety setbacks and noise encroachments is a huge mistake. Two wrongs don't make a right, so why place the punishment on Champaign County residents?

This entire section of the finding of fact portion of your documents "need" to be deleted because solar is most definitely not a "need."

- (b) A PV SOLAR FARM serves an important public need for renewable energy because of the following:
  - i. The Future Energy Jobs Act was passed by the Illinois General Assembly in December 2016, and went into effect on June 1, 2017. The law creates more favorable conditions to develop renewable energy in Illinois for solar developers and consumers.

A law passed giving favorable conditions for an unreliable/intermittent energy source is certainly not a need, not a "public" need, and definitely not an "important" public need. (If we needed it, we would already have it now.)

Perhaps solar should be labeled as a "want" or "wishful thinking" is more appropriate.

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APR 25 2018  
CHAMPAIGN CO. P & Z DEPARTMENT

For the record, I was never against solar or wind energy or coal energy until I learned for myself that energy companies typically misbehave and cause problems for the unfortunate neighbors. The ZBA's only job is to protect the most vulnerable citizens from being harmed.

As you continue to promote wind and solar for the "greater good," please remember that these systems will only demand more and more transmission lines to ship this energy where it can actually be used. Remember that the smallest minority is the individual, and voters choosing to use solar energy in one community should not be awarded the fruits from the losses of those who have no choice about the diminishment or loss of the current legal use of their property and surrounding real estate.

Certainly it would be more sustainable to continue to maintain our existing facilities for generating and distributing electricity instead of eating up more resources to duplicate what is already here. Duplication of energy production seems wasteful when land is limited.

I have questions for Champaign County staff:

Q: Is there scientific evidence or any proof that the Illinois Pollution Control Board standards ensure that noise levels for constant noise (which can be every day, 7 days a week, for weeks-on-end) actually protects the health and safety of adjacent land owners?

Q: Has any evidence or proof been provided to the county which states that allowing 40 dBA (or more) of noise consisting of humming, buzzing, or rumbling "tones" is indeed healthy or safe for neighbors?

Q: Has Champaign County staff asked for the octave band levels/report sheet for typical solar farm inverters of this size?

Q: Would it make sense to require the noise from nearby solar panel inverters on farm land to follow the same conditions as if they were on residential or commercial land?

Q: If an IPCB noise level is exceeded, what is the enforcement proceedings from the state? from the county? Who does the neighbor call to report and have the noise level tested to prove or disprove a violation? How much will it cost the affected neighbor to enforce Champaign's noise ordinance? Is the IPCB noise level monitoring/measuring/recording feasible or affordable for average Champaign County residents?

Q: What are the names of the acousticians who have been consulted in regards to setting noise limits for solar panel inverters?

If the county board or ZBA refuses to follow the scientific studies/research documents/charts/diagrams previously submitted regarding maximum not-to-exceed 39 dBA noise levels (since adverse health effects begin at 40 dBA) and the IPCB noise limits are still a "scapegoat" to keep the wind turbines in compliance, perhaps the best thing to do is to treat wind turbines and solar panels the same as if they are on commercial, residential, or agricultural land. This is important because a person who lives within municipal limits should have the same protection from the ag-zoned land when industrial uses are introduced. If a person is not safe from noise when they purchase a home on the edge of a town in Champaign County, then we apparently do not have a safe ordinance proposal.

When you finish answering these questions, see if you think there is more proof supporting the concerns of the noise levels in comparison to the amount of proof there is for a "need" for solar or any proof of energy shortages in North America.



The more I have learned about wind and solar, the less comfortable I am with allowing any of these developments to happen. Please distribute this email to the entire ZBA board before the April 26th meeting and remove the section about "need" from our ordinance document.

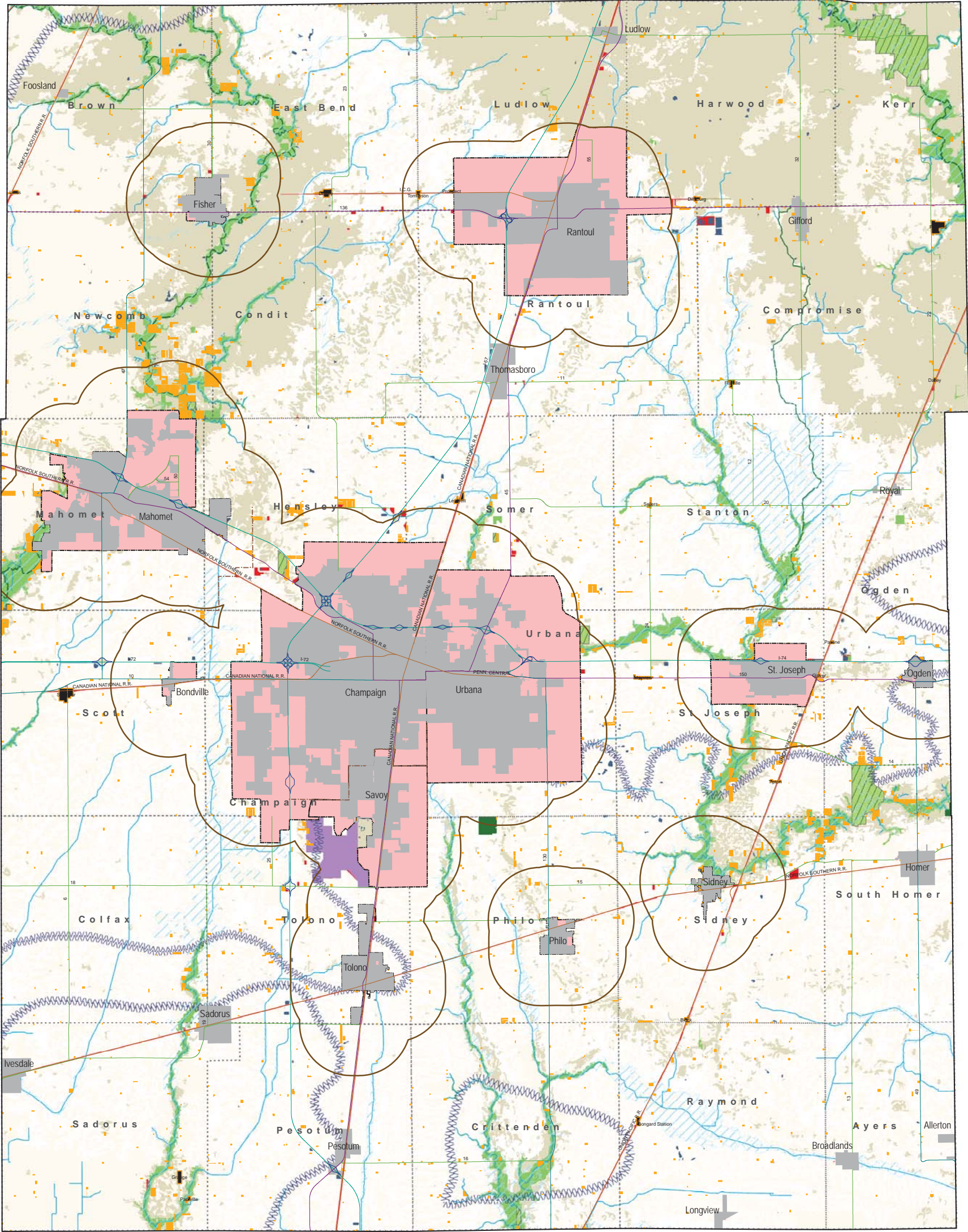
Best regards,

Ted Hartke

Special message: **My email was hacked Dec 30, 2016.** If you received a message that looks like it came from me and it asks you to click a link to share files, **DO NOT CLICK ON LINKS OR ICONS.** I will never send you a link or ask you to download anything unless I include a detailed project-specific correspondence. To protect yourself, never attempt to download files or click links which seem random or out of the ordinary.

Theodore P. Hartke, PE, PLS  
President  
Hartke Engineering and Surveying, Inc.  
117 S. East Avenue P.O. Box 123  
Ogden, Illinois 61859 217.840.1612  
[tedhartke@hartke.pro](mailto:tedhartke@hartke.pro)





**Land Use Management Areas**

**Policy Areas**

**Rural**

- Best Prime Farmland
- Non Best Prime Farmland
- Existing Natural Area
- Areas which may contain Natural Areas
- Parks and Preserves
- Mahomet Aquifer (approx.)
- Primary Sand & Gravel Aquifers (approx.) \*
- Stream
- Lake

**Urban**

- Settlement
- Contiguous Urban Growth Area

\* also situated above the Mahomet Aquifer

**Administrative Boundaries**

- Extraterritorial Jurisdiction
- Extraterritorial Jurisdiction Boundary Agreement
- Township Boundary
- Floodplain

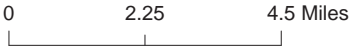
**Existing Land Uses**

- Commercial / Industrial
- Residential
- Existing Incorporated Area
- Airport

**Roads**

- Interstate
- Federal Highway
- State Highway
- County Highway
- Railroad

The Land Use Management Area map defines spatial extents of policies based on language and intent of the LRMP.



Map Produced February 25, 2015



Revise 6.1.5 ~~PQ.~~ 4. , 5. 7. as follows (6.1.5 ~~PQ.~~ 6. included for continuity):

4. To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit and an escrow account as follows:

(a) At the time of Special Use Permit approval, the amount of financial assurance to be provided for the site reclamation plan shall be ~~150~~125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and shall otherwise be compliant with Section 6.1.1.A.5. except that if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the site reclamation plan as follows:

(1) No Zoning Use Permit to authorize construction of the SOLAR FARM shall be authorized by the Zoning Administrator until the SOLAR FARM owner shall provide the County with Financial Assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1.A.5.

(2) On or before the sixth anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1.A.5.

(3) On or before the eleventh anniversary of the Commercial Operation Date, the SOLAR FARM Owner shall provide the County with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's

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

- (b) 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 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 shall deduct from the salvage value credit the amount of any lien or encumbrance on the SOLAR FARM; 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 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 6.1.5PQ.4.(b)(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 SOLAR FARM STRUCTURES, equipment, and 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.

- (6) The deduction from the estimated decommissioning costs for net estimated salvage value shall be capped at 70% of the total net estimated salvage value even though the total actual salvage value shall be available in the event that decommissioning is actually required.
  - (7) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
  - (8) The credit for net estimated salvage value attributable to any SOLAR FARM may not exceed the estimated cost of removal of the above-ground portion of that SOLAR FARM on the subject site.
- (c) The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- (d) The Applicant shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
- (1) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
  - (2) At all times, the total combined value of the irrevocable letter of credit and 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

based on the Consumer Price Index since the SOLAR FARM was approved.

- (e) The applicant or PV SOLAR FARM owner shall gradually pay down the value of the irrevocable letter of credit by placing cash deposits in an escrow account in equal annual installments over the first 13 years of the PV SOLAR FARM operation except that if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, the applicant or SOLAR FARM owner may gradually pay down the value of the irrevocable letter of credit by placing cash deposits in an escrow account in equal annual installments over the 20<sup>th</sup> through the 25<sup>th</sup> years of the SOLAR FARM operation, as follows:
- (1) The applicant or PV SOLAR 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 PV SOLAR FARM in the event that the PV SOLAR FARM owner is incapable of decommissioning the SOLAR FARM.
  - (3) The applicant or SOLAR 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 Transactions Article of the Uniform Commercial Code, 810 ILCS 9/101 et seq.
  - (4) The applicant or SOLAR FARM owner shall make equal annual deposits to the escrow account over ~~a 12-time~~ period as required in Section 6.1.5Q.4.(e) and shall simultaneously provide a replacement irrevocable letter of credit that is reduced accordingly.
  - (5) At all times the total combined value of the irrevocable letter of credit and the escrow account shall be increased annually as necessary to reflect actual rates of inflation over the life span of the SOLAR FARM and the amount shall be equal to or exceed ~~150~~125% of the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation since the SOLAR FARM was approved.

- (6) Any interest accrued on the escrow account that is over and above the total value required by subparagraph 6.1.5PQ.4.(b)(4) shall go to the SOLAR FARM owner.
  - (7) In order to provide funding for decommissioning at the time of decommissioning, the SOLAR FARM applicant or SOLAR 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.
  - (f) Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5PQ.4.(d), 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.
  - (g) Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5 Q. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.
  - (h) Unless the Governing Body approves otherwise, the Champaign County State's Attorney's Office shall review and approve every Letter of Credit and every agreement regarding the Escrow Account prior to acceptance by the Zoning Administrator.
5. In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
- (a) In the event that any SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing electricity and the Owner is not diligently repairing such SOLAR FARM or component.
  - (b) In the event that the Owner declares the SOLAR FARM or any SOLAR FARM component to be functionally obsolete for tax purposes.
  - (c) There is a delay in the construction of any SOLAR FARM of more than 6 months after construction on that SOLAR FARM begins.



- (d) Any SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
  - (e) Any SOLAR FARM or component thereof is otherwise derelict for a period of 6 months.
  - (f) The SOLAR FARM is in violation of the terms of the SOLAR FARM SPECIAL USE permit for a period exceeding ninety (90) days.
  - (g) The Applicant has failed to maintain financial assurance in the form and amount required by the special use permit or compromised the COUNTY's interest in the site reclamation plan.
  - (h) The COUNTY discovers any material misstatement of fact or misleading omission of fact made by the Applicant in the course of the special use permit zoning case.
  - (i) The Applicant has either failed to receive a copy of the certification of design compliance required by paragraph 6.1.5D. or failed to submit it to the County within 12 consecutive months of receiving a Zoning Use Permit regardless of the efforts of the Applicant to obtain such certification.
6. The Zoning Administrator may, but is not required to, deem the SOLAR FARM abandoned, or the standards set forth in Section 6.1.5.P.5. met, with respect to some, but not all, of the 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 SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining SOLAR FARM.
7. 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.

**Case 895-AT-18 REVISED Comparison of Site Reclamation and Decommissioning Requirements Including Financial Assurance  
DRAFT March 22, 2018**

Site Reclamation and Decommissioning Parameter	REVISED Proposed Champaign County Solar Farm Requirement	State of Illinois Dept. of Agriculture Agricultural Impact Mitigation Agreement (AIMA) For Commercial Wind Energy Facility	BayWa Proposal
When is decommissioning plan required	As part of the Special Use Permit application and included in Special Use Permit approval  (Sec. 6.1.1A.1.)	A Deconstruction Plan shall be filed with the county during the permit process and a second Deconstruction Plan shall be filed with the county on or before the end of the 10 <sup>th</sup> year of commercial operation  (Sec. 21.C)	Binding agreement to enter into a decommissioning plan required at time of Special Use Permit approval but decommissioning plan not required until 15 <sup>th</sup> year of operation (letter dated 3/13/18)
Value of required financial assurance to pay for decommissioning	<del>450</del> 125% of estimated decommissioning cost; <u>however, the full amount is required at different times depending upon the quality of the PV modules (see below)</u>  (Sec. 6.1.5P.4.(a))	100% of estimated deconstruction cost required eventually- see below	Not specified but presumably 100%
When is financial assurance required	Prior to issuance of Zoning Use Permit approval <u>EXCEPT if the SOLAR PV panels have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years financial assurance may be provided as follows:</u> <ul style="list-style-type: none"> <li>▪ <u>12.5% of est. decommissioning cost required at the time of Zoning Use Permit approval</u></li> <li>▪ <u>62.5% of est. decommissioning cost required on or before sixth anniversary of operation</u></li> <li>▪ <u>125% of est. decommissioning cost required by the eleventh anniversary of operation</u></li> </ul> (Sec. 6.1.1A.5. and revised 6.1.5P.4.(a))	Financial assurance required in phases over first 11 years of operation: <ul style="list-style-type: none"> <li>▪ 10% of estimated deconstruction cost required on or before first anniversary of operation</li> <li>▪ 50% of estimated deconstruction cost required on or before sixth anniversary of operation</li> <li>▪ 100% of estimated deconstruction cost required by the eleventh anniversary of operation</li> </ul> (Sec. 21.D.)	15 <sup>th</sup> year of operation  (letter dated 3/13/18)

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Site Reclamation and Decommissioning Parameter	REVISED Proposed Champaign County Solar Farm Requirement	State of Illinois Dept. of Agriculture Agricultural Impact Mitigation Agreement (AIMA) For Commercial Wind Energy Facility	BayWa Proposal
Type of financial assurance required	<p>Letter of Credit at first and then converted to Escrow Account over first 13 years <u>EXCEPT if the SOLAR PV panels have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years then the Letter of Credit may be converted to an Escrow Account over the 20<sup>th</sup> through the 25<sup>th</sup> years of the SOLAR FARM operation,</u></p> <p>(Sec. 6.1.5P.4.(d) &amp; (e))</p>	Not specified	Letter of Credit preferable  (letter of 2/8/18)
Required update of financial assurance	<p>Every 3 years for first 12 years and every <u>two years thereafter or, if the SOLAR PV modules have an unlimited warranty of at least 10 years and also have a limited power warranty to provide not less not than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter</u></p> <p>(Sec. 6.1.5P.4.(d)(2))</p>	No required update but may occur on tenth anniversary of operation and every five years thereafter  (Sec. 21.E.)	Every three years after year 15
NOTES			



## Sidney residents to Champaign County ZBA: 'Have Compassion on Us'

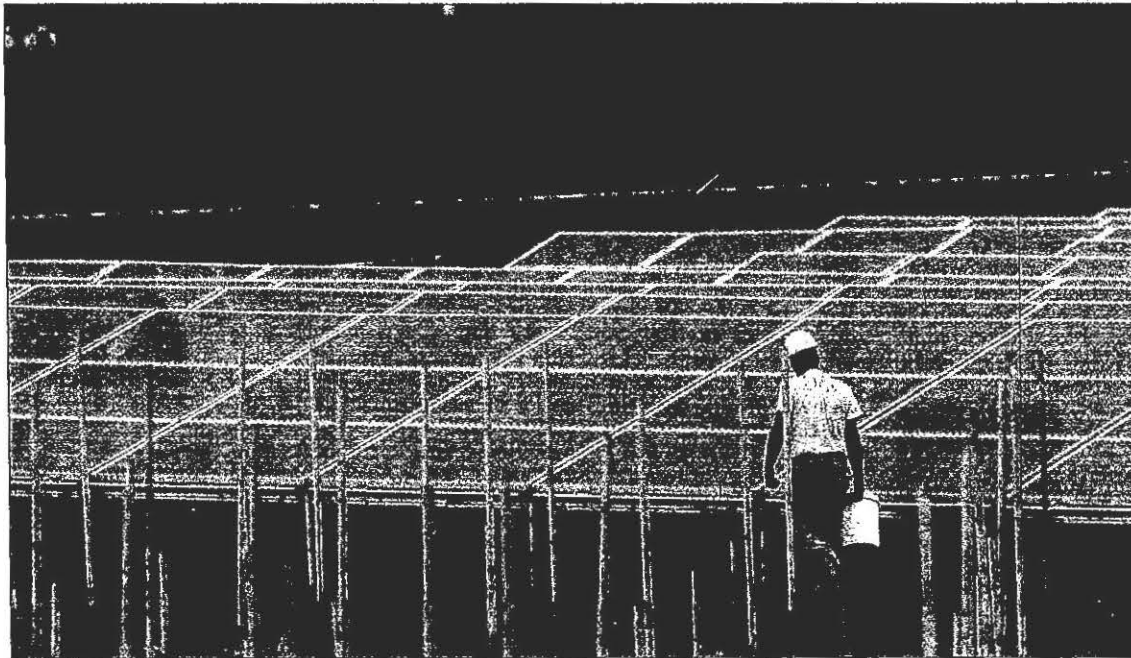
By Mindy Basi  
County Star editor

It should have been a routine meeting on proposed ordinances for solar farm installations at the Champaign County Zoning Board of Appeals, but that was not the case last Thursday night.

The room was packed with almost 40 citizens of the county, mostly from the Sidney area, who came to testify on April 5 against the proposed solar farm installation planned for almost 1,300 acres outside their town.

This meeting of the ZBA was not to be about specific solar farm installations, ZBA Chair Catherine Capel told the audience. Despite the appeal to stay on topic, community members wanted to have their say about the solar installation slated for rural Sidney. For a two-hour time span, residents of Sidney came to the microphone to testify to the ZBA why they objected to the solar farm.

Champaign County Director of Planning and Zoning John Hall reported that Champaign County has had five serious inquiries from solar farm companies since 2017. The BayWa company of California is applying for the largest installation, at almost 1,300 acres, near



File photo by Robin Scholz/The News-Gazette

The UI Solar Farm at the southwest corner of First and Windsor in Champaign.

Sidney. The other four proposed solar farms are around 100 acres in total.

The size and scope of the project has particularly caught the attention of village residents and those living outside the city limits. Unlike smaller installations, the impact of the noise expected from the solar inverters, which are a fairly new technology, is

causing concern.

Before anything can be built, the Zoning Board needs to generate new ordinances to cover solar plants, which are not currently regulated. Noise levels and the amount of distance between the solar installation and dwellings need to be determined.

There is also a matter of what vegetation

will be planted around the solar converters. The Champaign County Soil and Water Conservation District has suggested using natural prairie plants, which grow as tall as the solar collectors and would hide the installation, as well as recondition the soil and attract pollinators. Others would prefer the ground be farmed

as much as possible, especially if there are large tracts of land used to separate the solar plant from the surrounding properties. A 500-foot separation, for instance, could be farmed with smaller equipment, pointed out ZBA board member Deb Griest. Taking the entire 1,300 acres out of produc-

Please see ZBA A3

## Village Residents Gather to Discuss Solar Farm Proposal

By Mindy Basi  
County Star editor

Rural Sidney resident Ted Hartke is determined to raise his voice about the proposed Solar Farm destined for the area. "I am here to protect public health and safety," he said to the almost 30 people attending Monday night's Sidney village board meeting. "If you see something you say something, and I am here to say something."

Hartke was most concerned about the noise levels of the solar panel inverters, which convert sunshine into power. "It's a noise problem for next door neighbors," he told the Sidney village board. "The noise is capped at 45 dba. According to studies from the University of Illinois and elsewhere, citizens start complaining about noise pollution at 33 dba," he said.

"I really didn't care about this issue until

Please see SOLAR A3

## ZBA from A1

tion is a problem for many residents, since it is prime farmland. Ultimately, Hall explained, it will be up to the owners of the installation what happens on the land behind the fencing.

Currently, the county has no zoning ordinances for solar installations. The ZBA is considering that a solar farm, which consists of collectors and solar power inverters with a 7-foot chain link fence surrounding them, should have a minimum separation of 250 feet from dwellings of more than five acres, and 200 feet for properties of less than five acres. In addition, any installation has to be located an additional 10 feet from a property line. However, the distances are hotly contested by the opponents of the solar farm.

## Solar from A1

it hurt me," Hartke explained. "I moved here to get away from the noise of a wind farm. I am embarrassed that I supported a wind farm that ruined my home, and now I am speaking up about this."

He had sympathetic ears in the packed room. Sidney residents at the meeting vented their frustration with a project they feel they have little agency in preventing. Declining property values, noise pollution, using prime farmland for other purposes and the danger of breaking drainage tiles underneath the soil were all reasons given for the opposition to the solar farm installation.

There was no apparent support for the project from those attending the meeting, which will begin

Sidney resident Rick Rutherford passed out maps to the board members to show the position of the solar installation relative to Sidney. Using Google maps, he overlaid the proposed farm on a map of the area. "We are going to be completely surrounded," he said. "I hope you have compassion on us."

Residents are concerned about the appearance of the farm affecting their property values. The ZBA had photos of the current much smaller solar farm at the University of Illinois, and it was clear from those pictures that even 250 feet away the fences and installation did not blend into the landscape.

Hall encouraged all the attendees to come to the meeting where BayWa will apply for a special use permit. Griest advised, "Attend the spe-

cial use meeting. What we are charged to do here is write a blind ordinance to deal with all the possibilities. We aren't dealing with individual cases. Come back when we have a special use case."

The ZBA is using a study from the University of Massachusetts as a noise benchmark, which finds that the reported noise from solar inverters is around 45 dba, less than the Illinois Pollution Zoning board acceptable levels of 51 dba.

Ted Hartke of Sidney has been tireless in his efforts to bring attention to the problems with solar farms, attending all the meetings where they have been discussed. At this meeting, Hartke brought a roll of aluminum foil with him to the podium to bring attention to his claim protesters have been called "tin foil hat wearers." He passed out an extensive-

White encouraged everyone attending the Sidney board meeting to go to the Zoning Board of Appeals meeting: "this whole group to go should there and speak up."

Michael Bryant of Sidney brought a goose call whistle to the meeting, which he claimed made a 45 decibel noise. "Can I blow this?" he asked the room. After getting consent, he blew the goose whistle, which made a loud, piercing noise in the community center. "And that's the noise [the solar farm] makes all the time," he pointed out. "It's not like a train going every five minutes."

Tim Hartke did acknowledge that with proper noise dampening, the impact wouldn't be as serious, but told the council and attendees they would have to "insist on these accommodations." Noise

will emit energy emissions, and no one measures it," Ruhter explained. "It can affect TV channels, wireless internet, and cell phone reception."

Not all of the attendees agreed with an outright rejection of solar farms. Professor Max Kumerow, a landowner who cash rents his property, had a more long-term view. "We are doing damage to the soil with our current agricultural practices," he told the ZBA. "If you look at the short-term versus the long-term view, it might be good to rest the land for 40 years. We need to live without fossil fuels at some point. Solar is the best option," he said.

Griest pointed out that the board is not trying to favor one party over the other. "This board strives to look at an ordinance objectively," she said. "We want to be neutral on any economic advantage to any one person. We consider taxes and other factors when making our decisions."

By 10:30 p.m., no conclusions had been reached in the meeting, after two time extensions. The Zoning Board of Appeals agreed to continue the meeting on April 12, where they will again take public comment and work on coming up with an ordinance that will cover solar farm installations.

shed and fencing could be designed to lessen the impact of the noise problem, but would not address the other issues of concern, pointed out Council member John Finn.

Currently, the proposal for a zoning ordinance calls for a 50' buffer to a property line, and 100' from a dwelling. Several property owners complained that it would still be an eyesore to look out and see the units and the seven foot chain link fences that would surround the solar farm.

The size of the project was another area of concern for Hartke and others. "It's 1250 acres," Hartke reminded the village board. "it's the largest solar project in Illinois," he said. "I think you should slow down and consider letting other people be on the leading edge for something like this. Once it's

done, it's done."

Attendees spoke up about BayWa's assertion that the Solar Farm would be a tourist attraction, which got a laugh from the crowd.

Citizens expressed concern that once the project is completed, BayWa could go bankrupt and leave them with land they can't afford to reclaim. "The cost to reclaim the land [for farming] would be \$8 million," Hartke said. "The bond and letter of credit they are proposing would not cover even a small amount of that."

Hartke was angry that his concerns were not taken seriously by the BayWa company. "One of the last things they will do is to claim we are crazy," he said. "They are counting on people not showing up. Everyone here needs to show up at the ZBA meeting and speak up," he said.

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shed and fencing could be designed to lessen the impact of the noise problem, but would not address the other issues of concern, pointed out Council member John Finn.

Currently, the proposal for a zoning ordinance calls for a 50' buffer to a property line, and 100' from a dwelling. Several property owners complained that it would still be an eyesore to look out and see the units and the seven foot chain link fences that would surround the solar farm.

The size of the project was another area of concern for Hartke and others. "It's 1250 acres," Hartke reminded the village board. "it's the largest solar project in Illinois," he said. "I think you should slow down and consider letting other people be on the leading edge for something like this. Once it's

## Dog from A1

will match the fleet. Board members agreed the cost could go in the budget.

## Night Closure of Fire Retention Basin Requested

Kyle Hayden asked the village board that the retention basin near the

## SOLAR FARM

# ZBA Amends Proposed Ordinance, Public Testimony Continues

By Mindy Basi, editor

In response to public testimony on April 5, the Champaign County Zoning Board of Appeals has changed the proposed ordinance affecting solar farms.

The challenge for the ZBA is to create a balance between rural residents' desire to preserve the existing nature of the area and the land needs of a growing clean energy industry.

Champaign County was selected, in part, because of the existing power substation in Sidney that can handle the energy output from the 1,300-acre proposed solar farm. BayWa company also plans to build another private substation at its facility, said representative Patrick Brown.

### New recommendations

The current solar farm ordinance under review now recommends a half mile limit between solar farms and municipal borders, after input from Sidney President Chuck White, who testified at the meeting last week. The board has recommended that solar inverters, which convert the sun's energy into power, must be placed at least 275 feet from a property line and should be located at least 200 feet from dwellings and property lines. The total separation of an inverter from a property line of a 5-or-less-acre parcel would be 475 feet, which will limit noise impact from the inverters.

This recommendation is only applicable when the lot is bordered on two sides, said

Zoning Director John Hall. If the lot is bordered on more than two sides, the zoning board must decide the limit, but the permit applicant will have no idea what it might be, making it a "mixed bag," Hall said.

New protections for drainage district tiles were also proposed.

Other changes made by the ZBA after the almost four-hour testimony from concerned citizens at the last meeting included more active notifications to municipalities, new prime farmland protections, and lowered noise thresholds.

There is public concern about glare from the solar panels, which some people find objectionable. The ZBA is also considering this aspect of solar installations.

### Property value impacts

Board members also had a chance to consider property value impacts of the proposed solar installations. After reviewing a study of nine existing solar farms in Illinois and Indiana, the ZBA has concluded that in general, solar installations will not harm property values. Board member Deb Griest was not so sure. "I read the studies," she said. "I am not confident of the comparisons and the data did not sway me."

### Regulations with exemptions considered

The ZBA is in favor of regulating, but leaving the opportunity for individuals to present to the board for exceptions, said Chairwoman Cathy Capel. The board

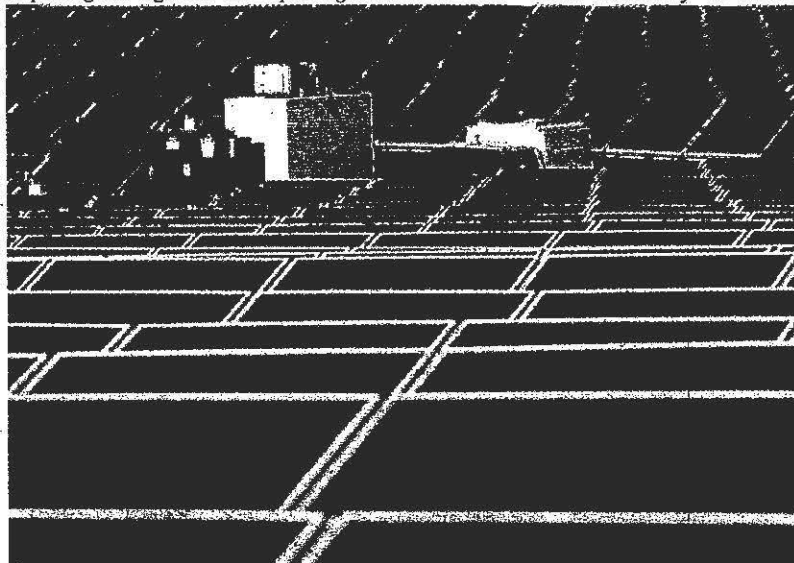
is sympathetic to the few properties that may not fall within the broad limits of the county-wide ordinance. "Exceptions will make sure that ordinance isn't onerous to the solar companies," Capel said. "We want to want to strike a balance between respecting the rights of the

projects. At the outset she had to deliver the disturbing news that an unknown person had placed small screws under the tires of some of the attendees' vehicles after the last meeting, warning that people should check under their tires before leaving the parking lot.

their testimony strayed into forbidden territory or repeated what the board had already heard.

### New voices heard

New to the testimony microphone on Thursday were representatives from the University of Illinois



STEPHEN HAAS/THE NEWS-GAZETTE

University of Illinois Facilities & Services workers drive through the 20.8-acre UI Solar Farm, just south of West Windsor Road in December.

property owner and the desire of Champaign County to have solar," she said.

### An overflow crowd

Capel had her hands full again on Thursday managing the overflow crowd and the large number of people who wanted to testify for and against community solar

She once again reminded people testifying that the discussion needed to pertain to the proposed ordinance, and not to a "project that we are not talking about" which refers to the planned 1,300-acre installation outside Sidney. More than one gentle but firm reminder was given to witnesses when

Student Senate, which sees affordable solar energy as an equity concern. To encourage the solar project, the Senate passed a resolution that setbacks should be no more than 250 feet from a property line. UIUC student Laura Schultz, a member of Beyond Coal, a subsidiary of the Sierra Club, and a sup-

porter of the resolution, was at the meeting to advocate for renewable energy. "We need to diversify from coal. Solar energy is the future," she said.

A number of people from area churches were also in attendance to advocate for community solar, which is affordable if shared among non-profits. Margo Cheney of McKinley Presbyterian said, "We looked at solar panels for the church. A community solar farm would allow us to save money if we could buy into the community panels."

Michael Crosby, a pastor at the First Menonite Church of Urbana, spoke about his faith commitment to solar energy. "It will benefit all of us. I support reasonable regulations. The University of Illinois solar farm raises my spirits," he said.

Residents who have trees and other impediments to rooftop solar units were also advocates for the community solar project.

### Local control requested

The citizens of Sidney also had their say. Many were concerned about the lack of municipal control. Paul Lewis testified, "You have no trust in the community of Sidney. Give back local control to the village. We all just need to be good neighbors."

Chris Hicks saw a difference between an individual installing a home unit and the industrial power plant that is proposed around Sidney. "I choose not to have

Please see SOLAR A3

## OPIOID CRISIS

# Clinging to Hope



## Under Debate

A children's boutique and video gaming facility for downtown Philo is on hold for the time being until the full complement of the village board of trustees can meet, and make a decision on granting a liquor and gaming license for the proposed business venture.

Boutique owner Tamara Block of Philo came to the April 11 meeting to ask the board for a gaming license so she can put slots on the upstairs floor of her planned children's clothing boutique. She plans to make her slots attractive to people who don't want to gamble in a bar. "I don't like the bar scene, I love gambling," she told the village trustees. "I am bringing a totally different

the Americans with Disabilities Act requirements that all people have access to her slots, which are slated for the second floor. Block is looking into installing a wheelchair as a solution. She also needs two bathrooms to comply with regulations.

Each of the board members expressed concern that a new slots business would take away from existing gaming facilities in town. "I am not against another new business but I don't want to take away from a business that is already established," Trustee Rachel Garman said. "You may make money, but it's coming from someone else's business, like the car wash."

Brady noted there are a finite number of gamb-

at the school.

Case 895-AT-18, ZBA 04/26/18, Supp Memo 12 Attachment 1 Page 2 of 2

## SOLAR

### from A1

solar. I don't have a choice if they build it. I want a good neighbor policy. It should be a 500-foot separation."

"Respect the property rights of owners," said Tim Osterbur, who also requested a 500' separation between properties and the proposed installation.

Tannie Justus of Sidney suggested that the ZBA bring someone in who had actually lived in that had actually lived next to a solar installation to describe what it is like. "Let them come to speak to us," she said.

Sidney resident Jim Rector was concerned about the expansion of the solar installations. "How can we control the sprawl?" he asked. "If landowners are getting three to four times the cash rent, there will be more."

### IBEW weighs in

Harry Odhe, the executive director of the renewable energy fund for the International Brotherhood of Electrical Workers (IBEW) came from Chicago to testify on Thursday night. The IBEW will be involved in construction of the solar installation. "We need to train the public and installers about renewable energy," he said. He plans to send the ZBA a power point presentation on the benefits of solar energy to study by the next meeting.

Ron Beckero of Chicago also came to represent the IBEW. "The Grand Ridge Solar farm employed 50 guys for eight months," he said. "We will spend money in your town."

### Future Energy Job Act

The Future Energy Job Act (FEJA) was another factor that was mentioned at Thursday's meeting. Dan Maloney of Champaign, among others, testified that Champaign County could miss out on a good opportunity if solar passed the area by.

### The money question

There was quite a bit of discussion among attendees about how much money a solar plant would bring into the area. Amounts of a million dollars or more were suggested, but no actual figures are available for the proposed installation, so it is unclear how much tax money a solar farm would generate for Sidney or Champaign County. Patrick Brown, who represents BayWa, the company from California here to build the largest solar installation, stated at the meeting that Sidney would receive around \$100,000 a year from the proposed 1,300-acre solar plant.

### Noise issues

The ZBA is still considering the threshold for acceptable noise from the inverters. A number of homeowners testified that solar systems make no noise, at least from their small rooftop units. Brown questioned why there needed to be a noise ordinance, since solar was so quiet. "At 500 feet away, you can't even hear it," he said. "Champaign County doesn't even have a noise ordinance now, so why make one?" He argued that the board should not want to "mitigate nothing," which could lead to "nonsense situations."

### 'We get no complaints'

When asked what the number one complaint he gets from those who live around other solar installations, Brown answered, "We don't get any. Call our customers, ask them," he said. "There are no complaints. Weeds, maybe." He added, "We are only doing one project in Illinois, and we thought we could get an ordinance done. This is an attractive place. We want to build here."

### Third meeting scheduled

At the next meeting on April 27, the ZBA plans to discuss the ordinance first, and then open the floor to public comments. The meeting is still scheduled to end at 10 p.m.

## SIDNEY

# Village clean up

by Mindy Basi editor

The garbage problem at the Scarborough apartments is being addressed.

The village board has sent a letter asking for the accumulated garbage to be taken out of the creek and off the banks. The owners have assured the village they will clean it up.

President Chuck White and the Sidney board approved a request by the local

Scout Troop area next hours.

Sidney on April board at \$515 iron and paint, microwave proposal is

## Area Eastern

