

PV SOLAR FARM ORDINANCE COMPARISON

Current Zoning Ordinance	Proposed Amendment dated 08/17/23
<p>PV SOLAR FARM County BOARD SPECIAL USE Permit may only be authorized in the AG-1 Agriculture or the AG-2 Agriculture, Zoning DISTRICT</p>	<p>PV SOLAR FARM SPECIAL USE Permit may only be authorized in the AG-1 Agriculture, AG-2 Agriculture, <u>I-1 Light Industry, and I-2 Heavy Industry Zoning DISTRICTS</u></p>
<p>A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.</p>	<p>A. In what follows, PV SOLAR FARM should be understood to include COMMUNITY PV SOLAR FARM unless specified otherwise in the relevant section or paragraph.</p>
<p>B. General Standard Conditions</p> <p>(1) The area of the PV SOLAR FARM County BOARD SPECIAL USE Permit must include the following minimum areas:</p> <ul style="list-style-type: none"> a. All land that will be exposed to a noise level greater than that authorized to Class A land as established by 35 Ill. Admin. Code Parts 900, 901 and 910 under paragraph 6.1.5I. b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area. c. All necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area. d. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R. 	<p>B. General Standard Conditions</p> <p>(1) The area of the PV SOLAR FARM County BOARD SPECIAL USE Permit must include the following minimum areas:</p> <ul style="list-style-type: none"> a. All land that will be exposed to a noise level greater than that authorized to Class A land as established by 35 Ill. Admin. Code Parts 900, 901 and 910 under paragraph 6.1.5I. b. All necessary access lanes or driveways and any required new PRIVATE ACCESSWAYS. For purposes of determining the minimum area of the SPECIAL USE Permit, access lanes or driveways shall be provided a minimum 40 feet wide area. c. All necessary PV SOLAR FARM STRUCTURES and ACCESSORY STRUCTURES including electrical distribution lines, inverters, transformers, common switching stations, and substations not under the ownership of a PUBLICLY REGULATED UTILITY and all waterwells that will provide water for the PV SOLAR FARM. For purposes of determining the minimum area of the SPECIAL USE Permit, underground cable installations shall be provided a minimum 40 feet wide area. d. All aboveground STRUCTURES and facilities shall be of a type and shall be located in a manner that is consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.

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<p>B. General Standard Conditions <i>(continued)</i></p> <p>(2) The PV SOLAR FARM County BOARD SPECIAL USE Permit shall not be located in the following areas:</p> <p>a. Less than one and one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include the following:</p> <p>(a) No part of a PV SOLAR FARM shall be located within a contiguous growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit.</p> <p>(b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one and one-half miles from any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL USE permit application in addition to any notice otherwise required.</p> <p>(c) The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one and one-half miles of the proposed PV SOLAR FARM.</p>	<p>(2) The PV SOLAR FARM County BOARD SPECIAL USE Permit shall not be located in the following areas:</p> <p>a. Less than one and one-half miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an existing substation. Any request for a waiver of this minimum separation shall include the following:</p> <p>(a) No part of a PV SOLAR FARM shall be located within a contiguous growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed PV SOLAR FARM to a municipal boundary at the time of application for the SPECIAL USE Permit.</p> <p>(b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one and one-half miles from any proposed PV SOLAR FARM upon the receipt of any substantial PV SOLAR FARM SPECIAL USE permit application in addition to any notice otherwise required.</p> <p>(c) The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one and one-half miles of the proposed PV SOLAR FARM.</p>
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<p>B. General Standard Conditions</p> <p>(d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.</p> <p>(e) The public hearing for any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28 day comment period is waived in writing by any relevant municipality.</p> <p>(f) For any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.</p> <p>(g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE Permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE Permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to</p>	<p>B. General Standard Conditions</p> <p>(d) Municipal subdivision approval for any PV SOLAR FARM land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.</p> <p>(e) The public hearing for any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28 day comment period is waived in writing by any relevant municipality.</p> <p>(f) For any proposed PV SOLAR FARM that is located within one and one-half miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.</p> <p>(g) After the initial review of the BOARD recommendation for the PV SOLAR FARM SPECIAL USE Permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the PV SOLAR FARM SPECIAL USE Permit shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to</p>
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<p>B. General Standard Conditions</p> <p>allow comments regarding the PV SOLAR FARM SPECIAL USE Permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the COUNTY BOARD, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one and one-half miles of a municipality the Environment and Land Use Committee recommendation can be referred to the COUNTY BOARD without a comment period.</p> <p style="margin-left: 40px;">(h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one and one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY BOARD, the ZONING ADMINISTRATOR shall provide documentation to the COUNTY BOARD that any municipality within one and one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY BOARD.</p> <p style="margin-left: 20px;">(3) Interconnection to the power grid</p> <p style="margin-left: 40px;">a. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.</p>	<p>B. General Standard Conditions</p> <p>allow comments regarding the PV SOLAR FARM SPECIAL USE Permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the COUNTY BOARD, unless the municipal comment period is waived in writing by any relevant municipality. If a PV SOLAR FARM is not located within one and one-half miles of a municipality the Environment and Land Use Committee recommendation can be referred to the COUNTY BOARD without a comment period.</p> <p style="margin-left: 40px;">(h) If no municipal resolution regarding the PV SOLAR FARM is received from any municipality located within one and one-half miles of the PV SOLAR FARM prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY BOARD, the ZONING ADMINISTRATOR shall provide documentation to the COUNTY BOARD that any municipality within one and one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY BOARD.</p> <p style="margin-left: 20px;">(3) Interconnection to the power grid</p> <p style="margin-left: 40px;">a. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant or PV SOLAR FARM is in the queue to acquire an interconnection agreement to the power grid.</p>
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<p>B. General Standard Conditions</p> <p>b. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.</p> <p>(4) Right to farm</p> <p>a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.</p>	<p>B. General Standard Conditions</p> <p>b. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM.</p> <p>(4) Right to farm</p> <p>a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.</p>
<p>C. Minimum LOT Standards</p> <p>(1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/or for PV SOLAR FARM maintenance and management facilities.</p> <p>(2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.</p>	<p>C. Minimum LOT Standards</p> <p>(1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, SETBACK, YARD, or maximum LOT COVERAGE requirements for a PV SOLAR FARM or for LOTS for PV SOLAR FARM substations and/or for PV SOLAR FARM maintenance and management facilities.</p> <p>(2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.</p>
<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES</p> <p>The location of each PV SOLAR FARM shall provide the following required separations as measured from the exterior of the above ground portion of the PV SOLAR FARM STRUCTURES and equipment including fencing:</p> <p>(1) PV SOLAR FARM fencing shall be set back from the street centerline a minimum of 40 feet from a MINOR STREET and a minimum 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.5M.2.a. but</p>	<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES</p> <p>The location of each PV SOLAR FARM shall provide the following required separations as measured from the exterior of the above ground portion of the PV SOLAR FARM STRUCTURES and equipment including fencing:</p> <p>(1) PV SOLAR FARM fencing shall be set back from the street centerline a minimum of 40-50 feet from a MINOR STREET and a minimum 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section</p>

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<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES <i>(continued)</i></p> <p>in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET.</p> <p>(2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.</p> <p>(3) For properties not participating in the solar farm:</p> <p style="margin-left: 40px;">a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):</p> <p style="margin-left: 80px;">(a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET)</p>	<p style="color: red;">6.1.5M.2.a. but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.</p> <p>(2) For properties participating in the solar farm: No required separation from any existing DWELLING or existing PRINCIPAL BUILDING except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.</p> <p>(3) For properties not participating in the solar farm:</p> <p style="margin-left: 40px;">a. <u>A separation of 50 feet between the nearest edge of any component of the PV SOLAR FARM and the nearest point on the property line of the non-participating property. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.</u></p> <p style="margin-left: 40px;">b. <u>A separation of 150 feet from the nearest edge of any component of the PV SOLAR FARM and the nearest point on the outside wall of an OCCUPIED COMMUNITY BUILDING or NON-PARTICIPATING DWELLING. This separation is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased except as may be required to comply with the applicable noise regulations of the Illinois Pollution Control Board.</u></p> <p style="margin-left: 40px;">a. For any adjacent LOT that is 10 acres or less in area (not including the STREET RIGHT OF WAY):</p> <p style="margin-left: 80px;">(a) For any adjacent LOT that is bordered (directly abutting and/or across the STREET)</p>
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<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES <i>(continued)</i></p> <p>on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.</p> <p>(b) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the PV SOLAR FARM, the separation shall exceed 240 feet as deemed necessary by the BOARD.</p> <p>b. For any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY), the separation shall be no less than 255 feet from any existing DWELLING or existing PRINCIPAL BUILDING and otherwise the perimeter fencing shall be a minimum of 10 feet from a SIDE or REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.</p> <p>c. Additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.</p> <p>(4) A separation of at least 500 feet from any of the following unless the SPECIAL USE Permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:</p>	<p style="color: red;">on no more than two sides by the PV SOLAR FARM, the separation shall be no less than 240 feet from the property line.</p> <p style="color: red;">(b) For any adjacent LOT that is bordered (directly abutting and/or across the STREET) on more than two sides by the PV SOLAR FARM, the separation shall exceed 240 feet as deemed necessary by the BOARD.</p> <p style="color: red;">b. For any adjacent LOT that is more than 10 acres in area (not including the STREET RIGHT OF WAY), the separation shall be no less than 255 feet from any existing DWELLING or existing PRINCIPAL BUILDING and otherwise the perimeter fencing shall be a minimum of 10 feet from a SIDE or REAR LOT LINE. This separation distance applies to properties that are adjacent to or across a STREET from a PV SOLAR FARM.</p> <p style="color: red;">c. Additional separation may be required to ensure that the noise level required by 35 Ill. Admin. Code Parts 900, 901 and 910 is not exceeded or for other purposes deemed necessary by the BOARD.</p> <p>(4) A separation of at least 500 feet from any of the following unless the SPECIAL USE Permit application includes results provided from an analysis using the Solar Glare Hazard Analysis Tool (SGHAT) for the Airport Traffic Control Tower cab and final approach paths, consistent with the Interim Policy, Federal Aviation Administration (FAA) Review of Solar Energy Projects on Federally Obligated Airports, or the most recent version adopted by the FAA, and the SGHAT results show no detrimental affect with less than a 500 feet separation from any of the following:</p>
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<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES <i>(continued)</i></p> <ul style="list-style-type: none"> a. any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or b. any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE Permit and that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or c. any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT. <p>(5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.</p> <p>(6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.</p> <p>(7) Separation distances for any PV SOLAR FARM with solar equipment exceeding 8 feet in height, with the exception of transmission lines which may be taller, shall be determined by the BOARD on a case-by-case basis.</p>	<ul style="list-style-type: none"> a. any AIRPORT premises or any AIRPORT approach zone within five miles of the end of the AIRPORT runway; or b. any RESTRICTED LANDING AREA that is NONCONFORMING or which has been authorized by SPECIAL USE Permit and that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESTRICTED LANDING AREA; or c. any RESIDENTIAL AIRPORT that existed on or for which there had been a complete SPECIAL USE Permit application received by April 22, 2010, or any approach zone for any such RESIDENTIAL AIRPORT. <p>(5) A separation of at least 500 feet between substations and transmission lines of greater than 34.5 kVA to adjacent dwellings and residential DISTRICTS.</p> <p>(6) Electrical inverters shall be located as far as possible from property lines and adjacent DWELLINGS consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.</p> <p>(7) Separation distances for any PV SOLAR FARM with solar equipment exceeding 8 feet in height, with the exception of transmission lines which may be taller, shall be determined by the BOARD on a case-by-case basis.</p>
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<p>D. Minimum Standard Conditions for Separations for PV SOLAR FARM from adjacent USES and STRUCTURES <i>(continued)</i></p> <p>(8) PV SOLAR FARM solar equipment other than inverters shall be no less than 26 feet from the property line of any lot more than 10 acres in area.</p>	<p>(8) PV SOLAR FARM solar equipment other than inverters shall be no less than 26 feet from the property line of any lot more than 10 acres in area.</p>
<p>E. Standard Conditions for Design and Installation of any PV SOLAR FARM.</p> <p>(1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.</p> <p>(2) Electrical Components</p> <p>a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.</p> <p>b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV SOLAR FARM construction and minimizing impacts on agricultural drainage tile.</p> <p>(3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit.</p>	<p>E. Standard Conditions for Design and Installation of any PV SOLAR FARM.</p> <p>(1) Any building that is part of a PV SOLAR FARM shall include as a requirement for a Zoning Compliance Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 96-704 regarding building code compliance and conforms to the Illinois Accessibility Code.</p> <p>(2) Electrical Components</p> <p>a. All electrical components of the PV SOLAR FARM shall conform to the National Electrical Code as amended and shall comply with Federal Communications Commission (FCC) requirements.</p> <p>b. Burying power and communication wiring underground shall be minimized consistent with best management practice regarding PV SOLAR FARM construction and minimizing impacts on agricultural drainage tile.</p> <p>(3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a PV SOLAR FARM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit. <u>No component of a solar panel shall have a height of more than 20 feet above ground when the solar arrays are at full tilt. This height limit is a statutory requirement by 55 ILCS 5/5-12020 and shall not be increased.</u></p>

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<p>E. Standard Conditions for Design and Installation of any PV SOLAR FARM.</p> <p>(4) Warnings</p> <p>a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.</p> <p>(5) No construction may intrude on any easement or right-of-way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.</p>	<p>(4) Warnings</p> <p>a. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations.</p> <p>(5) No construction may intrude on any easement or right-of-way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.</p>
<p>F. Standard Conditions to Mitigate Damage to Farmland</p> <p>(1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth of 5 feet below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile or a lesser depth if so authorized by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.</p> <p>(2) Protection of agricultural drainage tile</p> <p>a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The</p>	<p>(1) All underground wiring or cabling for the PV SOLAR FARM shall be at a minimum depth of 5 feet below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile or a lesser depth if so authorized <u>as established</u> by the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7R</u>.</p> <p>(2) Protection of agricultural drainage tile</p> <p>a. <u>Protection of agricultural drainage tile shall comply with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture as required by Section 6.1.7 R.</u></p> <p>b. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary PV SOLAR FARM access lanes or driveways, construction of any PV SOLAR FARM STRUCTURES, any common switching stations, substations, and installation of underground wiring or cabling. The</p>

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<p>F. Standard Conditions to Mitigate Damage to Farmland (continued)</p> <p>applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.</p> <p>b. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:</p> <p>(a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.</p> <p>(b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the PV SOLAR FARM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the PV SOLAR FARM SPECIAL USE Permit.</p> <p>(c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage</p>	<p>applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to <u>any likely</u> disruption of <u>a drainage district</u> tile.</p> <p><u>c.</u> The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:</p> <p>(a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.</p> <p>(b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the PV SOLAR FARM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the PV SOLAR FARM SPECIAL USE Permit.</p> <p>(c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage</p>
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<p>F. Standard Conditions to Mitigate Damage to Farmland (continued)</p> <p>district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.</p> <p>c. Any agricultural drainage tile located underneath construction staging areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.</p> <p>d. Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance.</p> <p>e. Conformance of any relocation of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the</p>	<p>district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.</p> <p><u>d.</u> Any agricultural drainage tile located underneath construction staging areas, access lanes, driveways, any common switching stations, and substations shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.</p> <p><u>e.</u> Any agricultural drainage tile that must be relocated shall be relocated as required in the Champaign County Storm Water Management and Erosion Control Ordinance <u>and consistent with the Agriculture Impact Mitigation Agreement with the Illinois Department of Agriculture.</u></p> <p><u>f.</u> <u>The applicant shall coordinate with the drainage district and provide a drainage district 48 hours to inspect all trenches and/or excavations in the vicinity of suspected drainage district tile locations in order to verify any damage or disturbance to drainage district tile.</u></p> <p><u>g.</u> Conformance of any relocation <u>and/or repair</u> of drainage district tile with the Champaign County Storm Water Management and Erosion Control Ordinance shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated <u>and/or repaired</u> drain tile and a copy of the</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p>Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.</p> <p>f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.</p> <p>g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.</p> <p>h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R. and shall not be waived or modified except as authorized in the SPECIAL USE Permit.</p> <p>i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.</p>	<p>approval shall be submitted to the Zoning Administrator. As-built drawings <u>of any relocated and/or repaired district tile</u> shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.</p> <p><u>h.</u> All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed. <u>In addition, the location of damaged drain tile lines shall be recorded using Global Positioning Systems (GPS) technology.</u></p> <p><u>i.</u> All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.</p> <p><u>i.</u> Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage. All permanent and temporary tile repairs shall be made as detailed in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7 R.</u> and shall not be waived or modified except as authorized in the SPECIAL USE Permit.</p> <p>i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p>j. Following completion of the PV SOLAR FARM construction, the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant.</p> <p>(3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by PV SOLAR FARM construction and/or decommissioning shall be restored by the applicant to the pre-PV SOLAR FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.</p> <p>(4) Topsoil replacement</p> <p>For any open trenching required pursuant to PV SOLAR FARM construction, the topsoil shall be stripped and replaced as follows:</p> <p>a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that that it will not become intermixed with subsoil materials.</p> <p>b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.</p> <p>c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.</p>	<p>j. Following completion of the PV SOLAR FARM construction, the applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant.</p> <p>(3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by PV SOLAR FARM construction and/or decommissioning shall be restored by the applicant to the pre-PV SOLAR FARM construction condition in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7 R</u>.</p> <p>(4) Topsoil replacement</p> <p>For any open trenching required pursuant to PV SOLAR FARM construction, the topsoil shall be stripped and replaced as follows:</p> <p>a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage. The topsoil shall be stored in a windrow parallel to the trench in such a manner that that it will not become intermixed with subsoil materials.</p> <p>b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.</p> <p>c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p>d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.</p> <p>e. All topsoil shall be placed in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.</p> <p>(5) Mitigation of soil compacting and rutting</p> <p>a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the PV SOLAR FARM lease.</p> <p>b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.</p> <p>c. All mitigation of soil compaction and rutting shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.</p> <p>(6) Land leveling</p> <p>a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.</p> <p>b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall level all disturbed land as follows:</p>	<p>d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.</p> <p><u>ea.</u> All topsoil shall be placed in a manner consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7 R.</u></p> <p>(5) Mitigation of soil compacting and rutting</p> <p>a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the PV SOLAR FARM lease.</p> <p>b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.</p> <p><u>eb.</u> All mitigation of soil compaction and rutting shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7 R.</u></p> <p>(6) Land leveling</p> <p>a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the PV SOLAR FARM lease.</p> <p>b. Unless specifically provided for otherwise in the PV SOLAR FARM lease, the Applicant shall level all disturbed land as follows:</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p>(a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.</p> <p>(b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.</p> <p>c. All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R.</p> <p>(7) Permanent Erosion and Sedimentation Control Plan</p> <p>a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.</p> <p>b. As-built documentation of all permanent soil erosion and sedimentation improvements for the PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.</p>	<p>(a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.</p> <p>(b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.</p> <p><u>eb.</u> All land leveling shall be consistent with the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph <u>6.1.7 R</u>.</p> <p>(7) Permanent Erosion and Sedimentation Control Plan</p> <p>a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the PV SOLAR FARM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.</p> <p>b. As-built documentation of all permanent soil erosion and sedimentation improvements for the PV SOLAR FARM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p>(8) Retention of all topsoil</p> <p>No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the PV SOLAR FARM.</p> <p>(9) Minimize disturbance to BEST PRIME FARMLAND</p> <p>a. Any PV SOLAR FARM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:</p> <p>(a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the PV SOLAR FARM shall be minimized at all times consistent with good engineering practice.</p> <p>(b) Disturbance to BEST PRIME FARMLAND shall be offset by establishment of a vegetative ground cover within the PV SOLAR FARM that includes the following:</p> <p>i. The vegetative ground cover shall use native plant species as much as possible and shall be based on a site assessment of the site geography and soil conditions.</p> <p>ii. The species selected shall serve a secondary habitat purpose as much as possible.</p> <p>iii. Maintenance of the vegetative ground cover shall use a combination of management approaches to ensure safe, cost-effective, reliable</p>	<p>(8) Retention of all topsoil</p> <p>No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the PV SOLAR FARM.</p> <p>(9) Minimize disturbance to BEST PRIME FARMLAND</p> <p>a. Any PV SOLAR FARM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:</p> <p>(a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the PV SOLAR FARM shall be minimized at all times consistent with good engineering practice.</p> <p>(b) Disturbance to BEST PRIME FARMLAND shall be offset by establishment of a vegetative ground cover within the PV SOLAR FARM that includes the following:</p> <p>i. The vegetative ground cover shall use native plant species as much as possible and shall be based on a site assessment of the site geography and soil conditions.</p> <p>ii. The species selected shall serve a secondary habitat purpose as much as possible.</p> <p>iii. Maintenance of the vegetative ground cover shall use a combination of management approaches to ensure safe, cost-effective, reliable</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>F. Standard Conditions to Mitigate Damage to Farmland <i>(continued)</i></p> <p style="padding-left: 40px;">maintenance while minimizing environmental risks.</p> <p style="padding-left: 80px;">iv. The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE Permit application. The landscape plan shall include the weed control plan required by Section 6.1.5 P.3.</p>	<p style="padding-left: 40px;">maintenance while minimizing environmental risks.</p> <p style="padding-left: 80px;">iv. The plan to establish and maintain a vegetative ground cover that includes native plant species as much as possible shall be detailed in a landscape plan included in the PV SOLAR FARM SPECIAL USE Permit application. The landscape plan shall include the weed control plan required by Section <u>6.1.7 P.3</u>.</p>
<p>G. Standard Conditions for Use of Public Streets</p>	<p>No change.</p>
<p>H. Standard Conditions for Coordination with Local Fire Protection District</p> <p>(1) The Applicant shall submit to the local fire protection district a copy of the site plan.</p> <p>(2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district’s emergency response plan.</p> <p>(3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.</p>	<p>H. Standard Conditions for Coordination with Local Fire Protection District</p> <p>(1) The Applicant shall submit to the local fire protection district a copy of the site plan.</p> <p>(2) Upon request by the local fire protection district, the Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district’s emergency response plan.</p> <p>(3) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.</p>
<p>I. Standard Conditions for Allowable Noise Level</p> <p>(1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (<i>35 Illinois Administrative Code</i>, Subtitle H: Noise, Parts 900, 901, 910).</p>	<p>(1) Noise levels from any PV SOLAR FARM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (<i>35 Illinois Administrative Code</i>, Subtitle H: Noise, Parts 900, 901, 910). <u>This is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.</u></p>

PV SOLAR FARM ORDINANCE COMPARISON

<p>I. Standard Conditions for Allowable Noise Level <i>(continued)</i></p> <p>(2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed PV SOLAR FARM equipment necessary for a competent noise analysis.</p> <p>(3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:</p> <p>a. The SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:</p> <p>(a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.</p> <p>(b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.</p> <p>(c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.</p> <p>(d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as</p>	<p>(2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed PV SOLAR FARM equipment necessary for a competent noise analysis.</p> <p>(3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:</p> <p>a. The SPECIAL USE Permit application for other than a COMMUNITY PV SOLAR FARM shall include a noise analysis that includes the following:</p> <p>(a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed PV SOLAR FARM.</p> <p>(b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed PV SOLAR FARM within 1,500 feet of the proposed PV SOLAR FARM.</p> <p>(c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed PV SOLAR FARM.</p> <p>(d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>I. Standard Conditions for Allowable Noise Level <i>(continued)</i></p> <p style="padding-left: 40px;">simply as possible verify the anticipated sound data and sound levels.</p> <p style="padding-left: 80px;">b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph 6.1.5I.(3)a.</p> <p>(4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:</p> <p style="padding-left: 40px;">a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.</p> <p style="padding-left: 80px;">b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.</p>	<p style="padding-left: 40px;">simply as possible verify the anticipated sound data and sound levels.</p> <p style="padding-left: 80px;">b. For a COMMUNITY PV SOLAR FARM the Board may require submission of a noise analysis that meets the standard of paragraph <u>6.1.7 G.(3)a.</u></p> <p>(4) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:</p> <p style="padding-left: 40px;">a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise that have been received by the Complaint Hotline.</p> <p style="padding-left: 80px;">b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.</p>
<p>J. Standard Conditions for Endangered Species Consultation</p>	<p>No change.</p>
<p>K. Standard Conditions for Historic and Archaeological Resources Review</p>	<p>No change.</p>
<p>L. Standard Conditions for Acceptable Wildlife Impacts</p> <p>The PV SOLAR FARM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality.</p>	<p>L. Standard Conditions for Acceptable <u>Fish and Wildlife Impacts</u></p> <p>The PV SOLAR FARM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality.</p> <p><u>1. The applicant shall apply for consultation with the United States Fish and Wildlife Service’s Information for Planning</u></p>

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<p>L. Standard Conditions for Acceptable Wildlife Impacts <i>(continued)</i></p>	<p style="text-align: center;"><u>and Consulting environmental review or a comparable successor tool that is consistent with any applicable United States Fish and Wildlife Service solar wildlife guidelines that have been subject to public review. The application shall include a copy of the consultation review by the U.S. Fish and Wildlife Service.</u></p>
<p>M. Screening and Fencing</p> <p>(1) Perimeter fencing</p> <p>a. PV SOLAR FARM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 7 feet.</p> <p>b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.</p> <p>c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS ae controlled or eradicated consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et. seq.). Management of the vegetation shall be explained in the application.</p> <p>(2) Screening</p> <p>a. A visual screen shall be provided around the perimeter of the PV SOLAR FARM as follows:</p> <p>(a) The visual screen shall be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the full 1,000 feet of an existing DWELLING or residential DISTRICT provided</p>	<p>M. Screening and Fencing</p> <p>(1) Perimeter fencing</p> <p>a. PV SOLAR FARM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 7-6 feet <u>and no more than 25 feet. This limit on fence height is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.</u></p> <p>b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.</p> <p>c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS ae controlled or eradicated consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 et. seq.). Management of the vegetation shall be explained in the application.</p> <p>(2) Screening</p> <p>a. A visual screen shall be provided around the perimeter of the PV SOLAR FARM as follows:</p> <p>(a) The visual screen shall be provided for any part of the PV SOLAR FARM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the full 1,000 feet of an existing DWELLING or residential DISTRICT provided</p>

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<p>M. Screening and Fencing <i>(continued)</i></p> <p>the Applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the PV SOLAR FARM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.</p> <p>(b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.</p> <p>(c) The visual screen shall be a vegetated buffer as follows:</p> <p style="margin-left: 20px;">i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native greases and other native flowering plants and/or an area of agricultural crop production that will conceal the PV SOLAR FARM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.</p> <p style="margin-left: 20px;">ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the PV</p>	<p>the Applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the PV SOLAR FARM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.</p> <p>(b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.</p> <p>(c) The visual screen shall be a vegetated buffer as follows:</p> <p style="margin-left: 20px;">i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native greases and other native flowering plants and/or an area of agricultural crop production that will conceal the PV SOLAR FARM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.</p> <p style="margin-left: 20px;">ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the PV</p>
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<p>M. Screening and Fencing <i>(continued)</i></p> <p>SOLAR FARM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.</p> <p>iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.</p> <p>iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than 8 feet tall provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the</p>	<p>SOLAR FARM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.</p> <p>iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a 50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the PV SOLAR FARM fence while still providing adequate clearance for maintenance.</p> <p>iv. A planting of tall native grasses and other native flowering plants may be used as a visual screen buffer for any PV module installation that is no more than 8 feet tall provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the</p>
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<p>M. Screening and Fencing <i>(continued)</i></p> <p>PV SOLAR FARM perimeter fence is opaque.</p> <p>v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.</p> <p>vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE Permit application.</p>	<p>PV SOLAR FARM perimeter fence is opaque.</p> <p>v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the PV SOLAR FARM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.</p> <p>vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the PV SOLAR FARM SPECIAL USE Permit application.</p>
<p>N. Standard Conditions to Minimize Glare</p> <p>(1) The design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties and the application shall include an explanation of how glare will be minimized.</p> <p>(2) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate complaints of glare in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any significant glare that is occurring, including but not limited to the following:</p>	<p>N. Standard Conditions to Minimize Glare</p> <p>(1) The design and construction of the PV SOLAR FARM shall minimize glare that may affect adjacent properties and the application shall include an explanation of how glare will be minimized.</p> <p>(2) After construction of the PV SOLAR FARM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate complaints of glare in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any significant glare that is occurring, including but not limited to the following:</p>

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<p>N. Standard Conditions to Minimize Glare <i>(continued)</i></p> <ul style="list-style-type: none"> a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about glare that have been received by the Complaint Hotline. b. If the Environment and Land Use Committee determines that the glare is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive glare such as the installation of additional screening. 	<p>N. Standard Conditions to Minimize Glare <i>(continued)</i></p> <ul style="list-style-type: none"> a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about glare that have been received by the Complaint Hotline. b. If the Environment and Land Use Committee determines that the glare is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take reasonable steps to mitigate the excessive glare such as the installation of additional screening.
<p>O. Standard Condition for Liability Insurance</p> <ul style="list-style-type: none"> (1) The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate. (2) The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured. 	<p>O. Standard Condition for Liability Insurance</p> <ul style="list-style-type: none"> (1) The Owner or Operator of the PV SOLAR FARM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate. (2) The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.
<p>P. Operational Standard Conditions</p> <ul style="list-style-type: none"> (1) Maintenance <ul style="list-style-type: none"> a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests. b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County BOARD SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of 	<p>P. Operational Standard Conditions</p> <ul style="list-style-type: none"> (1) Maintenance <ul style="list-style-type: none"> a. The Owner or Operator of the PV SOLAR FARM must submit, on an annual basis, a summary of operation and maintenance reports to the Environment and Land Use Committee and any other operation and maintenance reports as the Environment and Land Use Committee reasonably requests. b. Any physical modification to the PV SOLAR FARM that increases the number of solar conversion devices or structures and/or the land area occupied by the PV SOLAR FARM shall require a new County BOARD SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of

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<p>P. Operational Standard Conditions <i>(continued)</i></p> <p style="padding-left: 40px;">transformers, cabling, etc. provided replacement is done in fashion similar to the original installation.</p> <p style="padding-left: 20px;">c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.</p> <p>(2) Materials Handling, Storage and Disposal</p> <p style="padding-left: 20px;">a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.</p> <p style="padding-left: 20px;">b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.</p> <p>(3) Vegetation management</p> <p style="padding-left: 20px;">a. The PV SOLAR FARM SPECIAL USE Permit application shall include a weed control plan for the total area of the SPECIAL USE Permit including areas both inside of and outside of the perimeter fencing.</p> <p style="padding-left: 20px;">b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (55 <i>ILCS</i> 100/1 <i>et. seq.</i>).</p>	<p>P. Operational Standard Conditions <i>(continued)</i></p> <p style="padding-left: 40px;">transformers, cabling, etc. provided replacement is done in fashion similar to the original installation.</p> <p style="padding-left: 20px;">c. The Application shall explain methods and materials used to clean the PV SOLAR FARM equipment including an estimation of the daily and annual gallons of water used and the source of the water and management of wastewater. The BOARD may request copies of well records from the Illinois State Water Survey and may require an estimate by a qualified hydrogeologist of the likely impact on adjacent waterwells.</p> <p>(2) Materials Handling, Storage and Disposal</p> <p style="padding-left: 20px;">a. All solid wastes related to the construction, operation and maintenance of the PV SOLAR FARM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.</p> <p style="padding-left: 20px;">b. All hazardous materials related to the construction, operation and maintenance of the PV SOLAR FARM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.</p> <p>(3) Vegetation management</p> <p style="padding-left: 20px;">a. The PV SOLAR FARM SPECIAL USE Permit application shall include a weed control plan for the total area of the SPECIAL USE Permit including areas both inside of and outside of the perimeter fencing.</p> <p style="padding-left: 20px;">b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (55 <i>ILCS</i> 100/1 <i>et. seq.</i>).</p>
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<p>P. Operational Standard Conditions <i>(continued)</i></p> <p>c. The weed control plan shall be explained in the application.</p>	<p>c. The weed control plan shall be explained in the application.</p>
<p>Q. Decommissioning and Site Reclamation Plan</p> <p>(1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A.</p> <p>(2) In addition to the purposes listed in subparagraph 6.1.1A.4., the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.</p> <p>(3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:</p> <p>a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.</p> <p>b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant’s financial interest in the PV SOLAR FARM shall in no way affect or change the applicant’s obligation to continue to comply with the terms of</p>	<p>(1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A. <u>and matching the overall deconstruction and land restoration requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. The decommissioning and deconstruction requirements of the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.</u></p> <p>(2) In addition to the purposes listed in subparagraph 6.1.1A.4., the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the PV SOLAR FARM and all costs related to removal of access driveways.</p> <p>(3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:</p> <p>a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.</p> <p>b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant’s financial interest in the PV SOLAR FARM shall in no way affect or change the applicant’s obligation to continue to comply with the terms of</p>

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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.</p> <p>c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.</p> <p>d. A stipulation that at such time as decommissioning takes place the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.</p> <p>e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.</p> <p>f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial</p>	<p>this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the PV SOLAR FARM.</p> <p>c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the PV SOLAR FARM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.</p> <p>d. A stipulation that at such time as decommissioning takes place the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.</p> <p>e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.</p> <p>f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the PV SOLAR FARM or prior to ceasing production of electricity from the PV SOLAR FARM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>assurance and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.</p> <p>g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign COUNTY may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to: attorney’s fees; construction management and other professional fees; and, the costs of preparing requests for proposals and bidding documents required to comply with State law or Champaign COUNTY purchasing policies.</p> <p>h. The depth of removal of foundation concrete below ground shall be a minimum of 54 inches. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.</p> <p>i. Underground electrical cables of a depth of 5 feet or greater may be left in place.</p> <p>j. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled as follows:</p>	<p>assurance and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.</p> <p>g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign COUNTY may incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to: attorney’s fees; construction management and other professional fees; and, the costs of preparing requests for proposals and bidding documents required to comply with State law or Champaign COUNTY purchasing policies.</p> <p>h. The depth of removal of foundation concrete below ground shall be <u>a minimum of 54 inches as required in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture</u>. The depth of removal of foundation concrete shall be certified in writing by an Illinois Licensed Professional Engineer and the certification shall be submitted to the Zoning Administrator.</p> <p>i. Underground electrical cables of a depth of 5 feet or greater may be left in place.</p> <p>j. The hole resulting from the removal of foundation concrete during decommissioning shall be backfilled <u>as follows: as required in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture</u>.</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>(a) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.</p> <p>(b) The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.</p> <p>(c) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist of Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.</p>	<p>(a) The excavation resulting from the removal of foundation concrete shall only be backfilled with subsoil and topsoil in similar depths and similar types as existed at the time of the original PV SOLAR FARM construction except that a lesser quality topsoil or a combination of a lesser quality topsoil and a subsoil that is similar to the native subsoil may be used at depths corresponding to the native subsoil but not less than 12 inches below grade.</p> <p>(b) The native soils excavated at the time of the original PV SOLAR FARM construction may be used to backfill the concrete foundation excavations at the time of decommissioning provided that the soils are adequately stored throughout the operating lifetime of the PV SOLAR FARM. The methods for storing the excavated native soils during the operating lifetime of the PV SOLAR FARM shall be included in the decommissioning and site reclamation plan.</p> <p>(c) If the excavated native soils are not stored for use for backfilling the concrete foundation excavations, a qualified soil scientist of Illinois Licensed Professional Engineer shall certify that the actual soils used to backfill the concrete foundation excavations are of equal or greater quality than the native soils or that, in the case of subsoil, the backfill soil meets the requirements of this paragraph. The certification shall be submitted to the Zoning Administrator.</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>(d) An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.</p> <p>k. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE Permit shall be deemed void.</p> <p>l. A stipulation that the Applicant’s obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant’s obligation to provide financial assurance.</p> <p>m. A stipulation that the liability of the Applicant’s failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of financial assurance.</p> <p>n. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of</p>	<p>(d) — An Illinois Licensed Professional Engineer shall certify in writing that the concrete foundation excavations have been backfilled with soil to such a depth and with a minimum of compaction that is consistent with the restoration of productive agricultural use such that the depth of soil is expected to be no less than 54 inches within one year after backfilling.</p> <p>k. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the PV SOLAR FARM SPECIAL USE Permit shall be deemed void.</p> <p>l. A stipulation that the Applicant’s obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant’s obligation to provide financial assurance.</p> <p>m. A stipulation that the liability of the Applicant’s failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of financial assurance.</p> <p>n. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the PV SOLAR FARM begins to produce electricity, at any point, the Applicant shall first obtain the consent of</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>the Zoning Administrator. If the Applicant’s lien holders remove equipment or property credited t the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.</p> <p>(4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:</p> <p>a. At the time of SPECIAL USE Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer’s cost estimate to complete the decommissioning work described in Section 6.1.1A.4.a. and 6.1.1A.4.b., and 6.1.1A.4c. and shall otherwise be compliant with Section 6.1.1A.5. except that if the PV SOLAR FARM 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, financial assurance may be provided for the decommissioning and site reclamation plan as follows:</p> <p>(a) No Zoning Use Permit to authorize construction of the PV SOLAR FARM shall be authorized by the Zoning Administrator until the PV SOLAR FARM owner shall provide the COUNTY with financial assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer’s cost estimate to complete the</p>	<p>the Zoning Administrator. If the Applicant’s lien holders remove equipment or property credited t the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.</p> <p>(4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:</p> <p>a. At the time of SPECIAL USE Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer’s cost estimate to complete the decommissioning work described in Section 6.1.1A.4.a. and 6.1.1A.4.b., and 6.1.1A.4c. and shall otherwise be compliant with Section 6.1.1A.5. except that if the PV SOLAR FARM 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, financial assurance may be provided for the decommissioning and site reclamation plan as follows:</p> <p><u>a. (a)</u>—No Zoning Use Permit to authorize construction of the PV SOLAR FARM shall be authorized by the Zoning Administrator until the PV SOLAR FARM owner shall provide the COUNTY with financial assurance to cover 12.5% <u>10%</u> of the decommissioning <u>and site reclamation</u> cost as determined in the independent engineer’s cost estimate to complete the decommissioning work</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>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.</p> <p>(b) On or before the sixth anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer’s cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.</p> <p>(c) On or before the eleventh anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 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.</p> <p>b. Net salvage value may be deducted for decommissioning costs as follows:</p> <p>(a) One of the following standards shall be met:</p>	<p>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.</p> <p>b.(b) On or before the sixth anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 62.5% <u>50%</u> of the decommissioning <u>and site reclamation</u> 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.</p> <p>c.(c) On or before the eleventh anniversary of the Commercial Operation Date, the PV SOLAR FARM Owner shall provide the COUNTY with Financial Assurance to cover 125% <u>100%</u> of the decommissioning <u>and site reclamation</u> 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. <u>and as determined in the updated decommissioning and site reclamation plan filed with the County on or before the end of the tenth year of commercial operation.</u></p> <p><u>d.</u> Net salvage value may be deducted for decommissioning costs as follows:</p> <p>(a) One of the following standards shall be met:</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <ul style="list-style-type: none"> i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage vale credit the amount of any lien or encumbrance on the PV SOLAR FARM; or iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done. <p>(b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.5Q.4.b.(1). prior to the issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time</p>	<ul style="list-style-type: none"> i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the PV SOLAR FARM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage vale credit the amount of any lien or encumbrance on the PV SOLAR FARM; or iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done. <p>(b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.7 M.4.b.(1). prior to the issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>upon the request of the Zoning Administrator.</p> <p>(c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.</p> <p>(d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.</p> <p>(e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.</p> <p>(f) 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</p>	<p>upon the request of the Zoning Administrator.</p> <p>(c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.</p> <p>(d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the PV SOLAR FARM STRUCTURES, equipment, and access roads.</p> <p>(e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.</p> <p>(f) 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</p>
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<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>available in the event that decommissioning is actually required.</p> <p>(g) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.</p> <p>(h) The credit for net estimated salvage value attributable to any PV SOLAR FARM may not exceed the estimated cost of removal of the above-ground portion of that PV SOLAR FARM on the subject site.</p> <p>c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.</p> <p>d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:</p> <p>(a) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the PV SOLAR FARM modules have an unlimited warranty of a least 10 years and also have a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant, its</p>	<p>available in the event that decommissioning is actually required.</p> <p>(g) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.</p> <p>(h) The credit for net estimated salvage value attributable to any PV SOLAR FARM may not exceed the estimated cost of removal of the above-ground portion of that PV SOLAR FARM on the subject site.</p> <p>e. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.</p> <p>f. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:</p> <p>(a) At least once every three years for the first 12 years of the financial assurance and at least once every two years thereafter or, if the PV SOLAR FARM modules have an unlimited warranty of a least 10 years and also have a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, then at least once every five years for the first 25 years of the financial assurance and at least once every two years thereafter, the Applicant, its</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer’s report to the Zoning Administrator.</p> <p style="margin-left: 40px;">(b) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer’s cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the PV SOLAR FARM was approved.</p>	<p style="color: red;">successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer’s report to the Zoning Administrator. The Applicant or its successors in interest shall file an updated decommissioning and site reclamation plan with the County on or before the end of the tenth year of commercial operation.</p> <p style="color: red;"><u>(b) The County shall reevaluate the estimated costs of decommissioning and site reclamation every five years after the tenth anniversary of the commercial operation date. The solar farm owner shall provide an updated estimated cost of decommissioning and site reclamation that is provided by an independent Illinois licensed professional engineer.</u></p> <p style="margin-left: 40px;">(c) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer’s cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the PV SOLAR FARM was approved.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>e. The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor’s Financial Services LLC (S&P) and Moody’s Investors Service (Moody’s) shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating, as follows:</p> <p>(a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by Standard and Poor’s Financial Services LLC (S&P) and/or Moody’s Investors Service (Moody’s) and/or the Kroll Bond Rating Agency.</p> <p>(b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A-” by S&P or a rating of “A3” by Moody’s, or a rating of “A-” by Kroll Bond Rating Agency.</p> <p>(c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody’s, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody’s, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.</p>	<p>g. The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor’s Financial Services LLC (S&P) and Moody’s Investors Service (Moody’s) shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating, as follows:</p> <p>(a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by Standard and Poor’s Financial Services LLC (S&P) and/or Moody’s Investors Service (Moody’s) and/or the Kroll Bond Rating Agency.</p> <p>(b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of “A-” by S&P or a rating of “A3” by Moody’s, or a rating of “A-” by Kroll Bond Rating Agency.</p> <p>(c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody’s, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody’s, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>f. At all times the value of the irrevocable letter of credit shall be increased annually as necessary to reflect actual rates of inflation over the life span of the PV SOLAR FARM and the amount shall be equal to or exceed 125% of the amount of the independent engineer’s cost estimate as increased by known and documented rates of inflation since the PV SOLAR FARM was approved.</p> <p>g. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.5Q.4.d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.5Q.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.</p> <p>h. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.5R. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.</p> <p>i. Unless the Governing Body approves otherwise, the Champaign County State’s Attorney’s Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.</p> <p>(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:</p> <p>a. In the event that any PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing</p>	<p>f. At all times the value of the irrevocable letter of credit shall be increased annually as necessary to reflect actual rates of inflation over the life span of the PV SOLAR FARM and the amount shall be equal to or exceed 125% of the amount of the independent engineer’s cost estimate as increased by known and documented rates of inflation since the PV SOLAR FARM was approved.</p> <p>h. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.7 M.4.d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.7 M.4. shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.</p> <p>i. Any financial assurance required per the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture as required by paragraph 6.1.7 N. shall count towards the total financial assurance required for compliance with paragraph 6.1.1A.5.</p> <p>j. Unless the Governing Body approves otherwise, the Champaign County State’s Attorney’s Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.</p> <p>(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:</p> <p>a. In the event that any PV SOLAR FARM or component thereof ceases to be functional for more than six consecutive months after it starts producing</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.</p> <p>b. In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.</p> <p>c. There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.</p> <p>d. Any PV SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.</p> <p>e. Any PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.</p> <p>f. The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM SPECIAL USE Permit for a period exceeding ninety (90) days.</p> <p>g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY’s interest in the decommissioning and site reclamation plan.</p> <p>h. The COUNTY discovers any material misstatement of fact of misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit Zoning Case.</p>	<p>electricity and the Owner is not diligently repairing such PV SOLAR FARM or component.</p> <p>b. In the event that the Owner declares the PV SOLAR FARM or any PV SOLAR FARM component to be functionally obsolete for tax purposes.</p> <p>c. There is a delay in the construction of any PV SOLAR FARM of more than 6 months after construction on that PV SOLAR FARM begins.</p> <p>d. Any PV SOLAR FARM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.</p> <p>e. Any PV SOLAR FARM or component thereof that is otherwise derelict for a period of 6 months.</p> <p>f. The PV SOLAR FARM is in violation of the terms of the PV SOLAR FARM SPECIAL USE Permit for a period exceeding ninety (90) days.</p> <p>g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY’s interest in the decommissioning and site reclamation plan.</p> <p>h. The COUNTY discovers any material misstatement of fact of misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit Zoning Case.</p>
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PV SOLAR FARM ORDINANCE COMPARISON

<p>Q. Decommissioning and Site Reclamation Plan <i>(continued)</i></p> <p>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.</p> <p>(6) The Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.5Q.5. met, with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.</p> <p>(7) The decommissioning and site reclamation plan shall be included as a condition of approval by the Board and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.</p>	<p>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.</p> <p>(6) The Zoning Administrator may, but is not required to, deem the PV SOLAR FARM abandoned, or the standards set forth in Section 6.1.7 M.5. met, with respect to some, but not all, of the PV SOLAR FARM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the PV SOLAR FARM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining PV SOLAR FARM.</p> <p>(7) The decommissioning and site reclamation plan shall be included as a condition of approval by the Board and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.</p>
<p>R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(1) If provided by state law, the Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall</p>	<p>R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(1) If provided by state law, [†]The Applicant shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(2) The Applicant shall bear full responsibility for coordinating any special conditions required in the SPECIAL USE Permit in order to ensure compliance with the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p> <p>(3) All requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture shall</p>

PV SOLAR FARM ORDINANCE COMPARISON

<p>R. Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture <i>(continued)</i></p> <p>become requirements of the COUNTY Board SPECIAL USE Permit.</p> <p>(4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p>	<p>become requirements of the COUNTY Board SPECIAL USE Permit.</p> <p>(4) Champaign County shall have the right to enforce all requirements of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture.</p>
<p>S. Complaint Hotline</p> <p>(1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.</p> <p>(2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.</p> <p>(3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.</p> <p>(4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.</p> <p>(5) All calls shall be recorded and the recordings shall be saved for transcription for a minimum of two years.</p> <p>(6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.</p> <p>(7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.</p>	<p>S. Complaint Hotline</p> <p>(1) Prior to the commencement of construction on the PV SOLAR FARM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.</p> <p>(2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.</p> <p>(3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.</p> <p>(4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.</p> <p>(5) All calls shall be recorded and the recordings shall be saved for transcription for a minimum of two years.</p> <p>(6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.</p> <p>(7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.</p>

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<p>T. Standard Conditions for Expiration of PV SOLAR FARM COUNTY Board SPECIAL USE Permit</p> <p>A PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.</p>	<p>T. Standard Conditions for Expiration of PV SOLAR FARM COUNTY Board SPECIAL USE Permit</p> <p>A PV SOLAR FARM COUNTY Board SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.</p>
<p>U. Application Requirements</p> <p>(1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11A.2., the application shall contain or be accompanied by the following information:</p> <ul style="list-style-type: none"> a. A PV SOLAR FARM Project Summary, including, to the extent available: <ul style="list-style-type: none"> (a) A general description of the project, including its approximate DC and AC generating capacity; the maximum number and type of solar devices, and the potential equipment manufacturer(s). (b) The specific proposed location of the PV SOLAR FARM including all tax parcels on which the PV SOLAR FARM will be constructed. (c) The specific proposed location of all tax parcels required to be included in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. (d) A description of the Applicant, Owner and Operator, including their respective business structures. b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. 	<p>(1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11A.2., the application shall contain or be accompanied by the following information:</p> <ul style="list-style-type: none"> a. A PV SOLAR FARM Project Summary, including, to the extent available: <ul style="list-style-type: none"> (a) A general description of the project, including its approximate DC and AC generating capacity; the maximum number and type of solar devices, and the potential equipment manufacturer(s). (b) The specific proposed location of the PV SOLAR FARM including all tax parcels on which the PV SOLAR FARM will be constructed. (c) The specific proposed location of all tax parcels required to be included in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. (d) A description of the Applicant, Owner and Operator, including their respective business structures. b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the PV SOLAR FARM COUNTY Board SPECIAL USE Permit.

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<p>U. Application Requirements <i>(continued)</i></p> <p style="padding-left: 20px;">c. A site plan for the PV SOLAR FARM indicating the following:</p> <p style="padding-left: 40px;">(a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substation(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.</p> <p style="padding-left: 40px;">(b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM COUNTY Board SPECIAL USE Permit as required by subparagraph 6.1.5A.(1).</p> <p style="padding-left: 40px;">(c) The location of all below-ground wiring.</p> <p style="padding-left: 40px;">(d) The location, height, and appearance of all above-ground wiring and wiring structures.</p> <p style="padding-left: 40px;">(e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations</p>	<p style="padding-left: 20px;">c. A site plan for the PV SOLAR FARM indicating the following:</p> <p style="padding-left: 40px;">(a) The approximate planned location of all PV SOLAR FARM STRUCTURES, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, solar devices, electrical inverter(s), electrical transformer(s), cabling, switching station, electrical cabling from the PV SOLAR FARM to the Substation(s), ancillary equipment, screening and fencing, third party transmission lines, meteorological station, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.</p> <p style="padding-left: 40px;">(b) The site plan shall clearly indicate the area of the proposed PV SOLAR FARM COUNTY Board SPECIAL USE Permit as required by subparagraph 6.1.5A.(1).</p> <p style="padding-left: 40px;">(c) The location of all below-ground wiring.</p> <p style="padding-left: 40px;">(d) The location, height, and appearance of all above-ground wiring and wiring structures.</p> <p style="padding-left: 40px;">(e) The separation of all PV SOLAR FARM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations</p>
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<p>U. Application Requirements <i>(continued)</i></p> <p>may be provided in the approved site plan for the Zoning Use Permit provided that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. PV SOLAR FARM structures include substations, third party transmission lines, maintenance and management facilities, or other significant structures.</p> <p>d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.</p> <p>e. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section 6.1.5B.(2)a.(b).</p> <p>f. A municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the Zoning Administrator prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY Board or, in the absence of such a resolution, the Zoning Administrator shall provide documentation to the COUNTY Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY Board as required by Section 6.1.5B.(2)a.(c).</p>	<p>may be provided in the approved site plan for the Zoning Use Permit provided that the greater separation does not increase the noise impacts and/or glare that were approved in the PV SOLAR FARM COUNTY Board SPECIAL USE Permit. PV SOLAR FARM structures include substations, third party transmission lines, maintenance and management facilities, or other significant structures.</p> <p>d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.</p> <p>e. The PV SOLAR FARM SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one-and-one-half miles of the proposed PV SOLAR FARM as required by Section <u>6.1.7B.(2)a.(b)</u>.</p> <p>f. A municipal resolution regarding the PV SOLAR FARM by any municipality located within one-and-one-half miles of the PV SOLAR FARM must be submitted to the Zoning Administrator prior to the consideration of the PV SOLAR FARM SPECIAL USE Permit by the Champaign COUNTY Board or, in the absence of such a resolution, the Zoning Administrator shall provide documentation to the COUNTY Board that any municipality within one-and-one-half miles of the PV SOLAR FARM was provided notice of the meeting dates for consideration of the proposed PV SOLAR FARM SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY Board as required by Section <u>6.1.7B.(2)a.(c)</u>.</p>
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<p>U. Application Requirements <i>(continued)</i></p> <p>g. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM as required by Section 6.1.5B.(3)b.</p> <p>(2) The Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the COUNTY Board SPECIAL USE Permit application is pending.</p> <p>(3) The Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.</p>	<p>g. Documentation of an executed interconnection agreement with the appropriate electric utility shall be provided prior to issuance of a Zoning Compliance Certificate to authorize operation of the PV SOLAR FARM as required by Section <u>6.1.7B.(3)b.</u></p> <p>(2) The Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the COUNTY Board SPECIAL USE Permit application is pending.</p> <p>(3) The Applicant shall include a copy of the signed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture with the Zoning Use Permit Application to authorize construction.</p>
<p>No regulation.</p>	<p><u>V. The approval of a PV SOLAR FARM shall not be conditioned on a property value guarantee and shall not require a facility owner to pay into a neighboring property devaluation escrow account. This is a statutory requirement by 55 ILCS 5/5-12020 and shall not be changed.</u></p>
<p>No regulation.</p>	<p><u>W. Deadline for Start of Public Hearing and Governing Body Determination</u></p> <p>(1) <u>A public hearing for a PV SOLAR FARM shall begin within 45 days of filing a complete SPECIAL USE Permit application. This requirement is imposed by Public Act 102-1123 and the number of days shall not be increased or eliminated unless waived by the developer.</u></p> <p>(2) <u>A decision on the SPECIAL USE Permit shall be made within 30 days after the conclusion of the public hearing. This requirement is imposed by Public Act 102-1123 and the number of days shall not be increased or eliminated unless waived by the developer.</u></p>

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